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FOR THE DISARMAMENT CONFERENCE**

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FOR THE REDUCTION AND LIMITATION  
OF ARMAMENTS**

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of the

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<i>Union of Soviet Socialist Republics.</i> . . . . .	M. Maxime LITVINOFF. M. Anatole LOUNATCHARSKY.
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<i>Venezuela</i> . . . . .	M. C. E. DE LA MADRIZ.
<i>Yugoslavia</i> . . . . .	His Excellency Dr. Lazare MARKOVITCH.

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## FIRST MEETING.

*Held on Thursday, November 6th, 1930, at 11 a.m.*

*President: M. LOUDON (Netherlands).*

### 1. Re-opening of the Session.

**The President.** — We are met together to-day to continue the work of our sixth session, which we suspended because the naval question—*i.e.*, the question of the methods to be adopted for the reduction and limitation of naval armaments—was not yet solved. Our Commission, which in the beginning consisted of only eighteen delegations, now comprises thirty-two, and I am happy to welcome two new members, the representatives of Ireland and Norway, who have come to join us as a result of the recent election of their countries to the Council. I am also glad to note the presence of certain members whom we have not previously had the pleasure of seeing among us as delegates of their countries. On behalf of all those who up to the present have only known him as Director of the Disarmament Section of the Secretariat of the League of Nations it is my privilege to welcome a new colleague whose vast experience will be of invaluable assistance; I refer to M. Colban.

As you will remember, on May 6th, 1929, we decided to suspend our work in order that the principal naval Powers should have time to reach an agreement with regard to certain suggestions submitted to the Commission on April 22nd, 1929, by the representative of the United States of America. I need hardly remind you, I suppose, how often I myself ventured to appeal to the maritime Powers to reach an agreement on this part of our programme for the preparation of the General Conference for the Reduction and Limitation of Armaments.

These Powers, as you know, met on January 21st last in London at a Conference to which the Governments of the United States of America, Great Britain, France, Italy and Japan were convened, and at which the Governments of the Union of South Africa, Australia, Canada, India, the Irish Free State and New Zealand were also represented. In the case of the Disarmament Section of the Secretariat, its Director, M. Colban, was invited to follow the work of the Conference as an observer, without taking part in the discussions.

The results obtained in London were made known to you in the letter of April 21st last from the President of the Conference to the Secretary-General of the League of Nations. The most important of these are: the agreement reached between the French and British delegations with regard to the adoption of a common method of limitation; the agreement reached between all the contracting parties represented at the Conference on the question of the limitation of the displacement of submarines and the calibre of their guns; the definition of vessels to which the rules fixed for limitation do not apply; the rules concerning replacement and disposal; and, finally, a list of the vessels which, although not possessing the characteristics of exempt vessels, need not be taken into account in determining total tonnage.

I think I am speaking on behalf of the whole Commission when I say that we note these results with the greatest satisfaction—a satisfaction still further increased by the ratification by three of the contracting parties of the Agreement they signed at London with regard to the question of tonnage.

In the interval between the end of the London Naval Conference and the reopening of the sixth session of our Commission, two events have occurred which directly affect our work—namely, the fourth session of the Committee on Arbitration and Security, and the eleventh Assembly of the League of Nations.

The Committee on Arbitration and Security, a junior branch of our Commission, which works for security on lines parallel to our own, has accomplished some very important work, of which you have been informed by the Minutes transmitted to you by the Secretary-General. I think it may be well to summarise these results very briefly.

The agenda of the fourth session of this Committee included three important points, namely:

- (1) A Preliminary Draft General Convention to strengthen the Means of Preventing War;
- (2) A Draft Convention on Financial Assistance; and
- (3) Matters concerned with Communications affecting the Working of the League of Nations in Times of Emergency.

As regards the first item (the Preliminary Draft General Convention to strengthen the Means of Preventing War), the exchange of views in the Committee showed that the conversion of the Model Treaty into a General Convention raised a number of problems of great importance.

In the case of some of these problems, the Committee succeeded in bringing the various divergent views closer together; but, in the case of others, particularly the problem of the more or less obligatory character of the military measures to be recommended by the Council, and that of supervision and penalties, it found itself unable to put forward any unanimous proposals.

At its meeting on May 15th last, the Council examined the report of the Committee and instructed the Secretary-General to transmit to the Assembly the Preliminary Draft General Convention to strengthen the Means of preventing War, together with the report on the work of the Committee.

You are already, of course, acquainted with these documents.

The eleventh Assembly examined the Preliminary Draft General Convention and decided, since the various divergent views had been brought appreciably closer together, that it would be desirable to continue the study of the question, and requested the Council to appoint a special committee for the purpose, which would submit a report to the Council before the twelfth ordinary session of the Assembly.

As regards the second question on the agenda (Draft Convention on Financial Assistance), the Committee on Arbitration and Security succeeded, at its fourth session, with the assistance of four members of the Financial Committee, in drawing up a final text. On May 15th, the Council requested the Secretary-General to transmit this report also, with its annexes, to the Assembly for consideration. At the same time, it pointed out to the Governments the desirability of providing their delegates to the Assembly with powers to sign the Convention.

The Draft Convention on Financial Assistance was very carefully studied by the Third Committee of the Eleventh Assembly. The latter adopted the draft with certain slight formal alterations. It thus became possible to open the Convention for the signature of the various States at a solemn meeting of the Assembly on the morning of Thursday, October 2nd. At that memorable meeting, the delegates of twenty-eight countries, provided with full powers, signed this Act.

It should be noted that, under Article 35 of the Convention, its coming into force is conditional on the coming into force of the Convention for the Reduction and Limitation of Armaments, as provided in Article 8 of the Covenant.

With regard to the third item on its agenda (Communications affecting the Working of the League of Nations at Times of Emergency; Facilities to be granted to Aircraft), the Committee on Arbitration and Security proposed, at the suggestion of the Advisory and Technical Committee on Communications and Transit, that the Assembly should adopt a draft resolution taking into due account all the preparatory work accomplished, and which is thus in harmony both with the principles of the International Convention of 1919 and with those of the Conventions concluded between States parties to the Convention of 1919 and States which are not parties to that Convention. At its meeting on May 15th, the Council also instructed the Secretary-General to submit this draft resolution to the eleventh Assembly. The Council also submitted to the Assembly a draft resolution concerning Motor Transport. The Assembly adopted these two resolutions with certain very slight drafting changes.

As regards the examination of the work of the Preparatory Commission itself, the Third Committee of the Assembly invited your President to attend its discussions from the outset. I was thus able to explain to the Third Committee of the Assembly the progress of our work, and to assure it, as President of the Preparatory Commission, that the Commission would terminate its task during the present session.

Without going into the details of the question of disarmament, the Assembly, and its Third Committee, stated once again that it was necessary for our Commission to complete its task at this session in order that the Council might convene, as soon as possible, the General Conference for the Reduction and Limitation of Armaments. Although some delegations insisted on the need for convening this Conference in the course of the year 1931, the Assembly did not feel itself able to fix a date. It nevertheless expressed the desire that the General Conference should be convened in 1931, a desire which I am sure we all share.

I trust, however, that public opinion will not be under any illusion as to what the Preparatory Commission will be able to accomplish.

In the first place, people should abandon the habit of saying that the object of our work is "disarmament". It cannot be repeated too often that we are only considering the reduction and limitation of armaments, absolute disarmament being still an ideal, the achievement of which is hardly conceivable in the political, and above all moral, state of the world as we see it at present.

Our Commission's only task—which is far from negligible—is to formulate the principles to be applied and the methods to be followed by the General Conference for which it is making preparations, in order that a halt may be called in the competition in armaments and that armaments themselves may be gradually reduced to the lowest point consistent with national safety and the enforcement by common action of international obligations, as laid down in Article 8 of the Covenant. The Conference itself will prepare the plan and fix the figures for these reductions and limitations after consideration by the various Governments, duly supported, I hope, by public opinion, which is very, and very rightly, impatient on this subject, as various letters recently addressed to me by private organisations show.

The draft Convention which we are establishing to serve as a basis for the work of the Conference is only a first step, though a reasoned and decisive step, on the long path which will have to be covered by the Governments resolved to unite in preventing armed conflict between civilised nations and to combat the mutual distrust which too often engenders such conflicts.

Remember, Gentlemen, the emphasis laid at the last Assembly by various — and by no means the least eminent — delegates, on the absolute necessity of limiting and reducing armaments. We must succeed at whatever cost and with the smallest possible number of reservations. I therefore appeal most earnestly to all delegates here present to abide by the results—at any rate provisionally—even if those results fall short of their ideal, and even if the methods they advocate individually are not adopted. They will thus be helping us to terminate our work and may rest assured that this first endeavour will lead to others which will gradually bring us near to our ultimate goal.

There can be no doubt that a setback will shake the confidence of the public in that "desire for peace" so often asserted by its leaders. Nothing could be more harmful to the cause of peace, which, in the present troubled times, needs more than ever to be strengthened.

In terminating my speech, therefore, I say, let us set about our task with the clear determination that we will not separate until we have established the draft Convention on which we have been working since 1927 with such unflinching perseverance—a perseverance which, I feel sure, will not weaken during this last phase of our labours.

## 2. Order of Work.

**The President.** — I hope you will agree that, if our work is to make satisfactory progress, we should meet only once a day. I propose that we meet regularly every morning from 10 a.m. to 1 p.m. In that way we shall all have the afternoon free either for conversations, which are so useful, as you know, or for meetings of sub-committees if it is found necessary to appoint them. I propose that we begin our meetings every morning punctually at five minutes past ten.

*Agreed.*

The British delegation has submitted three proposals on Chapter V. These will be circulated.

I propose that we do not open any general discussion, because we are continuing the second part of our sixth session. The cases put forward by the various delegations are known. Moreover, there is nothing to prevent their being restated when the various points on our agenda come up for discussion. We will therefore begin to-morrow, if you agree, the examination of our draft Convention. We shall try, as far as possible, not to revert to questions which have already been settled at second reading. On the other hand, we shall carefully consider those which have been settled only at first reading and also those parts of the texts considered at second reading which were deferred until the second part of our session.

If there is no objection, I shall consider that the Commission accepts this procedure.

**Lord Cecil (British Empire).** — Mr. President, I agree with what you have said as to the general course of our proceedings. I certainly hope that we are not going to have any more general discussions. I agree also with your general views as to the way we should deal with the draft Convention. We should take up the Convention and give it a final reading, enabling us, I hope, to arrive at a final conclusion on several of the questions raised. It has been stated that questions which were finally settled during the second reading of the draft Convention—apart from some exceptional cases—ought not to come up again during the course of our present discussion, and I agree with that view; at the same time, I hope we shall take up the draft Convention article by article, even though they have already been adopted. If we find that anything has been overlooked during the second reading, then we can suggest that it should be considered.

In principle, I am in entire agreement with the procedure you have outlined.

**Count Bernstorff (Germany).** — I think there is a slight difference between Lord Cecil's proposal and that of our President. Lord Cecil says that, in certain exceptional cases, articles already adopted might be reconsidered. In my opinion it is most important to know what these exceptions are.

I should like to remind you of the statement I made on behalf of my Government on May 4th, 1929. I will only quote one sentence from it:

"I therefore find myself obliged to dissociate myself definitely from the programme which the majority of this Commission has just drawn up and to leave to it henceforth, as its course is being shaped at the present moment, the sole responsibility for the preparation of the Conference."

I know that our Commission's sole task is to determine by what methods the Disarmament Conference is to settle the question. In my opinion, however, the decisions already taken preclude the possibility of any appreciable reduction of every kind of armament; yet the essential point, in our view, is that, if we are to take a first step forward, that step should involve an appreciable reduction of every kind of armament. Any other step would be absolutely unacceptable, as far as I am concerned. For that reason I felt bound to make the statement I have just repeated; and I have repeated it now, because it fully explains my attitude towards the negotiations in which we shall engage.

My desire is that our Commission should complete its work as soon as possible, so as to enable us to report to the Council and ask it to convene the General Disarmament Conference for November 1st of next year. In that way we shall know whether there is or is not a real intention to reduce armaments.

We have been warned against cherishing illusions. I feel sure the world is under no illusion in regard to our work. After these five years of discussions the world has lost any illusion in regard to what we could or could not accomplish, particularly in the first part of our present session.

We have had to wait for eighteen months; yet for the last six months, at all events, there need have been no delay, because we might have continued our work immediately after the London Naval Conference.

The German delegation has made a proposal regarding publicity. It has been said that this proposal would be discussed when the question of publicity was dealt with in our draft.

It is true that our proposal relates to the publicity to be given to the elements of armament which are susceptible of reduction. We have made these proposals to assist in preparing the work of the Conference; and for that reason I ask that the German proposal be discussed as well, apart from the discussion on the draft submitted to us.

My Government has instructed me to ask that, if we do not rediscuss the questions already settled, and if we must regard the work done as completed, we should do our utmost to ensure that the Conference is convened at the earliest possible moment. I think that, on the basis of our present work, no real reduction of armaments will be possible. Yet a reduction of armaments we must accomplish, and I ask that it should be effected as soon as possible, because the world demands it. I repeat: a great deal of the uneasiness which exists in the world is due to the long delay in realising disarmament. The world has waited five years, and no appreciable result has been achieved.

Accordingly, I repeat once again: let us convene the Conference as soon as possible.

**M. Litvinoff** (Union of Soviet Socialist Republics). — The honourable delegate of Great Britain has declared himself in agreement with our President, and I find myself in agreement with Lord Cecil, but not with the President, because Lord Cecil's proposal is at variance with the rules laid down by the President. You, Mr. President, propose to begin where we left off eighteen months ago, whereas the representative of Great Britain proposes to begin the examination of the draft Convention from the commencement, which means going over those points already discussed, and in the majority of cases adopted.

I shall not go so far as the representative of Great Britain. I shall ask much less, for the reason that I have been here during the last few sessions, whereas Lord Cecil has been absent, and is therefore more optimistic. I am prepared to support Lord Cecil's proposal, but I have no desire to prolong this session by fruitless debates. I feel compelled to make my situation before the Commission quite clear.

The Preparatory Commission has seen fit to regard to-day's sitting as the continuation of the sixth session, begun and broken off eighteen months ago, rather than as the beginning of a new one. In their boundless optimism, which seems to increase rather than to decrease in direct ratio to the failures of the Preparatory Commission, the majority of the delegates assumed that a short break in the sixth session would suffice for the surmounting of the difficulties met with in the sphere of naval disarmament. This optimism has also failed to justify itself this time as, indeed, throughout the pursuance by the Commission of the path mapped out by it—a path which the Soviet delegation has always considered, and still considers, a fatal one for the cause of disarmament. The Soviet delegation never believed that the method of attempting to solve the question of naval disarmament, upon which the majority in the Preparatory Commission placed such hopes, was capable in the slightest degree of solving the problem of naval disarmament on an international scale, whether the agreement be limited to three sea Powers or whether two or more other States joined in it. I will not dwell now upon this special question, as this will have to be done when it comes before the Commission. I do not think, however, that the optimists of the Preparatory Commission have any grounds to be gratified by the results so far attained in negotiations and agreements as to naval disarmament. Confronted by such a state of affairs, we can merely register the unique fact, without precedent in the history of international conferences, that a break of eighteen months has taken place between two sittings of one session of an international commission.

Can we really ignore this circumstance and behave as if we had only just dispersed after the twenty-first sitting of the sixth session, and were meeting to-day for the twenty-second sitting, to go on with our work where we left off? Can we ignore all that has occurred during this interval? In normal times, eighteen months might be considered a fairly long period in the history of international relations; how much more in the stormy, and therefore abnormal and exceptional, times in which we live. The catastrophic upheavals and disturbances caused by the world war are only now beginning to make themselves felt in all their implacability and are peremptorily presenting their account to humanity. When advocating the Soviet draft Conventions for disarmament at the 1927 and 1929 sessions of the Preparatory Commission, I referred to the ever-growing danger of a fresh war; but the Commission at that time regarded this as a too pessimistic view of the international situation, not justified by the circumstances. If the Preparatory Commission were to adhere to this its appraisal now, it would find itself at variance with recent declarations by statesmen and the Press of capitalist countries, pronouncing the most gloomy diagnosis of the present international situation, pointing to the anxiety and alarm felt by all with regard to the imminent development of this situation, and even making definite analogies between the times immediately preceding the world war and the present moment. Thus we have M. Munch, the Danish Minister for Foreign Affairs, declaring at the eleventh Assembly of the League of Nations:

“ The solution of great economic and political problems has not brought about the hoped-for appeasement, and the situation in Europe appears more disturbed at the present moment than at any other period since 1924. ”

M. Hymans, the Belgian Foreign Minister, at the same Assembly expressed a similar thought in the following words:

“ . . . for various reasons, on which I will not at present dwell, the atmosphere has become heavy, as if charged with electricity, at times reminiscent of previous troubled periods. Anxiety prevails in certain circles. There are, indeed, some circles in which rumours of war are spreading like gas-fumes . . . the very fact that war is discussed is in itself a danger. ”

And how the situation in Europe is judged by the unsophisticated man in the street we are told by the Washington correspondent of a Berlin paper as recently as the fourth of this month (I quote verbally):

“ Almost all Americans returning during the last months and even earlier, from summer tours in Europe have brought back the impression that Europe is moving towards a new war. Quite harmless people, before their journey anticipating all that they were to see in Europe, returned with that pleasing news, breathless and indignant that the well-meant friendly visit had been rewarded by haunting anxiety. ”

Indeed, does not the extraordinary intensification of political and economic antagonisms confront us steadily and threateningly—antagonisms finding new and fertile soil in the general economic crisis at present experienced, a crisis not even to be shaken off by anti-Soviet incantations? Does not the existence in Europe alone of something like 50 million persons belonging to national minorities, in some countries comprising one-third to one-half of the whole population, and ever more insistently urging their rights, continue to press upon the international situation? Can we really ignore the significant intensification of the influence on the destiny of certain States of the most irresponsible, reckless and aggressive groups and parties, in its turn the result of the intensification of international and inter-class antagonisms within capitalist society itself, constituting, as this influence does, a special danger to peace in countries which are fully armed? Does not the determination with which various States are resisting the slightest attempt at disarmament, and the energy with which they are carrying out further increase of their armaments, speak to us of the danger of war? Have not the war budgets of five of the biggest States increased by half a billion dollars (*i.e.*, 27 per cent) since 1926—*i.e.*, during the existence of the Preparatory Commission?

We are not to be misled by any talk about the reduction of armed forces on a national scale in any country. Figures are only convincing when they have been subjected to meticulous and impartial verification and analysis. The number of effectives, for instance, may be reduced, the term of actual military service curtailed, and at the same time bodies of reserves may be increased, their mobilisation facilitated, the number of aeroplanes and reserves of military stores increased, so that the result is not the diminution but the increase of the destructive power of the armies concerned. If we aim at disarmament, it is the reduction of the general potential of destruction and not partial shifting of items within a given military war budget that we mean.

The opponents of disarmament have for many years been singing hymns to “ security ”, which is in their eyes, apparently, a sufficient and exclusive guarantee of peace. They have attained the creation within the Preparatory Commission of a special “ Committee on Arbitration and Security ”. This Committee successfully concluded its work and drew up model security treaties; treaties have already been signed between many countries, and arbitration agreements concluded; more, the Paris Pact is in existence for the renunciation of war, to which almost all European and non-European States are parties. And has international tranquillity ensued? The danger of war becomes less? The resistance to disarmament weakened? Alas! all these questions must be answered in the negative. The State which I represent can testify from its own experience about a year ago that the Paris Pact has not saved it from incursions from a neighbouring country, party to the Pact, of armed bands and detachments, with all the consequences entailed.

**The President** (interrupting M. Litvinoff). — We decided not to have a general discussion. I must therefore ask M. Litvinoff to confine himself to essentials.

**M. Litvinoff** (Union of Soviet Socialist Republics). — I will be as brief as possible. I am coming to the point.

It is perfectly obvious that the mere conclusion of arbitration, regional or any other treaties whatsoever, and even the solemn signing of a general Pact for the renunciation of war, are incapable of creating that international confidence which should enable States to forget the danger of war and to cease intensive preparations for war. Add to this the fact that, under the system of “ security ” measures conceived by their authors and exponents, comparative security is only to be created for a single group of countries, at the expense of the “ security ” of other countries—in other words definitely national or group aims are pursued, and by no means the insurance of conditions of general peace, so that the chances for general disarmament become in their turn still slighter. Thus the theory “ security first, and then disarmament ” must be boldly rejected and the fact recognised that the thesis of “ security ” at the present time and in the form advocated by its exponents militates against disarmament, and that the exponents of this doctrine are actually working against disarmament or even the reduction of armaments. It is, therefore, no



wonder that, among the countries which were the loudest in their demands for "security" guarantees, and which made provident requests to the League of Nations for financial aid in case of attack on themselves, were some in which the chiefs of military staffs were, as is now common knowledge, at the same time devising and carrying out plans for the provocation of war with their neighbours.

What conclusions should be drawn from all this? How are we to protect ourselves against the imminent danger of war? To us, the representatives of the Soviet Union, and exponents of definite socio-economic theories, the impossibility of removing the politico-economic antagonisms of capitalist society, and hence the ultimate inevitability of war, is perfectly clear. We believe, however, or we should not be here, that the danger of war might be considerably diminished, or made comparatively remote, by some measure of real disarmament. The greater the degree of the reduction of armaments, the less will be the danger of attempting to solve existing antagonisms by armed conflicts. The Soviet delegation therefore came to the Preparatory Commission with a proposal for complete and general disarmament as the maximum guarantee of peace. Meeting with determined resistance from the majority of the Preparatory Commission, the Soviet delegation brought a proposal for the reduction of all branches and kinds of arms, on land and sea and air, by 50 per cent. The principle of proportionality and justice upon which this proposal was based was to have removed all these obstacles which the London, Paris, Rome, Geneva and other disarmament negotiations, going on outside the framework of the Soviet draft, are coming up against. Unfortunately, this draft Convention also was rejected by the Preparatory Commission. At the second reading of the draft Convention drawn up by the Preparatory Commission itself, the Soviet delegation proposed the establishment in this draft of at least some sort of coefficient for the reduction of armaments, expressed in figures. But this proposal also was rejected by the Commission. I would willingly propose a return to all these questions and their re-examination in the light of that new phase of the international situation which I have just described, if I had the slightest hope of any inclination for this among the majority of the Commission. But I have no such hope and therefore will not again raise these our old proposals, reserving them for the Disarmament Conference.

Confining myself, however, within the limits of the second reading of the draft Convention now under consideration, and certain firm principles of a negative character, already adopted by the Commission, I would nevertheless venture to propose re-examination of certain questions, in the hope of the Commission taking into consideration the present international situation and the new circumstances which have arisen during the eighteen months' interval separating the twenty-first from the twenty-second meeting of the sixth session of the Preparatory Commission.

Last year, summarising the results of the earlier half of the sixth session, I pointed out that, while the previous sessions might be said merely to have marked time and produced no results whatever, the present (sixth) at last making a move, but a backward move, may write down to its account negative results. Within the framework of its own Convention, the sixth session of the Commission rejected one after the other the amendments of the Soviet delegation regarding the prohibition of preparations for chemical warfare and the prohibition of aerial bombardment. The Commission excluded from its Convention clauses on the limitation of trained reserves, and of military stores, both for land and air forces; it refused to draw up a list of military weapons to be limited, thus putting difficulties in the way of attaining the complete withdrawal from use by armies of those which are particularly aggressive and comprise special danger for the civil population. The Commission refused to make a list of the various ranks in armies and of air experts, without which the effective limitation of the potentialities for the development of armed forces is rendered extremely difficult. The Commission rejected the proposal for the compulsory limitation of land and air forces separately for home countries and colonies. The Commission did not accept the Soviet proposal for the prohibition of new and perfected weapons of destruction.

While attaching the utmost importance to all these questions, the Soviet delegation is nevertheless not counting upon the consent of the majority of the Commission to revert to them, and, not wishing to prolong the session by fruitless discussion, it would like to fix the attention of the Commission on at least the more important of them, without the positive solution of which the whole draft Convention will be but an empty shell, in which no contents appertaining in the slightest degree to disarmament can be poured. First and foremost we once more invite the Commission to substitute throughout the draft Convention the words "Reduction and Limitation of Armaments" for the term "Limitation of Armaments". Only thus can the impression remaining from the first half of the work of the sixth session be slightly modified—the impression that the Preparatory Commission intends to propose, instead of a reduction, a mere limitation of armaments at the present level, even leaving scope for their further increase. The Soviet delegation next proposes a re-examination of the question, formerly decided in the negative, of the inclusion among the objects of the Convention of trained reserves, as one of the principal elements of the belligerent power of modern armies, appalling as much on account of the millions which will be sent to the front in time of war as on account of the hundreds of thousands they maintain under arms. Further, the Soviet delegation holds out for the inclusion in the Convention of reserves of military materials enabling vast armies to be equipped for war. The apparent diminution of armed forces in the form of the numerical reduction of troops is at present more

than compensated for by the impregnation of armies with military-technical supplies. The same applies, of course, to military aeroplanes in reserve.

Inviting the Preparatory Commission to revert at least to the three questions I have enumerated, the Soviet delegation also has in mind a certain alteration in the membership of the Preparatory Commission itself, arising partly out of the coming into power of new Governments in some countries, and also the change in views on the questions discussed in the Commission on the part of some other Governments represented in it previously. We have recently heard from representatives of the Governments of certain great States official speeches on the question of disarmament, which are far from corresponding to the views expressed by the representatives of these same States in the Preparatory Commission. We are bound to afford these Governments an opportunity to bring the speeches and voting of their representatives at the Preparatory Commission into line with their own public official speeches.

The Soviet delegation contents itself with a proposal for the reconsideration of a minimum number of questions, but a second negative decision on these questions will deprive the Soviet delegation of all interest in the majority of the other questions on the agenda, as being quite unconnected with the question of disarmament or the reduction of armaments.

**The President.** — I did not want to interrupt M. Litvinoff a second time, but he has gone far beyond what he himself told us he would say. I cannot expect the Commission to remain in session to hear the translation of his speech. The translation will be distributed later. The first part, however, will be translated, as it deals with a question of procedure which was under discussion.

**Lord Cecil (British Empire).** — I confess that, as a result of what we have just heard, I was rather depressed. My usual optimism received a rather severe shock when I was told that no reduction of armaments was possible under this Treaty and that the whole thing was an illusion. I think I would have been too depressed to address you if I had not called to mind an incident which occurred in my own country once. The Government of my country were assembled on one occasion for the purpose of drafting an address, which it was proposed to begin with the words, "Conscious as we are of our own infirmities". Certain objections were raised to this phrase as being "too humble". A certain judge rose and suggested that he could compose all differences with a very slight alteration. He suggested the words, "Conscious as we are of one another's infirmities". That was universally accepted and the address proceeded, and I am quite willing to believe that, in the opinion of the last two speakers, the only two countries in favour of permanent disarmament are Germany and Russia; but they cannot of course expect us to share that conviction.

My proposal is not intended to be entirely different from that of the President. My conception of the thing is that we should all of us send in any amendments that we desire to have discussed and that no amendments should be discussed unless they have been distributed beforehand, otherwise we shall have a long discussion without anybody knowing what is being discussed. When these amendments come up for discussion, if they deal with any particular part of the Convention which has already been passed in second reading, our President should call our attention to that fact and ask the Commission whether they think it is an amendment which ought to be discussed or not. If it is not desired that it be discussed, it will be passed over, but if there is any considerable desire to discuss it, then the Commission will allow it to be discussed. If we really desire to work together and to reach a conclusion, this ought not to be difficult to carry out. When that has been done we shall have discussed these important things, and I believe we ought to reach a conclusion. Personally, I was delighted to hear from M. Litvinoff and from Count Bernstorff their earnest desire to promote disarmament, and, as far as I am concerned, I shall be ready to do anything I can on behalf of my Government to promote disarmament in its most effective form. I beg them to consider that, after all, we are passing through a very revolutionary change in the history of the world, and it is deplorable and regrettable that it has not proceeded with greater rapidity. And yet you could not really expect any great rapidity in a matter of this kind. I have not abandoned hope that, if we will work in accordance with the recommendations of the speeches to which we have listened—namely, in a real desire to reach agreement and compromise—we shall succeed; in other words, I venture to recommend, as the real foundation for our proceedings, an adequate amount of faith and courage.

**Count Bernstorff (Germany).** — Lord Cecil misunderstands me if he thinks I entertained the least doubt of his desire to enable us to reduce armaments. I do not feel the least doubt; but, as regards his proposal, I am somewhat in a quandary. If amendments are to be introduced in the articles we have already adopted, I must necessarily revert to the questions in which I am particularly interested—namely, trained reserves and material—and I shall have to make specific proposals on those two points. I shall do so with great pleasure, although I know it will take a great deal of time; but I shall not make such proposals unless I see that the majority, which decided otherwise at our last meeting, intends to change its attitude.

It is quite useless for me to put in the amendments I submitted at our last session if they are to be rejected in the same way, because that would lead us to a result which I desire to avoid.

I repeat: my chief desire is that the Disarmament Conference should be convened as soon as possible, and that the Preparatory Commission should complete its work at the earliest possible moment—the day after to-morrow, if it can—in order that the Conference may meet as soon as possible.

**The President.** — I think I may say there is no disagreement between Lord Cecil and myself. My idea is this: for the sake of clearness, I would propose to read you the whole of our text as adopted at second reading. The discussion will, in principle, not be reopened on anything that was adopted at second reading. If, of course, there were occasion to introduce any small drafting or other changes they might be discussed. When we come to the articles which were adopted at first reading or the articles part of which were postponed, then, and then only, would the discussion be reopened.

In these circumstances, as you see, there can be no question of a third reading.

I think, therefore, that we are all in agreement.

**Lord Cecil (British Empire).** — I quite agree in principle, but I am really very anxious that it should not be open to any member of this Commission to be able to go out from here and say that such and such a point was never properly discussed, although he had desired to raise it. That would be a disastrous result. I see no prospect of having to ask the Commission to rediscuss anything which has been agreed to in principle, but I hope the President will not have too cast-iron a rule. It is no use our putting before the Commission proposals which have already been adopted by substantial majorities, unless it is necessary to discuss them from any other point of view. I suggest we insist on amendments being drafted in writing beforehand so that we shall know exactly what they are, and, if any member desires to have any matter brought up, that can be done. It is much better that we should spend two or three days in so doing rather than leave it open to anyone to say that we have not considered a matter properly. We have a tremendous problem before us, and I think that, if we try to rush things, even at the last stage we shall make more haste and less speed. I therefore venture to hope that the President will bear these observations in mind in exercising his high function of directing our deliberations.

**The President.** — Lord Cecil need not feel uneasy. I shall try to act with common sense and judgment and not to be too autocratic; but we must have order and discipline in all we do.

**M. Sato (Japan).** — My delegation is in favour of all the procedure proposed with a view to promoting the progress of our work and the reaching of a practical solution. The adoption of a procedure is a matter of great importance for the successful issue of our discussions, and, if the procedure be bad the results may be disastrous. To make the situation perfectly clear, I venture to suggest that we take first of all the questions which were not settled at second reading. This procedure seems to me logical, because we are really continuing the discussion at second reading. For example, in the first chapter (which deals with effectives), we should, in Article A, rediscuss the last paragraph (regarding naval questions), which was left unsettled. We might proceed very quickly, discussing in this way the points not yet settled, and then re-examine the text from beginning to end. Lord Cecil's suggestion might then be put into practice—in other words, we might examine any amendments proposed to any of the articles. We should thus be able to complete our work logically and clearly, and Lord Cecil's point would be met. We should not, however, begin by examining the amendments to each article in succession. My proposal is that we begin with the questions that are not yet settled, and then, at the end of our work, examine the exceptional cases which Lord Cecil has mentioned. In that way we may achieve a practical settlement of our work.

**Lord Cecil (British Empire).** — I declare myself in agreement with what M. Sato has proposed.

Mr. President, you proposed that the text, so far as it has been settled in second reading, should be read but not discussed; but, when we come to the parts not settled in the second reading, we should discuss them, and, at the end, we should have the right to reconsider any important questions which had been left out.

**The President.** — I think we are all agreed. I will read the whole text of the draft Convention, but we will not discuss the articles already adopted at second reading; we will only discuss the others which were left unsettled. Then, at the end of the discussion, we will re-examine the whole draft and see whether any questions still remain outstanding. Any amendments submitted could be discussed afterwards.

**Lord Cecil (British Empire).** — May I ask you, Mr. President, to give instructions that all amendments should be submitted as soon as possible, in writing.

**The President.** — I always emphasise the value of that procedure. It is essential that we should know as soon as possible what amendments are being submitted, and they should therefore be sent in to the Secretariat without delay.

**M. Massigli (France).** — I entirely agree with what has just been said in conclusion of the discussion. As regards the general revision of the draft Convention, however, when we

have examined the texts which have not yet been taken at second reading, there will, of course, be a fresh discussion only if a majority of the Commission consider it necessary.

**The President.** — That is understood.

**Lord Cecil (British Empire).** — I would have preferred to leave it to the President to see that only questions are raised again on which there is something to be said, rather than ask for a formal decision of the majority of the delegates.

**M. Litvinoff (Union of Soviet Socialist Republics).** — The Chairman has ruled that my statement should not be translated into French. Personally, I will not lose anything by that ruling, as it may heighten the importance of my statement. Prohibited literature is always read most eagerly. At the same time I think it is unfair to treat the French-speaking delegates as less advanced and ripe for Soviet speeches than the English-speaking delegates.

**The President.** — I proposed that we should not have that speech interpreted at once, because, in any case, it was out of order. I interrupted M. Litvinoff. He told me he would be brief. I did not want to interrupt him again; as, however, we had decided that there would be no general discussion, I said that his speech would not be translated immediately, but that the translation would be circulated later.

**Count Bernstorff (Germany).** — I understood, as did M. Massigli, that a question would not be discussed if the majority of the Commission decided against it. Where the majority of the Commission holds an opposite view, it seems to me superfluous to move an amendment. For my part, I have no intention of moving any. I only say that lest you should think I propose to flood you with amendments.

**Dr. Riddell (Canada).** — Do I understand that, if a person submits an amendment to any article during the second reading, he will have the right to explain the position of his Government in submitting that amendment to the Commission?

**The President.** — I may answer Dr. Riddell at once. There is no reason why a question should not be re-examined when the various items of the agenda come up for discussion.

**Count Bernstorff (Germany).** — Could we not ask delegations who send in amendments also to state their reasons in writing?

**M. Fierlinger (Czechoslovakia).** — At this last session the Commission's task will not be a very easy one. We must impose strict discipline upon ourselves and follow exactly the suggestions made by our distinguished President. We must place full confidence in him and in the Bureau. The proposal made by M. Sato and accepted by Lord Cecil seems to me a very judicious one. For the rest, we must trust our President.

**M. Bourquin (Belgium).** — I heard Dr. Riddell speak just now of possible amendments. If I understand aright, we are to decide that, in principle, the questions already settled at second reading will not be rediscussed save in exceptional cases. The decision in that case would be taken by the Commission, according to M. Massigli's proposal, or would be left to the President's discretion, according to what has last been said. If an amendment be submitted to a text adopted at second reading, I understand that we must be governed by this procedure, and that, in principle, such amendments will not be admitted save in exceptional circumstances.

*The meeting rose at 1.15 p.m.*

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## SECOND MEETING.

*Held on Friday, November 7th, 1930, at 10 a.m.*

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*President: M. LOUDON (Netherlands).*

### 3. Discussion of the Draft Convention — Procedure.

#### Note by the Secretariat.

1. Document C.P.D.211, referred to in the following pages, was prepared by the Secretariat and circulated in the Commission at the commencement of the Sixth Session (second part).

It combines in one document:

(a) The texts of the Draft Convention drawn up at First Reading, with the Observations and Reservations in regard thereto, and

(b) The Texts of the Draft Convention drawn up at Second Reading.

This document is reproduced in whole as Annex 1 to this volume.

2. The texts printed at the beginning of the discussion of each Article are taken from this document C.P.D.211.

**The President.** — Before we begin our work, I had better recapitulate briefly what was decided yesterday with regard to procedure.

We decided that I should read to you our draft Convention from the beginning, that we should only stop at points not settled at the second reading, whether articles or parts of articles, and, lastly, that when we have finished this work we may find exceptional cases in which it may be thought desirable to discuss points already settled at the second reading.

We shall accordingly revert to these exceptional cases if delegations so request and if the Commission thinks advisable.

M. Fierlinger suggested, and the Commission agreed, that it should be left to me to decide whether, in these particular cases, there should be a fresh debate on questions already settled at the second reading. I hope that in so doing I shall faithfully interpret the Commission's opinion, but, of course, the Commission is master of its own affairs and can always ask me to put any such proposal to the vote.

It was also decided that, in such exceptional cases, proposals for amendments should always be preceded by a statement of reasons.

#### 4. The Preamble: Discussion held over.

**The President.** — According to the procedure I have just indicated, I ought to read you the Preamble—*i.e.*, the three drafts which you probably have before you if, as I suppose, you have all received official document C.P.D. 211, prepared by the Secretariat. I do not think, however, that you want me to read the whole of these three drafts, since, as was said both by the Commission and by myself at the third session, the Preamble is really only the roof of the edifice, and, in this particular case, I think this roof should only be put up when the building is completed. I am sure you will agree with me on this point.

**General de Marinis (Italy).** — We have always followed the practice of drafting the Preambles at the end of our work and I think it would save time if we again followed this procedure.

*Agreed.*

#### 5. Discussion on Chapter I. — Effectives: Article A.

##### *First Reading.*

###### *Observations and Reservations.*

The German delegation makes a general reservation in regard to Chapter I as a whole, which, contrary to its view, does not contain any limitation of reserves given military training, registered, and compelled by law to serve in case of war, although in its opinion these reserves, while non-existent in professional armies, form the decisive factor as regards personnel in war, in countries having a conscript system.

The British delegation reserves the opinion of its Government as to the limitation of trained reserves.

The delegation of the United States of America makes a general reservation on the following provisions of Chapter I as regards the inclusion of formations organised on a military basis and the exclusion of trained reserves.

##### ARTICLE A.

The High Contracting Parties agree to limit the effectives in service in their armed forces, or land, sea and air formations organised on a military basis, and who may for that reason be immediately employed without having to be mobilised, to the effectives determined in the tables enumerated below and annexed to the present Convention.

###### i. Land Armaments:

Table I. — Maximum home forces.

Table II. — Maximum overseas forces stationed in the home country.

Table III. — Maximum of total forces stationed in the home country.

Table V. — Maximum of the total forces of the High Contracting Parties.

Table VI. — Maximum of the forces belonging to formations organised on a military basis stationed in the home country.

Table VII. — Maximum of the forces belonging to formations organised on a military basis stationed in overseas territories.

##### *Second Reading.*

##### ARTICLE A.

The High Contracting Parties agree to limit the effectives in service in their armed forces, or land, sea and air formations organised on a military basis, to the effectives determined in the tables enumerated below and annexed to the present Convention.

###### i. Land Armaments:

Table I. — Maximum armed forces stationed in the home country.

Table II (optional). — Maximum armed forces stationed overseas.

Table III. — Maximum of the total armed forces of the High Contracting Party.

Table IV. — Maximum of the forces belonging to formations organised on a military basis stationed in the home country.

Table V. — Maximum of the forces belonging to formations organised on a military basis stationed overseas.

*First Reading.*

*Observations and Reservations.*

The delegations of the British Empire and the United States of America only accept the limitation of naval effectives provided such limitation is generally accepted and provided also that a satisfactory agreement is reached respecting the limitation of warships.

The delegation of the British Empire considers Table IX unnecessary.

The delegation of France reserves for the second reading its final decision regarding a separate limitation of air effectives of home and overseas forces.

The delegation of the British Empire considers Table XI unnecessary.

2. Naval Armaments:

Table VIII. — Maximum armed forces.

Table IX. — Maximum forces belonging to formations organised on a military basis.

3. Air Armaments:

Table X. — Maximum armed forces.

Table XI. — Maximum forces belonging to formations organised on a military basis.

*Second Reading.*

2. Naval Armaments:

(Discussion of text of first reading, and the reservations relating thereto, adjourned.)

3. Air Armaments:

Table I (optional). — Maximum armed forces stationed in the home country.

Table II (optional). — Maximum armed forces stationed overseas.

Table III. — Maximum of the total armed forces of the High Contracting Party.

Table IV. — Maximum of the forces belonging to formations organised on a military basis stationed in the home country.

Table V. — Maximum of the forces belonging to formations organised on a military basis stationed overseas.

**The President.** — In the text adopted at the first reading, the following tables were mentioned with regard to naval armaments:

Table VIII. — Maximum armed forces.

Table IX. — Maximum forces belonging to formations organised on a military basis.

The delegations of the British Empire and the United States of America declared that they only accepted the limitation of naval effectives provided such limitation is generally accepted and provided also that a satisfactory agreement be reached respecting the limitation of warships.

You all know the efforts that have been made in this connection since our last session in 1929, particularly at the London Naval Conference.

The British delegation also stated that it considered Table IX unnecessary.

During the first part of the sixth session, the Commission decided to postpone the discussion of the text adopted at the first reading and of the reservations relating thereto. I am referring to the meeting of April 30th, 1929, page 138 of the official record (Minutes of the Sixth Session (first part, document C.195.M.74.1929.IX.).

We have before us the text of the first reading, drawn up in 1927. No delegation has submitted an alternative or an amendment to the 1927 draft, and it now rests with the Commission to adopt the text or modify it.

**Lord Cecil (British Empire).** — I just want to see if I am clear. As I understand it, what we adopted at second reading applies to land armaments, and over the page—which I do not think the Chairman read—to air armaments.

**The President.** — Air armaments are on page 4. I have taken Nos. 1 and 2 and I shall go on in a moment to No. 3.

**Lord Cecil (British Empire).** — Nothing has been determined about naval armaments, and I presume we now take what was decided on at the second reading so far as land armaments are concerned, without regard to what was done at the first reading, because the second reading has displaced the first reading so far as land armaments are concerned.

**The President.** — That is right.

**Lord Cecil (British Empire).** — We have now to consider what we ought to do with naval armaments?

**The President.** — Exactly.

**The Hon. Hugh Gibson** (United States of America). — The note made in regard to this item at the first reading I presume still stands for the second reading. I should like to make our position clear on that. In our opinion, the limitation of naval personnel is not of very great importance, inasmuch as it depends, for all practical purposes, on the size and character of the fleet. However, if there is a general desire for a provision of this character, inasmuch as we have now determined on the size and character of our fleet, we find no serious objections and therefore we withdraw our observation.

**Lord Cecil** (British Empire). — As I understand, the question of actually how we limit the numbers of effectives is raised in Article H and not in this article. This is only a general article, I understand, and therefore as I am in general agreement with what Mr. Gibson has said, I think it will come up for discussion on Article H.

**The President.** — May I ask Lord Cecil if he still thinks Table IX unnecessary.

**Lord Cecil** (British Empire). — I believe we still do regard it as unnecessary, but we have no objection to it if anyone wants to have it in.

**M. Massigli** (France). — I think it is understood that Tables VIII and IX apply to the whole of the effectives under the Admiralty, whether on land or sea.

Our general desire is to limit all effectives, whether on land, on sea or in the air. But there are countries where the navy administers certain land troops, for instance, the coast defence forces. I suppose these forces should come in Table VIII.

**The President.** — I think everyone will agree with what M. Massigli has just said.

*Agreed.*

**M. Litvinoff** (Union of Soviet Socialist Republics). — The Soviet delegation would like to insist on leaving Table IX in the draft Convention. Since the British delegate has just withdrawn his objection to this Table, I do not think there will be any objection to it on the part of other delegations.

In explanation of our point of view, I wish to point out that there are, in some countries, private or semi-official formations, on a military or naval basis, belonging to various political groups or parties. They are not numerous at the present time, but when we come to some agreement in regard to the reduction of armaments without including in it Table IX, these semi-official organisations may multiply in contravention of the Convention.

**Dr. Riddell** (Canada). — May I ask if Table IX applies only to the maximum land forces and the maximum naval forces, as it comes immediately after "Naval Forces", or does it also include the maximum air forces?

**The President.** — Table IX only applies to naval forces. We may congratulate ourselves that the British delegation's reservation regarding Table IX has not been maintained. It is therefore understood that this Table will remain in the right-hand column of the document you have before you (Document C.P.D.211). M. Cobián has just pointed out very rightly that, as the last table in Article A, which we adopted at the second reading, is now No. V, Tables VIII and IX must now be Nos. VI and VII.

**Count Bernstorff** (Germany). — I would like to remind the Commission that I voted against Article A at the first reading, because trained reserves were not mentioned. I say this at once so as not to have to repeat it in the course of the discussion and so as to save the Commission's time.

**Lord Cecil** (British Empire). — I suggest that we number each of these tables according to Service—Land "one to five", Air "one to five", therefore I suggest that the naval tables should be so numbered too.

**The President.** — Lord Cecil's observation is perfectly logical. Nos. VIII and IX should become Nos. I and II of naval armaments. We now go on to 3: Air Armaments:

Table I (optional). — Maximum armed forces stationed in the home country.

Table II (optional). — Maximum armed forces stationed overseas.

Table III. — Maximum of the total armed forces of the High Contracting Parties.

Table IV. — Maximum of the forces belonging to formations organised on a military basis stationed in the home country.

Table V. — Maximum of the forces belonging to formations organised on a military basis stationed overseas.

**Munir Bey** (Turkey). — I maintain the reservations made by our delegation with regard to the distribution of forces between the home country and overseas.

**The President.** — Due note will be taken of the Turkish delegation's reservation.

6. Discussion on Chapter I. — Effectives: Article H:

*First Reading.*

*Observations and Reservations.*

The second paragraph of Article H has not been discussed in connection with naval and air effectives.

The delegations of France and Italy declare that the clauses of the first two paragraphs must apply in the same conditions to land, naval and air effectives, and that it can only accept them subject to this reservation.

The delegations of the British Empire, Chile, Japan, and the United States of America do not accept the third paragraph.

ARTICLE H.

In order to prevent the number of officers, warrant officers and sergeants from exceeding the legitimate requirements of each army, the tables relating to land armaments mentioned in Article A above shall indicate a maximum number of officers, warrant officers and sergeants which each High Contracting Party shall undertake not to exceed.

Similarly, for the same reasons as those given above, the said tables shall show the maximum figure which each High Contracting Party undertakes not to exceed in respect of other ranks whose period of service is longer than the longest period at present in force in the conscript armies of the High Contracting Parties.

The provisions contained in the first paragraph of this Article equally apply, *mutatis mutandis*, to the tables in Article A relating to naval and air armaments.

*Second Reading.*

ARTICLE H.

The tables relating to land armaments mentioned in Article A above, shall indicate a maximum number of officers which each High Contracting Party shall undertake not to exceed.

The said tables shall further fix the maximum number of soldiers, other than officers, who may have completed more than  $x^1$  years of actual service with the colours.

In conscript armies, the number of men whose service exceeds the legal period in force in their respective countries but is less than  $x^1$  years, shall be shown for each High Contracting Party in the annual statements for which provision is made in Article IA of Chapter V.

The tables relating to air armaments mentioned in Article A shall indicate, in the form of aggregate figures for officers, non-commissioned officers and men together, the maximum number of soldiers who may have completed more than  $x^1$  years of actual service with the colours,

The number of men of the class mentioned in the second and fourth paragraphs of the present article who are actually with the colours shall be shown every year for each High Contracting Party in the statements for the preparation of which provision is made in Article IA of Chapter V.

Each country may, if it so desires, show for purposes of information, in a special column in publicity table IA of Chapter V, the proportion of recruits not trained as defined in the national legislation who are embodied in the effectives of its armed forces.

(To be discussed later as far as Naval Effectives are concerned.)

*Note.* — This figure will be determined by the duration of the longest period of actual service with the colours which is in force in the Conscript armies of the High Contracting Parties at the time of the signature of the Convention.

AMENDMENT PROPOSED BY THE BRITISH DELEGATION.

Lord Cecil (British Empire). — The British delegation has given notice of an amendment here dealing with naval armaments. It is proposed to insert the following paragraph between the third paragraph of Article H (second reading text)—the last paragraph dealing with land armaments—and the fourth paragraph:

“The tables relating to naval armaments mentioned in Article A shall indicate the total of the naval forces in the form of aggregate figures for officers, petty-officers and men together”.

This would be following the precedent of the air personnel and not of the military personnel, and the reason for our suggesting the amendment is this: the object of distinguishing between officers and men in the case of a land force, and not in the case of an air force, is to prevent the possibility of a very large proportion of officers for the land force, which could then be immediately enlarged at a moment's notice when danger threatened. That is not a danger which applies to



the same extent to either the air or, still less, to the navy, because the limit of what you can do depends on the material you employ in ships and aircraft. Therefore, there is not the necessity to make the distinction, and we propose to put them together instead of separately. I think it really meets all possible cases of an attempt to have a "camouflaged" force on the ships which is greater than is necessary for the actual management of the ships. I hope there will be no objection to that.

**The President.** — I hope Lord Cecil will excuse my pointing out that the text of this amendment should have been circulated beforehand.

**Lord Cecil (British Empire).** — I quite agree with what the Chairman says and am extremely sorry not to have circulated this amendment earlier. If any members of the Commission think they are prejudiced, I am quite ready to have this matter adjourned to a later stage. It is a matter which has been discussed in both the first and second readings.

**M. Rutgers (Netherlands).** — I should be glad if the discussion of this amendment could be adjourned, since it is difficult to discuss the matter without having the text before us.

**General de Marinis (Italy).** — The Italian delegation accepts Lord Cecil's proposal and therefore withdraws its reservations which figure in the margin of Article H.

I would remind you that, in connection with these tables, the Italian delegation formulated a general reservation bearing on the distinction between home troops and troops serving in oversea territories. The text of this reservation is on page 105 of document C.195.M.74.1929.IX.<sup>1</sup> Naturally this reservation is maintained. Will it be placed in the text of the Convention or in the report? We leave it to the Bureau to decide where it should be inserted.

I would remind the Commission that, generally speaking, the reservations formulated at the second reading are maintained.

**The President.** — Due note will be taken of this observation, and the reservation will be regarded as maintained.

**M. Sato (Japan).** — Lord Cecil has just said that he was submitting an amendment to Article H. In my opinion, it is not an amendment but a new proposal, for we have not yet dealt with naval effectives in connection with this Article H. We have left the last part of Article H blank.

It seems to me that we ought to discuss this amendment at once without postponement. The Bureau might arrange to have Lord Cecil's proposal circulated, but meanwhile we might begin to discuss it, for it is not very difficult to understand. The idea is to provide for the limitation of naval effectives by analogy with the limitation of air effectives, *i.e.*, in an inclusive manner, without making any distinction between officers, petty officers and other ratings.

I am glad to hear the British proposal, which I accept. I made a statement with regard to this point on April 23rd, 1927. The Japanese delegation found it very difficult to accept the limitation of naval effectives. Its argument was that, if naval material were limited, it was no longer necessary to limit effectives, because the limitation of material brought with it a limitation of naval effectives. We nevertheless took into consideration the apprehensions of certain delegations, notably that of France, which pointed out that, if naval effectives were not limited, the limitation of land effectives would be incomplete. We therefore gave way on this point and accepted the limitation of naval effectives. It was a great effort on the part of my Government to make this concession. I should therefore be glad if we were not asked to go further, and I propose that we should confine ourselves to the limitation of naval effectives as proposed by Lord Cecil.

In making this concession, my Government had instructed me to make a reservation—*i.e.*, to accept this limitation of naval effectives only subject to the following conditions.<sup>2</sup>

"(1) Limitation shall apply to the total naval effectives, without distinction between officers, petty-officers and other ratings".

This is the British proposal.

"(2) From the point of view of limitation, no fixed ratio should be established between naval effectives and warships.

"(3) Limitation of naval effectives should not affect either the existence of the necessary, administrative and training staffs or the normal working of the warships which each High Contracting Party shall be authorised to retain under the provisions of our Convention".

Such are the three conditions on which we accepted limitation as regards naval effectives.

I had the privilege to be congratulated by the President who said: "I can at once inform the Japanese delegate that his statement will be noted. On behalf of the whole Commission I

<sup>1</sup> Note by the Secretariat. — Minutes of the Sixth Session (First Part).

<sup>2</sup> Note by the Secretariat. — See Minutes of the Third Session, document C.310.M.109.1927.IX, page 323.

should like to thank him for this fresh proof of his conciliatory spirit. We have often had occasion to appreciate this spirit, which is so necessary to our work and which has always marked his contributions to our discussions”.

I highly appreciated this statement of the President's. I am not accustomed to receive such praise, but I was particularly glad of this statement because the President said that he noted the Japanese declaration on behalf of the Commission.

I strongly urge the Commission to decide on limitation on the lines of the British proposal and not to go further.

**The President.** — Before continuing the discussion, I must point out that M. Rutgers has put forward a preliminary proposal with a view to deciding whether this debate should be continued or postponed, owing to the fact that Lord Cecil's amendment was not communicated to the Commission before the present meeting. It is particularly important to vote on M. Rutgers' proposal because a second amendment has just been handed in by M. Litvinoff, to whom I venture to make the same observation as to Lord Cecil. Personally, I think it would be much better not to continue this discussion and to comply with M. Rutgers' request.

**M. Massigli (France).** — I apologise for speaking after the opinion the President has just given, but I must say that I should have been glad for the discussion to have been continued. As M. Sato has very rightly pointed out, it is not a case of an amendment but of proposals which we all knew would be put forward when we came to Article H, and regarding which we should therefore all have an opinion. If it were an amendment to the text, I should quite agree to the adjournment; but it is a question of principle. I therefore think that we could discuss it immediately. At any rate, as far as I am concerned, I am quite ready for the discussion and I shall have a number of observations to put forward on the proposal made by Lord Cecil and supported by M. Sato.

**Lord Cecil (British Empire).** — May I say that we gave this proposal in to the Secretariat rather more than half an hour ago, and as it is only four lines of type I should have thought that we could have had it distributed before now. I can only repeat that I am entirely in the hands of the Commission, and, though I think it could be discussed now, I do not want to press the matter unduly. This is not a question of an amendment. There is a note in the second reading text pointing out that something will have to be done about naval effectives. It is merely in discharge of the notice already given to every member that I have proposed this solution. I should have thought we would be well advised if the discussion could go on, rather than that it should be adjourned. I feel we have already gone a good way into it.

**M. Litvinoff (Union of Soviet Socialist Republics).** — I am mindful of the rules laid down as to handing in amendments beforehand, but the reason I did not follow the rules in this instance is that my proposal is based on that of Lord Cecil, which I could not foresee. If it be decided to adjourn the discussion of Lord Cecil's proposal, I quite agree to the discussion of my amendment being also postponed.

**The Hon. Hugh Gibson (United States of America).** — I support what has been said by M. Massigli, for it seems to me that the question before us is a very simple one. We could very well settle the principle as to whether there should be an aggregate limitation of naval effectives or whether there should be some more complicated form of limitation, and then it could go to the Bureau.

**The President.** — I would ask if Dr. Rutgers maintains his objection. If so, I must consult the Commission.

**M. Rutgers (Netherlands).** — I am in rather a difficult situation. Some of the delegates saw the British amendment before the meeting and they tell us that it is extremely simple, but I am not in the same position. We might, of course, discuss this amendment, but I do not think such a method has much to recommend it. I myself saw the British amendment only a few minutes ago and I find it so simple that it might be left on one side. Personally, I should prefer the discussion to be postponed.

**M. Massigli (France).** — The Commission can take what decision it wishes. I should like to point out to M. Rutgers that, although I saw the text of the British amendment when I came into this meeting, it was by reading the Minutes of the 1927 session that I familiarised myself with the British point of view. It was in that year that the British delegation took up this attitude. We have therefore had every opportunity to study the arguments against it.

**M. Rutgers (Netherlands).** — It seems to me that what M. Massigli has just said constitutes an argument for postponement. If M. Massigli does not agree with the British proposal, he will have to put forward an amendment himself. But if I am the only one to ask for a postponement, I shall withdraw.

**The President.** — In that case, we need not lose any more time.

**Count Bernstorff (Germany).** — I agree with the President. We might close this debate by taking a vote.

**M. Rutgers** (Netherlands). — I withdraw my proposal for a postponement.

**M. Fierlinger** (Czechoslovakia). — I should like to ask the Commission how it intends to proceed with regard to naval questions in general. In this Commission, there are many countries which have no direct interest in naval questions. But there are questions of principle which have a political scope and which are closely bound up with the other questions we shall have to discuss. I wonder whether we can discuss questions of principle, like that which has just been raised by Lord Cecil and M. Massigli, without some preparation—*i.e.*, without having definite amendments and proposals before us. I think questions of principle can always be discussed if they are stated very simply and clearly. Once the question of principle has been settled by the Commission, the matter might be referred to a naval sub-committee, which can continue the discussion. I think this would be a good course to adopt.

I realise that I am raising a somewhat premature question, but I think it well to raise it now.

**The Hon. Hugh Gibson** (United States of America). — I agree with the desirability of expediting this, but I should like to propose an alternative method of reaching the same end. I do not know whether Lord Cecil is prepared to withdraw the text of the amendment, on the understanding that we agree to discuss the principle of whether we should have an aggregate limitation or some more complicated form. I can hardly believe that, after three and a-half years of exhaustive discussions on this subject, we are not ready to debate the point, and it seems to me that if we were to put it off again it would, as it were, be sweeping it under the carpet to get it out of sight.

**Lord Cecil** (British Empire). — I should be quite ready to fall in with that suggestion. I am only anxious to do whatever is convenient to the Commission, and I have never desired to insist on anything in connection with this. I recognise that I am at fault in not succeeding in distributing my amendment earlier, and I am entirely in the hands of the President and the Commission as to the best course to pursue. My only object is to save time.

**The President.** — Does M. Fierlinger maintain his proposal?

**M. Fierlinger** (Czechoslovakia). — It was only a suggestion, but I should be glad if the President would give me a reply as to the method in which he proposes to deal with the question of naval armaments.

**The President.** — I think it should be dealt with in the same way as the others; if we are discussing a principle already laid down three years ago, I do not want to prevent the Commission from arriving at a decision, and, as these questions may be of interest to nations which are not great naval Powers, I think it would be better not to discuss the matter now. I am ready, however, to accept the opinion of the majority, and I therefore ask the Commission to decide whether it wishes to discuss the principle now or not.

*The Commission decided to discuss the principle immediately.*

**M. Massigli** (France). — The French delegation, like the Italian delegation, made a formal reservation at the first reading of Article H and asked that the same rules should apply to the limitation of naval, land and air effectives.

When the question came before us once more last year, I stated that, in order to reach an agreement, I was ready to suspend my reservation and to discuss the limitation of land effectives; I added that, if later on, I was given reasons for not applying the same principles to air armaments and naval armaments, I should accept these reasons.

As regards air armaments, this demonstration was made last year; it was rightly pointed out that different principles were in force in the different armies, that officers, non-commissioned officers and men often performed the same duties, either as pilots or as observers, for example, and that, consequently, the distinction it was desired to establish was unjustified.

I would remind you that I accepted this argument, and the clauses of Article H already adopted sanctioned this difference of treatment between land forces and air forces.

To-day the problem is coming before us under another aspect, and I repeat what I said before. If it is proved to me that the proposed distinction is impossible or that it presents drawbacks, I am also ready to give way.

But if Lord Cecil will forgive my saying so, I have yet to hear this demonstrated.

What is the situation before us? The British delegation, supported by the Japanese delegation, has just told us that the proposed distinction is not necessary, because, as it says, not without reason, the essential factor from the naval point of view is ships. But because a distinction is not necessary it does not necessarily follow that it is impossible. Among the numerous tables which have been adopted with regard to land armaments, several are perhaps not necessary; but they have been thought useful; they have seemed likely to provide important information and they have therefore been accepted.

I should therefore like to ask whether the compilation of tables with regard to naval effectives—I refer here to the table "Officers" and leave out of account for the moment the tables for petty officers and other ratings—is open to any serious objection. I do not think it is, and I will tell you at once the difficulty you will find yourselves faced with if you do not prepare these tables.

As a matter of fact this difficulty is no new one, and here, again, I have but to refer to earlier debates. Lord Cecil told us just now that it was not necessary to make out these tables because there was no reason why the proportion of officers, as compared with other ranks, should be exceeded. Furthermore, he gave an excellent reason to justify the distinction, made from the point of view of land forces. He said that the separate limitation of officers of the land army was useful and necessary because it guaranteed that there would not be supernumerary officers to serve for the cadres of new formations. I am not at all sure that this argument is not also valid from the naval point of view.

In 1927, M. Paul-Boncour expressed the same doubts and asked whether, in the case of sudden naval tension or of conflict, it would not be a matter of importance for a country to be in a position to constitute immediately such a cadre of officers, which would enable it to arm additional warships. This raises the whole question of auxiliary cruisers and is not without importance.

Another point is that there are Admiralties which administer, not only the forces on board ship and the units maintained on shore for the purposes of the fleet (crew depôts, etc.), but also real land formations such as coast defence forces. If you establish no limitation of the officers of these navies, the latter may increase at will the ranks of the officers of the land formations in question, and, in this way, the measures taken with regard to land effectives may be circumvented.

Here are two reasons which appear to me to deserve serious consideration. I do not say that they are irrefutable, and if they can be refuted I shall willingly give way; but, for the moment, I must maintain the attitude already adopted in this debate by the French delegation, and I ask for a proof that the tables we desire to be provided cannot be provided.

Lord Cecil (British Empire). — I was very anxious to hear what other members of the Commission had to say on this point, because I am advised that it would raise a considerable amount of difficulty if we were to try and have the same kind of elaborate distinction that you can manage in the Army; for instance, I am told that, in our Navy, all carpenters, electricians and technical workers join as petty officers in order to encourage the recruiting of these types of highly skilled men—they are all classed as petty officers. That would not be true in other navies, so you would not get any real comparison, and, in this case, we are dealing with a real comparison. You would not have the same universal distinction that you have in armies, between the officers, non-commissioned officers and men. That is a three-fold distinction which applies all over the world and I am told that it would be difficult to make the same distinction in regard to the Navy in such a way as to be of use in estimating the strength. I cannot pretend that this is a matter on which the whole question of disarmament turns. It is evidently a minor question of technical detail; but I am anxious to know what are the views of the American and Japanese delegations on this matter and I should be very ready to agree to anything that suited them, subject to the difficulties that I have put before the Commission.

M. Massigli (France). — I was not speaking of petty officers but was only referring to officers. I recognise that, in the case of navies, what Lord Cecil says of petty officers may be considered.

The Hon. Hugh Gibson (United States of America). — I am always very loath to disagree with my friend M. Massigli but, in this case, I find myself very much embarrassed. Our delegation withdrew their objection because it appeared logical to treat naval and air forces in the same manner. We do not believe in any limitation of naval effectives, but we did not wish to go against the majority of the Commission on this point. It is obviously more necessary to have a detailed limitation of effectives for land forces than for naval forces, since the latter cannot be suddenly increased, in case of war, in the same manner as land forces. We would not find it impossible to agree to M. Massigli's suggestion as to a distinction to be made between officers and men if he insisted upon that, but we think such a method would be complicated and useless and that it would be preferable to have a global limitation of naval effectives.

M. Sato (Japan). — M. Massigli said just now that my delegation supported the British proposal, but he forgot to add that the Italian delegation did so too—for, if I am not mistaken, the Italian representative endorsed the British proposal. This is merely a small rectification.

In connection with the limitation of naval effectives, M. Massigli proposes to make a distinction with regard to officers—*i.e.*, to limit the number of officers separately.

In the case of navies, it is material which is the prime factor. M. Massigli recognised just now the force of this argument. Once naval material is limited, the effectives of the crews are necessarily and automatically limited.

We have always supported the view that naval effectives should not be limited, in view of the fact that a limitation of naval material already exists. By adopting a limitation of naval effectives as a whole, we are already establishing a double limitation in the form of a limitation of material and a global limitation of effectives. We therefore think it quite unnecessary to limit the number of officers separately. It is difficult to imagine that, in accepting a naval agreement, a country should be able to retain an excessive number of officers as compared to the rest of the naval effectives, petty officers or seamen. In navies there must always be a certain proportion between the number of officers and the rest of the crew.

M. Massigli apprehends that if these officers were greatly in excess of the ordinary average cadre they might be used for auxiliary cadres on land.

He may be right, but I find it difficult to understand his point. Is it possible for a country to keep and feed so many officers, which would cost it so much? For it is not a question only of a large number of officers, their families also have to be kept. This would be an enormous expense. I find it difficult to believe that any country could indulge in such a luxury.

Moreover, in nearly all countries naval budgets are being more and more cut down. All sorts of economies are being made on naval expenses. Since the Washington Conference this reduction in naval expenses has always been in the forefront of the different conferences. If budgets are being diminished in this way, it is the more difficult to admit the possibility of an excessive number of officers. I hope my arguments will convince M. Massigli and that his apprehensions may be allayed. So as not to complicate the question too much, I therefore suggest that we should be content with global limitation—*i.e.*, with limitation bearing on naval effectives as a whole, without making a special distinction as regards officers. For the last three years my delegation has maintained this point of view. After the limitation of material effected at Washington and London, my Government will certainly take the same view as it did three years ago, and, as nothing has occurred to cause us to modify this opinion, I maintain it and entirely support the proposal put forward.

I should like to add a few observations however. In face of the difficulty M. Massigli has put before us, I wonder if we could not find a sort of compromise by seeking a solution in publicity. I have not yet consulted my delegation on this point, but it is an idea I venture to submit to the Commission. We might publish not only the total of naval effectives, but also the number of officers and other ratings. This would not be limitation, but publicity, and it might allay M. Massigli's apprehensions. I should add that I am not yet quite sure of my ground in making this suggestion and will have to study it further. Nor do I know whether Lord Cecil is prepared to accept it. As these naval questions only concern a small number of delegations, would it not be useful, and even necessary, to meet in a small committee to seek a solution?

**Lord Cecil (British Empire).** — I see no objection to the compromise suggested by M. Sato. As a matter of fact, we, and almost all the nations, publish annually in the naval estimates the number of officers and men in the navy. My only objection to M. Massigli's proposal is that I think it is a mistake to have in this document any complication that is not necessary, which would only mean a little more difficulty for the officials who have to carry it out. Also it makes it a little more uncertain if we shall succeed in our object. Therefore, I am against complications unless it can be shown that there is a real necessity for them. I see the reasons for limiting the personnel, because there is the conceivable possibility of a country, which wanted to get out of the substance of its obligations, enrolling a vast number of sailors and marines for use as naval personnel. Nothing we can put in this document will prevent that, but just to give satisfaction to M. Massigli and to other delegations I am content that we should limit the total number of personnel. That puts an end to that possibility. If you limit the total number of men you are doing all that is necessary to prevent the danger M. Massigli desires to avoid, and I ask him whether it is necessary to complicate the matter further by requiring a distinction which we have not insisted on. Personally, I hope we shall stick to the simpler method we have adopted, which is a compromise. Originally we were against any limitation of personnel, and I hope M. Massigli will see his way to accept the simpler method. If M. Massigli thinks that his proposal would facilitate matters I am quite willing to vote for its adoption, as I am only too willing to reach agreement on a matter which I do not think is of great importance.

**The Hon. Hugh Gibson (United States of America).** — The publicity of armaments in all its aspects is one of the weaknesses of the United States delegation, and therefore we are willing to accept the proposition of M. Sato. In fact, I may say that the thought of making a similar proposal was already fermenting in my delegation.

**M. Litvinoff (Union of Soviet Socialist Republics).** — We have moved that there should be separate tables for officers, petty officers and super-term men in the navy, because these men can also replace officers in time of war. I am glad to state some measure of agreement with the French delegate, and I only hope he will not be too ready for a compromise. I am not against concessions, but would prefer that the concessions should come from those who oppose this or that measure of disarmament. In moving our proposal, I am not in the least actuated by the thought that it would affect big naval Powers more than my own country. The proposals brought forward by the Soviet delegation are inspired only by the desire to obtain the maximum reduction of armaments and the maximum extension of this reduction to all elements of war. This is of course, not an end in itself, but only a means of placing obstacles in the way of making war. With an unlimited number of officers and petty officers, mobilisation and the making of war must be greatly facilitated; this cannot be doubted. But these remarks concern not only naval effectives but also land and air effectives, and that is why the Soviet delegation made the same proposals when the questions of land and air effectives have been discussed in this Commission.

In addition to the arguments of the French delegate, I would mention that some of the big Powers have, in peace time, a number of vessels in reserve with reduced crews, and these vessels could easily be brought into condition for war if officers could be found.

The experience of the last war has shown that it is much easier to find men for the army and navy than trained officers and petty officers, and therefore it is more important to limit the latter than the former. I would remind you that, during the last war, for instance, when trawlers assembled from among fishing vessels, they could not carry on certain operations under fire, as long as they were not manned by officers or petty officers. As an instance I would refer to the forcing of the Dardanelles.

For these and other reasons, it seems to me necessary to make special provision for reduction in the number of officers in the navy, as well as in land and air forces. Lord Cecil has not convinced me that there should be a distinction between land, sea and air forces. In this I am in disagreement with M. Massigli also, who, I think, in the earlier part of the sixth session, insisted that air effectives should be reduced globally.

Perhaps he will agree when we come to discuss again the other parts of the Convention that there should be the same provision in regard to air and land forces, as he now proposes for sea forces.

**M. Rutgers (Netherlands).** — When we discuss limitation of naval personnel, we must always have in mind the limitation of land personnel, and perhaps that is the main question. One main reason for the limitation of naval personnel is the need for preventing evasion of the rules adopted in regard to the limitation of land personnel by incorporating surplus land forces in the naval personnel.

That is why limitation of naval personnel was accepted.

We have a proverb in Holland which says "Once the dog is through, the tail will follow after." It seems that, as we are prepared to accept global limitation of naval personnel, it should not be difficult to accept limitation by categories as well.

In my view, limitation by categories is necessary, not only in view of the arguments brought forward by M. Massigli, but also because of the necessity of preventing evasion of the rules regarding the limitation of land personnel. If it is not decided to limit naval personnel by categories, it will be possible to transfer soldiers of the land army who have served a certain period to coast defence or "landing divisions". For this reason, I think it is necessary to adopt limitation by categories both for naval and for land personnel.

Is limitation of naval personnel by categories impossible from the naval point of view? Lord Cecil said that, in certain navies, petty officer's rank is given to men who, in other navies, hold no such rank. I think that objection was met on the second reading by the use of the expression "men other than officers who have completed more than a certain number of years of actual service" in place of the expression "petty officers".

Having followed the whole of the discussion, I do not feel that the arguments of M. Massigli, with whose standpoint I am in entire agreement, have been refuted.

Certainly the Netherlands delegation will not oppose the publicity suggested by the Japanese delegate; but publicity does not exclude limitation—on the contrary.

I do not therefore think that the Japanese suggestion implies the abandonment of limitation of naval personnel by categories, on which point I share M. Massigli's view.

**General de Marinis (Italy).** — A moment ago I supported Lord Cecil's proposal for taking the aggregate figures of officers, petty officers and men.

M. Sato has suggested that this global method of limitation should be accepted, but should be supplemented by stating the total number of officers. This means that, when we come to Chapter V of the Convention, we shall be compelled, under this proposal, to specify the maximum number of officers.

This proposal of M. Sato was accepted as a compromise by Lord Cecil and the United States delegate. I have the pleasure to accede to it unreservedly.

When we discussed this subject at the first reading, the Italian delegation made a reservation of a general character. For the sake of consistency, it maintained its reservations with regard to naval armaments pending the meeting of the Conference, which was then announced. Now it is possible to consider each proposal objectively.

While one may feel some solicitude in the matter of trained reserves in the case of land effectives, the position is otherwise in the case of naval effectives, since the latter almost always serve for a very long period, and this precludes the possibility of greatly increasing the trained reserves. For this reason, it does not seem to me that there is much ground for making the proposed distinction, specially if the maximum number of officers, who take the chief part in handling ships, is made public.

I accordingly agree with M. Sato's proposal.

**M. Massigli (France).** — I wish at once to thank M. Sato for the friendly spirit in which he has made his proposal. I also thank Lord Cecil and General de Marinis for the approval which they have been good enough to give to it. I am in a difficult position. For one side is appealing to me to be conciliatory and, on the other side, there is M. Litvinoff urging me not to be weak!

I am anxious, nevertheless, to be conciliatory, because I think we should all be conciliatory. I believe M. Sato's proposal might be considered by a small committee which might also perhaps discuss other questions connected with the question before us.

In any case, I am anxious to say that I shall consider M. Sato's suggestion with the utmost desire of finding in it material for a solution.

**The President.** — I think what M. Massigli has just said is a very happy suggestion, and I propose that those delegates who have spoken on this question should meet this afternoon at 5 o'clock in the Secretary's room.

**General de Marinis (Italy).** — I accept the Chairman's proposal. May the delegations content themselves with sending an expert to the meeting, if they prefer?

**Lord Cecil (British Empire).** — Of course any delegation will naturally be represented by anybody it pleases; but, if I may say so to General Marinis, I think that, in all these matters, the heads of the delegations must accept responsibility for the decision arrived at. It would be a pity if we tried to devolve it on anybody else.

**The President.** — There is still one amendment, which has not been distributed—namely, M. Litvinoff's amendment. Did it refer to Article H?

**M. Litvinoff (Union of Soviet Socialist Republics).** — Yes, my proposal is exactly opposed to the proposal of the British delegation, and I thought that was just what we were discussing.

**The President.** — Very well; we will discuss that this afternoon.

*It was agreed that a small Committee to discuss this matter should meet at 5.0 p.m.*

#### 7. Discussion on Chapter I. — Effectives: Article C.

##### *First Reading.*

##### ARTICLE C.

By "formations organised on a military basis" shall be understood police forces of all kinds, gendarmerie, customs officials, forest guards, which, whatever their legal purpose, can be used without mobilisation, by reason of their staff of officers, establishment, training, armament or equipment, as well as any organisation complying with the above condition.

##### *Second Reading.*

##### ARTICLE C.

By "formations organised on a military basis" shall be understood police forces of all kinds, gendarmerie, customs officials, forest guards, which, whatever their legal purpose, can be used without mobilisation, by reason of their staff of officers, establishment, training, armament, equipment, as well as any organisation complying with the above condition.

**The President.** — This article has been adopted at second reading. There is a British amendment to insert the words "for military purposes" after the word "used" in the second-reading text.

**Lord Cecil (British Empire).** — I do not propose to move any amendment of the text at this stage in view of the agreement we arrived at. I would like to suggest whether it would not be well to appoint a purely technical drafting committee to go through the text of these articles with a view to seeing that it is in proper order, because it is a very important document.

**The President.** — This very necessary revision will be undertaken rather later. The small change proposed by Lord Cecil will therefore be considered later.

**Lord Cecil (British Empire).** — I think it is much better that we should stick to our rule, and not deal with any second-reading texts.

#### 8. Discussion on Chapter I. — Effectives: Article D.

##### *First and Second Reading Texts.*

##### ARTICLE D.

By "mobilisation" within the meaning of the present Convention shall be understood all the measures for the purpose of providing the whole or part of the various corps, services and units with the personnel and material required to pass from a peace-time footing to a war-time footing.

No observations were made on Article D.

o. Discussion on Chapter I. — Effectives: Article E.

*First Reading.*

*Observations and Reservations.*

This Article has not been discussed in connection with naval and air effectives.

ARTICLE E.

When drawing up the tables mentioned in Articles A (Chapter I) and IA (Chapter V):

(a) By "effectives in service in the armed forces" shall be understood the average daily effectives reckoned by dividing the total number of days duty by the number of days in the budgetary year;

(b) By "effectives in service in the formations organised on a military basis" shall be understood the actual effectives—*e.g.*, the actual number of men shown up to the time of their discharge from active service or during their periods of training, in the statement of effectives which determines grants of every kind for these effectives, including men who, for any reason whatever, are absent from the units to which they are allocated.

*Second Reading.*

ARTICLE E.

When drawing up the tables mentioned in Articles A (Chapter I) and IA (Chapter V): by "effectives in service in the armed forces" and by "effectives in service in the formations organised on a military basis" shall be understood the average daily effectives reckoned by dividing the total number of days duty by the number of days in the budgetary year.

(The discussion of this Article as far as Naval and Air Effectives are concerned has been reserved.)

**The President.** — Article E is for discussion so far as it concerns naval and air effectives.

**M. Sato (Japan).** — I am not in a position to discuss Article E with regard to air forces. I am at present in correspondence with my Government on the subject. I will ask the Commission to postpone the question of air forces; but I am prepared to discuss the naval question.

**Lord Cecil (British Empire).** — I shall be delighted to discuss any suggestions which will enable us to complete this article, but I have nothing to propose at the moment. It seems to have been overlooked by some mistake. The explanation has been suggested to me that we thought that the article as it stands is quite effective to apply to both naval and air forces, and that there was no necessity for adding to it anything dealing with those forces specifically. The same principle applies in all similar cases.

**M. Massigli (France).** — Lord Cecil has made the admirable suggestion that we should apply the same principle to naval and air armaments. I agree unreservedly.

**M. Sato (Japan).** — The proposal made by Lord Cecil and supported by M. Massigli places me in a difficult position, as my Government would have difficulty in applying this rule to naval effectives. The land forces in Japan are not continuously in barracks. At certain times of the year they are sent to their homes. In our navy, on the contrary, that practice does not obtain. We should, for this reason, prefer a simpler rule applying only to actual naval effectives.

I should like to hear whether other delegations really consider it indispensable to apply the same rule to naval effectives as to other effectives, and whether it is not possible to introduce rather more elasticity into our text.

**The President.** — I understand Lord Cecil wishes to postpone this discussion till to-morrow.

**Lord Cecil (British Empire).** — I am very anxious that we should arrive at an agreement on all these technical matters, but I do not quite understand why M. Sato thinks that some such system is not necessary for the navy. I should have thought it would be necessary for all armaments. You must have some system of arriving at the average daily effectives. I do not want to oppose anything which M. Sato thinks is desirable for the proper working of the Convention. If you are going to have some plan, it is better to have the same plan in order to avoid complications.

**M. Rutgers (Netherlands).** — At the first reading it was said that the average daily effectives would be reckoned by dividing the total number of days' duty by the number of days in the budgetary year. That was only for the military forces. For the formations organised on a military basis another system was proposed.

At the second reading the same system was adopted for both categories of forces. The system is therefore quite elastic, and should accordingly satisfy M. Sato.

**M. Sato (Japan).** — Lord Cecil was good enough to explain his reasons for supporting the present text. M. Rutgers has given me additional explanations. Further, M. Massigli has very courteously intimated that he is against my suggestion. Under these conditions, I



withdraw my proposal. I will make no difficulty in accepting the present text in the matter of naval effectives; but I must make an exception in the case of air effectives.

**General de Marinis (Italy).** — The Italian delegation would like the same definition to be applicable to the effectives serving in all three categories of armaments. That amounts to omitting the second paragraph of Article E.

**The President.** — Article E is accordingly adopted unanimously, subject to M. Sato's reservation in regard to air forces.

10. Discussion on Chapter I. — Effectives : Article I.

*First Reading.*

*Observations and Reservations.*

This Article has not been discussed in connection with naval and air effectives.

The delegation of France declares that the clauses of this Article must apply in the same conditions to land, naval and air effectives.

ARTICLE I.

In each Contracting State having the conscription system, the total period of service which the annual contingent is compelled to serve shall not exceed the figure accepted by each of the High Contracting Parties.

For each man the total period of service shall be the total number of days of active service and of days of service during the periods of instruction which he undergoes.

*Second Reading.*

ARTICLE I.

(Discussion of the text adopted at first reading and of German amendments. — See below—adjourned.)

*Text drawn up at First Reading.*

AMENDMENT PROPOSED BY THE GERMAN DELEGATION.

In each Contracting State having the conscription system, the annual contingent and the total period of service which the annual contingent is compelled to serve shall not exceed the figure accepted by each of the High Contracting Parties.

For each man the total period of service shall be the total number of days of active service and of days of service during the periods of training which he undergoes. The period of active service shall be shown separately.

No register shall be kept of persons whose military obligations are terminated.

**Count Bernstorff (Germany).** — You are already familiar with the German amendment. It provides that the annual contingent and the total period of service, which the annual contingent is compelled to serve, shall not exceed the figure accepted by each of the contracting parties.

You are thus afforded another opportunity of limiting trained reserves, and of proving beyond all question your desire to arrive at a genuine disarmament in the case of effectives.

The German amendment further urges that the period of active service should be shown separately. That is indispensable for the sake of clearness. Otherwise it will always be open to a contracting party to alter the distribution of the total period of service as between active and reserve service, and so to give a misleading impression of its armed strength.

Lastly, our amendment urges that no register shall be kept of persons whose military obligations are terminated. We want to prevent these persons being reincorporated in the event of mobilisation, and in that way to limit the trained reserves. I propose that we vote on the amendment.

**The President.** — In view of the advanced hour it seems to me that it is better to resume the discussion on the German amendment, which is of great importance, to-morrow.

*Agreed.*

*The meeting rose at 12.55 p.m.*

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THIRD MEETING.

*Held on Saturday, November 8th, 1930, at 10 a.m.*

*President: M. LOUDON (Netherlands).*

**11. Discussion on Chapter I: Effectives. — Article H (continuation): Statement by the President.**

**The President.** — You will remember that I asked those who took part in yesterday's discussion on Article H to meet with the Bureau for the purpose of finding a solution of the question. The solution has not yet been found, but I have some hope that we may succeed to-day at a second meeting.

**12. Discussion on Chapter I: Effectives. — Article I (continuation):**

**AMENDMENTS PROPOSED BY THE BRITISH AND POLISH DELEGATIONS.**

**The President.** — We will now continue with Article I, to which three amendments have been submitted.

The first is the amendment proposed by Count Bernstorff, which was referred to yesterday.

The second amendment, proposed by the British delegation, is to alter the text drawn up at first reading to read as follows:

“ In each Contracting State having the conscription system the total period of service which the annual contingent is compelled to serve shall not exceed . . . days.

“ For each man, the total period of service shall be the total number of days of active service and of days of service during the periods of instruction which he undergoes; and each of such numbers of days shall be specified.”

Thirdly, we have a new text proposed by the Polish delegation as follows:

“ For all the High Contracting Parties having the conscription system, the maximum total period of service which the annual contingent may be compelled to serve shall be fixed at . . . months.

“ The total period of service for each man shall be the total number of days of active service and of days of service during periods of instruction.”

**AMENDMENT PROPOSED BY THE GERMAN DELEGATION. — DISCUSSION.**

**The President.** — As the German delegation's amendment, on which Count Bernstorff wishes a vote to be taken, is farthest from the text adopted at first reading, we will deal with it first. Has any delegation any observations to make on this amendment?

**M. Sato (Japan).** — We have to consider Count Bernstorff's amendment in regard to Article I.

So far as the first and second paragraphs are concerned, I will say at once that my delegation is prepared to accept them.

In the first paragraph, Count Bernstorff proposes to limit the annual contingents and the total period of service in countries having the conscription system to the figure accepted by each.

As regards the total period of service, my delegation has already agreed to the text of Article I as drawn up at first reading after lengthy discussion, and now incorporated in the German amendment. In these circumstances, I have no difficulty whatever in accepting this part of the German amendment.

The limitation of the annual contingent is a much more difficult matter. Speaking generally, as regards the limitation of land forces, we may say that, once the total strength of these forces has been limited, the object of the limitation has been attained. If you add to this total limitation a statement of the average daily effectives, calculated according to the method indicated in Article E, the limitation appears to us to be both complete and equitable. The fixing of the annual contingent and the length of service within the limits of the total average effectives per day calculated in the above manner should be left to each country to determine according to its special circumstances. At first sight, the strict limitation of the annual contingent

contemplated in the German proposal may appear reasonable; but on reflection it seems that it would be difficult, and not very fair, to apply the same strict rule to different countries whose conditions are not the same and whose armed forces are composed on systems which vary considerably.

There is yet another difficulty. In my country, for example, the period of service differs in the various arms. For the infantry, it is a year and a half, and for transport drivers two months, and there are other periods of service in other categories. This variation in the period of service is a necessary consequence of general conditions in the country and army requirements. According to the German proposal, the annual contingent for all arms and their different periods of service would have to be fixed. The figure for the annual contingents would inevitably appear very large, and would be of little value for obtaining a correct idea of the armament of any given country and for making a fair comparison with the armament of other countries. It was precisely in order to avoid difficulties of that kind, and possible inaccuracies, that we decided to adopt as a standard the maximum effectives determined by the average effectives per day.

Moreover, the interconnection between the total effectives, the period of service and the annual contingent cannot be denied. At the Third Session of our Commission, I made a long statement in regard to this interconnection. I do not desire to repeat the same arguments here, and would therefore refer you to page 100 of the Minutes of the Third Session.<sup>1</sup> I should, however, like to emphasise once again the fact that you must be able to vary the strength of the annual contingent if you wish to fix the total effectives in armies having a variable period of service. I say "a variable period of service" because in many countries there is a tendency to reduce the period of service.

It has often been pointed out that if you shorten the period of service you run the risk of increasing the trained reserves, but, in my view, you should not forget that the military value of the trained reserves which are thus constituted will necessarily be reduced as a result of the shortening of their military training. The increase in numbers thus sets off the decrease in their military value. Moreover, I do not think that the increase in trained reserves is peculiar to conscript armies. I do not really understand why we have not yet discussed this question in its relation to professional armies. It is true that the period of engagement in a voluntary army is usually much longer than the period of service in conscript armies. Consequently, when the volunteers have completed their engagement, say after ten years' service, they may be regarded as trained reserves possessing a first-class military value. Moreover, in some cases, these volunteers may be discharged before the expiration of their engagement—say at the end of five years. It is obvious that they will be much better trained than conscripts, and will constitute better reserves than those of conscript armies. If trained reserves constitute a disadvantage, therefore, that disadvantage exists not only in conscript armies, but in professional armies also.

Since we are still at the stage of the second reading of the whole text of Article I, I should like to say that I am concerned to find that this Article refers solely to conscript armies, no rules being laid down for professional armies. This gives the impression that the conscription system is to be subject to stricter limitation, which, in my opinion, is unfair.

If you are going to determine the precise length of service for conscripts, you ought also to determine the duration of engagements in professional armies, and to publish the number of men discharged from such armies. I think that is only fair.

I have been speaking of the German amendment in so far as it concerns land forces. As regards naval and air effectives, my delegation finds some difficulty in accepting the fixing of the duration of service contemplated in Article I, as drawn up at first reading. As regards these two classes of effectives, my delegation would prefer a more flexible system.

Lord Cecil (British Empire). — I hope that you will feel it right to put the first paragraph of the German amendment separately from the others because they really raise entirely distinct questions. We have no objection at all to limiting the number of the annual contingent, and I am a little sorry that my colleagues of Germany and Japan have introduced into that question the question of trained reserves, which does not seem to me to enter into the matter at all. If you limit the number of the effectives you will no doubt limit the number of the trained reserves, and limiting the total number of the army is the best way of limiting the number of the trained reserves, not only by conscription but by the voluntary system also. It is a matter which must really be continually emphasised, that the number of trained reserves entirely depends on the number of people whom you enlist in your Army and on nothing else. Therefore, I do not think the question of trained reserves arises here at all, and we do not propose to raise that question in any form. In saying, then, that I am "in favour of the German amendment", it is not owing to a desire to raise that question in any way, for, with all respect to Count Bernstorff, I do not think that it is an amendment of great importance—merely to tell you what is to be the proportion in each Army of the conscription system and the voluntary system; how much of the Army is conscriptionist and how much is voluntary, and therefore how much depends on the annual contingent and how much on the voluntary system. The only thing is that it does give you that information, and, when you come to consider the amount that each country accepts for its total strength, I think the question of how much of that is composed of long-service men and

<sup>1</sup> Note by the Secretariat. — Document C.310.M.109.1927.IX

how much of short-service men will become a matter of great importance. Other things being equal, a voluntarily enlisted man who serves for a considerable number of years is probably, after a lapse of time, a more valuable fighting machine than a conscripted soldier who serves for a short term. I support the amendment therefore, but not on the grounds put forward by Count Bernstorff, because I do not think it is a question of limiting trained reserves.

In my view, the British Government would have been glad if some means could have been found to take into account the trained reserves of every country as part of its military strength. They have arrived at the conclusion, however, that it is not practical to limit trained reserves. Therefore in supporting this amendment as I do, it is on the ground that it gives a more complete picture of the military strength of each of the countries concerned. With regard to the second and third paragraphs, I will reserve my observations until we come to them. I would like to say that our amendment is not an alternative amendment, for, whether the German amendment is adopted or rejected, I shall still ask that our amendment be considered.

**M. Massigli (France).** — As Lord Cecil has just pointed out, the German proposal raises several questions. It seems to me that there are three different points: the limitation of the annual contingent, the limitation of the period of service, and, finally, in the third paragraph there is another question which I will not specify at the moment because, frankly, I do not quite understand it.

I will not refer to the period of service, which I think can best be discussed in connection with the British and Polish amendments.

I will therefore confine myself to the first and third questions.

The idea of the limitation of the annual contingent is not a new one. It was discussed, if I remember rightly, by Sub-Commission A, which rejected it for the excellent reasons mentioned by M. Sato. Once you fix the average daily effectives, and once the period of service is known, for any given army, it is an easy matter to ascertain the strength of the annual contingent—especially as Article H provides that each country may publish the proportion of recruits not trained as defined in the national legislation—that is to say, the exact number of the conscript contingent.

What, then, is the object of Count Bernstorff's proposal? Notwithstanding the more favourable interpretation placed upon it by Lord Cecil, it seems to me that it does raise the question of the limitation of trained reserves. Count Bernstorff has signified that my interpretation is correct, so I need say no more. I do not wish to reopen a matter which was very fully discussed at the first and second readings, and will merely say that I cannot accept the limitation of trained reserves. I should like to add a further argument. The limitation of the contingent gives rise to inequality among the men of the contingent. In some countries this principle of inequality is accepted, and the periods of service differ according to the arm to which the conscript is attached. But there are other countries in which, for social or political reasons, equality of military obligations has always been the rule. The limitation of the contingent introduces among a given class of young men the idea of inequality in those obligations, and that suffices to make it unacceptable to certain countries, including my own.

The last paragraph of Count Bernstorff's proposal provides that "no register shall be kept of persons whose military obligations are terminated". I must frankly admit that I do not quite grasp the meaning of this clause. The military obligations of a citizen are laid down by law, and the law prescribes the age to which the obligations extend. Once that age is passed and the citizen's obligations are at an end, I do not see how he can be registered for military purposes. So far as a conscript army is concerned, therefore, I can see no object whatever in the proposal, and there would be even less need for it in a professional army, because, in countries with a voluntary army, citizens have no military obligations, and there could be no question of their registration. I do not understand the meaning of this paragraph, and I shall therefore refrain from expressing any opinion until I have had a fuller explanation.

**M. Rutgers (Netherlands).** — I feel some uneasiness about the principle of equality as expounded by M. Massigli. In the first place, this equality would necessitate the calling-up of the whole annual contingent of a country, and, secondly, all the men would have to serve for the same period. Since all the classes would be embodied, I do not see how it would be possible to avoid an increase in the size of the army and a corresponding increase of material. I think the argument of equality, which has so often been invoked here in the name of democracy against the limitation of the annual contingent, is fatal to the idea of disarmament. This conception of equality necessarily involves the maintenance of large armies, at all events so long as the conscription system is in force. How can this be avoided?

**M. Bourquin (Belgium).** — The proposal to limit the period of service was originally moved by the Belgian delegation. You will all remember the able and persuasive way in which it was defended by my friend M. de Brouckère. I need not repeat his arguments in favour of this limitation, since you are already familiar with them. I should like to state, however, that our attitude has not changed. We consider that the limitation of the period of service should be included in our Convention, and that its omission would be extremely regrettable.

I am aware that, in calculating the maximum effectives in accordance with Article E of our Convention, account is already implicitly taken of the period of service, since the figures to be established are the result of two factors: the size of the contingent and the length of the period of service. Nevertheless, the terms of Article E would allow contracting States to play off one of these factors against the other, laying chief stress either on the contingent or on the period of service. Without failing in its obligations under Article E, a contracting State could quite well either reduce the period of service and increase the contingent, or reduce the contingent and increase the period of service. It is in order to prevent this second contingency to some extent that we think it necessary to establish in the Convention the principle of the limitation of the period of service by adding a special limitation, concerned solely with the period of service, to the general limitation. In our view, this is essential to prevent conscript armies from gradually assuming the characteristics of professional armies; or, to put it more clearly, to prevent conscript armies from securing the advantages of professional armies while avoiding their drawbacks; and we therefore hold strongly to this principle.

The amendment submitted by Count Bernstorff deals not only with the limitation of the period of service, but also with the limitation of the annual contingent. That is quite a different question.

As far as Belgium is concerned, and from the point of view of our national interests alone, we have no objections to raise, because this limitation of the contingent is a matter of necessity for us. We know the birth-rate which will determine the contingent at the time the Convention comes into force. We know that the contingent will be considerably reduced. This reduction is forced upon us by the nature of things, but the proposal now made is for a reduction by treaty; and, as M. Massigli has just pointed out, the question of reduction by law involves difficulties of principle. States will be obliged to discriminate. Discrimination in the case of the unfit is, of course, a natural thing. If, however, another kind of discrimination be attempted, this will conflict with certain principles, and for political reasons will be absolutely inadmissible in certain countries.

We cannot deny, as Count Bernstorff admitted just now, that what we have to settle is the question of trained reserves. I need not remind you of the gravity of this question, and of the difficulties to which it has given rise. If it be revived, we shall not be able to reach agreement. It is our unanimous desire to find a solution, and therefore we must not say any more about trained reserves. If we reopen that discussion, we shall never reach a practical solution.

From a practical point of view, therefore, I would urge Count Bernstorff not to press his proposal.

**General de Marinis (Italy).** — The question with which we are dealing has already been discussed at length in our Commission. Personally, I think it would be extremely difficult to advance new arguments in support of the various views put forward at the first reading of the draft.

I am more convinced of this than ever after hearing the remarks of the previous speakers, to which I have listened with the greatest interest. I will merely say, therefore, that there has been no change in the views of the Italian delegation on this question.

I think it unnecessary to repeat my previous arguments in support of these views. If I wished to do so, I could not do better than repeat the summary of those arguments so ably presented by our colleague M. Sato. Our delegations, his and my own, have always been in agreement on the problem of the period of service. Consequently, I need only associate myself with what M. Sato has just said, and would add in conclusion that I approve the text of Article I drawn up at the first reading, so far as it concerns land effectives.

I share M. Sato's views on the subject of naval and air effectives, and consider that Article I should be confined to land effectives.

I also agree with M. Sato's statement to the effect that if the period of service in conscript armies is to be strictly limited, it is also necessary to limit the number of engagements in professional armies, and to publish the number of volunteers discharged from those armies.

That is what I wished to say about the Italian delegation's views. I should like to add, on my own account, that I do not think, in view of our past experiences, that there is any chance of a continuation of this discussion leading to any change in the views already expressed. I feel that the time has come, if we are to make any progress, to take note of the reservations of the delegations still in the minority, include them in our draft and in our report, and then get on with the work. If we go on with this discussion we shall only hear a repetition of the speeches already made in Sub-Commission A and at the various sessions of our Commission.

**Dr. Riddell (Canada).** — The views of the Canadian Government on universal and compulsory military service have not changed since the proposal of the Chinese delegation was examined during the first part of the sixth session of the Commission. I repeat what I said then; the traditions, the environment and the practice of the Canadian people are opposed to such a system, and its abolition would mark an all-important era in moral and material disarmament.

Nevertheless, our delegation, in common with many others, doubted whether it would be wise for the Commission, at that time, to adopt a resolution which laid down a definite and complete prohibition of a particular system of national defence, when the Governments which had that system refused absolutely to give it up or to limit the numbers of their trained reserves. The amendment proposed by the German delegation does not go so far as to prohibit compulsory military service but it aims at limiting, firstly, the annual contingent, and secondly, the total period of service which the annual contingent is compelled to serve. The Canadian Government supports wholeheartedly the part which proposes to limit the annual period which a contingent is to serve. We believe it is possible to train a man in the art of defence in a shorter period than for offensive warfare. The Canadian Government presumes that the object of countries favouring compulsory military service is to train men to defend their frontiers and soil, and not to attack neighbouring States. Defence is a legitimate and a normal act; attack is a reprehensible one. The limitation of the period of training may well be regarded as a restriction upon intensive military training, which so often leads to aggression. In regard to the other part of the German amendment, asking that the annual contingent be limited, the Canadian Government hold the opinion that the doing away with, or the limiting of, trained reserves, would advance the cause of disarmament probably more than any other single step which could be taken. Up to now our discussions, including the discussions at this present meeting, have not seemed to show us any probability that we could gain unanimity on such a subject, for the reason already stated, that certain Governments represented on this Commission refuse to agree to reduce their armed forces on this basis, and have repeatedly so refused.

The Canadian delegation is in agreement with the suggestion that the total period of service should be the total number of days of active service and of days of service during the period of training or instruction which the conscript undergoes and that the period of active service should be shown separately. We do not, however, believe that the last portion of the amendment, which reads "No register shall be kept of persons whose military obligations are terminated", is practicable or even desirable.

**M. Litvinoff** (Union of Soviet Socialist Republics). — The Soviet delegation does not attach much importance to the proposal for the limitation of the term of active service of annual contingents as long as the Commission does not decide on the limitation of the number of trained reserves. So long as that is not limited it does not appear to us to matter how long the term of service is. Indeed, the shorter the term of service, the greater may be the number of able-bodied men passed through active service. It is only if the Commission decides on the limitation of trained reserves that the question of reducing the term of service becomes of any importance, so that if the Conference agrees to the limitation of trained reserves we shall certainly support the proposals for the reduction of the term of service.

As regards the German proposal, it seems to me it would be a partial solution of the problem of trained reserves, if we were to strike off the registers all those able-bodied men who have fulfilled their military obligations. In that way we reduce the number of trained reserves in each country. It is not a very great reduction but it is something, and it prevents the dragging into war of entire nations, including even old men.

For the reason that we are always prepared to support any proposal which tends to diminish the possibilities and the scope of war, the Soviet delegation is prepared to support the German amendment in its entirety.

**Dr. Woo Kaiseng** (China). — As a new member of this Commission, on which I have been appointed to serve by my Government, I have not had any experience of its previous discussions. Nevertheless, I feel bound to express the views of the Chinese delegation in regard to this important article. Dr. Riddell has already referred to the Chinese proposal for the abolition of compulsory military service, and you know that our delegation has always supported any measures designed to prevent war, and has given evidence of its desire for everything which might conduce to the maintenance of peace. Therefore I merely desire to state that China will vote in favour of any measure for the limitation of armaments of any kind.

**Lord Cecil** (British Empire). — I only make one appeal to my German colleague because, in spite of all the eloquent observations that have been made, I am still of opinion that, whether we put in these words, "the annual contingent", or not, we make little change in the draft. It has been, I will not say welcomed, but treated by both of the contestants on the question of trained reserves as raising that point, but I am convinced myself that it does not raise the point and that it will not affect that question one way or the other whether you pass these words or not. In these circumstances, is it worth while, merely in order to reaffirm the German proposition in favour of limiting trained reserves and that of the French delegation and others against that proposition, to divide on the question? I think it would be a good example for the future conduct of this Commission if the German delegation were to withdraw this part of their amendment. As to the rest of it, I am warmly in favour of it.

**Count Bernstorff** (Germany). — As my neighbour and friend, General de Marinis, has remarked, the very last thing that I desire is a repetition of speeches, and therefore I confined myself to a few remarks yesterday, and will be very brief to-day. My earnest desire

is that we should reach the last stage of our work, that is to say the Conference, as soon as possible, so that we may really know where we stand. I have, however, one statement to make.

Lord Cecil will allow me to say that the one argument which we did not expect to hear during this discussion was that our proposal had nothing to do with trained reserves, because we have stated over and over again that we take our stand on our former declarations and negotiations. I would remind you that, in Sub-Commission A, it was stated that the reduction of the period of service, and of the annual contingent, was an extremely effective method of reducing trained reserves. That was why we made this proposal. I am glad that M. Massigli acted similarly and said frankly that he could not agree to any mention of trained reserves. I could understand Lord Cecil's observations if trained reserves had been mentioned in Article A, but that is not the case.

The conscription system has grown to such an extent on the continent of Europe that to-day the people of every country, from the cradle to the grave, are brought up to be soldiers; and yet it is now proposed to draw up a disarmament convention which is not going to take that state of affairs into consideration. The situation would be impossible for countries which do not have the conscription system, and therefore the result of the exclusion of trained reserves would be that the convention would not be worth the ink with which it was signed.

#### VOTE ON THE FIRST PARAGRAPH OF THE GERMAN AMENDMENT.

**The President.** — I think the discussion is now closed, and that we can proceed to vote on the first paragraph of the German proposal. I should first like to say that I think we can congratulate ourselves on the spirit displayed during this discussion. I should also like to thank you for the frankness with which you have spoken. Plain speaking is always a good thing, and enables us to see where we stand. We will now vote on this paragraph, which refers solely to land armaments.

**M. Sato (Japan).** — I can vote in favour of the first paragraph of the German amendment if the words "annual contingent" are omitted. I should like to know whether this is to be the case or not.

**Lord Cecil (British Empire).** — If you do that, you will shut out the Polish amendment and my own. I do not mind how it is done, but let us vote now on the question of the annual contingent being inserted in the amendment, and then we can vote on the Polish amendment and can make whatever amendments we like.

**M. Massigli (France).** — I agree with Lord Cecil that we should first vote on the first two lines of the German amendment.

**The President.** — We will vote on the first paragraph of the German amendment, including the words "annual contingent". The vote will be taken by a show of hands.

*Six delegations voted for this first paragraph.*

**General de Marinis (Italy).** — I should like to know which delegations voted in favour of this paragraph.

**The President.** — The delegations of Norway, Sweden, the Union of Soviet Socialist Republics, China, the Netherlands and Germany.

I will now ask those delegations which are against this first paragraph to signify the same.

*Twelve delegations voted against this first paragraph.*

*The first paragraph of the German amendment was rejected by twelve votes against to six for, with some abstentions.*

**The President.** — We will now take the second paragraph.

**Lord Cecil (British Empire).** — It is impossible to vote the second paragraph without the first; they hang together. We had better now take the Polish amendment.

**Count Bernstorff (Germany).** — In view of the result of the vote, I have no longer any interest in this question, and you can vote on the rest of my amendment as you please.

#### DISCUSSION ON THE POLISH AND BRITISH AMENDMENTS.

**The President.** — I propose that we discuss the amendment submitted by the Polish delegation.

**General Kasprzycki (Poland).** — I should like to explain shortly the amendment to Article I proposed by my delegation.

The Polish delegation still considers it necessary to limit the period of service, as it is convinced that this question is an important factor in the problem of disarmament. The discussion on the first reading brought out the object of this limitation, and showed that it was desirable not only from the point of view of the economic and social requirements of each country, but also from an international standpoint.

The object of the limitation is to reduce the period of service to an extent compatible with the requirements of national defence and also in order to arrive at the number of effectives allowed under the Convention, taking into account the necessity for training the contingents called up to enable them to defend their country. A conscript army with a very long period of service constitutes a danger to other countries, because in strength and character it resembles a professional army, while at the same time its enormous size may represent a threat to international peace.

We need only look at the *Armaments Year-Book* to see the considerable differences in periods of service which still exist in the various conscript armies. Moreover, even in the same country, the period may differ in the various arms and in the various categories of contingents. In view of these differences, the text of Article I drawn up at first reading does not furnish a satisfactory solution of the problem. It provides that each country shall itself fix the maximum period of service. The country will do so on the basis of the longest period of service in any category, so as to meet all its requirements. Thus, the different periods referred to and which vary from one year to more than five years, with all the resultant disadvantages, would be sanctioned by the Convention. The Polish delegation's proposal aims at establishing a uniform maximum limit which no contracting party would be able to exceed. This maximum limit of the period of service would include in an aggregate figure the whole of the time spent with the colours and in training in the reserve. This maximum, which would be common to all States, should be laid down by the Disarmament Conference. It should be regarded as a figure corresponding to the normal requirements of the vast majority of conscript armies. In certain cases it might result in an appreciable reduction in the period of service with the active army, which is such an important factor in armaments.

The British delegation has submitted an amendment which appears to have the same object as our own. Both amendments aim at counteracting the tendency—referred to by the German representative—noticeable in certain countries, to make all citizens liable to military service almost from the cradle to the grave.

**The President.** — The difference between the Polish and British proposals is so slight that I think we could discuss them together.

**Lord Cecil (British Empire).** — I should be pleased to accept the first paragraph of the Polish amendment in place of my own, and I will treat it as the only amendment before the Commission at the present moment. This is by far the more important of the two questions we have discussed this morning, and I was astonished to hear Count Bernstorff say he did not regard it as such.

As to whether or not we should limit the annual contingent, I believe that the principle of any policy of limitation or reduction of armaments, so far as effectives are concerned, must lie in the limitation of service. We must arrive at a state of things which exists in Switzerland, where the military service, though regarded as a duty by all the male citizens, is constituted for purposes of defence, and the army is not to be used for aggression. If we could have that system prevailing throughout the world we should destroy the fear of aggression which now exists, and in turn we should arrive at a system of disarmament. That is the vital thing so far as effectives are concerned, but unless we can arrive at some system of limiting material as well, I do not think we shall have done anything towards disarmament. It is well known that there is a considerable section of the military experts in the world, not least in Germany, which believes that the future military organisation of every country will depend, not on enormous armies, but on small armies very highly equipped and very highly trained. That is the view held by an important section of military opinion throughout the world, and particularly in Count Bernstorff's country. Count Bernstorff will know that they have published dissertations which have attracted a good deal of attention. The whole question of effectives seems to turn on the question of limiting the period of service.

The difference between the Polish proposal and the proposal adopted at the first reading, is that the Polish proposal proposes to fix a uniform standard for the duration of military service among the parties to the Convention, and that is the idea the British delegation had in mind in putting forward its amendment. It is evident that if we can obtain a universal agreement to reduce the period of service, in the first instance, to one year's service, we shall have made a great stride towards reduction, so far as military effectives are concerned. It depends what figure we are going to put before the Disarmament Conference. The ideal thing is to aim at a universal standard. If we can only reach a universal standard by putting in a high figure, it will be for the Disarmament Conference to consider whether it is desirable to aim at a universal standard or to return to the idea of each country fixing a standard for itself. It will depend on whether we can arrive at a substantial reduction in the average period of service throughout the world. In putting forward this idea it is only with the view of obtaining a figure of that character. If that figure does not turn out to be practicable, I should imagine that the British delegation attending the Disarmament Conference will hold itself quite free to propose another system which would be more satisfactory; but, at the moment, I think the right thing is to have a universal standard for all countries, because it is simpler and more effective. Therefore, I think we should accept the first clause of the Polish amendment.

With regard to the other parts of the British amendment, perhaps you will allow me to dispose of them after we have dispensed with this first proposition.



**The President.** — Would General Kasprzycki agree to replace the word "months" in his proposal by the word "days", in order to avoid fractional periods?

**General Kasprzycki (Poland).** — I think it is more practical to calculate the period in months, but I will agree to a calculation in days if the President wishes.

**The President.** — We will accordingly replace the word "months" by "days".

**M. Antoniadé (Roumania).** — The Roumanian delegation supports the Polish proposal. It considers that this proposal would afford a satisfactory solution of the problem raised in Article I of the Convention. The Roumanian delegation is of opinion that, in the case of countries having the conscription system, the total period of service of the annual contingent has no direct relation to the problem of the limitation and reduction of armaments and is not so important as effectives, material, and budgetary expenditure.

All countries with the conscription system desire that their annual contingents should complete their necessary military training and preparation in as short a period as possible.

But, as has been pointed out many times, this period depends on a number of factors which vary not only as between different countries but even in one and the same country, according to the degree of education of the population, the existence or absence of pre-regimental training, the size of the cadres, the organisation of training in the various arms and services, the special requirements of the colonies, etc.

In these circumstances it is only natural that the period of service should vary in different countries and even in the same country, according to the arms, services or colonies.

Even if we accept the proposed solution, which appears to us to be the best one, of a common maximum limit for all countries having the conscription system, there is another important factor which should be borne in mind: the period of service in conscript armies should not be so long as in professional armies; otherwise, in view of the large number of effectives which they would have, the nature of these armies would be changed and they would have great powers of aggression. That cannot be allowed. Moreover, this point was strongly emphasised by our Polish colleague.

Consequently, while supporting the proposal to fix a reasonable maximum period of military service, our delegation agrees with the Polish suggestion that, in conscript armies, the duration of service should not exceed a period fixed by the Disarmament Conference.

**M. Fierlinger (Czechoslovakia).** — The principle laid down in Article I of the draft Convention is a very simple one, but, notwithstanding its simplicity, it provides, as we have already stated on several occasions, for the limitation of effectives and also, indirectly, for the limitation of the period of service. This principle has been attacked precisely because it is so simple. It has been alleged that it does not take into account all the factors which make up the military value of an army. Nevertheless, if we study it carefully we shall see that it has many advantages. By its elasticity, it offers the Commission a way out of the difficulty of dealing with the two systems, the professional army and the conscript army.

Under the former system, the fighting value of the army is very great; under the second, this value is less, but, apart from that, it provides trained reserves of relatively high fighting value. The countries which have adopted the latter system have done so largely because they desired to create trained reserves for defensive purposes, and also for budgetary reasons. That is why our country has a conscript army.

The difficulty of framing a rule for fixing the period of service in each country has already been shown. If limitation be introduced into this article, which is at present extremely simple, a contradictory conception will be introduced. A large number of technical factors and the varying durations of service in the different armies will have to be taken into account. Moreover, in all countries with a conscript army, there is a tendency to reduce the period of service for political reasons. This is a grave problem of internal politics. All that the man in the street wants to know is that he or his sons will serve only fourteen months and that this period will be reduced still further in future.

If we attempt in the Convention to fix the period of service in each country without taking all future possibilities into account, we shall be introducing considerable complications. It would be very unwise to fix the period of service in each country in an international convention.

The Polish and British delegations have submitted a different solution in a proposal which amounts to a compromise, and which has the great merit of providing a uniform solution which should meet the requirements of all countries.

Naturally, this system has a certain rigidity, but the principle is a fair one, since the same rule applies to all. That is why I regard it as a compromise.

I wonder if this proposal might be supplemented by a system of publicity in regard to the period of service in each army and in each arm. If this combination were possible it would take into account all the factors which I have mentioned.

**M. Westman (Sweden).** — The Swedish delegation, in accordance with the attitude it has always maintained, voted just now for a measure tending to limit trained reserves.

As this question of trained reserves has been rejected once again, we are anxious to arrive at a solution on the basis established. I am therefore prepared to accept the first paragraph of the Polish proposal submitted to this meeting, chiefly for the reasons stated by Lord Cecil. I think that, if this proposal be adopted, it would afford the future Disarmament Conference an excellent means of reducing the attacking power of the different armies. The attainment of that result must obviously depend on the manner in which the Conference makes use of the means thus placed in its hands. In the hope that, on the basis of this article, the future Conference will be able to bring about an effective limitation of the period of service, I am in favour of the adoption of the first paragraph of the Polish proposal.

**General de Marinis (Italy).** — I see no serious disadvantages in accepting the Polish proposal. In this respect, I am in a favourable position, because Italy is, I think, the country that has reduced the period of service more than any other. In theory, the period of service is eighteen months, but, in practice, a large part of our contingent serves only twelve months, and a fair part only six months. I believe that the average period of service in our country is actually about nine months, the annual contingent being divided into three parts.

For these reasons, I should have no difficulty in supporting the Polish delegation's proposal, although, in principle, I do not see the advantage of accepting this hard and fast rule instead of the more elastic provisions of Article I.

I would repeat that this matter does not affect my country, but, from a general standpoint, I am of opinion that we should remember that the period of service depends on various factors, which are not identical in all countries. It depends on social considerations, the state of education and even on the physical condition of certain parts of the population, the budgetary situation and the number of conscripts. These factors vary in each country. Therefore, I do not see what would be the advantage of a hard and fast rule. Would it not be better to allow each country to take account of its own particular situation?

Moreover, at the Conference, the question of the period of service, if left open, may facilitate negotiations between States. If you fix a hard and fast rule for all countries you will deprive them of the possibility of making mutual concessions in this matter.

Finally, you will emphasise still further the distinction between conscript and professional armies; while the period of service is to be the same in all conscript armies, professional armies would be allowed to maintain different periods of service.

For these reasons—although, I repeat, my country is not directly concerned in this question—I think it best to adhere to the more elastic provision in the text of Article I of our draft.

**M. Litvinoff (Union of Soviet Socialist Republics).** — I have listened with attention to what speakers in favour of the Polish proposal have said, but I still fail to see what bearing all this has upon the question of disarmament. I hope the President will excuse me for making use of this term, in spite of his warning in his inaugural speech that disarmament ought not to be mentioned in this Commission. The Commission has not yet, however, changed its name—that of Preparatory Commission for the Disarmament Conference.

The tendency of many countries lately, and especially of the most military ones, has been to reduce the term of active service, by no means out of consideration for disarmament, but for the sake of economy and technical convenience and the improvement of the armies—and perhaps for the purpose of increasing the number of their effectives. As I have mentioned before, in my opinion, the shorter the term of service, the greater may be the number of men passed through active service. By adopting the Polish proposal I think we would not further the cause of disarmament or reduction, nor even of the limitation of armaments. By itself, it might be a quite harmless proposal, if the Commission had adopted some measures of real effective reduction of armaments, but I am very much afraid—judging by what has transpired from to-day's speeches—that we are hardly entitled to expect any real decisions with regard to the reduction of armaments in this Commission.

If the draft Convention should consist only of such innocent and ineffective proposals as the Polish one, it might give a false idea of the work of the Commission, and whatever we do here I think we ought to see that the public at large should understand what has been done. There should be no illusions, no camouflage, and people should see all the shortcomings of the Commission, and it seems to me that such proposals as the Polish one may just throw a veil over the shortcomings. It is for that reason that I think this proposal of the Polish delegation may be rather harmful than harmless.

**M. Cobián (Spain).** — I feel a certain doubt in my mind after hearing the remarks of the head of the Italian delegation.

I am not opposed to the limitation of the period of service, but I am afraid that, if we adopt the formula under discussion, this will not help us to reach our goal.

If we are to have a uniform maximum period of service for all conscript armies, we must either make this maximum very high or else give up the attempt to reconcile this reduction of the period of service with the maximum military effectives assigned to the various countries.

The figure for military effectives must be based on the requirements of defence, national security and international obligations.

Suppose, for instance, that a country is allowed to maintain a force of 100,000 men for its requirements of national defence, and that another country is also allowed, for the same reason, the same maximum of 100,000. Both countries may have compulsory military service, that is to say, conscription, but the populations of each may be very different. One of the countries which has been assigned 100,000 men as a maximum may have an annual conscriptive force of 1,000,000 men, whereas the other country, also allotted a maximum of 100,000 men, may have an annual conscriptive force of only 200,000.

If we fix a period of service to allow for all these differences, the figure will be so high that no result will be obtained. If, on the other hand, we reduce the period, difficulties will arise for the country allowed 100,000 men and having only 200,000 conscripts. That country could not have 100,000 men and accept the limitation of the length of service fixed by us.

I would therefore ask the Commission to consider these figures very carefully—unless I have made a mistake in my calculations—before adopting the formula proposed.

**Colonel Ali Khan Riazi (Persia).** — Our delegation shares the misgivings expressed by the honourable delegate for Spain. We accordingly propose to add at the end of the first paragraph of the Polish proposal the following words: “. . . due account being taken of the total limited amount of armaments fixed for each country and the exigences of the training of recruits”.

Unless we adopt some such provision the danger will remain and we shall not be progressing towards general disarmament.

**The President.** — To enable this text to be circulated, I would ask the honourable delegate for Persia to submit it in writing.

**M. Massigli (France).** — The French delegation co-operated in the drafting of the text drawn up at first reading which it is now proposed to amend. Although the hour is late, I should like, if you will allow me, to explain as briefly as possible the reasons why I can accept the first paragraph of the Polish amendment, which is the same as the first paragraph of the British amendment.

If you consult the *Armaments Year-Book* of the League of Nations you will see that the period of service in conscript armies varies considerably. In certain armies it is less than one year, while in other countries, unless I am mistaken, it may extend to four or five years. Moreover, in one and the same army, the period of service may vary according to the arm.

For this reason, and in the form in which it is drafted, the sole value of the article under discussion is that it places on record the *de facto* situation in the various armies and gives the contracting parties the assurance that the characteristics of an army will not be modified during the time the Convention remains in force.

It seems to me that two rather different ideas have been expressed in the very interesting discussion which has just taken place. First, our Polish colleague stated that a common maximum should be fixed in order to indicate to some extent the point at which a conscript army ceases to merit this name and becomes a professional army, thus enjoying the advantages of both systems—highly-trained reserves and a strong, well-trained army.

A somewhat different idea was expressed by Lord Cecil, who advocated a common rule applicable to the various conscript armies.

The text before you may appear to cover both these ideas, which differ appreciably from each other. I think, however, that if we face the facts we shall see the position more clearly.

In the first place, the object was to lay down the maximum period of service not to be exceeded in a conscript army for the men of the contingent. That is the essential thing. Is it possible to go further and to standardise this period? That seems to me to be far more difficult, and even dangerous.

As General de Marinis and other speakers pointed out, the conscription system differs in the various armies. Methods, social environment, education and also fitness for military service differ. In these circumstances it is impossible to fix a uniform period of service.

There is yet another reason. If the Conference attempted to fix limits which do not take sufficient account of *de facto* situations and thus violently disturb the military systems of a large number of countries by requiring them to adopt a shorter period of service than that at present in force, many Governments would hesitate to commit themselves to such an experiment, and this would add to the difficulties of the Conference.

It is quite certain that you cannot ask the various armies to adopt a uniform system. Moreover, in some respects I think that when you go more closely into the various systems you will find that the difference is not always so great as was believed. I represent a country which is often reputed to be militarist, whereas the country whose hospitality we now enjoy, as Lord Cecil has reminded us, is not regarded as a militarist country. Yet if, in accordance with the principles laid down in the article under discussion, you reckoned the number of days service of a Swiss citizen and a French citizen you would find that the French citizen remains with the colours barely

three or four months longer than the Swiss citizen. This applies to privates. In the case of corporals, the length of service is the same in Switzerland as in France.

Consequently, there are various factors, including traditional customs, to be borne in mind.

It may be argued that in fixing a common maximum you will encourage many countries to lengthen the period of military service. I do not agree. This risk can be obviated by means of publicity.

I should like to make another observation. The whole of this discussion has been confined to conscript armies. Nevertheless, some provision should be made for professional armies. I admit that it is extremely difficult to fix a lower limit for the period of service in professional armies, but countries possessing such armies could at any rate furnish information as to the length of the engagements.

I now come to my last point, which is not without importance.

When the article was adopted at the first reading, it was understood by several delegations to refer solely to the limitation of land armaments. At that time, the French delegation made a formal reservation to the effect that it was also necessary to limit the period of service of naval and air forces. I would stress the fact this refers solely to conscript armies. Why should it be impossible to fix a limit for the period of compulsory service in the naval or air forces of conscript countries? I do not think there is any valid objection to this: in any case, I have not heard any convincing argument against it. Everyone realises the importance of the air arm and the difficulty of training airmen. It is only natural that we should want some reassurance on this point. I desire to emphasise the fact that we shall not be able to settle this question of the period of service unless we find some means of extending limitation to conscript navies and air forces.

**M. Bourquin (Belgium).** — I have already stated the attitude of the Belgian delegation towards the principle of the limitation of the period of service. We attach great importance to this and I should not like it to be thought here or elsewhere that the insertion of this principle in our Convention is useless. However, I feel confident that public opinion will not make this mistake because the public has a great deal of common sense and realises that, as regards the problem of the organisation of conscript armies, the question of the period of service must be regarded as fundamental. We hold strongly to this principle. The proposals submitted by the Polish and British delegations do not affect this principle. The only difference between those amendments and the proposal which we made ourselves may be said to be a difference in the method of application. As regards methods of application, my delegation is always very conciliatory because what it regards as essential is the principle. I know that methods of application are important, and are even very important in practical life, but here we are merely making a first attempt to lay down legal principles and rules of law in a domain which has hitherto been left to the discretion of States. This is a heavy task and it is obvious that, at the moment, we cannot do more than sketch out the plan. However, I am anxious that this rough plan should not be left as it is, but that it should gradually become more definite and more complete. In this connection, I think it is essential to insert certain principles. They are the seeds from which the work will grow. I must admit that the arguments submitted in support of the Polish amendment, both by the Polish delegation, other delegates and finally by M. Massigli, are very weighty. We suggested that there should be a maximum figure for each State. That proposal has been supported by the representative of the Italian delegation and M. Cobián. However, it might lead to certain complications. Moreover, the idea of a common maximum has the advantage of greater simplicity. I call to mind the advice so often given us by Lord Cecil, who has had very great experience and can speak with authority. Lord Cecil has told us over and over again that we should endeavour to avoid complications and should make our formulæ as simple as possible.

I think that is very wise counsel and it is because the Polish and British proposals are extremely simple and also because they leave intact what I regard as essential—namely, the principle—that, if these proposals commend themselves to the Commission I, for one, would be prepared to agree to them.

**M. Litvinoff (Union of Soviet Socialist Republics).** — Can the President give some idea of what questions will come up on Monday so that we can prepare for them?

**The President.** — We shall naturally deal with Chapter II. — Material: Land Armaments.

*The meeting rose at 1.5 p.m.*

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FOURTH MEETING.

*Held on Monday, November 10th, 1930, at 10 a.m.*

*President: M. LOUDON (Netherlands).*

13. Discussion on Chapter I: Effectives. — Article I (continuation).

**The President.** — I should first like to extend a welcome to His Excellency Dr. Tewfik Rüstü Bey, Minister for Foreign Affairs of the Turkish Republic, who arrived on Saturday.

We will now continue the discussion on Article I, and, in particular, the Polish amendment providing for a uniform period of service corresponding to the normal requirements of the majority of States.

Five or six delegations have already expressed themselves in favour of this amendment.

AMENDMENT PROPOSED BY THE PERSIAN DELEGATION.

**The President.** — The Persian delegation, in order to allay the misgivings expressed by M. Cobián, proposes that the first paragraph of the Polish amendment should be drawn up as follows:

“For all the High Contracting Parties having the conscription system, the maximum total period of service which the annual contingent may be compelled to serve, shall be fixed at . . . days, due account being taken of the uniform standard for all armaments fixed for each country.”

Before calling on the first speaker on the list, I will ask M. Massigli to address the Commission, as he desires to make a correction in the Minutes of the previous meeting.

**M. Massigli (France).** — I said on Saturday that I could accept the first paragraph of the Polish proposal, and I explained the reasons. In the Minutes I am made to say the exact opposite. I should like to repeat, therefore, that, subject to the observations which I submitted, I can agree to the first paragraph of the Polish proposal.

14. Discussion on Chapter I. — Effectives: Article E (continuation): Statement by the Japanese Delegate.

**M. Sato (Japan).** — In the first place, before discussing Article I, I should like to make a brief statement regarding Article E.

My delegation made a slight reservation concerning Article E, with regard to air forces. I have now received further instructions from my Government, and am in a position to withdraw this reservation.

We are therefore prepared to accept the present text of Article E, not only in respect of land forces, but also in regard to naval and air forces.

**The President.** — M. Sato's statement gives us great satisfaction. It is understood, therefore, that Article E is adopted in the form in which it was submitted to us.

15. Discussion on Chapter I: Effectives. — Article I (continuation): Discussion on the Polish and British Amendment (continuation).

**M. Sato (Japan).** — We have to consider the Polish amendment to Article I. If this had been a question of secondary importance, I should have done my utmost to fall in with the views of the Polish delegation and to accept its amendment; unfortunately, however, my delegation attaches very great importance to the fixing of the period of service in the army, and, with all the good will in the world, I am obliged to say that we find it very difficult to accept the Polish amendment.

I should first like to say a few words about what happened when we discussed this question for the first time.

The French delegation had made a suggestion which it was difficult for me to accept. I proposed to limit the period of service in such a way that each State would be left full liberty to limit its own period of service. My delegation proposed to say: “The total period of service which the annual contingent is compelled to fulfil shall not exceed what is laid down by each State.”<sup>1</sup>

This wording was not very satisfactory to Lord Cecil, although he shared my views. Lord Cecil said:<sup>1</sup>

“I am not quite happy about the exact form of words suggested by the honourable representative of Japan. I quite agree with his object, but I do not quite like saying that

<sup>1</sup> Note by the Secretariat. — See Minutes of the Third Session. Document C.310.M.109.1927.IX, page 107.

anything in a treaty shall be fixed by any particular party to the treaty. The thing that fixes it must be the agreement between all the parties to the treaty. I suggested to him, and I am glad to say he agrees, that, instead of saying ' fixé par chaque Partie ', you should say: ' accepté par les Hautes Parties contractantes ', if M. Paul-Boncour has no objection to such a phrase."

I accepted this new wording proposed by Lord Cecil, which is embodied in the text adopted at first reading.

In that text we agreed to say that all countries should be free to fix the period of service according to their special circumstances. We attach the utmost importance to this.

The importance of this principle was emphasised by several speakers during the first reading, and again two days ago by several members of this Commission, including General de Marinis and M. Cobián. I entirely agree with them.

We now have the Polish amendment, which proposes a uniform standard for all countries. I fail to see the use of fixing a uniform standard applicable to all countries. Conditions and customs are not the same in every country. Is it possible to apply one and the same rule to every country, when their conditions vary so greatly? I do not think so. The attempt would be useless.

If a uniform standard be accepted, as proposed by the Polish delegation, this standard will either be fixed very high, so as to apply to everyone, or very low, in which case it would be difficult for certain countries to accept it.

If the standard be high, the result will be unsatisfactory. As you are aware, in nearly every country there is at the present time a tendency to reduce the period of service.

Efforts in this direction have also been made in my country, and the period of military service has already been reduced from three to two years.

If a maximum of four years, for instance, be established, this will prejudice the efforts which have already been made in certain countries. Those countries will say that they have done their utmost to reduce the period of service under the influence of the social movement and that it is possibly unnecessary for them to continue their efforts, in view of the maximum fixed at Geneva. I fear that the good intentions of certain countries would thus be weakened, and that would be very regrettable.

On the other hand, if, in order to encourage the tendency to reduce the period, the standard is too low, the result will be just as unsatisfactory.

In my country, for instance, we are doing our utmost to reduce the period of military service, but this depends on certain conditions, and we cannot bring about this reduction in a day. There are many things to be considered before it is possible to arrive at an appreciable reduction. If the Convention required us to reduce this period all at once, we should be faced with enormous difficulties, and therefore could not accept the Convention. Consequently, whether the standard is too high or too low, difficulties are bound to arise in the case of certain countries.

I therefore find it very difficult indeed to agree to the fixing of a uniform standard.

I have so far spoken only of countries in which conscription is in force, but is it possible to apply the Polish proposal by analogy to countries having professional armies? Can we impose a uniform standard on them? I am not well acquainted with the usual length of engagements in those countries, but I am certain that it varies considerably.

I do not think there would be any use in fixing a maximum period for engagements, and full liberty should be left to countries in this respect.

The same applies to countries where conscription exists. As regards the question of the period of service, the position of my country may possibly be somewhat different from that of other nations.

In order to explain the difficulties with which we are faced, I should like to give you some additional information. I have told you that, on our own initiative, we have already reduced the period of military service. We did so having regard to social tendencies and for budgetary, financial and other reasons; nevertheless there is a certain limit beyond which we cannot go.

We have to consider the best method of forming an efficient army. There are mountaineers, for instance, who do not even know how to put on boots; there are fishermen who are very brave and accustomed to facing storms and danger at sea, but who are quite unaccustomed to sleeping on iron bedsteads. How can you turn these men into good soldiers or sailors in a very short time? If you do not turn out well-trained soldiers, what is the use of spending so much money on military training? It takes a certain time to produce an efficient soldier, and this time varies according to the country. A period applicable to a European country cannot apply to my country.

It must be possible for us to take into consideration all the existing circumstances, customs and aptitudes, and we wish to be free to fix the methods of engagements and the period of service. That is why, notwithstanding my good will, I find it difficult to accept the Polish amendment in its present form. I should greatly prefer the adoption of the text drawn up at first reading.

If, when the vote is taken, I am in a minority, I will give way to the opinion of the majority of the Commission; but, in that case, I will ask it to examine the question more closely. We are at present discussing the matter in the abstract; we do not know—and, moreover, this point is left blank in the Polish amendment—what the maximum would be. If the text drawn up at first reading be rejected by the Commission, I should like to know what its views are as regards the number of days to be inserted.

If that point be discussed, perhaps—I would emphasise the word “perhaps”—certain apprehensions felt by some delegations may be removed. But that possibility cannot be considered until later, and, if my arguments have not convinced my colleagues, I should like to know what is to be the result of our discussion and what is to become of the text drawn up at first reading.

**M. Rutgers** (Netherlands). — I entirely agree with M. Sato. If only one figure be inserted in the article, it will either be too low for those countries which need a longer period of service or too high for others. In the face of this alternative, there is no doubt that the highest figure will be chosen. That will take us very far from the standard of Switzerland, for instance, which has 150 days for service in the infantry, and we shall doubtless approach the period of four or five years which the delegate of France mentioned as being in force in certain countries.

On the other hand, if different figures are allowed for each country, it will be possible for each to contribute to the limitation and reduction of armaments by adopting a fairly low figure. Switzerland, the Scandinavian countries and the country which I represent could insert a figure which, for the infantry, would not exceed five, six or seven months, since those countries have for the infantry a period of service of 150 to 200 days, including training periods. If the amendment be accepted, the result will be that these figures will not appear in the Convention.

I should like to remind you of the discussion which took place in regard to this article at the first reading. I suggested myself that it would be preferable to say “the figures” instead of “the figure”, so as to enable countries in which the period of service varies in the different arms to insert more than one figure. This suggestion encountered a certain amount of opposition. At the meeting on April 1st, 1927<sup>1</sup>, M. de Brouckère stated at the close of the discussion:

“At any rate, we are all agreed that we want at least one figure. Let us then begin by registering our agreement on this point and attack the difficulty by stages. Are there any great drawbacks in a country's only giving one figure? No; because that country cannot secretly bring its effectives up to the maximum strength under cover of this figure, since it has to indicate the number of days' duty.

“On the other hand, there may be some advantage in putting down several figures. I refer here to the argument put forward a moment ago by the delegate of the Netherlands. All the same, there is nothing to prevent a country from giving several figures. After all, the Convention lays down what a contracting party is bound to do, and it contains no clause forbidding that country to do more. A country will always have the right to put down as many figures as it wishes. We undertake to give a figure, but obviously we have a right to give more than one.

“Once this principle is clearly established there is no objection to our adopting the singular (‘figure’).

“**The President.** — I think it is now possible to say that general agreement has been reached on this point.

“**M. Rutgers** (Netherlands). — In these circumstances, I do not press the point for the time being.

“*The text as above was adopted.*”

The extract from the Minutes I have just read to you shows that the present wording of the article allows more than one figure to be mentioned, and the general tendency to reduce the period of service to be strengthened by the indication, not only of the highest, but also of the lowest figure.

For these reasons I hope that the Commission will not adopt the Polish amendment, although, if it should do so, the Netherlands delegation will not feel compelled to oppose the adoption of the article.

**M. Colban** (Norway). — I am prepared to vote for the first paragraph of the whole text unanimously agreed on by the Commission in 1927, but that does not exclude me from also voting in favour of the first paragraph of the Polish-British amendment. Indeed, during the discussion, it seems as if the members of the Commission have considered these two texts as incompatible. I cannot agree that that is the case. To my mind, it is very important to maintain the rule of 1927—that all the States shall indicate in the Convention what is the maximum duration of military service. I have no objection to adding to this, if the Conference can see its way to do it, a general phrase covering all armies based upon obligatory service.

We are probably nearing the point when you can take the vote, and I respectfully submit that you should begin by putting to the vote the first paragraph of the text of Article I, which was adopted unanimously in the spring of 1927, and only afterwards proceed to the vote on the Polish-British proposal.

**Dr. Markovitch** (Yugoslavia). — I should like to summarise the views of the various delegations on this question. Everybody is agreed that the period of military service should

<sup>1</sup> Note by the Secretariat. — Minutes of the Third Session, document C.310.M.109.1927, page 108.

be limited and that it only remains for us to decide upon the method by which this is to be done. We should also bear in mind—and this is also a very important point—that the period of service has not been adopted as the basis of our general scheme for the limitation and reduction of armaments. In adopting Article A, we decided to retain as the essential principle and general basis of the measures of limitation and reduction, the limitation and reduction of effectives. As the Belgian delegate pointed out two days ago, this decision indirectly implies a certain limitation of the period of service. In short, we have to find some means of establishing a correlation between the general principle of the limitation of effectives and the unanimous desire to limit, in some way or another, the period of service.

Two systems have been proposed.

The first, which was adopted at the second reading, appears to be more in conformity with the essential principle for the limitation of armaments laid down in Article A—namely, the limitation of effectives. When all countries have accepted an aggregate figure for their land, naval and air effectives, it will be necessary to specify for each country the maximum period of military service and the maximum period of service for their different categories of arms. This will give us an accurate picture of the army of each country.

The second system, proposed by the British and Polish delegations, relates to principles of a more general character. I am inclined to prefer this system, which seems to me to be more in accordance with the general desire. There is something very attractive about the idea of limiting the period of military service in all countries by means of a general rule.

After hearing the observations of the Italian and Spanish delegates and the speech of M. Sato, who foresees further difficulties if we adopt the Polish delegation's proposal, I think we ought to reflect very carefully before voting. Although, in view of the adoption of Article A, this question is not really of primary importance, it is of great importance in the eyes of public opinion, which is less acquainted with military questions. In these circumstances, it has occurred to me that it might be possible to adopt two alternative texts and to leave the final decision to the General Disarmament Conference. I do not think that there is any objection of principle to such a solution; but, if the Commission considers that it is bound to take a decision, I should like to make another suggestion—namely, that we should consider the discussion closed after we have heard all those who desire to speak, and that the vote should be postponed until next week, so as to give us time to reflect and, if necessary, to consult our Governments. This would not really be an adjournment, as there would be no further discussion but only a vote. I frankly confess that, personally, I hesitate very much between the two solutions.

Lord Cecil (British Empire). — I think we have had an extraordinarily important debate on this subject. Let me say just one word. I cannot agree with M. Litvinoff that this is a matter of no importance. I think the whole of military history shows that the higher the standard of training that is given to troops, the more serviceable they are for purposes of aggression. What we want is to train all armies for defence and not for aggression, and it seems to me that it is desirable to limit the period of service. But I must say I have been very much impressed by the arguments of M. Cobián, General de Marinis, M. Sato, and others. I think they have made a very strong case against an attempt to fix an absolutely rigid level. As far as the British delegation is concerned, there is no great desire to see a fixed level unless it can be a low level. If it be fixed at quite an absurd figure—ten years, for instance—it would have no value at all. The only purpose of our proposal was to try to keep the general standard of the armies of the world down to a defensive standard, and, if that is found to be impracticable—impracticable if you are to fix a figure which shall be acceptable to all countries—then I admit the matter must be reconsidered very carefully.

I was a great deal struck by the suggestion of the Norwegian delegate: Why not have both systems embodied in the amendment? Why not have the text which we agreed to on the first reading and add to it a limit beyond which no armies should go? It could be done with the greatest ease as a matter of drafting by adding at the end of the first paragraph: "and shall in no case exceed . . . months". It would be a figure accepted by each party and should in no case exceed so many months. I feel very much attracted by that solution, or something of the kind; indeed, before I heard the Norwegian proposal, I had myself arrived at the conclusion that I could only vote for the Polish and British amendment, with a clear conscience, if I added an intimation that, unless at the Disarmament Conference it was found possible to fix a low limit, the British delegation would feel perfectly free to go back to the proposal of the first reading, or some analogous proposal. I do think we could accept the Polish solution and put into our report a statement that many delegates were of opinion that this would only be satisfactory if it were found possible to have a low limit; if not, they would be prepared to adhere to the original proposal. But, as at present advised, I think the Norwegian proposal really meets both cases, and, if we could agree on that, perhaps it would be the best.

I quite realise the difficulty felt by the delegate of Yugoslavia, who naturally feels he would like to have a little time for consideration; but I rather hope we shall get to some conclusion, if possible, and we could renew the consideration of the point later on if any delegations desired



it. I hope we shall be able to arrive at the compromise suggested by the Norwegian delegation. The proposal would then read:

“ In each contracting State having the conscription system, the total period of service which the annual contingent is compelled to serve shall not exceed the figure accepted by each of the High Contracting Parties, and shall in no case exceed . . . months.”

That would give a double standard should it be found possible to get a reasonable universal standard; and, if that were not possible, we should have the standard originally mentioned in the first reading text.

**M. Bourquin** (Belgium). — I quite agree with Mr. Markovitch's suggestion, all the more so because, in principle, it is in accordance with a proposal which I have just communicated to the President.

It is obvious that we are all agreed as to the principle of limiting the period of service, but when we come to apply this principle we find that there are two methods—the uniform standard and the individual standard.

I said on Saturday that the Belgian delegation would agree to the uniform standard advocated by the Polish delegation and supported by the British delegation, provided it was accepted by the Commission. It is becoming more and more evident that there will be no unanimity in its favour. Personally, I am very undecided and share the doubts expressed by Lord Cecil. We are confronted with a common difficulty—the impossibility of gauging accurately and completely the value of the two technical systems before us without going into figures and facts. We shall not be able to choose the system which has the greatest advantages and the fewest drawbacks until we have before us the demands of the various Governments and know the details and characteristics of their military organisations and the figures which they propose. These facts and figures will have to be dealt with by the Disarmament Conference. In this Commission we are confined to a theoretical appreciation of the situation. I therefore propose, in accordance with Dr Markovitch's suggestion, that we should give the Conference an alternative, and tell it that we are all agreed as to the principle but that there are two ways in which it can be applied. We are not able to judge between them because certain factors were outside the scope of the Commission.

We would not submit a majority formula and a minority formula, but would agree to present the alternatives. We have to think, not only of our own work, but also of the work of the Disarmament Conference. We must endeavour to smooth out the difficulties for the Conference. If we adopted a single formula, that of the uniform standard, the draft would be submitted to the Governments invited to send representatives to the Disarmament Conference. Those Governments would study the factors necessary for the application of the formula in question. If the Conference decided that this formula was impracticable or difficult to carry out, it would have to revert to the other formula and begin the preparatory work over again. It seems to me that this would complicate the work of the Conference and would waste time. If, on the other hand, we tell the Governments that there are two alternatives, the delegations to the Conference would be prepared to deal with either alternative.

\* Lord Cecil's suggestion, which I think is in accordance with M. Colban's proposal, is that, instead of an alternative, we should have a combination of the two systems. M. Colban and Lord Cecil propose to take the original text, which provides for an individual standard, and to add that there will also be a uniform standard. I am afraid that, if we adopt the two formulæ, this will combine the disadvantages of both. If the uniform standard be adopted, a very high level will probably be fixed. If the suggestion made by Lord Cecil and M. Colban be adopted, the various delegations will specify the individual standard which they require.

If you propose to have a uniform standard in addition to these individual standards, you will have to fix a very high level in order to meet the views of all countries. This is the drawback to which M. Rutgers drew attention.

Countries such as Belgium, for instance, which have a very short period of military service, will thus be presented with a Convention providing for a maximum period of three or four years. If in such countries the period of service is from eight to ten months, certain parties—I am looking at the matter from the point of view of domestic politics, which are an essential factor in international politics—will on these grounds urge an increase in the period of service. That would certainly run counter to Lord Cecil's intentions. I should therefore have some difficulty in accepting the combination of the two formulæ and should prefer an alternative.

I now come to a question of procedure. I do not think it is really necessary for me to submit my suggestion in the form of a new amendment. When I first saw the British amendment the other day I had some doubt as to its scope, and ventured to ask Lord Cecil whether the words “ in each contracting State ” did not imply that there would be a separate standard for each country. Lord Cecil replied that a uniform standard was intended. On the other hand, the Polish amendment reads: “ for all the High Contracting Parties . . . ” We must not leave any room for doubt as to our intentions. I think we could quite well adopt the text of the British amendment and explain the reasons for our decision in the report. The text is sufficiently elastic to cover the alternatives. These would be stated and we should say why it was impossible for us to choose between them.

**M. Litvinoff** (Union of Soviet Socialist Republics). — I should not like to leave on the minds of the delegates the impression that the Soviet delegation is opposed to the British and Polish amendments in themselves. That is not the case. If a direct proposal had been made to the Soviet Government to reduce the term of service independently of what was happening here, we certainly should have responded to it willingly, the more so because more than half of the Soviet army consists of territorials. That is a system, very much like the Swiss militia, with a term of service in the first year of three months, and one month in subsequent years; so we have no grounds for opposing the amendment. If I speak against it, it is because I am afraid it may be the only achievement of this Commission in the way of disarmament.

If the Commission would revert to the question of the limitation of trained reserves and war material, or if the future Conference would adopt such limitation, I would vote for reducing the term of service; but, as I am not sure of any such measures being adopted by the Commission or the Conference, I wish to abstain from voting. I only want to make quite clear the attitude of the Soviet delegation.

**M. Fierlinger** (Czechoslovakia). — I agree to a very large extent with my friend Mr. Markovitch, but I question the desirability of having two alternative texts. Would that not be a rather dangerous path for the Commission to take at this stage? It is our duty, as far as possible, to draw up a single text. Later on we shall be faced with more difficult questions, and may then be obliged to draw up two alternative texts.

If we do not, as far as possible, draw up a single text, we shall complicate the task of the Disarmament Conference enormously. As you know, that task will be a very heavy one. We have already touched on a controversial point. The scope of this controversy may be greatly enlarged at the Disarmament Conference. For that reason I should prefer the adoption of a single text, if this is at all possible.

It is our task to prepare a method; the figures will be filled in by the Disarmament Conference. The object of the Polish amendment is to establish a standard determined by a figure "x". This figure will be inserted by the Conference, but it will in any case have before it a definite system. It will be easier for the Conference to discuss this single figure rather than two alternative figures. In the latter case, it would be obliged to discuss both these texts in addition to fixing the figure "x".

As I told you on Saturday, I have no enthusiasm for the Polish amendment, which I regard as a compromise.

At the time, the Czechoslovak delegation recommended the adoption of Article I in its present form, and accordingly accepts a more drastic limitation than that provided for in the Polish amendment. We are prepared to accept a more stringent obligation than that resulting from the Polish amendment.

I have therefore no hesitation in accepting the Polish and British proposal, in conjunction with the Norwegian proposal.

I am in favour of the system laid down in Article I, and I do not think there is any objection to the addition proposed. I merely desire to maintain my reservations in regard to this higher level, which would produce a certain feeling of uneasiness, especially in countries which are endeavouring to reduce the period of service as far as possible.

The reduction of the period of service depends on the good will of the Ministry of Finance, because, the more closely the army resembles the professional type the greater its cost. That is why we are in favour of a conscript army. Apart from this, I am quite prepared to accept the Norwegian proposal.

I think it should be possible to conclude this discussion fairly quickly. We could, of course, allow the delegations a few days to think the matter over; but, after the text of Article I is adopted, the question will be very simple and we could quite well accept the Polish and British proposal.

There is another way out of this difficulty. I referred to it on Saturday. This is the method of publicity. If the system recommended by Lord Cecil and M. Colban does not secure the unanimous support of the Commission or of the majority, we might return to this idea of publicity, which I would then explain more fully. It is not a question of merely nominal publicity. This publicity would almost have the value of a treaty obligation.

For the moment, I merely desired to draw your attention to the fact that there is another way out. I think it would be best to take a vote at once on the Norwegian proposal regarding Article I, in conjunction with the first paragraph of the British proposal or with the Polish proposal, which, as I understand them, are identical.

**Munir Bey** (Turkey). — The Turkish delegation has decided not to vote in favour of the Polish and British amendment for establishing a compulsory uniform standard.

This attitude is not dictated by any desire to avoid a limitation of the period of military service, since in our country, although this period is legally a year and a half, it is much shorter in practice. We consider, however, that the result of fixing a uniform standard would be to increase the period of military service, because, in order to secure unanimity among the contracting Powers it would be necessary to adopt a relatively high maximum. For these reasons the amendment latterly moved

by the Norwegian delegation and supported by the British delegation is preferable to the Polish amendment. Nevertheless, the Turkish delegation considers that, even in this case, the desired result would not be obtained, because the maximum adopted would necessarily be higher than the period in force in most of the contracting States. As it would be possible for each Power to adopt the figure fixed, there might be a tendency to work up to that maximum.

For this reason the Turkish delegation prefers the text adopted at the first reading.

**M. Westman** (Sweden). — Before the vote is taken, I should like to have an explanation in regard to the British and Norwegian proposal. Unless I am mistaken, Article I, as adopted at the first reading, provides for the acceptance by each country of figures with a view to limitation, and not for a measure of publicity. For instance, in the case of country A, three months' service is accepted, and, in the case of country B, six months', etc., and these figures must be observed during the term of the Convention. It is now proposed to add an aggregate figure and to say that no country may exceed the limit, say, of fifteen months.

What is the use of fixing an aggregate limit, since the figures accepted are three months or six months respectively? I fail to see the purpose of this aggregate figure.

**General de Marinis** (Italy). — After following with close attention the discussion in which we have been engaged, I think it is clear that a certain number of delegates are concerned in regard to the special circumstances of each country which might justify differences in the legal period of service. This principle forms the basis of the text adopted at first reading. On the other hand, other delegates are concerned with the danger that might arise if the legal period fixed were too long. With a view to limiting this legal period, it has been proposed that the period of service in all countries should be standardised: that is the Polish proposal.

The two tendencies, therefore, are to allow freedom to all countries to adopt the legal period of service which suits them best and, on the other hand, to ensure that this period shall not be too long.

The addition proposed by Lord Cecil to the text adopted at first reading meets both these points of view, and I accordingly support the British delegate's proposal.

**M. Colban** (Norway). — As General de Marinis has already replied to the Swedish delegate's observations, I only desire to speak briefly. I think it would be a good thing to have in the first Convention a maximum limit fixed, even if a number of States, or most States, probably will not ask to go up to that maximum. It is hardly to be expected that, in our first Disarmament Convention, the figure we arrive at will be all that we hope for; but we must not forget that this is our first Convention, and that in the future—perhaps in the near future—we may have a more advantageous figure, and, let us hope, that we shall also see progress made in other directions. That is why I think I should rather insist that we should not only vote for the adoption of the first paragraph of the text of Article I, which was adopted unanimously in the spring of 1927—and which, to my mind, is the great essential thing—but that we should also adopt the idea of the Polish-British proposal.

I quite accept the draft proposed by Lord Cecil.

**Dr. Riddell** (Canada). — It is already on record that the Canadian delegation is in favour of the limitation of the duration of service. I have listened with a great deal of attention to the presentation of the two systems which have been advocated and to the difficulties attendant on fixing a limit, and I heartily agree with what General de Marinis and the honourable representative of Norway have said. I think that there is a great gain in having the two figures—a tremendous gain—and in my opinion we would be most unwise if we were to separate one from the other.

M. Colban has made it clear that, after all, this is a first Disarmament Convention that we are drawing up, and, as it is a first Disarmament Convention, probably the figures will not be all that we might hope they will be in ten, or twenty, or thirty years; but it seems to me that to have a definite agreed figure beyond which no country can go is a great gain.'

As I have already pointed out, we are trying to prepare a text which will permit the nations to agree to limit the period of instruction of their trained reserves to such an extent as to make their use for aggression exceedingly difficult, if not impossible; and public opinion in the coming years will, I think, see to it that gradually there shall be laid down a period of training which will determine whether a given country is sincere or whether it is not. If they can fix such a figure as that, and I believe they can, disarmament will have made great progress. When such a figure has obtained general acceptance, a particular country which stands out and says, "We must have a longer period", will be acknowledging either inefficiency or motives distinct from those which animate us here. If it be permitted to look into the future, I think we shall see that the figure—after the first ten years—that is fixed for the number of days' service, will be reduced progressively until it will be sufficiently short to prevent the use of trained reserves for offensive warfare.

I listened on Saturday to the arguments in favour of maintaining trained reserves. Some of us here abstained from voting. Why did we do so? Because we felt that it was impossible to obtain general agreement on a Convention wherein trained reserves would be limited. As we have made this concession, it seems to me that the countries retaining the conscription system

should be willing to limit the period of training for their conscripts. If we are going to reduce our armaments, it will have to be done on a basis of compromise. The Canadian delegation will therefore support the proposal of the Polish and British delegates, because we believe that this is a fundamental point and that we shall be doing something which, although it may not make for the greatest progress at the first Disarmament Conference, will certainly do so at succeeding ones.

**General Kasprzycki (Poland).** — I am very glad to see the keen interest taken by the Commission in the reduction of military service. This problem, like peace and disarmament, merits the most careful examination. Many speakers are in favour of the principle recommended in the British and Polish amendment. Some observations have been submitted in regard to the difficulties of application, and the danger of interpreting this amendment without taking sufficient account of the present position in regard to the period of military service.

A certain misunderstanding appears to have arisen, and I should like to deal briefly with it.

As regards the interpretation of the Polish amendment to paragraph 1 of Article I, I would refer to the explanations which I gave you at last Saturday's meeting. There can be no doubt as to the method by which the uniform standard for the period of service will be fixed: the Conference will do it and will have to take into consideration all the normal requirements of national defence.

The first thing will be to fix the maximum land, naval and air effectives of each State, as provided for in Article A. Consequently, there will be a definite basis for fixing the common maximum period of service in Article I, and no contradiction can ever arise between these two articles of the Convention. No country can ever be put in a position of not being able to attain the maximum effectives allowed it under Article A. Therefore, the period of service calculated in this way does not represent a minimum but a theoretical maximum, justified by existing circumstances and the legitimate requirements of defence and security.

As in other branches of disarmament, we cannot expect to get final results all at once, and, with regard to the limitation of the period of service in the first Disarmament Convention, we can only take a first step. As it has so often been said, we are obliged to proceed by stages; that is obvious. It is not possible to act in any other way for all the excellent technical reasons mentioned by the Italian and Spanish delegates. In appearance, the first stage of fixing a figure will not seem a sensational advance, but this limitation will nevertheless be of the greatest importance for the cause of peace.

I do not think that M. Colban's suggestion and the Anglo-Polish amendment are incompatible, and I would also refer to the suggestion made by the Czechoslovak representative, supported by the French delegate, to supplement the text by provisions concerning publicity. I would willingly agree to any proposal to that effect. The original text of the Polish amendment is satisfactory; but, if a provision in regard to publicity were added, this would be an improvement.

At the same time, I am prepared to accept the suggestion made by the Belgian and Czechoslovak delegates, to submit the two alternatives to the Conference.

After dealing with the observations of those speakers who were in favour of our amendment, I now turn to the objections of principle.

I must confess that I was rather surprised to hear it said that the limitation and reduction of the period of service in conscript armies would have no practical result and would be superfluous. There is no doubt that, in the majority of countries possessing the conscription system, certain periods of service have been established as a result of experience and normal development. These periods correspond strictly to the countries' requirements from the point of view of adequate training for defence and national security. In the majority of countries they are not very different, and do not usually exceed two or three years at the outside, according to the arm, including periods of training.

What, then, are we to conclude when we suddenly come across armies in which the period of active service alone greatly exceeds the limit mentioned above? This period is sufficient to permit of due regard for all the various circumstances rightly referred to by General de Marinis and M. Sato—degree of education, general culture, economic situation, industrial development, etc. I fully appreciate M. Sato's anxiety, which is, I think, justified, but I do not see that there would be any difficulty in dealing with it.

That is why I propose a uniform standard, taking into account the general requirements of conscript armies and designed to prevent them from becoming professional armies.

Any service in excess of the requirements of normal training—each additional month or year spent with the active army—makes a further impression on a man's mind and adds to his value and to that of the unit. The men become professional soldiers. The characteristics and spirit of the conscript army change; it is converted into a professional army, all the more formidable because of its great size. The potential of aggression if I may say so, is immediately heightened by any period of service in excess of that which is strictly necessary.

On the other hand, a soldier whose service in the active army is confined to a relatively short period can only receive a limited training: the necessary minimum of musketry practice, a little field training, a knowledge of the regulations for discipline and internal economy, a certain amount of elementary technical instruction in each arm, etc. If we bear in mind the time which he spends in garrison service, physical training and general instruction, we shall see that it is impossible

for him to acquire more thorough or more extensive military knowledge. The opposite is the case when the period of service extends to the longest period in force to-day. A man serving for such a considerable period can acquire a great deal of practical and theoretical knowledge of his special subject. He will also have time to receive more thorough training in field service, field operations, liaison work and command. He will be ready for promotion at any moment to the rank of non-commissioned officer, and in quality he will be equivalent to the non-commissioned officers of conscript armies with a short period of service. His value is no longer to be compared with that of a private soldier in an army with a short period of service. A long period of training therefore affords a means of creating large camouflaged cadres which can be utilised in the case of emergency for the formation of new units, to an extent which is impossible for countries with a short period of service.

Lastly, I should like to draw the Commission's attention to the advantages afforded by the possibility of specialisation in armies with a long period of service, more particularly in view of the importance of mechanisation and the increased use of motive-power by the assaulting armies, which will be a characteristic of future wars. I will not go more fully into this question at the moment, although I would emphasise its importance from the military point of view.

I do not think there is any further need to stress the fact—which is quite obvious—that an excessively long period of service is an important factor in the military strength of a country, and it is very difficult to speak of a reduction and limitation of armaments if at the same time the excessively long period of service which still exists in certain countries is to be maintained.

Before concluding, I should, however, like to draw the attention of those who are opposed to the reduction and limitation of the period of service to certain other considerations. The reduction of the period, even in the exceptional cases in which, according to our formula, it will be applied, should not make it necessary for any country to enter upon an entirely new path.

The tendency to reduce the period of service is apparent almost everywhere and may be regarded as a factor of social progress. All that would be necessary, therefore, would be to accelerate in exceptional cases—that is, in countries which have lagged behind for some reason—a movement which already exists in them all.

I now come to another point. There is an interconnection between the periods of service in the various countries, and the period in force in one country affects the period in neighbouring countries. Let us take the case of a country which, owing to an excessively long period of active service—say four or five years—becomes in peace-time a nation of soldiers or a nation with a large professional army. What will be the effect of this state of affairs on neighbouring countries? It is obvious that their attempts to restrict the period of service will be greatly hampered and may even prove impossible.

There is yet another question, that of moral pacification—a factor of primary importance in the problem of disarmament. It is essential that every effort should be made to bring about this pacification. I would draw your attention to the fact that the maintenance of an excessively long period of service in certain countries—from four to five years' service in the active army—alarms public opinion in every country owing to the threat to peace which it involves.

Another argument advanced against the reduction of excessive periods of service is that this reduction might bring about an increase in the number of effectives called up.

I doubt whether this would be the case in the majority of countries. I have already referred to the tendency to reduce the period of service which is apparent in all countries on the Continent. In those countries the reduction of the period of service has not brought about an increase in the number of effectives, for the simple reason that the whole of the annual contingent had already been called up.

I admit that in certain special cases, although these are very few, this increase might occur. As the result of the adoption of our maximum limit, a Power might be obliged to reduce its period of service and at the same time have available a part of the contingent which had not yet been called up. A country in this situation might perhaps be tempted to make good the loss in the number of average daily effectives by increasing the proportion of the contingent liable for service. In such case it would be possible for the country in question to set off the reduction in the period of service by an increase in another element. The omission of the principle of limitation of the period of service would not, however, prevent this contingency.

In short, a long period of service enables more thorough and extensive general and technical training to be given to the men. They can be made more efficient and more perfectly adapted to the part which they will be called upon to play in time of war. A specific and deep impression is made on their *esprit de corps*. The soldier acquires the status of a non-commissioned officer ready to take command at any moment. In this way it is possible for a country to obtain an almost unlimited number of trained non-commissioned officers for cadres. This system places at the disposal of the country which adopts it the large number of specialists necessary to handle the new implements of war efficiently and such men will be essential for the future armies of assault—the armies of aggression making surprise attacks.

It seems to me that these facts are only too obvious. Neither experts nor the man in the street will understand a speaker who maintains that a reduction of excessive periods of compulsory service in conscript armies is not in the interest of disarmament and peace.

**M. Politis (Greece).** — This discussion being about to close, I think it is time to explain the attitude my delegation proposes to take up.

We have before us a text adopted at the first reading, and—it is well to remember—adopted unanimously. In the course of this long second reading discussion we have endeavoured to make an improvement in the text adopted. We have had in view the principle of limiting the period of service. That principle is already embodied in Article I, of the first reading text, with provision for individual application of the principle. The improvement, to which it is now proposed to have recourse, takes the form of a general provision for what has just been called a uniform standard for all the contracting parties.

You have seen the difficulties which arise when it is proposed to apply a uniform standard to the period of military service. As has been pointed out more than once in the course of the discussion, we shall run the risk, if we wish to retain this idea of a uniform standard, of making it too high. This danger is not eliminated by the combined method proposed by M. Colban and accepted by Lord Cecil. If you begin to take into account the requirements of each State by laying down that in any case the maximum period of service is not to exceed so many days, that maximum will be fixed at a figure which will cover all the individual statements of requirements previously indicated. In the end, therefore, this combined system arrives at the same actual result as the fixing of a uniform standard. The uniform standard may be put fairly high; and I for my part am afraid that the countries which are at present tending—and that to an increasing extent—to go still further in the direction of limitation, may find the fixing of such a figure awkward, both from the psychological standpoint and from the standpoint of internal politics—that is to say, when they find an international convention, of the importance of that on which we are at work, fixing a limit higher than the limit which they have already accepted in principle. It will be difficult for the Governments of such countries to ask the national legislatures to go lower than the limit already accepted.

I take my own country as an example. The law at present in force in Greece fixes military service at eighteen months; but in practice the period is never more than fourteen months. There is now a question of fixing it by legislation at twelve months, with an effective service in practice of not more than ten months. I must very frankly say that, if an international convention of this importance were to fix the uniform standard, even at a moderate figure—I am not thinking of ten or five or three years, but of two years or eighteen months—I believe it would be impossible for the Government of my country to ask the national legislature to accept the proposal for reduction which is at present contemplated.

Though I am attracted by the idea of a limitation of military service by means of a convention and in a generalised form, I think, for the reasons I have given and remembering that "*le mieux est l'ennemi du bien*", that the most prudent course is to adhere to the first reading text. That leaves us free, should there be a sudden movement of international solidarity in the Conference in the direction we all desire, to recognise the possibility of fixing a uniform standard at a low figure and accepting it. But in the meanwhile I think it is best to accept individual limitation, as suggested in the text adopted at the first reading. That is the wiser course and, for my part, I propose to hold to it.

**M. Massigli (France).** — At the point which this discussion has reached it is necessary for us to see clearly where we stand.

M. Politis has just stated the position of the problem very clearly, but there is an essential point, to which I ventured to draw attention at the close of my remarks of the day before yesterday, which has not been mentioned this morning.

The question I asked the day before yesterday is this: Are we really in agreement on the principle of limiting the annual contingent of a country as a whole, whether serving in the army, navy or air force? That is an essential, a fundamental, point.

Starting from the idea that the Convention ought to have a certain elasticity in order to allow for the requirements of the navies and air forces—and on the understanding also that the only limitation proposed is the limitation of the legal period of service, without any question of preventing certain navies or certain air forces from having recourse to voluntary enlistment under the conditions set forth in Article H—we thought that the Polish-British formula, introducing the idea of a uniform standard at a fairly high figure, might facilitate agreement.

But I still do not know how we stand in this matter; and, before deciding whether I shall give my preference to the text adopted at the first reading or adhere to my acceptance of the Polish amendment, I want to have light thrown on this fundamental point.

**The President.** — I think [M. Massigli is perfectly right. We have hitherto disregarded the observations appearing in the margin opposite Article I (first reading text):

“ This Article has not been discussed in connection with naval and air effectives.

“ The delegation of France declares that the clauses of this article must apply in the same conditions to land, naval and air effectives.”

I would ask you to be good enough to state whether this article is to apply under the same conditions to land, naval and air forces. M. Sato also referred to this point on Saturday.

**Lord Cecil (British Empire).** — The only satisfactory way of giving an answer to M. Massigli would be to put some words into the amendment making it quite clear what was the solution desired by the Commission. For my part, it does not seem to me to make any difference whether you take the old system or the new system. You have to settle whether you take the Polish amendment or the old drafting, and to decide whether it is to apply to all three

branches of the armed forces or only to land forces. It should, however, be quite easy to insert the total period of service which the total annual contingent is compelled to serve, whether by land, sea or air, and to put in some words which would make it quite clear. We can vote on that, and M. Massigli can form his own judgment as to the action he ought to take in consequence of that decision.

**The President.** — The words “whether by land, sea or air” will have to be inserted. M. Massigli points out to me that what we have to do is first to establish the principle, and that we can settle the wording later.

**M. Sato (Japan).** — In principle I accept the French proposal of applying the same rule for the period of service to all three categories of armed forces, provided always that the first reading text is adopted, and each State is accordingly left complete freedom to fix the period of service.

I am dubious, however, as to the application of this rule. Its application will be easy in a country where the period of service is one and the same in all three categories of the armed forces; but where there are differences in the periods of service, that is no longer the case. In my country the longest period of service in the army is two years in the cavalry and artillery; but in the navy the longest period of service is three years.

If the figure of three years be put in in the place left blank in the text, a difficulty will arise for the army—viz. that to which M. Politis drew attention, and which I had in mind when I spoke on the Polish amendment this morning.

I think it will be necessary to specify a fixed period of service for each of the three categories of the armed forces, for the army, navy, and air force. Perhaps someone will let me know whether my idea is right or not. Generally speaking, and in principle, I accept the French proposal.

**The President.** — Before calling upon the next speaker, I suggest that, if we say “the figures” instead of “the figure”, that will cover every supposition.

**General de Marinis (Italy).** — The Italian delegation is prepared to accept the extension of this provision to the annual contingents of the three categories of the armed forces, by land, sea and air; but it is obvious that, in this case, it will be necessary to say “the figures”, because there will be different periods of service in the army, navy, and air force.

**M. Fierlinger (Czechoslovakia).** — General Kasprzycki himself admits that his proposal involves a certain logical corollary. If we accept it as it stands, a country with a certain population will be able to have effectives of several million men with the colours throughout the year. This would be inconsistent with our conception of disarmament. M. Politis has wisely pointed out that what is essential for us is Article I. Without Article I we cannot make any substantial progress.

As regards the Norwegian proposal, I think we should first vote on Article I and see what majority it gets. I think M. Colban is in agreement with me on this point. It is understood that Article I will be put to the vote with the slight amendment which the French delegation considers necessary. We might then have a further discussion, or vote on the Polish-British proposal.

**The President.** — According to strict procedure, we ought to vote on the proposed amendments first; but I think M. Fierlinger's proposal is very sound.

**M. Massigli (France).** — I should like to know whether, once the vote has been taken under the conditions indicated, it will be open to us to give explanations with regard to our vote on the addition of the amendment proposed by M. Colban and Lord Cecil—with regard to the introduction of a second maximum establishing a uniform standard—to the first paragraph of Article I.

**The President.** — Certainly.

**Dr. Markovitch (Yugoslavia).** — I withdraw my proposal for recommending the two systems as alternatives to the Disarmament Conference, in view of the argument as to the rules of procedure and in view of the fact that we have to establish a single text.

I do not, however, withdraw anything of my arguments, which the representative of Belgium has been good enough to support.

It is suggested that we should first vote on system No. 1, and then add system No. 2. I confess frankly that I have tried in vain to reconcile these two systems and I am astonished to find the Commission is prepared to be unanimous on the point. I should like to counter that unanimity with an argument of a general nature, a legal argument. I do not understand how it is possible to compel a country, the Kingdom of Yugoslavia for example, which accepts eighteen months as the maximum period of compulsory service, to adhere to that period under paragraph 1, when in paragraph 2 the maximum limit is being fixed at two years. As I see the position, paragraph 2 cancels the obligations of the Kingdom of Yugoslavia in respect of the maximum of eighteen months. I should be very grateful to those who are in favour of this system if they would explain to me what will be the position of the Kingdom of Yugoslavia in this case.

**M. Fierlinger (Czechoslovakia).** — I think there is a misunderstanding. M. Colban's proposal was to vote on Article I and on the principle advanced by the Polish and British delegations. We have found that paragraph 1 of the British proposal should be interpreted as being identical with the Polish proposal. The British proposal appears to involve a contra-

diction, to which attention has already been drawn. It is a case of a misunderstanding. What we really want to do is to fix a single uniform standard which no country will be entitled to exceed.

**Lord Cecil (British Empire).** — I am rather glad that the Czechoslovak delegate raised the point which he did just now. I am anxious to explain what I am prepared to do myself, so that there may be no misunderstanding so far as I personally am concerned.

As I understand it, our first decision will be: Do we accept the text as printed here, or do we suppress that text and substitute something else for it? On that question I shall vote for the text as it is printed here with the addition proposed by M. Massigli. Then comes the question whether we should make the addition proposed by M. Colban and myself. I shall be glad to hear the discussion with regard to that. M. Massigli, I understand, wishes to express his views on that subject. I reserve my decision as to how I shall vote on that point; but I cannot agree with the Czechoslovak delegate in thinking that there is any contradiction between the two. You may say there are a number of standards for a number of individual cases, and those will be laid down; but, in addition to that, we wish to lay down one complete standard which will embrace them all.

Take the case of Czechoslovakia, where the period of service is eighteen months. That country will be bound, having inserted eighteen months as the period it accepts, to eighteen months; and, in addition to that, there will be a covering figure of, say, two years, possibly applying to the whole world, the object of that being to set up a standard—which we hope will be gradually reduced until the whole world comes down to one year or even less. In any case, that will be the highest period that anyone in any future revision of the Disarmament Treaty can possibly ask for. Two years will be the extreme maximum that we contemplate as possible. That is the theory. I am not going to argue it now, because I quite agree with M. Massigli that it is better to take one decision at a time. The first decision is whether we accept the principle of the first paragraph of Article I as proposed, or whether we wish to establish an entirely different principle.

**The President.** — I was about to propose to vote first on the first paragraph of Article I, as approved at the first reading, with the slight amendment, and then on the Anglo-Norwegian amendment.

**M. Litvinoff (Union of Soviet Socialist Republics).** — My preoccupation at the moment is not so much to shorten the term of service as to shorten the term of discussion on this point, which threatens to be endless. I should be happy if I could contribute to any clarification of the situation. It seems to me there is no contradiction in the two proposals. Limitation of service can only be expressed by fixing some maximum term of service, and if we adopt that it does not matter whether individual countries fix individual terms of service or not. Any country would be free to lower the term of service, but that will be done by way of publicity. That is how the position appears to me and perhaps this explanation will satisfy the delegate for Yugoslavia.

**Dr. Markovitch (Yugoslavia).** — I could accept M. Litvinoff's interpretation; only I cannot see whether with such a system we shall really contrive to shorten the period of military service. We are shortening the length of the discussion, I admit; but the point is, as I have stated clearly enough, what is the legal effect of an additional obligation not to exceed a fixed number of days or months or years, when one has already assumed an obligation not to exceed eighteen months?

According to M. Litvinoff's explanation, the position of my country will be as follows. It will come to the Conference with the wish to accept a maximum of eighteen months. At the same time a general maximum of two years will be fixed. At that point, military circles in Yugoslavia will certainly say: As the two years' maximum has been fixed, why accept eighteen months? Perhaps we shall want two years, and Yugoslavia will be satisfied with this general maximum.

**M. Massigli (France).** — You have proposed to substitute "the figures accepted" for "the figure accepted" in Article I.

I would point out a difficulty in the way, which might be considered by the experts. The point is highly technical, and I must refer to those who are more qualified than myself to express an opinion. I can only say what the point is.

Once there are three different figures for the three forms of armaments, while at the same time there are three figures of average daily effectives, the various countries will find themselves compelled to enter one and the same figure in all three columns, even if the period of service is not in fact the same in all three categories. Otherwise, great difficulty will be met whenever it is desired to transfer personnel from one category to the other.

**Lord Cecil (British Empire)** — I do not see why we should consider the technical difficulty at all now. Do you not think we had better vote? I was going to answer Dr. Markovitch; but, if he will allow me, I will do so after the division, when we come to consider whether the Norwegian proposal should be added.

**M. Sato (Japan).** — M. Massigli's last remark does not appear to me to be quite satisfactory for my country. I have already had occasion to point out that, if the biggest figure



is given for the period of service in a country for the three categories of armaments, that will lead to difficulties. I quoted the case of my own country, in which the period of active service is two years in the case of the army and three years in the case of the navy. If we take the figure "three years" only and apply it to all the categories, the soldiers will say—that is what was in M. Politis' mind, as it is in mine—"Why make the period of military service any lower?" I should like to strengthen the tendency in the direction of cutting down the period of military service; but to give three years as the period of service in the Japanese army will not only not strengthen the tendency to reduction, but will rather strengthen the tendency to an increase.

For this reason I cannot agree with the French proposal. It might be possible to consider leaving each country a free hand in this matter. France might perhaps give a single figure for all categories, while other countries (like my own) would give three different figures, or two different figures, for the three categories. Perhaps that is a possible way out of the difficulty.

**The President.** — I think the wording, on which we are about to vote, covers all the cases you have in mind.

**M. Sato (Japan).** — M. Massigli does not accept it.

**M. Massigli (France).** — I did not say I did not accept it. I said that, if three figures are to be inserted, a number of States will be compelled to put the same figure in all three columns.

#### VOTE ON REVISED WORDING FOR ARTICLE I, PARAGRAPH I.

**The President.** — I put the following wording to the vote:

"In each contracting State having the conscription system, the total period of service which the annual contingent is compelled to serve—whether by land, sea or air—shall not exceed the figures accepted by each of the High Contracting Parties."

*This was adopted unanimously, the German and Soviet delegates abstaining.*

#### VOTE ON ARTICLE I, PARAGRAPH 2

**The President.** — I now put to the vote the Anglo-Norwegian proposal to add to the wording we have just accepted the following: "and shall in no case exceed ... months."

**M. Colban (Norway).** — It should not be called the Anglo-Norwegian proposal, but the Anglo-Polish proposal. Do not give me an honour which really does not belong to me. On the other hand, I am prepared to vote in favour of that proposal.

**General de Marinis (Italy).** — The Italian delegation is prepared to accept the extension of this provision to the annual contingents of the three categories of armed forces. But it is clear that, in this case, we ought to give the three figures, because the period of service will not be the same in the land, sea and air forces.

**M. Massigli (France).** — I should like to say in a few words why I think it unnecessary to add the proposal which has been called the Anglo-Norwegian proposal—I do not know whether it should still be so described—to the text we have voted. M. Politis has given excellent reasons for not doing so; but I should like the Commission fully to realise how the text we have just voted will operate.

What will happen at the time of the Conference? The Governments will put forward their demands for effectives. In fixing the numbers they will start, not with the idea of what the contingents are to be, but with the idea of what their minimum requirements are. Further, the Convention will be in force over a more or less lengthy period, in which there may, and indeed certainly will, be very important variations in the strength of the annual contingents in the case of a number of countries, because this period will reflect—from a distance of twenty years—a tragic moment in the history of the world and of Europe.

When they come to put in the figures for duration of service, to which they bind themselves under Article I, the Governments will take this situation into account. As elements for determining their attitude, they will have the average daily effectives considered necessary, the possibilities in regard to recruiting regular soldiers, and, thirdly and lastly, the annual contingent. It is in accordance with these three elements—plus the necessary margin—that they will state the maximum period of service which they undertake not to exceed.

Discussion will perhaps follow on this matter; but in the end there will either be no convention or an agreement will be reached stabilising the figures X, Y or Z which have been given.

The members of the Conference will represent a large number of countries. They will be led, in the light of the explanations given, to consider different figures for the different States; and we know already that, both for the reasons which I have given and for reasons of a social and political character to which reference has been made in the course of this discussion, the same figure will not be put down by everyone. Of the forty or fifty figures which will be put down, there will be

one which is higher than all the rest; and automatically it will be this figure which will be the one no one is to exceed.

It has been said: "What does it matter? The following Conference will take account of what possibilities there may be of lowering this theoretical maximum." I reply that progress will be much apparent if there are reductions in the periods of service accepted by the different countries.

Actually, therefore, the maximum figure either means nothing at all—that is, it will be a theoretical figure higher than all those which represent the formal obligations assumed by the various States—or else it will simply be the highest figure in the Convention.

For this reason I consider it undesirable to vote on the Anglo-Norwegian amendment.

**Lord Cecil (British Empire).** — While appreciating what M. Massigli has said, I certainly hold out for the adoption of the amendment which I understand M. Colban desires. I agree that the importance of this is not very great. My conception of the way it would work is this; you would have the fifty different countries each demanding its period of service, and it would turn out that the majority of them was content with two or three years, or perhaps one year's service, but that two or three countries would hold out for a longer period, and when you come to fix the universal figure you will have a great weapon to use. You could say to the latter countries: "Do you wish to hold out for these extremely high figures and thus prevent us from fixing the universal figure at a lower rate?" I think it would be a means of pressure on the reactionary countries. I see that it might lead to difficulties in each country, in that the general figure had been fixed higher than they demanded. I believe the pressure we shall be able to bring to bear on each country will have the effect of reducing the figure rather than of raising it.

In answer to the delegate of Yugoslavia, who raised the question of a juridical difficulty, I would say that I do not think such a difficulty exists. As an illustration I might mention that we have in England a speed-limit for motor-cars, which is twenty miles an hour for every part of the country, and, in addition, for certain parts of the country there is a lower speed-limit of ten or twelve miles an hour. In the same way the overriding figure of service will apply to all countries. There is no contradiction in fixing two maxima; but if you try do it the other way you will land yourselves in a contradiction. My impression is that some overriding figure would be of use, and, when it comes to the vote, I shall vote for it, although I do not attach very much importance to the question.

**General Kasprzycki (Poland).** — I am obliged to M. Colban, and I have only one thing to add to what the British delegate has said. What we have to keep in view is, first, the freedom of every country to fix its own maximum, and, secondly, the fixing of a common limit, to which the more reluctant countries (if there are still any such at the time of the Disarmament Conference) will be compelled to come down.

**The President.** — I now propose to you to vote on the proposal, which is as follows: "and shall in no case exceed .... months".

*The proposal was adopted by seven votes to six, with some abstentions.*

**M. Sato (Japan).** — I wish to state that I abstained from voting.

*The meeting rose at 1.30 p.m.*

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## FIFTH MEETING.

*Held on Tuesday, November 11th, 1930, at 10 a.m.*

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*President: M. LOUDON (Netherlands).*

### 16. Discussion on Chapter I: Effectives. — Article I (continuation).

**The President.** — We will continue with Article I.

**M. Cobián (Spain).** — The conclusion to be drawn from the highly interesting discussion of yesterday is, in my opinion, that the maximum, this second uniform standard which was passed at the close of the meeting, cannot have any effects, even indirect, on the figures of the tables referred to in Article A. If that is the view of the Commission, I shall not press for any addition to this article. I think it will be enough if it is stated in the report that this was the view of the Commission.

**The President.** — I should like to reassure M. Cobián at once. All that he has just said will, of course, be mentioned, not only in the Minutes, but also in the report.

AMENDMENT BY THE BRITISH DELEGATION TO THE SECOND PARAGRAPH.

**The President.** — You have had the text of the British delegation's amendment<sup>1</sup> It proposes to add to the original text the following words: “. . . and each of such numbers of days shall be specified”.

**Lord Cecil (British Empire).** — I need not detain the Commission for more than a moment. The object of this amendment is perfectly obvious. It is simply to give additional information. I do not think that there is anything more to be said about it, and I beg to move that a vote be taken on it.

**M. Massigli (France).** — Lord Cecil's proposal is no doubt a proposal for publicity. If it were intended for any purpose of limitation, that would hamper the Governments by preventing them, during the validity of the Convention, from varying the periods of reserve or active service inside the limits of the total period of service. It appears to me necessary to state that this is a publicity proposal. Each of these numbers should be shown in the annual statements for which provision is made in Article IA.

When we come to consider the question of publicity, I shall ask for a corresponding provision for publicity in the case of professional armies.

**Lord Cecil (British Empire).** — I agree.

**M. Sato (Japan).** — I also agree with M. Massigli.

**Dr. Markovitch (Yugoslavia).** — I also agree with the French delegation.

*The amendment by the British delegation, with the addition proposed by M. Massigli, was adopted unanimously.*

**Lord Cecil (British Empire).** — The drafting will be settled later, no doubt.

**The President.** — Yes. M. Massigli has handed in the wording he proposes. It is in the following terms:

“ . . . service during the periods of instruction which he undergoes; and each of such number of days shall be specified in the annual statements provided for in Article IA.”

**M. Rutgers (Netherlands).** — I agree with Lord Cecil's suggestion to postpone the final drafting of the text until later. If we adopt the Article as proposed now, we shall be referring to Article IA. But I do not think it is our intention to define a point of this kind in Article IA. It will therefore be necessary to give another reference.

**The President.** — M. Rutgers' observation appears to me well-founded. It will be preferable to follow Lord Cecil's proposal and postpone the drafting till later.

*Agreed.*

**17. Request by the Swedish Delegate in regard to the drawing up of the Tables provided for in Article A and other Articles.**

**M. Westman (Sweden).** — Before we finish with Article I, I would ask the Bureau to be good enough to draw up the various tables for which Article A and other articles provide. It will be very interesting to see whether the provisions of Article H are sufficient, or whether it is necessary to add anything to it in order to be able to proceed with the tables.

**The President.** — I may remind M. Westman that the discussion on Article H is not yet finished.

**18. Limitation of Material — Land Armaments — Procedure. Discussion on Resolution adopted by the Preparatory Commission on May 4th, 1929 (Sixth Session (First Part)).<sup>2</sup>**

**The President.** — As the Commission will remember, this question was considered at length on the second reading. On May 4th, 1929, the great majority of the Commission passed the following resolution on the limitation of land armaments:

“ The Preparatory Commission for the Disarmament Conference,  
“ Having rejected the systems of direct limitation of material in service and in stock;  
“ Having noted that the system of indirect limitation (limitation of the expenditure on material) did not meet with general assent:

“ Decides that the limitation and reduction of material must be sought by means of publicity of expenditure, which will be dealt with in examining Article DA\* of the text adopted at the first reading.”

<sup>1</sup> Note by the Secretariat. — See page 36.

<sup>2</sup> Note by the Secretariat. — See document C.195.M.74.1929.IX—Minutes of the Sixth Session (First Part), page 179.

In accordance with this resolution, and the procedure adopted by the Commission on Thursday last, there is no occasion, I imagine, to consider this question for the moment. We shall deal with it in another aspect when we come to consider the chapter on the exchange of information.

**General de Marinis (Italy).** — In spite of the vote of which you have just reminded us, Mr. President, I do not think you can mean to ask the Commission to leave the question of material without further discussion. Our task is not accomplished. I should regard it as a serious omission if we were to consider the discussion on the question of land material as concluded. If the Commission takes the view that this question is really settled, I am of course prepared to bow to the Commission's decision; but eighteen months have passed since our last meeting, and much has happened in the interval which may have modified the attitude of some of us.

I await the decision of the Commission on this point before speaking.

**Lord Cecil (British Empire).** — I was going to make a very similar request to the Commission. As far as the British Government is concerned, we have put before the Commission the proposals which we desire to make, and which we believe on the whole will prove the best solution. They really amount to a budgetary limitation, not only of land, but of all material—of budgetary expenditure generally on armaments. I hope I shall have an opportunity of dealing with that.

There was a little phrase that you dropped, Mr. President, which a little alarmed me, because you said it was only a question of the exchange of information. Unquestionably, in the original schemes that we put forward and discussed when I had the honour of sitting on this Commission last—now three years ago—we certainly contemplated, not only the exchange of information, but the limitation of expenditure, and I thought that, in the passage which you read from the Minutes of the sixth session (first part) at its meeting on May 4th, 1929, there was a very distinct statement by you, Sir—or whoever was the President on that occasion—that the whole of that question was reserved and could be raised again. I have been relying on that in order to raise it.

In regard to the question of how far we can deal with specific limitation, that must be held over until the third reading. That is a matter which was dealt with in the second reading and it can be reviewed when we come to the third reading.

**The President.** — I quite appreciate Lord Cecil's point, but I am obliged as President to follow the formal decision of the Commission, which I have just referred to.

**Lord Cecil (British Empire).** — I do not understand that that was made part of the second reading of the draft Convention, because that part of the draft Convention was never before the Commission at the second reading. The Commission was considering this part entirely, and they decided that the question of budgetary limitation was never before the Commission then. I repeat, very respectfully—I am sorry I have not got the document here—that there was a perfectly distinct statement that the whole of this question was reserved. Such a statement was made more than once, because there was some doubt about it, and it was on that footing that the Commission passed on to other matters. I submit, therefore, that I should be perfectly in order in raising this question when we come to the question of budgetary limitation.

**The President.** — That is agreed.

**Count Bernstorff (Germany).** — A number of suggestions are before the Commission. If I understand rightly, General de Marinis has proposed to take up again the question of direct limitation of land armaments. I warmly support that suggestion.

I venture to recall what I have repeated more than once—namely, that, in my view, the reduction of armaments, at which we are aiming, is altogether impossible without the direct limitation of land armaments.

I am entirely unable to understand why what is possible in the case of naval armaments should not be possible in the case of land armaments. I shall be very glad to take part in the discussion, if this question is taken up again.

**The Hon. Hugh Gibson (United States of America).** — I do not know if I quite agree with Lord Cecil as to whether or not budgetary limitation has been dealt with. We were under the impression that it had been dealt with on the basis of our resolution—the Franco-American resolution—but, as a practical matter, I do not think that is either here or there. We have now fortunately a very free method of procedure and if the Commission desires to reopen the discussion on this point, we should certainly welcome it. I should like to agree with General de Marinis' statement. We have acquiesced in the lifting of this subject bodily to a later stage of our discussions on the assumption, not that this whole chapter was suppressed, but merely that it would be discussed in a more appropriate place. We have felt all the time that, despite the difficulty we have found for the time being in reconciling all the alternative methods, we should certainly make some further effort to find some acceptable method of dealing with material for the land forces. The President's suggestion was based on the same thought—that our resolution was not sufficiently substantial or precise to afford a suitable basis for a general discussion at this time.

**M. Litvinoff** (Union of Soviet Socialist Republics). — I would remind the Commission that, in my first speech, I moved the re-examination of the question of the limitation of armaments as one of the three cardinal points of the draft Convention. It is true that it has been ruled that the Commission may re-examine certain points during the third reading only. I, for my part, would prefer to have the discussion now, because the decision which we may take on land armaments will affect our discussions and decisions on a number of other points of the draft Convention. Supposing we do decide to put a certain limitation on land armaments, the question of publicity would still come up, but in quite a different light. Any such decision would also greatly affect the question of limitation of budgetary expenditure. I think the only efficacious way to limit armaments is the direct way and not budgetary limitation, which, in my view, is not sufficient. The decision on this point will determine the whole attitude of my delegation to the rest of the draft Convention. I would therefore ask the Commission to agree to discussion being taken up on this point now, without further delay.

**General de Marinis** (Italy). — I should like to know, after the statements which have been made, whether the discussion can now begin on this question.

**The President.** — It was my intention to open the discussion on this point, but at a more opportune moment. We have now before us a proposal by General de Marinis, supported by M. Litvinoff, for the discussion to take place now.

**Dr. Markovitch** (Yugoslavia). — I do not wish to raise any objection of procedure to the suggestions which have just been put forward. It is of quite secondary importance, in my view, whether we discuss now or at a later meeting the questions which we debated at great length and in a very conciliatory atmosphere last session. At the same time, on behalf of the Yugoslav delegation, and in the interest of our proceedings, I venture to say that, the question of the limitation of material having been settled last session, we should now direct all our efforts to giving practical effect to the principle of the limitation of effectives. If the Commission loses itself in the search for supplementary measures, it will weaken a decision which, if really put into practice, will lead to disarmament.

I venture to repeat what I said last session. It must not be forgotten that this programme of disarmament, on which we are at work, is not made up of subtle technicalities, but is governed by certain political conditions and certain international situations, and is subject to the existence of a peaceful atmosphere; for this reason I believe our efforts should be directed, in the sense of the decisions of the last Assembly, towards the drafting of a Convention which all countries can accept, and I think this draft should endeavour to give effect to the essential principles which we have already adopted.

When discussing this question I reminded the Commission that the limitation of effectives implies at the same time the limitation of material.

**The President.** — That is going rather too much into the substance of the question.

**Dr. Markovitch** (Yugoslavia). — I will say no more. I only wish to say that the limitation of effectives implies the limitation of material. Having made that point, I will add that I am not opposed to discussion. I think procedure should be very wide and elastic: but I do not see the use of discussing again questions we have already settled.

**M. Bourquin** (Belgium). — I will not touch on the substance of the discussion. I will confine myself strictly to the question of procedure.

We took a decision on this question of procedure at our first meeting and, failing proof to the contrary, we ought to conform to that decision. What was our decision?

It was this, that questions settled on the second reading in 1929 should not, in principle, be reopened, unless in the case of exceptional circumstances and, in such case, they should be taken at the end of the discussion.

We decided on two things: First, not to reopen questions already settled, and secondly, if they are to be reopened, to reopen them at the end of the discussion. Questions which have not been settled on the second reading we take as they come.

I will re-read the text of the decision of 1929 in regard to the limitation of material. It is that which the President read just now: but I venture to recall its wording. It makes an extremely clear distinction between direct limitation and indirect budgetary limitation.

As regards direct limitation, the question was settled on the second reading in 1929: there can be no dispute as to that. I will read:

“ The Preparatory Commission for the Disarmament Conference,  
“ Having rejected the systems of direct limitation of material in service and in stock . . . ”

There can be nothing clearer than that: the question has been settled. But the question of indirect budgetary limitation has not been settled; the wording of the text is altogether different. It says:

“ Having noted that the system of indirect limitation (limitation of the expenditure on material) did not meet with general assent,

“Decides that the limitation and reduction of material must be sought by means of publicity of expenditure . . . .”

That means, as I understand it, that it was agreed to say that publicity was necessary: but it was not agreed to reject indirect limitation—*i.e.*, limitation of budgetary expenditure. It was merely stated that there was no unanimity on the principle of indirect limitation. I think I am therefore giving a sound interpretation of the 1929 decision when I say that the principle of indirect budgetary limitation still remains open, and that the only question we should consider as settled, short of exceptional circumstances, is the question of direct limitation.

That, I take it, is how the question stands.

**M. Politis (Greece).** — I venture to speak, because of the reference to the discussion of 1929, over which I had the honour to preside.

M. Bourquin's recollection of what happened is accurate in almost every respect; but I am afraid the Minutes do not reproduce the psychological aspect of the proceedings at that moment. With your permission I will summarise the position.

First, a great majority of the Commission was agreed to reject the system of direct limitation of material.

Secondly, the attempt was made to arrive at limitation by the indirect budgetary method, and there was a strong current of opinion in the Commission in favour of acceptance of this system. But there was also strong opposition, and on this second point the Commission took no decision.

When it was suggested that it might be possible to arrive at indirect limitation by what I may perhaps call another indirect method—that is to say, by publicity of credits—the Commission confined itself to introducing finally in the resolution, to which M. Bourquin has just referred, an expression of opinion that the limitation of material should be sought by means of the system of publicity of credits which means that, in 1929, the Commission was of opinion that there was no majority either for direct limitation or for indirect limitation in limiting the credits which each country entered in its budget for military material, but that there was a method even more indirect (if possible)—namely, the method of publicity of credits, which would allow public opinion to exercise pressure on the States not to continue indefinitely increasing their expenditure on war material.

That is the situation. But the problem is so serious—and so largely dependent on the solution reached on this point—that we should not be held up by considerations of procedure. We should put out of our minds our decision as to what we should, in principle, do at the beginning of this session. We should recur to that rule, which is a fundamental rule of every assembly—namely, that we are at any moment the master of our own agenda.

I think the Commission would be well advised if it would now ignore all it has done up to the present, whether in respect of substance or of procedure, and decide to discuss the substance of this question now.

**M. Bourquin (Belgium).** — M. Politis has recalled the psychological atmosphere of the discussion in 1929, in which I had no part. I have read the decision taken at the close of the discussion then, and I find that it makes a very clear distinction between direct and indirect limitation.

If I have drawn attention to this point of procedure, it was by no means with the intention of stifling discussion. I will never do that.

**The President.** — I have no doubt of that, M. Bourquin.

**M. Massigli (France).** — I think M. Politis, in what he has just said, has given an accurate summary of the situation. If the Commission wishes to reopen the whole discussion, it can do so. I will even say it should do so. There have been certain fluctuations in the position, and certain changes of opinion may have taken shape. The discussion must be reopened. The only question is: When? I think, with all respect to Lord Cecil, that there would be great advantage in following the order suggested by our President. Last year we found that, when the question of indirect limitation was broached, there were signs of opposition. We were told: “Let us see first what results may be expected from publicity!” No doubt publicity is an inadequate minimum in many respects—I have said so myself—but I think that, if we begin by considering what we can do in this field, we shall have new arguments with which to convince the adversaries of the other systems of direct or indirect limitation, as and when the system of publicity is shown to be insufficient.

We should begin then by taking a decision on the question of publicity, which is the extreme minimum. That being done, when we come to the third reading we can take up the question again as a whole.

If, however, the Commission decides otherwise, I shall of course bow to its decision.

#### 19. Observation of One Minute's Silence in Memory of all those killed in the Great War.

**The President.** — It is now eleven o'clock and it is November 11th. In memory of all those who fell in the great war, I request you to rise and remain silent for one minute.

(The members of the Commission rose and remained silent for one minute.)

20. **Limitation of Material. — Land Armaments. — Procedure (continuation). Discussion on Resolution adopted by the Preparatory Commission on May 4th, 1929 (Sixth Session, First Part) (continuation).**

**Lord Cecil (British Empire).** — I quite agree with the conclusion at which M. Politis has arrived, and that is that we had better take the discussion immediately; but these questions of procedure are never very important, and I would agree whichever course is taken. But I want to be clear on this point, that these methods of limitation are not mutually exclusive. All of us would be in favour of publicity, because it already exists and we add nothing new by it. If the Commission is in favour of budgetary limitation, that does not exclude specific limitation; you may have all three systems. The only thing I am anxious about is that we should not have two or three discussions on this question, but that we should dispose of it in one discussion, and I do not mind whether it arises out of direct or indirect or budgetary limitation, but let us have a discussion which will settle quite definitely what principles we should have in this Convention. Seeing that this is a matter which excites a great deal of interest out of doors, and in order that we should not appear to be evading the question, I am in favour of beginning the discussion immediately.

**M. Fierlinger (Czechoslovakia).** — I should like to state the arguments in favour of very strict limitation of our discussion.

We have left our President discretionary powers to re-open the discussion on particular points. In this special case, a new fact has been mentioned. I consider Mr. Gibson's statement to be a new fact, allowing us to return to the point we had reached at the time when there was a very strong majority in process of formation on the very important question of the indirect limitation of material. The publicity proposal is really a step backwards.

I feel we should always endeavour to find ways of going forward—not backward; and, if Mr. Gibson's statement allows us to take a step forward, I think we should return to this question in such a form as will allow of a majority being formed in the Commission. If we were to desire once again to take a backward step, I think that would be a very grave mistake, since we should thus run the risk of a recrudescence of the barren discussions which have lasted for so many years.

I think, therefore, the discussion should be resumed within very strict limits. We should only go back to the point at which there is a prospect of obtaining the support of a very large majority of the Commission.

When should we resume the discussion? According to the British proposal it should be when we discuss Chapter V. The Czechoslovak delegation will bow to the decision of the majority.

**M. Sato (Japan).** — I share entirely M. Massigli's standpoint. I attach great importance to his statement, for the French delegation, and in particular M. Massigli's predecessor, M. Paul-Boncour, were the first to raise the proposal for indirect limitation of material. In spite of that, M. Massigli has told us that he is disposed to follow the procedure which we adopted at the beginning of our session. I agree with him entirely. Important as the question of the limitation of material is, I see no reason to make an exception to the procedure we have followed up to the present. Professor Bourquin has given us his interpretation of last year's decision, and he is certainly better qualified than I am to interpret texts. Nevertheless, I do not entirely agree with his opinion in this matter. He makes a distinction between the word "rejected" in the first part of the resolution and the phrase "did not meet with general assent" in the second part. He said that the word "rejected" shows that direct limitation was entirely dropped, whereas indirect limitation, in the second paragraph, was merely held over. I think, on the contrary, that the expression in the second paragraph means the same thing, and that it is only a different way of expressing the same thought, the same meaning. What concerns us primarily is the decision. The first two paragraphs are preamble, which cannot reverse the sense of the decision itself; and the decision says that we should look to publicity of expenditure for a solution of the question of reduction of material.

We defer to this decision, which was taken last year by a large majority. We see no reason at the present time for diverging from it. I was very embarrassed therefore when I heard M. Politis' explanations a moment ago. I assisted in the adoption of the procedure at the beginning of this session of the Commission, and I am very anxious to maintain the same procedure until the end of the session. If, as M. Politis has suggested, the Bureau itself proposes some deviation from the procedure already adopted, I am very much afraid we shall not know where we stand.

I propose therefore, with M. Massigli, that we follow the same procedure, and, at a suitable moment—by which I mean, the third reading—we shall all be ready, including my own delegation, to begin the discussion of the substance of the question.

But, even with this procedure, I should like to urge the Commission to reflect. The question of direct limitation of material having been rejected, as M. Bourquin reminded us a moment ago, we shall achieve nothing if we now raise it again, except the addition of another fifty pages or so to the Minutes. That is really not worth while, and, for this reason, I wish to urge the Commission not to enter now upon this question of the limitation of material, because that will inevitably raise the question of direct limitation, which I want to avoid at all costs. When we come later to another chapter, we shall be able to confine ourselves to the discussion of the indirect limitation

of material. I accordingly suggest that the Commission should follow the procedure we have adopted up to the present.

PROPOSAL BY THE BRITISH DELEGATION.

**Lord Cecil (British Empire).** — I was going to ask the Commission to come to a decision now. It is a question of procedure and we must decide it one way or the other. I take it there is no doubt about M. Politis' principle that the Commission is always the master of its own procedure, whatever resolutions it may have arrived at, and the first question, it seems to me, is whether we shall embark on the discussion of this question of material now or at some future time. I propose, in order to test the feeling of the Commission, to move "that the question of the limitation of material be considered forthwith". If somebody wishes to propose a modification of that, they can move for some other word than "forthwith" — namely, after the discussion of other subjects.

I also wish to move, and to this I attach great importance: "That in the discussion the three methods of publicity, budgetary, and direct limitation be in the first instance considered together". I am afraid I cannot agree with M. Sato's suggestion that we can put aside any one of these methods. I am not going to argue the question of procedure. I am quite confident that to do that would expose this Commission to the strongest animadversion outside—and personally I should feel inclined to join in that animadversion—because this is really a vital part of disarmament. I have come to the conclusion in the last eighteen months that, unless you can limit material in some way, the proceedings of this Commission, and the proceedings of the Disarmament Conference, are really not worth while going on with at all. How you are going to do it is another matter, but the limitation is the vital, essential thing. That is the view my Government takes. Therefore I could not agree to any system by which we were going to put aside any part of that discussion. I think it is essential that the discussion should take place once and for all. I do not really mind whether we begin it to-day, or next week, or the week after; but let us fix now the time either now or, if that be not thought desirable, then at some fixed date—namely, after we have been through the rest of the draft Convention.

I do not care which way you settle it, and, to test the feeling of the Commission, I will move first that the question of the limitation of material be considered forthwith. If anyone desires to move an amendment to that, I personally shall not be violently opposed to it.

**The President.** — As M. Politis and Lord Cecil have said, the Commission is always master of its own procedure. In my capacity as President I shall uphold the procedure adopted until such time as it is replaced by another. Lord Cecil's proposal appears to me the simpler. I should like to put it to the vote at once, as it will clear up the situation. But there are three speakers who have applied to speak on the question.

**M. Litvinoff (Union of Soviet Socialist Republics).** — I support fully the proposal of Lord Cecil. I only wish to be clear that, when he is moving that the discussion should take place forthwith, he means by that a re-examination of the decision adopted at the second reading.

**Lord Cecil (British Empire).** — My idea was that we should discuss the whole thing, the matter being so important—even the decisions we came to on the second reading. I do not want two discussions; I want the whole discussion to take place once and for all.

**Count Bernstorff (Germany).** — After what Lord Cecil has said, I support his motion.

**M. Fierlinger (Czechoslovakia).** — The explanation which has just been given us completely alters the substance of the proposal; and we should reflect before we proceed to vote. I do not think Lord Cecil is altogether logical, because he himself proposed to discuss these points when we came to consider Chapter III or Chapter V. There are three forms of procedure accordingly before us—immediate discussion, discussion under Chapter III and discussion under Chapter V. I admit the importance of M. Sato's arguments. In our discussions we should always adopt a half way solution; and, in this case, the half way solution is to take the discussion under Chapter III. By adopting this procedure we shall avoid much barren debate. I make these explanations in order to explain why I shall abstain from voting.

**The President.** — I put Lord Cecil's proposal to the vote. If it be rejected, we shall have to decide whether the question is to be discussed under Chapter III or under Chapter V.

*The British delegation's proposal was adopted by fourteen votes for to six against.*



21. Discussion on Chapter II: Material. — Section I: Land Armaments.

*First Reading.*<sup>1</sup>

*Observations  
and Reservations.*

The delegation of the United States of America makes a general reservation on the failure to include provisions for the limitation of material both in the hands of forces serving with the colours and reserve material of land and air forces.

*Article TA.*

The delegations of Italy and Japan make a general reservation as regards limitation of material proposed in Article TA (German draft).

(German Draft.)

The High Contracting Parties agree to limit the maximum material of their land forces in service and in reserve to the figures fixed in Table annexed to the present Convention.

(French Draft.)

In each of the Contracting States, the total expenditure on the upkeep, purchase and manufacture of war material in the strict sense of the term, for the duration of the present Convention shall be limited for the land, naval and air armaments to the respective sums fixed in Columns X, Y and Z of Tables<sup>1</sup>... (Home forces and formations of the home country organised on a military basis) and ... (Overseas forces and their reinforcements and overseas formations organised on a military basis) annexed to the present Convention.

The said sums shall be divided by the number of years for which the present Convention is to remain in force, and, in each of the Contracting States, the annual expenditure on the upkeep, purchase and manufacture of war material in the strict sense of the term shall not exceed the figure laid down for each year; nevertheless, sums not expended during one year may be carried forward to the following year and added to the sums fixed for that year.

TABLE.

Material in service and in reserve	Maximum number of arms	Quantity of ammunition for the various arms (rifles, machine-guns, etc.)
1. Rifles or carbines . . .		
2. Machine-guns and automatic rifles. . . .		
3. Guns, long and short, and howitzers of a calibre below 15 cm. . .		
4. Guns, long and short, and howitzers of a calibre of 15 cm. or above . . . . .		
5. Mortars of all kinds.		
6. Tanks . . . . .		
7. Armoured cars . . . .		

<sup>1</sup> The tables referred to correspond to the model statements provided for in the report of the budgetary experts. Their definitive form depends on the final conclusions of these experts.

**General de Marinis (Italy).** — We are faced by one of the most important and most serious questions that have been raised in the course of our proceedings. It is sufficient to recall all the discussions which have taken place on the limitation of war material. From the outset of our discussion of this question, two apparently irreconcilable views have been in conflict. Everyone has admitted that war material is an essential element of military preparation; but, while some have maintained that a convention on the reduction of armaments would be inconceivable without a reduction of material in service and in stock, others have argued that an attempt at any such reduction would meet with insuperable difficulties. During the first five sessions of our Commission, these two views remained as they were at the outset, without any agreement being possible. It was only at our last meeting, eighteen months ago, that the advocates of reduction of material, in a spirit of very great conciliation, agreed to modify their attitude in the matter, while stating that they were still convinced that there would be a serious gap in the Convention if it did not deal with the reduction of material.

<sup>1</sup> Note by the Secretariat. — This text is given for convenience of reference. The discussion following deals only with the principle and the methods of the limitation of land material.

In response to this concession, the delegations which had always been opposed to any reduction of war material stated their willingness to agree to indirect reduction of material by limiting the expenditure appropriated for its purchase and upkeep. My own delegation was one of these.

On May 2nd, 1929, at the eighteenth meeting of our last session I said (see page 164 of Series VIII of the Documents of the Preparatory Commission, document C.195.M.74.1929)<sup>1</sup> that, while recognising that the method of reduction of expenditure was not perfect, the Italian delegation was "prepared to accept a method of indirect limitation based on expenditure and applying to all material, whether in stock or in service".

I still, of course, maintain that attitude. It only remains to discuss the manner in which this budgetary limitation can be arranged, and the standards to be applied in fixing figures. I do not think the difficulties in this connection will be very great. It seems to me obvious that we shall have first to fix the maximum limit of armaments in the case of every State, and then to decide, on the basis of the limits fixed, the amount of the expenditure which each country will be entitled to incur on armaments.

In spite, however, of the efforts we have made, we are sorry to see that the general agreement which had been hoped for has not been reached. But it seems to me that in a question of such importance we ought not to abandon the search for any means which can lead to such agreement.

At the same time, it must be recognised that there has been a change since we last met. There can be no doubt that in recent years there have been considerable increases in military expenditure, nor can it be questioned that a great part of such expenditure has been devoted to increasing war material. I do not think I shall be wrong when I say that the situation, far from having improved, has become worse, so far as the equal distribution of armaments is concerned, which I have always regarded as our first aim and, in any case, the necessary pre-requisite of disarmament. It follows that, if we really wish to achieve any positive result in the progressive reduction of armaments, as we have always said we do, we ought seriously to consider this grave question of the existence of stocks of war material. It is a question to which it is impossible to close our eyes. It disturbs public opinion, and it should engage our attention. It would be inadmissible, it would be unacceptable—at any rate, for my delegation—to sign agreements ignoring the vast differences in existing armaments, allowing them to continue, and—what is more—legalising them by the fact of allowing them to continue.

I remember the strong appeal which Count Bernstorff made to us when we last discussed this problem. He urged us in the disarmament of land forces not to exclude essential elements, which it is impossible to omit in any convention that really aims at something more than an illusory solution.

I do not know whether the Commission, after its previous vote, is now prepared to take up this question again, nor whether the German delegation intends to submit a new proposal for direct limitation of material. But for my own part, I should be prepared, for the reasons I have given, to consider such a proposal. I think, as Lord Cecil said a moment ago, that the two methods of direct and indirect limitation do not conflict with one another; the one does not exclude the other. On the contrary, I should say that they may well supplement one another.

In accepting, under present circumstances, the idea of direct limitation, I do not want to overlook the objections which have previously been raised on this subject. It has been urged that such limitation is inconceivable without supervision.

I do not know whether it is altogether justifiable to put the question in such uncompromising terms. An undertaking by a State has after all some value, even if its fulfilment is left entirely to the goodwill and loyalty of the State.

The British representative has just submitted a proposal for the creation of a Permanent Disarmament Commission, with the task of watching over the execution of the Disarmament Convention. It appears to me that this proposal, if it be adopted, should be sufficient to remove the objections to which I have referred.

In any case, I think we should not despair of arriving at an agreement on some system which will give all the States that sign the Disarmament Convention sufficient guarantees as to its application, and will make possible an effective and, at the same time, equitable reduction of armaments.

**Lord Cecil (British Empire).** — I understand that we are engaged at the moment on a general discussion of the question of the limitation of material, and I do not propose to elaborate the case at any length.

It is admittedly necessary in the naval and in the air forces. We have provided for it, and it seems extravagant to suppose that it is unnecessary in the case of the army. Indeed, the whole tendency of modern thought, so far as I am aware of it, is to make it more necessary than it ever was before to have some limitation, direct or indirect—I will come to that later—of material. I venture to refer to the writings of General von Seeckt, which I was perusing the other day. His conception is that future armies will consist of a comparatively small number of men very completely equipped, and it will necessarily have to be a small number, because the degree of equipment he contemplates will be beyond the means of any nation, except for a relatively small army. I do not know how far that opinion is shared in Germany or in France, but I gather it is

<sup>1</sup> Note by the Secretariat. — Minutes of the Sixth Session (First Part).

pretty generally shared. I remember at the beginning of these discussions a proposal was put forward that general disarmament should be confined, at any rate so far as land forces were concerned, to numbers, and there was a protest from the French delegation pointing out that merely to limit numbers was quite insufficient. That was eight years ago. I agree that three quarters, or some such figure, of the strength of an army depends on its equipment and not on its personnel. I think that is obvious to anyone who has studied the history of the late war. The mechanical means was the important thing, and it has been enormously increased by subsequent investigations and efforts—the misdirected ingenuity of human beings—to discover fresh means of slaughtering their fellow creatures. Therefore, I do not think anyone would maintain that merely to limit numbers will be an efficient way of limiting the strength of an army. It may be said that, if you limit numbers, you would directly limit material, because material depends on numbers; but that really is not the case. As an illustration I will deal with the question of tanks. They do not depend on the number of men in an army. If you had an army consisting almost entirely of tanks, the number of men would be reduced, because the number of men you can lodge in a tank is restricted, and many people believe that a single tank is more than a match for scores of men. However, I do not propose to argue that point at greater length.

I assume that, if we are serious as to what we intend to do, we have to face some method of limiting material as well as numbers, and the only question which seems to me difficult is what method of limitation of material we should adopt. Three methods are suggested—the first being limitation by publicity. That limitation is in operation at this moment. It is not clearly in operation, because it is difficult to follow, owing to the complexity of the way in which the accounts and the States' estimates as to the strength of the army, navy and air forces are presented to the various Parliaments. It is difficult for anyone, except an expert, to follow what is happening; but it is not beyond the power of the expert. In fact, in every country it is pretty well known what is being spent upon the armies, navies and air forces of the world, and, roughly speaking, what is their strength; and we have here, so far as strength is concerned, an *Armaments Year-Book*, which sets that out with a very fair degree of accuracy. Therefore, you may improve the method of publicity; but I would point out that mere publicity is only an indirect moral method of limitation, and, unless you have some engagement, undertaken by the various countries, that they will not go beyond a certain strength in material, in some form or other, the moral effect of publishing what they are doing is not very great. They would be only doing what they were entitled to do by the treaty. Therefore, whilst I am in favour of publication as the basis of further steps towards limitation, I do not regard it as sufficient, or as a serious improvement on the state of things at present existing. Unless you lay down some standard for the strength of the material, the mere publication of how much there is will not produce any effect in limiting its amount.

I will take first the question of direct limitation. Undoubtedly, direct limitation is, in principle, the most effective and the most obvious system. You draw up a list of the armaments somebody is to have. He agrees to that, and you have the thing absolutely fixed; but when you come to look into it closely I am afraid that direct limitation by itself would prove to be a very unsatisfactory method of limiting material. The difficulties are enormous, and they are all practical and detailed difficulties. Take the question of tanks. I use that illustration because, in a way, this is a kind of technical development of modern arms. Say that you limit a particular army to ten thousand tanks—it does not matter what number you take, a thousand or ten thousand. How are you going to define a tank? They are of very different strengths and very different sorts. I know of no definition of a tank which would not include any kind of armoured car. I do not know that you could make any difference between certain types of these things. How are you going to have an enumeration which will fix the strength of an army in tanks? I doubt very much whether it could be done, whether the establishment of a limitation of that kind would be effective. It could do no good, and it might be doing harm, for you are exposing the world and any country in it to an immense amount of suspicion.

Let me mention another thing. I hope Count Bernstorff will not think I am using this instance in any sense that is hostile to his country; there is no hostile criticism, and what Germany is doing is perfectly legitimate. I take the case of the new German cruisers, one of which has been completed and another of which is being built. They are of ten thousand tons, and everybody admits that they are immensely stronger than any other ordinary ten-thousand-ton cruiser. Nobody complains about this; I am sure Count Bernstorff will believe I am not complaining, for Germany is carrying out the agreement that she was not to have vessels of more than ten thousand tons. But the fact is that Germany's cruiser is immensely stronger than any other cruiser on the seas. This shows how difficult it is by enumeration to arrive at any real limitation. I take that as an instance. Supposing that system is to be generally imitated in other countries, you will have, in the case of cruisers of ten thousand tons, an almost unlimited competition to see who can build the most effective ten-thousand-ton cruiser. Though you will have the same numbers of cruisers on the seas, you will not in any way have stopped competition on the seas. That is an extreme instance, I agree, and no doubt you can add something which will make it difficult for that system to be adopted generally. It was thought when the agreement was made that a ten-thousand-ton cruiser

was the right standard to set up, but recent events have shown that it is difficult to find a limit by enumeration which will be a limit.

Obviously, the same thing can happen in a number of cases. Tanks are another instance. Then we have guns. You may have any amount of improvement in your guns. You will keep the same number of guns, but one gun would be so infinitely inferior that it becomes quite a different thing. That is one objection to the system of direct limitation. I doubt its being, by itself, really an effective system of limitation.

The other difficulty is the one already alluded to by my friend General de Marinis—the difficulty of knowing with any degree of certainty what is happening in any particular country. I quite agree with him that you cannot make a treaty on the theory that it is going to be broken, because, if you do that, it is foolish to make the treaty at all. You must do it on the theory that it is going to be observed, just as you make a contract with a man on the theory that he will carry out his undertaking. But, at the same time, you have got to have some degree of confidence established that the thing is going to be carried out and is being carried out. There must be some degree of guarantee. I know I am now embarking on a thesis which is generally put forward by my friends of the French delegation, and I think, if they will allow me to say so, they sometimes drive it too hard, and believe that, by a system of guarantees, you can reach absolute certainty—which you cannot. But some degree of belief that a treaty is notoriously being carried out is desirable in a matter of this kind, where such very deep feelings are aroused. I take the German table in Article TA. I see carbines, rifles, machine-guns, automatic rifles, and so on. How are you going to be satisfied that there is such a number of carbines, for instance, without an inspection in all the nations forming part of the League of Nations? I take machine-guns, which are rather bigger and more easily detected; but a machine-gun can be made in parts, the parts can be put separately aside, and they could be put together when required. Your limitation by enumeration is not such as to spread confidence among the nations, I think.

For both of these reasons I am not myself prepared to accept direct limitation as the best method of settling this question. If I can be satisfied that in certain of the arms, the bigger arms for instance, some method of direct limitation can be devised which is reasonably satisfactory, I would not oppose it; but I am quite sure that, unless it is combined with the some other limitation, it is an unsatisfactory system.

The other system is the budgetary limitation. Budgetary limitation is a rough-and-ready system. You do not affect to bind each country in every detail of its armament. You abandon that. But you say, with respect to the army, the navy and the air force, there shall be a global system beyond which, in each of these respects, you shall not go; you have for each of these arms a global sum of expenditure on armaments. That is to say, with respect to each arm there will be two limits—first, a total limit of expenditure, including personnel and everything else, and, secondly, the limit of expenditure on weapons. Those two figures would be accepted. I had better complete the explanation of what is proposed. It is not proposed that these figures, whenever adopted, will form an element for comparison between two countries. It is recognised that the cost of living, the cost of labour, and so on, is so different in the different countries that it would be quite impossible to have a system of budgetary limitation which would make possible a comparison between country A and country B. What it would make possible is an element for comparison between what country A was doing in 1931 and what country A was doing in 1932, and, therefore, you would know whether country A was increasing its expenditure generally. You would know, since you would also have a limit on the numbers of men, that, if there were any considerable increase, it must be an increase in material or an increase in the pay of the men. You would know, roughly speaking, if you had an increase, that there was a considerable increase in military preparation, and particularly if there were an increase in the material. I believe that would be an effective check.

It is quite true that it would not check the details of the thing; but I believe that, broadly speaking, each country makes the best use it can of the money available for its armament. If you can get them to limit that amount of money, you are going to have a real limit, which would be of value in checking any growth of armaments in that country. It is possible, of course, that one country may decide to economise greatly in one particular kind of weapon and expend on another kind; but I believe everyone who has looked into the subject will agree with me that, broadly speaking, that is not what happens in one country. All the countries move together. They find a particular kind of armament is the better one, and, making certain allowances for the idiosyncrasy of each country, if there is an increase of expenditure on armaments in two countries it is probably an increase in the same direction in each. Therefore, I believe that, as a practical business move, the limiting of expenditure is going to be the most effective way in which you can limit the growth of material.

I know it is said by the critics: "But, you know, a country might conceal its expenditure". Well, it may conceal a little, but in these days it is not so easy to conceal. There may be countries

where it can be done, but I know it would be quite impossible in my country and, I believe, in most of the countries I see represented round this table, if not all of them. You cannot do it nowadays. It is not only because of Parliaments, where Parliaments exist, but because of the pressure of the taxpayer, who is always enquiring what is happening to his money; and it is very unlikely, unless you conceive of a country deliberately setting itself to deceive the world and break the treaty altogether, that any such camouflage of expenditure could take place. In a great majority of cases I do not believe it is possible.

The United States of America is among those countries which feel there are certain practical difficulties about the system of budgetary limitation; the United States has said this on a previous occasion. I quite recognise and quite understand the difficulties they feel; but, at the same time, I hope they will be able to find some way out of the difficulty if we can adopt some general agreement of this kind. I am sure we can rely on the United States Government and its representatives here to do their utmost to fall in with any scheme which is really intended to limit armaments.

I am afraid I have kept the Commission much longer than I intended to do, but I think it was well, as I was speaking, to say how my Government looks at these questions. It is for these reasons that I recommend the Commission to adopt publicity to the utmost extent, and budgetary limitation on top of publicity, for the two fit together very closely; and, as far as direct limitation is concerned, I wait to be convinced that it is an effective system.

May I add this one word? We have had some little examination by experts as to the practicability of budgetary limitation. Their report was no doubt mainly in regard to publicity; but it applies also to budgetary limitation, and they are satisfied that such a system could be established without any technical impossibilities, although, of course, it would require very careful consideration and endeavour.

**The Hon. Hugh Gibson** (United States of America). — In common with this entire body, I have listened to the important speech of General de Marinis with the respect we all feel for his utterances. In addition, his remarks have been particularly gratifying to me, in that he has given a valued support to the thesis we have always maintained.

It will be remembered, as General de Marinis has recalled, that, in withdrawing our reservation on budgetary limitation, I made it clear that our convictions were in no wise modified—that we still felt that direct limitation of material was the only one which would work. The withdrawal of our reservation was based on our unwillingness to let it constitute an obstacle to general agreement. In other words, we deferred to the views of the majority in order that they might endeavour to reach agreement.

Since that time, however, there seems to have been some evolution of thought on this subject. Some delegations have expressed their readiness to consider or reconsider measures for direct limitation.

Needless to say, I should welcome any trend of thought toward the method we believe in as honest and effective.

While I am sorely tempted to enter into some of the arguments put forward by Lord Cecil as to the advantages of budgetary limitation and the disadvantages of direct limitation, I feel I should confine myself at this time to a bare statement of our position. However, I should like to say, in reply to his appeal to us to find some way of completing agreement, that my purpose in rising is to suggest an expedient to this end.

There is one further point in his remarks upon which I should like to touch. He spoke of the great difficulty of reaching worldwide agreement if the United States of America remains outside. I only wish to underline the fact that the American Government is not the only one which does not share general agreement as to budgetary limitation.

On this question of budgetary limitation I have already, on several occasions, set forth in detail the views of my Government. I do not propose to do so to-day and shall merely, for the sake of record, refer to the declaration made by the American delegation in Sub-Committee A; to a statement which I made on April 6th, 1927, during the third session; and to a further statement which I made on May 3rd, 1929, during the sixth session. We have already stated our reasons very fully. It is now the time for us to set before you what we are able, as a practical measure, to accept, and what we are not. My colleague Mr. Wilson and I have just returned from a visit to the United States, where we re-examined this entire question with our Government in the hope that we might find some way of completing agreement. We found that we could not honestly alter our attitude, and that for practical reasons already set forth—and into which I need not enter now—a Convention which provided for budgetary limitation as applied to the United States was unlikely to come into force so far as the United States is concerned. This statement can hardly come as a surprise. It has been our consistent attitude during the last four years—and the reasons have been made very clear—and, while it has been generally understood that we were unwilling and unable to accept for ourselves any form of budgetary limitation, I have found fairly prevalent in Geneva the impression that we would oppose the inclusion in the Convention, for others who believe in it, of such a form of limitation. Quite the contrary. We have no wish to restrain other nations from adopting any form of limitation which they see fit. It is only in so far as it concerns ourselves that I must declare a *non possumus*. The American delegation has always urged direct limitation of material, and would still gladly learn that this method was generally acceptable. We

have likewise urged, and have long since put into practice, complete publicity as to material for the use of our armed forces. If, having these facts in mind, and having rejected our proposals for direct limitation, the other members of the Commission can agree to a draft for budgetary limitation applicable to themselves, we should feel that, although the method precluded us from joining them in these provisions, the aim is one in which we heartily concur. I can readily recognise that, if a considerable number of other Powers join in accepting a budgetary method of limitation, they may consider it inequitable to bind themselves to this method and leave other Powers exempt from any other form of limitation. As a practical matter, however, I believe that an examination of our situation will show that we have already an effective method of limitation. Our military effectives will be definitely limited, and full publicity given to the expenditure for their pay and maintenance. Our naval material and personnel will be definitely limited by treaty. There remains only the question of material for the land and air forces. As regards this, we have expressed our readiness to accept what we consider the strictest method of limitation—namely, direct limitation with full publicity as to expenditure, weights and numbers. If it gives satisfaction to those States which might be reluctant to see us exempted from any limitation, we are willing, provided that some practical budgetary method is generally agreed upon which is sufficiently detailed and precise to constitute a real method of limitation, to apply to ourselves a direct limitation of material along the lines which we have consistently urged for general adoption here. We honestly believe that this is the most effective method of limitation that has yet been suggested; and, with all deference to the views of others, we still feel that this affords a more scientific knowledge of military forces and material than can be obtained through budgetary limitation. In other words, we feel that it is easier to conceal the application of a dollar than it is the existence of a rifle.

**The President.** — I have the feeling that the Commission has been taken somewhat by surprise by the vote on Lord Cecil's proposal, which has led to the discussion of this subject. Under the circumstances, it will perhaps be preferable to postpone the rest of the discussion till to-morrow. I will, however, call on Count Bernstorff.

**Count Bernstorff (Germany).** — For myself, apart from what the President has just said, I had intended to say that I do not propose to enter into the substance of this great issue to-day. I merely wish to refer to certain points which have been made in the course of to-day's discussions.

The first point to which I wish to turn<sup>1</sup> is Lord Cecil's friendly allusion to the German vessel *Ersatz Preussen*. In document C.P.D.230, distributed to us this morning, which contains the proposal submitted to the Preparatory Commission as a basis of discussion by the delegations of the United States of America, Great Britain, Canada, France, the Irish Free State, Italy and Japan, I find on page 11 the following passage:

“ For the purposes of the present Treaty the following expressions are to be understood in the sense defined in this Part:

(a) Capital ships: A capital ship, except in the case of the existing ships specified in Annex II, is defined as a vessel of war, not an aircraft-carrier whose displacement exceeds 10,000 tons (10,160 metric tons) standard displacement, or which carries a gun with a calibre exceeding 8 inches (203 mm.).

The *Ersatz Preussen* is armed with guns of 280 mm. [11 inches]. It therefore does not rank as a cruiser, but is a capital ship. The point is of extreme importance, since this vessel is very much cheaper than the 35,000-ton capital ships of other Powers.

But I must add that, if it is considered so satisfactory to have recourse to budgetary limitation in the case of land forces, I do not see why it is not equally applicable in the case of naval armaments.

General de Marinis raised another point. He asked whether we intended to make proposals for direct limitation. I have not raised the German proposal again up to the present, and I do not know whether I shall do so. It seems to me better to see whether or not we accept the principle of direct limitation. If the Commission rejects the principle of direct limitation, I shall not see any necessity to make detailed proposals in that sense.

For my own part, I still maintain the same standpoint. Direct limitation is a *conditio sine qua non* of any acceptable convention. Apart from the technical reasons to which Mr. Gibson has alluded, there is in my eyes a purely political reason. The system of the Peace Treaty, which was imposed on us by force, makes provision for the direct limitation of armaments. The position is the same in the case of effectives: the Peace Treaty compelled us to abolish compulsory military service. It accordingly appears to us perfectly logical—and from this standpoint I shall never recede—that the system adopted for us should also be adopted by others, else we should have some system which everyone can accept.

*The Commission rose at 12.50 p.m.*

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<sup>1</sup> Note by the Secretariat. — See Annex 2.

SIXTH MEETING.

*Held on Wednesday, November 12th, 1930, at 10 a.m.*

*President: M. LOUDON (Netherlands).*

22. Discussion on Chapter II. — Material: Section I — Land Armaments (continuation).

**The President.** — It is understood that, in order to save time, the general discussion will cover not only Article TA but also points relating to the question of land armaments coming under Chapter III (Limitation of Budgetary Expenditure) and Chapter V, Section II (Exchange of Information).

**M. Sato (Japan).** — As we are going to discuss all the methods of limiting material, whether direct or indirect, by budgetary means or publicity, I will begin by dealing with the direct method, in regard to which the views of my Government are already known and have not changed during the last four years. This problem has been discussed very thoroughly during past years, and for that reason I wished to avoid opening a further lengthy discussion. However, in order to justify our point of view I shall be obliged to re-examine the question, maintaining all the arguments already advanced and putting forward some fresh ones.

The direct limitation of material is certainly the most radical method. My Government fully recognises the value of this principle. Our reluctance to adopt it is due to the difficulty of applying this principle. My delegation is of opinion that it is impossible to force all countries directly to limit land material to a certain level. Two days ago, when the principle of fixing the period of service was discussed, many arguments were put forward showing the impossibility of adopting a reasonable standard period applicable to all countries where the system of conscription is in force. These arguments apply no less forcibly to the principle of the direct limitation of material. It is even more difficult to limit material than to fix a standard period of service, because, in the former case, international political considerations play a very important part. The great diversity of political conditions in the various countries necessarily involves diversity in land armaments. In order to establish a basis for the direct limitation of material we should have to fix a standard or proportion between land effectives and material, applicable to all countries, or, at all events, to countries having an efficiently organised army.

There would have to be a standard ratio between the number of men and the quantity of material. Once this standard had been fixed, it would be necessary to find coefficients by which to multiply the quantity of material in any given army. Only then would it be possible, in a given country and for a given number of soldiers, to calculate the quantity of material necessary for their equipment.

After having calculated the war material in this manner for all countries it would be possible to see the exact proportion by which it could be reduced. It is, however, impossible to effect an equitable reduction or limitation of this material until the standard quantity for any country has been accurately determined. Unfortunately, in present circumstances, the search for any such standard would be futile. In the first place, international political conditions play a preponderant part. These conditions are very unstable and make a purely mathematical calculation impossible in practice. Moreover, the geographical situation of the different countries varies from a strategical point of view and does not afford the same degree of security to every country. If we also take into consideration various other factors, such as population, the wealth of a country, natural resources, the length of the frontiers to be defended, etc., we shall realise that the calculation of this standard is quite impracticable and that it is thus impossible to fix for each country the individual coefficient necessary to determine its standard armaments.

In addition to these rather theoretical considerations there are difficulties of another kind. For instance, how are you going to compare professional and conscript armies? There is no doubt that a professional army, equal in numbers and equipment to a conscript army, possesses a much higher fighting value. Consequently, it would be unfair to allow the same proportion of equipment to a professional army as to a conscript army. The proportion should be smaller in the case of the professional army. But is it possible to secure the acceptance of this discrimination in the present state of the world? I do not think so.

All these considerations appear to lead to a negative conclusion as regards the principle of the direct limitation of material. Unless we can establish a standard proportion between land effectives and material, applicable to all countries and between professional and conscript armies, direct limitation becomes impossible.

From the military standpoint there is also the question of the distribution among the various arms of the number of effectives allowed to each country. This is a problem of internal organisation

which should be left to the country concerned to settle according to its own requirements. For instance, the proportion between the cavalry, artillery and infantry may differ widely in different countries. Examples are easy to find. In European countries with well-developed communication, artillery, and heavy artillery in particular, is of the first importance, whereas, in countries whose communications are less developed, infantry and mountain and light artillery are of greater value than the other arms. For this reason, the distribution of effectives among the various arms should be left entirely to the country concerned. Moreover, the internal organisation of an army may be modified as the result of external or internal conditions. A limitation of armaments based on existing conditions might not be in accordance with future requirements and would make any change in military organisation very difficult; it would thus amount to the restriction of a country's freedom.

The eternal problem of supervision also arises in this connection. Several speakers touched on this point yesterday. I would not repeat the arguments which I have already advanced on many occasions, if I were not convinced that it is impossible in the present state of world politics to bring about the direct limitation of material without well-organised and efficient supervision. It may be objected that a genuine reduction of naval armaments was effected at Washington and London without supervision, and that there is no reason why this should not also apply to land armaments. In theory this appears to be a logical argument, but in practice, having regard to the diversity of land armaments, which are much easier to conceal than naval armaments, it is doubtful whether reduction without supervision is possible in the former case. It may also be argued that we must not begin by suspecting the good faith of the contracting States. I admit the justice of this argument, but in the present state of world civilisation and of the international moral code, is it likely that a statesman responsible for the security and national defence of his country would trust absolutely in the text of the Disarmament Convention and that he would be prepared to reduce or limit war material in his own country, without being certain that other countries, with which his country maintained very close political relations, were acting in the same way? What is possible for a limited number of naval Powers is not always possible in regard to the land armaments of a large number of countries—say fifty.

As regards the second method for the limitation of material, budgetary limitation, I could also advance a large number of arguments against this. Speaking generally, the arguments submitted at the third session of our Commission by several speakers, disputing the value of the limitation of budgetary expenditure in general, apply to a large extent to the budgetary limitation of land material. I might quote, for instance, the opinion expressed so forcibly by the honourable delegate for the United States of America, who said that, in view of differences in rates of pay, in production costs, in maintenance charges, in costs of labour and material, and also to varying standards of living and to variations in rates of exchange and to lack of uniformity in the preparation of budgets, any attempt to apply this method of limitation would, in his opinion, be unfair.

I would also draw your attention to the fluctuations in the purchasing power of money and in the rate of exchange, which would make it very difficult to fix a system of budgetary limitation extending over a period of five or ten years.

Consequently, if material is to be limited by budgetary methods, exhaustive preliminary investigations by budgetary experts will first have to be made before it is possible to conclude a practical agreement for the application of this method.

I should also like to draw your attention to the fact that, as Lord Cecil rightly remarked yesterday, data concerning budgetary expenditure cannot form an equitable basis of comparison between the budgets of the various countries. However, we must not lose sight of the fact that public opinion will certainly compare the budgets of the different countries, and this might give rise to very erroneous impressions. That is a psychological danger which cannot be overlooked.

These, then, are the arguments which I would use against both the systems proposed. It is for these reasons that the Japanese delegation has all along been of opinion that, in regard to land armaments, we should be content with limiting effectives and should not seek to introduce the limitation of material, whether direct or indirect, owing to the very complicated problems to which this gives rise. However, in a spirit of conciliation and after comparing these two systems of limitation, direct and indirect, I stated at the last session that I was prepared to accept in principle the limitation of material by budgetary methods, which, in my opinion, would have fewer disadvantages and would be easier to carry out. I hoped that this would facilitate agreement, which is highly desirable. After a very lengthy discussion at the Commission's last session, during which sixteen speakers delivered twenty-six speeches, we finally reached a compromise acceptable to the great majority. This agreement was really the result of close and lengthy discussion and was adopted as the only means of ensuring the success of our work. Yesterday it was decided to reopen the whole question. The honourable delegate for the United States of America explained to us again the point of view of his Government, which finds it impossible to accept the method of budgetary limitation. This very important statement should receive full consideration. As I have already stated, I am still prepared to accept the method of budgetary limitation; but I would say frankly that I cannot take the responsibility of recommending, for the approval of my Government and of public opinion in my country, a draft convention which would not apply equally to all countries. In these circumstances, there seem to me to be only



two solutions: either that we should adopt the principle of budgetary limitation and that countries unable to apply it should accept direct limitation, or, if that solution be impossible, that we should revert to the solution already adopted at the last session—namely, indirect limitation by means of publicity. After these observations, I shall be very glad to hear the views of other delegations. In any case, my delegation is prepared to co-operate whole-heartedly in finding a solution acceptable to everyone and thus to ensure the success, not only of the Commission's work, but also of the future Conference.

**M. Antoniadé (Roumania).** — After the very sound reasons given us by M. Sato, I have very little to add. I entirely agree with every word he has spoken.

I should like to say that my delegation has not changed its views in regard to the problem of the limitation of the material of land armaments. It considers that only indirect limitation is possible. The direct method has the advantage of simplicity, but simplicity is not a guarantee of equity or efficiency. I am afraid this method is so simple that it overlooks essential points and is even very dangerous. All that can be said on this matter has already been said, but I should like to remind you that, notwithstanding its simplicity, this method lacks precision.

As M. Massigli pointed out at our last session, it is particularly difficult to distinguish between material in service and material in stock. You cannot draw any hard-and-fast line between these two categories. How are you to tell where material in stock begins and where material in service ends?

This method is also unfair. If the limitation extends, not only to material in service, but also to material in stock for mobilisation, you are disregarding the war potential, and that would be unfair to countries which have a low potential, especially from an industrial standpoint. This would place them at a disadvantage as compared with great industrial Powers.

Moreover, these methods would be dangerous because, in the case of war or a threat of war, countries harbouring aggressive designs could easily increase their war material and, as they would know, by reason of publicity, the details of mobilisation of the other country, they could acquire material in excess of the limits laid down in the Convention. This danger is particularly great in the case of States not highly developed industrially.

The greatest obstacle of all is the question of supervision. Direct limitation would be impossible without some effective organisation for supervision.

In the first place an objection of principle has been raised to supervision. Judging by the speeches I have heard, few countries are prepared to accept an inquisitorial inspection in their own territory in regard to land armaments. If this is the position and if, in the opinion of the majority of Governments, supervision of this kind would involve a curtailment of their own sovereignty, you cannot blame them. We have been told, and I heard it repeated at yesterday's meeting, that, in order to banish this fear of an infringement of sovereignty, the only thing is to trust to the good faith and loyalty of the contracting States.

In private law, as in international law, good faith must naturally be presumed. Let us suppose that every State acts in good faith when making its declarations: is that sufficient to make the system an equitable one? I am afraid not, because, even supposing that each State acts in good faith, another psychological factor—namely, suspicion—will intervene as soon as there is the slightest threat of conflict.

There is no means of preventing suspicion; whenever there is the slightest friction between two countries, they will always accuse each other; one will say that the other has placed an order for machine-guns, that it has converted a civil industry into a military industry, or that it has armed certain of its vessels.

We thus have to consider whether direct supervision is possible and if it would be accepted by every country; even in this latter case, however, as has been said so many times, it is doubtful whether it would be effective, because the technical difficulties are such that supervision could only be illusory at the present time.

For this reason, my delegation prefers the method advocated by the French delegation—that is to say, the limitation of budgetary expenditure.

This is not an ideal system. You have heard the criticisms against it, but it seems to me to be more elastic and capable of adjustment wherever necessary. The budgetary declarations of each country cannot be regarded in an abstract manner; account must necessarily be taken of all the economic circumstances of a country and of a considerable number of other factors also; the figures cannot be compared with those of other countries, but, after the adjustments proposed by each country have been made, this system might be fairly effective. If unanimity cannot be secured in favour of it, my delegation would be prepared, as it stated in regard to the previous question, to accept any other indirect method, such as publicity, which was recommended by the American delegation, provided it would ensure effective limitation, according to the possibilities of the moment.

**M. Fierlinger (Czechoslovakia).** — I should first like to apologise to Lord Cecil for having opposed the immediate discussion of his proposal yesterday, although I knew that, supported by his authority, it would at once be accepted by a great majority of the Commission. However, I hope he understood that my sole object was to explain to the Commission the basis on which I think the discussion should proceed.

After what I said yesterday, I need not detain you very long to-day, and will endeavour to be as brief as possible, because you already know my opinion on the matter.

I did not fully realise yesterday the change in the views of certain delegations, and was obliged to read through the Minutes sent us regularly each morning, with a promptness which does credit to the Secretariat, in order to ascertain the extent of this change.

It seems to me that we have reached a stage of the discussion at which technical questions are of little or no importance, because each delegation, in addition to certain technical preoccupations, has political reasons which take precedence over the rest. In these circumstances, it is extremely difficult to judge the true value of any given system of disarmament.

For instance, if I am asked to accept the system of direct limitation and I know that I shall have no means of exercising any supervision, I shall naturally feel some doubt as to the efficacy and utility of such a system.

In saying this, I leave out of account the question whether it is possible to gauge the value of any given army merely by counting the number of rifles, and machine and other guns.

I frankly admit that indirect limitation by means of budgets, which we still advocate, raises certain doubts in my mind. Nevertheless, I think that the constitution of most European countries guarantees publicity. In my country, for example, the Government is unable to spend a single crown more than the amount authorised in the budget. Here I would refer to M. Sato's argument, and would add that the calculation of Government expenditure could quite well be based on the gold standard and, when these sums were converted into national currency, they could not vary very greatly in the course of a year.

Mr. Gibson spoke with great frankness and sincerity yesterday, and I think we all understand and appreciate his point of view. His proposal to get round a difficulty which is peculiar to the United States of America can be discussed, and there might be a friendly exchange of views between Mr. Gibson and my colleagues who are more competent to deal with this question than I am myself. In substance, however, this problem does not affect my country.

I should like to add, however, that Mr. Gibson spoke as the citizen of another hemisphere. He forgot all the difficulties which still exist in Europe as the outcome of the great war, and he would certainly hesitate to accept the logical consequences of his proposal when we come to discuss the miscellaneous provisions under Chapter V. We wish to avoid complications and to treat the question as simply as possible, with a view to removing immediately the chief obstacles from our path and, in particular, those with which we are now dealing. Our sole object in adopting this attitude is to facilitate the Commission's work.

Whenever we come to a difficult stage, as at present, I cannot help wondering whether it is really necessary to repeat all the arguments which we have already put forward in previous years. I should like to ask all those who doubt the wisdom of our policy to ask themselves whether it is not sometimes better to have a mediocre solution than no solution at all. The Latin proverb "*Bis dat, qui cito dat*" might be applied to our case; promptitude is a good thing. If we succeed in drawing up a practical convention we shall facilitate the work of the future conference considerably and shall also hasten the moment of its convocation. The rapid settlement of this question of disarmament will make it possible for us to settle other very important problems which are closely connected with it, and thus bring into operation the various parts of the same machine by reconciling the two desiderata which have always been put forward here: security and disarmament.

All my colleagues who have been present at the meetings of the Committee on Arbitration and Security are fully acquainted with my views on this matter. As M. Colban said the other day, the Convention which we are going to sign will not be the last. It may not be an ideal convention, but it will be capable of improvement; as soon as the European situation has improved, it will be possible for us to draw up a better one. It is only in this expectation that I regard our work as important. My country sincerely desires to make this question of disarmament an active and living ideal, which should progress daily.

I have stated frankly the very simple political reasons by which my attitude is governed in the present case.

**M. Litvinoff** (Union of Soviet Socialist Republics). — When I moved, at the first sitting of the present half-session, the re-examination of the question of land armaments, I pointed out, at the same time, the possibility of some modification by delegations of certain States of their former attitude on this question. I am glad to be able to state that this possibility has already been realised, as the declarations of Lord Cecil and General de Marinis testify. This cannot but be regarded as a certain victory for public opinion, which clearly realises the impossibility of solving the problem of disarmament without a reduction of war materials. A considerable number of delegations, by agreeing to a re-examination of this question, showed that they recognised the enormous importance of the question of the reduction of war materials as a factor of the general problem of the reduction of armaments. The opening of the discussion is not, however, in itself a solution of the problem, and the expectations of public opinion will not be justified unless the discussion leads to a radical change of the decision adopted in this regard in the first half of the present session. May I therefore express the hope that the speakers who were so eloquently advocating yesterday the reduction of war materials will adhere to the end to the opinions expressed by them and vote accordingly, whether or not unanimity be attained.

We might with advantage remember that at last year's sittings of the present session there appeared to be no open opponents of the reduction of armaments. Controversy then was waged chiefly around the question as to whether reduction should be carried out directly, or indirectly by means of the limitation of budgetary expenditure. And the delegates being unable to convince each other, the Commission found no better way out than to renounce all reduction of armaments whatsoever.

It must be frankly admitted that the decision formerly taken, and now being examined by us, amounted to the virtual renunciation of any reduction of war materials, since, as I pointed out last year and as Lord Cecil confirmed yesterday, publicity is no guarantee of the reduction or even limitation of armaments. The reference back of any question to the clause of publicity has become a tradition for our Commission whenever a positive and clear decision cannot be attained. Only a few days ago we had occasion to notice this, when discussing the question of drawing up tables of naval effectives, the opponents of such tables gracefully proposing to substitute for a positive decision a reference back to publicity. Publicity seems to have become a kind of "consolation prize".

At all events I am glad to note that Lord Cecil, too, admits the impossibility of limiting war materials by means of publicity only, and that the speakers preceding me merely carried the argument to the point of discussing which method is preferable: the direct method of reducing armed forces according to definite tables, or the indirect method of curtailing budgetary expenditure. Undoubtedly each of these methods has its advantages and disadvantages, although, if I had to choose between them, I would have no hesitation in giving preference to the direct method. To avoid repeating my own arguments of last year and the arguments brought forward by General de Marinis and Lord Cecil, I will merely supplement them by pointing out that industrially weaker countries, whose interests ought to be specially protected by the Disarmament Conference, would be in a less advantageous position than others in the case of budgetary limitations. It cannot be denied that smaller countries, having no war industries, and being dependent for war materials on other States, would only be able to acquire, for the same money, means of defence which would be, both in quantity and quality, inferior to those of the bigger industrial countries. As it is, owing to the lack in weaker countries of their own industry, they are unable themselves to carry out new experiments and to profit by the results of such experiments as adequately as other countries, even given an equal reduction of budgets. This disadvantage could to a certain extent, although not fully, be removed by a straightforward enumeration of materials of war subject to reduction in all countries, and this is why the Soviet delegation proposes detailed tables of war materials.

For the Soviet delegation, however, the question is not one of choosing between these two methods of reducing war materials, for we take up our stand firmly for the simultaneous acceptance of both methods, and here again I am in agreement with Lord Cecil, that neither method excludes the other. It is precisely because neither of these methods can fully satisfy us and because neither of them admits of adequate control that we ought to adopt them both, so that the advantages of one may compensate for the defects of the other. The Soviet delegation goes farther, maintaining that the fullest control would be obtained by the acceptance of yet another, a third, method—namely, the reduction of trained reserves—but I will abstain from dwelling upon this third method at present. I will merely add that even if armed forces, including reserves, were to be numerically reduced, it would be impossible to avoid reducing war materials and war budgets. How much greater must be the need for the reduction of these two categories, should the Commission insist upon leaving reserves untouched?

To avoid, however, any confusion of the questions now confronting us, I would propose for the present that we concentrate upon the question of the reduction of war materials, as proposed at the first reading of the draft Convention. In this connection, I would remind the Commission that it has before it two proposals—the German and the Soviet—only differing from each other by the more or less detailed nature of the tables contained therein. If my memory does not deceive me, the German delegation at the time agreed to accept the more detailed tables in the Soviet draft. Lord Cecil's objection to the direct method of reduction, on the ground of the difficulties in the way of comparing the various military values of this or that form of armaments, could, to a great extent, be removed by a more detailed enumeration of these forms in tables. Before, however, proceeding to a discussion of these tables, it is essential to arrive at some theoretical decision as to the acceptance or rejection of the direct method of reducing war materials. Should this question be decided in the affirmative, we could then proceed to the consideration of the tables, and possible amendments to the Soviet-German proposal. I should make no objection if, immediately after this, we were to proceed to the consideration of the question of budgetary reduction, although it would seem to me more logical to have this discussion postponed until that of Chapter III, Article DA, which should embrace budgetary reductions for other elements of armament as well as war materials. We might then, in due time, discuss also the question of publicity in its application to war materials, which might then amount to a certain degree of control, but which can never—and I cannot lay too much emphasis upon this—be a substitute for reduction itself or for limitation.

I am well aware that yet another consideration will be brought against our arguments, and one which has unfortunately always acted as a brake upon the activities of the Preparatory

Commission—namely, references to determined objections on the part of this or that delegation to this or that measure of reduction. This consideration has too frequently forced the Commission to follow the line of least resistance and to agree on negative results. If the Commission goes on striving as before for the attainment of unanimity on all points and at all costs, and if unanimity is to be understood as nothing but agreement between a few great Powers, independent of the attitude of the other States, all its activities will, as before, be deemed to sterility.

It must be remembered that the Commission is not deciding anything or imposing any obligations. It is merely preparing material for the coming Disarmament Conference. It seems to me that the work of the Conference will be greatly facilitated and stimulated if it be confronted with a draft Convention containing effective measures for the reduction of armaments, even if some Powers maintain reservations with regard to certain questions. In any case, there can be no question of unanimous acceptance of the draft Convention, as the many declarations already made in this Commission plainly show. What does it matter, then, if some reservations come from States opposing this or that measure for the reduction of armaments? Thus isolated, with their reservations, such States might, under pressure of public opinion, change their attitude by the time the Conference is convened and then unanimity might be reached, not on minimum, but on maximum measures of disarmament. The Preparatory Commission will be performing but poor service to the cause of disarmament and the cause of peace if, instead of this, it aims at screening the Governments making reservations and at protecting them from the criticism of public opinion.

I am speaking here with complete frankness, without any attempt at diplomacy, thinking of nothing but the interests of disarmament, for the Soviet delegation cannot, at this critical moment, speak otherwise with regard to this question which is of such exceeding import for humanity.

I will end by once more expressing the hope that the delegations which have heretofore spoken for the reduction of war materials will persevere to the end and not give in to any compromise at the expense of real disarmament or of the reduction of armaments, and that we shall arrive at a clear and positive decision on this, one of the most serious of the questions before the Commission.

**Dr. Riddell (Canada).** — I wish to congratulate you, Mr. President, and the Commission for re-opening the debate on this fundamental question. The discussion has been not only enlightening but most encouraging and, I feel confident, will prove of great value in reaching a decision. The Canadian Government has always maintained that an essential element in disarmament is the limitation of land war material. It is difficult indeed to conceive of a Convention which would give satisfaction to the peoples of the world, unless it contains provisions for the limitation of implements of war. It is true that, at the last session of the Preparatory Commission, it was decided that the limitation and reduction of material would be sought by means of publicity only; but surely no one imagined, at that time, that the Commission would do nothing more in this respect before the Disarmament Conference was convened.

Fortunately, we have seen during the last eighteen months an evolution in thought and in spirit, with the result that no delegate here has so far pleaded for publicity of expenditure only. On the contrary, it is generally agreed that the Commission must produce something better.

Shall we adopt direct or budgetary limitation? The Canadian Government considers that there is something to be said in favour of each of these methods, but that, of the two, direct limitation would probably be simpler and more satisfactory. Limitation by budgetary expenditure is open to the criticism that complicated conversion tables and indices will have to be prepared in order to adapt the Convention figures to the varying production costs in different countries. Public opinion is not likely to understand or appreciate a system so involved.

The Canadian delegation therefore leans towards the acceptance of direct limitation, as being the clearer and the more practical method. On the other hand, should a majority of the Commission decide that direct limitation is undesirable, and that budgetary limitation is preferable, the Canadian delegation, desirous of adopting a method more effective than mere publicity, will support budgetary limitation.

Possibly a solution will eventually be found in a combination of both direct and indirect methods of limitation.

**M. Westman (Sweden).** — I am also very glad that the Commission has decided to re-open the discussion on the question of land material. That decision was all the more necessary because, a few days ago, the Commission confirmed its decision to eliminate trained reserves from the Convention.

A convention which did not deal satisfactorily either with the question of trained reserves or with that of the material of land armaments would be so incomplete that it would be doubtful whether there would be much object in bringing it into force.

The statement made yesterday by General de Marinis is a further proof of the necessity of reverting to the important question of material. His remarks have introduced a new factor into the discussion, and it was of special interest to those of us who have all along been in favour of the direct method of limitation to hear General de Marinis' authoritative exposition of its merits. General de Marinis laid special stress on the principal defect of the budgetary method—namely, that it disregards the existing stocks of war material and, we might add, stocks which Governments may procure before the entry into force of a Disarmament Convention. I should

like to say that it was this anomaly of the indirect method which led the Swedish delegation to prefer the direct method of limitation, because there is no doubt that the existence of large stocks of war material in certain countries at the time of the entry into force of the Disarmament Convention would disturb the equilibrium from the outset, and this state of affairs would produce its effects for a long time to come.

The strong criticisms which have been made of the direct method have led the Swedish delegation to re-examine this question. Unless I am mistaken, the point which has been most criticised is the difficulty of supervising the application of a Convention which granted to each country a specified quantity of each of the various kinds of war material. I quite admit that this is the weak point of the system of direct limitation.

These criticisms are, to a large extent, justified. No one can deny that, in the case of war material, serious complications might arise in regard to the exercise of effective supervision.

It is hard for me to believe—and I should like to lay special stress on this point—that it would be more difficult to control the larger items, such as tanks, guns, machine-guns, etc., than certain other armaments. Take, for instance, the supervision of personnel, which will eventually be necessary, in virtue of the decision we have just taken in regard to the limitation of personnel by means of the system of “men days”.

One speaker, who is no longer a member of the Commission, summarising the arguments against the direct method, said that, as regards the rationed strength, the number of mess-tins which were daily filled with soup could be counted and easily checked, because the figures could be obtained from the budget, if that valuable form of limitation, the limitation of expenditure, were adopted.

But is it really sufficient to count the number of mess-tins to make sure that military training is not being given, in any particular country, to men in excess of the number of men days fixed by international agreement, or for a longer period than that stipulated? I am afraid that a supervisory commission which was content to count the number of mess-tins would be making its task too easy. Has not experience shown conclusively how difficult it is to ascertain the extent of military training given to the young men of a country? It would not be difficult, before the arrival of a supervisory commission, to remove any surplus recruits from the barracks and to put them into civilian clothes. If the Commission wished to do its work properly it would be well advised not only to count the mess-tins in the barracks, but also the dishes in private houses and the clothes in the cupboards. Do you really think that it would be an easy matter to check the figures in the budgets to which reference has been made? Do you think that a Government which wished to obtain the money necessary for feeding, during a certain period, even in barracks, contingents in excess of the limits laid down in international agreements would find it difficult to do so secretly?

The point which I wish to bring out is this: In my opinion, supervision of the application of the provisions of a disarmament treaty will be very difficult to organise, even in the extreme case of the establishment of a supervisory commission with the right to make investigations on the spot in the various countries if so requested. I do not think, therefore, that it is right for us to attach more importance to supervision in the case of *material* than we did in the case of the limitation of *personnel*. As Lord Cecil has truly said, the basis of any disarmament convention must necessarily be the recognition of loyalty and good faith on the part of the contracting States, and of their intentions to fulfil their international obligations. When we adopted the rule in regard to personnel—a certain number of men and days—we obviously assumed this minimum of loyalty. I do not see why this loyalty should be regarded as non-existent in the case of war material.

Judging by the discussion which has taken place, the opposition of certain delegations to the adoption of the direct system has become weaker, while the opinion of other delegations has not changed. In these circumstances—I will leave out of account for the moment the problem raised by the statement of the United States delegation and its consequences—I am inclined to think that the suggestion made yesterday by General de Marinis is deserving of serious consideration. General de Marinis suggested that the two methods, direct limitation and budgetary limitation, should be combined. Personally, I am quite prepared to examine the possibility of obtaining a result by this means. I should even be prepared to go farther with a view to a compromise, so that nothing may be neglected which might facilitate agreement on this vital point.

A suggestion made in 1927 in this Commission might be taken as a starting-point. Would it not be possible—while accepting the budgetary method—also to limit *directly* at any rate *certain* categories of arms, those which are easiest to supervise and are also the most important from the point of view of their attacking power—namely, tanks and big guns?

I would ask my colleagues to be good enough to give this suggestion their careful consideration. I would recall the fact that, as regards the other important question which we discussed a few days ago, the Commission, ignoring the opinion of a large number of delegations, decided to leave out of account one of the most important military factors—namely, trained reserves. Is it going to proceed in the same way in regard to the important problem now before us—that of material—

and to require of those who are in favour of the direct method submission pure and simple? Is no account to be taken of the opinions of a large part of the Commission?

If our proposals for a compromise are not taken into consideration and if there appears to be no possibility of an agreement, I do not see what would be the use of sacrificing our opinions for the sake of an agreement which cannot be secured.

**M. Rutgers** (Netherlands). — The question before us is not really one of the method of limitation but of the object of that limitation. This point was clearly brought out by General de Marinis in his speech at the outset of our discussion. Are we going to deal with the war material which States have in their possession, or do we merely propose to limit the material which they acquire in the future?

In order to show the difference between these two objects, let us suppose that, in regard to the limitation of naval material, it is suggested that existing fleets should be disregarded, and limitation confined to the number of vessels built after the conclusion of the Treaty.

There would not be the slightest chance of any Government's accepting such a system.

As regards land armaments, it is proposed that existing armaments should be ignored and that future expenditure should alone be limited.

Lord Cecil has referred to the "mechanisation" of armies. There is a great difference between what has been done by different countries in this respect. In some, as the manoeuvres have shown, this mechanisation has been practically completed, while others, for financial or other reasons, are very far behind. Is it reasonable simply to compare and limit the future expenditure of these two groups of countries, leaving out of account the differences which exist to-day?

**M. Sato** has raised an objection, on which he has laid great stress, in regard to the limitation of existing material, and he pointed out how difficult it would be to assign the right scale to each country for the purpose of arriving at a certain degree of disarmament. I agree that it would be very difficult to establish figures, but I do not think that this matter should be dealt with from a theoretical standpoint or that arithmetical calculations will be required. The Conference will have to deal with a political question, with which we are not concerned, and with which the Japanese delegation is probably much better acquainted than the Netherlands delegation, since Japan has already had some experience in the matter.

In addition to the question of the limitation of existing armaments or of future armaments alone, there is the question of method; for the limitation of existing material the direct method is necessary, whereas, for the limitation of armaments acquired after the conclusion of the Convention, the indirect method—that is to say, the method of budgetary limitation—is preferable.

The Netherlands delegation considers that this latter method is open to very grave objections. The purpose of this method is not to limit the actual armaments, but only the budgetary "symptoms" of those armaments, and I think I am right in saying that all speakers have agreed that direct limitation of the actual material is the most logical and thorough method.

The difficulty of supervision has been pointed out. This difficulty is constantly met with, and in this respect I approve the suggestions made by the honourable delegate for Sweden, to the effect that if, owing to the difficulty of supervision, the obstacles in the way of the limitation of material in general appear to be insurmountable, we might examine, for instance, the question of the limitation of tanks and big guns, which are less difficult to supervise.

As regards budgetary limitation, **M. Sato**, **Dr. Riddell** and others have already raised numerous objections. Moreover, in the event of budgetary limitation, what figures are we going to insert in the tables? Are they to be fixed on a gold basis or in the currency of each country?

This is a serious question and shows the difficulties that would arise in the case of a monetary crisis in one or more countries. As regards expenditure on material, the Netherlands delegation is of opinion that the method of publicity is preferable to that of budgetary limitation. The latter consists in the insertion of a figure in a table; according to the duration of the Convention, the significance of this figure may vary from year to year, whereas the publication of expenditure makes it possible to follow the policy of a country during the period of the Convention, by taking into account the circumstances which affect the figures and, in particular, monetary circumstances.

I will not go further into the question of publicity; we will return to this matter later. I should merely like to point out that it is possible not only to have publicity in regard to annual expenditure but also—and we have a proposal before us on the matter—to have annual publicity in regard to existing armaments.

We will return to this question of publicity later. In the meantime, I should like to inform you of a conclusion at which I have arrived in regard to limitation.

After studying the questions of the limitation of material in service and in stock, and of budgetary limitation, we have reached the conclusion that the former method is preferable. I agree with **M. Sato** and other speakers on this point.

**Mr. Gibson's** suggestion that both these methods should be inserted as alternatives in the Convention, and that Governments should express their opinions on them at the Disarmament Conference, should be given careful consideration. If this suggestion be formulated in a proposal, the Netherlands delegation will examine it with the utmost sympathy, in the desire to arrive at a solution satisfactory to all the members of the Conference.

**M. Colban** (Norway). — As this is the first time my Government has been represented on your Commission, I think it my duty to explain as briefly as possible the attitude of my delegation to the various questions submitted for general discussion this morning.

The President has told us that the discussion covers not only Article TA (Limitation of Land Armaments), but also the principle of the limitation of budgetary expenditure as a whole, and, finally, the problem of publicity.

I need not tell you that any genuine and sincere system of publicity will be accepted by the Norwegian Government, both as regards budgets and existing material.

As regards Article DA (Limitation of Total Budgetary Expenditure), in principle, I am entirely in favour of the French proposal inserted in this article. We will deal with the details later.

The discussion yesterday and to-day has turned chiefly on Article TA (Limitation of Land Armaments). There are two currents of opinion, one in favour of direct limitation and the other of indirect limitation by the limitation of budgets. My delegation considers that this latter method would probably give the best results, but we should not object to a combination of the two systems if this should prove acceptable to many delegations.

Nevertheless, we believe that budgetary limitation will be the best way of controlling the stocks of war material in years to come. The full results of this method will not be visible on the first day after the Convention comes into force. It is only as you examine successive budgets that you will see, after a few years, what is happening, and you will thus gain a sense of security because you will know exactly what is going on.

It may be argued that the figures inserted in the first Convention will probably be very high. That is possible. But I think that the deplorable financial situation of the majority of countries will exert sufficient pressure at the Conference to prevent the insertion of excessively high figures. If countries are protected from the risk of a further catastrophe, their position will improve, and figures which at first appeared somewhat high will subsequently represent a real restriction.

In favouring budgetary limitation, I am not excluding direct limitation, if it is found possible to graft this method on to budgetary limitation.

I would add that, as regards the observations made by the representative of the United States of America as to the inability of his country to accept budgetary limitation, I do not see why, if the great majority of the Commission are in favour of budgetary limitation with full publicity, the United States should not adopt a system of direct limitation with full publicity. I do not think it is possible in the League of Nations to establish absolutely identical and uniform rules for all Governments. The special circumstances of each country must be taken into account.

We are now at a turning-point of the discussion. Eighteen months ago you agreed that it was essential to limit war material, but you reached the conclusion that this could not be done. It is certainly possible to limit this material if you agree. After the speeches to which I have listened yesterday and to-day, it seems to me that the general opinion of the Commission is in favour of budgetary limitation.

**M. Bourquin (Belgium).** — My task has been very much simplified by the excellent speech which we heard yesterday from Lord Cecil. I agree with everything he said—not only with his conclusions, but also with the arguments on which they were based. The Belgian delegation's attitude to all these matters is very simple. We desire, as far as possible, to leave defensive forces intact and to restrict offensive forces. I am aware that the distinction between the two is sometimes very subtle and is not always easy to draw; but that is our attitude, and that is why we have given very strong support to the principle of the limitation of the period of service. For the same reason we are firmly convinced of the necessity of limiting land armaments.

I think I am right in saying that, as regards material, the Commission is no longer going to confine itself to the system of publicity alone. We are strongly in favour of publicity; we are anxious that it should be as complete as possible, and will support any measures with that end. But, although publicity is a good thing, it is inadequate by itself and must be supplemented by limitation.

Two ways of limitation have been suggested: direct limitation and budgetary limitation. We are not, and have never been, opposed in principle to direct limitation. Our objection to this system is not based on selfish reasons, because direct limitation would not be more disadvantageous to Belgium than to any other country; it would have no greater drawbacks for us than for others. Consequently, our attitude is not dictated by personal or particularist reasons. We regard this matter, I will not say from an objective, but from an entirely disinterested standpoint.

At the 1927 session, M. de Brouckère said that, if it could be shown that direct limitation was a good method, we were open to conviction. I should like to endorse those words, although I would add that we are still waiting to be convinced. I still consider, possibly more strongly than ever, that, of the two methods proposed, budgetary limitation is the better one.

I quite agree that it is not perfect. We have not yet come upon the perfect method. All systems have their advantages and disadvantages and we must see which is the most advantageous.

I do not wish to repeat all the arguments which have been advanced in favour of budgetary limitation and against direct limitation. I should, however, like to reply to an argument submitted by M. Rutgers. I have the impression that our colleague meant—and I think he told us so—that it is not a question of the method but of the object of limitation; you must know what you are going to limit. In the case of budgetary limitation, you will only limit future material—new material—because it is new material which involves the expenditure which you desire to limit.

May I say that I do not think that is quite a correct statement, because existing material must be kept in repair, and upkeep costs money? Consequently, budgetary limitation does not merely cover new material but also the upkeep of existing material. It is true that everything is not covered and that there are gaps and omissions. But I do not think that direct limitation covers all material either; it can only cover a part.

This question gives rise to many difficulties. What are you going to limit? Only material in service or, as proposed by the German delegation, material in stock as well? If material in stock is to be covered, it seems to me that this would be contrary to a decision which was taken at the second reading in regard to air material, when it was decided that we could not limit material in stock. Moreover, if this is to be limited, how are you going to deal with spare parts? If a gun is dismantled into two or three pieces, it is no longer a gun—these are merely spare parts. How are you going to cover spare parts by direct limitation? I think that is impossible. If material in stock is to be included, why should you not include material which can be requisitioned as soon as war breaks out and which can be ready for use during the first clash of arms which we all desire to prevent?

If you want to reach the material which can be requisitioned you would have to look into the problem of private manufacture. I am quite prepared to do this; but, as you know, this problem is already being dealt with by the League, and a solution is still very far off.

Lastly, in this same connection, I should like to draw your attention to a point which I consider of great importance.

On examining the table submitted by the German delegation, I find that it contains seven categories of material to which limitation would extend and that one of those categories refers to tanks. Supposing that, instead of drawing up this Convention in 1930, we had drawn it up in 1913. At that time tanks would not have been included in the Convention, because they were not invented until later. We are now going to draw up a draft Convention which will determine the categories of material to be directly limited. We know what those categories are, but how are we to know that during the period our Convention is in force someone will not invent new implements which may be very powerful and highly destructive and may thus be of great importance from the point of view of war material, but which will escape direct limitation because we can only tabulate the implements with which we are familiar?

Consequently, we must not conclude that direct limitation will cover all material and that budgetary limitation would be much less effective. With budgetary limitation, the new inventions to which I have referred can be covered, whereas with direct limitation this is impossible.

Although I do not wish to repeat all the arguments in favour of budgetary limitation, I should like to insist on the importance of the question of supervision. In comparing the two systems of direct limitation and budgetary limitation, there is one very important point to be considered—namely, the facility of supervision.

It has been said that supervision is of secondary importance because we must trust in each other's good faith. I quite agree. Our Anglo-Saxon friends lay special stress on this point, and I think they are right in saying that, without good faith, no international convention and no international policy are possible. But we must remember that public opinion in the various countries is extremely emotional and passionate, and a Press campaign at a given moment is sufficient to alarm a nation and to incite public opinion to accuse another country of departing from its obligations.

I need not tell you that these emotional outbursts on the part of public opinion may be very dangerous to friendly international relations. How are you going to allay these fears and to prove that the accusation is unfounded if there are no means of supervision? Supervision is necessary to prevent these dangerous outbreaks and reveal the true state of affairs.

Since supervision is essential for this reason, the system of direct limitation would thus have to be supplemented by a supervision which might have serious consequences. Very close supervision would be necessary and it would have to be carried out on the spot. At the present time there are a large number of States which would never agree to this. It may be possible at some future time, but in drawing up the Convention we must take into account the existing state of affairs.

The system of budgetary limitation, on the other hand, has the immense advantage of simplicity as regards supervision. Take, for example, the question of a tax. There are taxes which at first sight appear to be very sound and just, but which have to be abandoned because their application would involve inquisitorial methods of enquiry irksome to the taxpayer. On



the other hand, there are taxes which at first sight appear to be less satisfactory and less just but which have the immense practical advantage of being easy to collect without any annoyance to the taxpayer.

Our position is very similar. We have two methods, one of which can easily be supervised while the other cannot. In my view, this is an additional argument in favour of budgetary limitation.

In conclusion, I should like to refer to something which happened at yesterday's meeting. We have come to expect from Mr. Gibson statements which clear the atmosphere, and whenever he rises to speak I always wonder what good news he is going to give us. Yesterday he gave us another piece of good news. As regards budgetary limitation, one of the chief obstacles hitherto apart from certain general arguments, has been the opposition of the United States. Yesterday Mr. Gibson told us that, while the convictions of his delegation were in no wise modified, they were unwilling to let this constitute an obstacle to general agreement, and he made a proposal which I should like to have time to consider more carefully, but which appears to offer a possible solution and a way out of the difficulty. I need hardly say that this gives me great satisfaction.

**Dr. Markovitch (Yugoslavia).** — After the very clear and logical statement which the Belgian delegate has just given us, it is hardly necessary for me to say anything, because I fully agree with all the arguments which he has advanced and which produced an impression even on delegations which defended the opposite view.

It is now my duty to define the attitude of the Yugoslav delegation. I need only say that this has not changed. We are still in favour of the limitation of war material, and consider that the French proposal is the best and most acceptable for the purpose.

I have carefully followed the discussion in regard to direct limitation yesterday and this morning, and have noticed that speakers who supported this method preferred to quote general arguments in favour of the limitation of material. We do not wish to dispute those arguments, with which we also agree, although we prefer the other method—indirect limitation by means of budgets. I have not heard one new argument in favour of direct limitation. The honourable delegate for Italy referred to certain increases in war material during the last eighteen months; but such an increase, if it has really taken place, would not have been, and would not be, possible with a system of budgetary limitation of military credits.

General de Marinis' apprehensions will be completely eliminated if we succeed in limiting military credits by limiting budgetary expenditure.

In conclusion, I would emphasise the fact that budgetary limitation represents a genuine limitation of material and is not merely a symptom, as M. Rutgers said, because it restricts the possibilities of procuring war material.

I should also like to say that I feel certain misgivings with regard to the suggestion to combine the two methods. If I may say so, this seems to me a somewhat strange proceeding. I am not in favour of such complicated methods, and think that a system of disarmament, based on the limitation of effectives, the limitation of the period of military service and the limitation of budgetary expenditure, would allow of a genuine reduction of armaments if it were put into practice by the forthcoming Disarmament Conference.

**M. Massigli (France).** — After this lengthy discussion, it is unnecessary for me to say that we are debating an essential question.

The French delegation, which, in 1927, asked for budgetary limitation and reluctantly agreed last year to another solution, still maintains its former point of view. I would add, however, that, while this is an essential question, it is not the only essential question, and I cannot agree with the view which has been expressed here that, if we cannot obtain a positive result in this matter, our work will have been fruitless. If so, why did we have a long discussion a few days ago on the question of effectives? I do not think any military authority would maintain that material is everything in war-time.

I should like to be allowed to make a short digression here. Reference has been made on several occasions—I believe by Lord Cecil—to the opinion on these questions of a military authority whose views have frequently been quoted. I think it is desirable, for the purposes of our discussion, to state that the opinion of this military authority has not always been summarised very correctly. When the expert in question speaks of small armies having ample equipment, he is referring to small, well-equipped professional armies which are intended to strike the first blow in an offensive war. But afterwards—and this is an essential part of his system—the main forces, consisting of young men who are to be given intensive military training and for whom equipment will be obtained thanks to a carefully prepared industrial mobilisation, are to be brought into action.

I would add that the military authority in question states that, in the present position of the world and of our technical knowledge, the accumulation of large stocks of material is an anti-economic measure, while even its military value is doubtful. This is the end of my digression and I will now return to the point at issue.

I hope it will not be thought that I am lacking in respect or consideration for previous speakers if I say that no new arguments have been put forward during this discussion. That was only to be expected. Nevertheless, new facts have been brought to our notice, and one aspect of this technical question, which we, as a semi-technical organ, are bound to discuss in order that we may submit a report and technical proposals to our Governments, is that, as a result of political considerations outside the scope of our work, the significance of certain arguments has changed. This is an interesting point. We shall take note of it and we shall even welcome the change, in so far as we have thus obtained further converts to the idea which has encountered so much opposition—the idea of supervision.

I will confine myself to the technical aspect of the question and will endeavour to be very brief. In regard to direct limitation, I think that everything has been said, and M. Bourquin, following other speakers, has given us a masterly summary of the question. It is clear that, without effective control, the method of direct limitation would not afford the necessary guarantees, or at least—and I should like to stress this point because it is important—the method of direct limitation, without effective supervision, is of no value except in the case of countries where questions of national defence are fully discussed, where there is a large measure of parliamentary control, where—as I am using the plural I shall not be offending anyone—indiscretion, if I may say so, is the rule, and where, finally, it is not regarded as high treason to reveal the breach of an international convention by one's own country. Moreover, the experiment has been tried and it has been found that direct limitation does not permit of any accurate estimate being formed of a country's military position.

Another argument in favour of the system of direct limitation has been put forward by the German delegate—namely, that symmetry should be established between the clauses of the Peace Treaty and the provisions of the future Convention. We shall have to go into this question before the close of the Commission's work, but for the moment I merely desire to say that I cannot accept this argument.

There remains the question of indirect limitation. My friend Mr. Gibson was, I think, rather too severe yesterday in his criticism of this method when he said that it was easier to conceal the application of a dollar than the existence of a rifle. This may be true in the case of a dollar, but I doubt whether the argument holds good when it is a question of thousands of dollars. In any case, if you do not know how the thousands of dollars have been employed, you know that they have been spent, and that is a very important point.

I agree that the method of budgetary limitation is not perfect and that it needs to be improved. M. Sato, in particular, has already drawn the attention of our Commission to various points. I should also like to deal with certain aspects of the question.

Lord Cecil said yesterday, and other speakers repeated, that the method of indirect limitation is of no value as a basis of comparison. Its sole object is to ensure that, during the term of the Convention, the military preparations of a country are maintained at the authorised level. This is an important and even essential result. However, if this method is to be of value, it must be employed in a manner satisfactory to all the States which sign the Convention. I am obliged to say that, in this respect, the preparatory studies are inadequate.

The question of the limitation of expenditure was dealt with by a Committee of Budgetary Experts, but those experts considered the matter chiefly from the point of view of publicity and not from the point of view of limitation. Although they touched on this latter question, they did not go into it very fully. This must, however, be done if two essential results are to be obtained. On the one hand, the method must be as watertight as possible, and all expenditure on material—and this also applies to budgetary limitation in general—must be included in the limitation. Consequently, it must also comprise expenditure incurred outside the budget. In countries where there is very strict control of budgetary expenditure, the danger from that source is not very great, because any expenditure outside the budget is automatically inserted in the budget for the following year, so that the exact situation is eventually known. But this may not be the case in other countries, and precautions and precise indications are therefore necessary. Then it is essential to provide, as far as possible, for all forms of indirect subsidies—for instance, if countries agree to limit their expenditure on material they must not be allowed to organise "spontaneous" subscriptions in their territory for the purpose of providing the army with some special material. That is an important point which needs to be studied.

Some degree of elasticity is also indispensable. M. Sato has already drawn our attention to the fluctuations in the purchasing power of currencies. That is another point which should be examined. A further point which has not yet been mentioned and which is, I think, of some importance is this: the French proposal provided for the possibility of carrying over credits from one year to the next. On the other hand, the British proposal does not mention this possibility, and I think I know the reason. Lord Cecil will correct me if I am wrong. The British delegation fears, for instance, that a country which is on the point of making a discovery capable of bringing about a complete transformation of military technique might save a certain proportion of its authorised credits for one, two, or even three years, and then, when the discovery had been perfected, it would suddenly construct new material, which in many cases would upset the equilibrium of the forces.

This argument is not without weight, but there is a contrary argument which must be taken into consideration. It is quite possible that, as a result of economic calamities or a temporary financial crisis, a country might not be in a position in a given year to expend the whole of the credits authorised for military expenditure; it is only right that this country should be allowed

to employ these credits during the following year. We shall have to find some solution midway between these two extreme cases, and the experts should be asked for their opinion on this point.

M. Westman has proposed that the two systems of limitation should be combined. I very much doubt the possibility of this combination, in the first place, because a given material might be limited and this material, a year or two later, might no longer be essential. Moreover, the result of this combined method might be felt chiefly in countries in which natural means of control—control by public opinion—are most effective. In such a case we should be combining the disadvantages of both systems.

This leads me to conclude that the indirect method is the only one possible at the present time, and that this is the only principle which is acceptable. I quite agree that it needs to be improved and that the methods of application require further study. I should like the Commission to decide that this examination will be carried out not by it or for it, but by budgetary experts, who will be asked to submit their report to the Governments in order to provide the latter with further data. Until the Governments have pronounced on the matter—that is to say, until the Conference assembles—they have the right to change their minds.

My proposal possibly has another advantage, in that it may make it easier for certain delegations to withdraw from their present *non possumus* attitude with regard to the indirect method. Our friend Mr. Gibson, whose conciliatory spirit is worthy of the highest praise, has suggested a new way out of the difficulty. He proposes that it should be possible for certain countries to assume different obligations from those undertaken by the majority of the States which sign the Convention. I do not wish to exclude this solution *a priori*, but I rather fear that it would give rise to serious difficulties; and, moreover, several delegates, including, I think, M. Sato, would possibly find it difficult to accept this proposal. But if, as I suggest, we content ourselves to-day with adopting a principle, in regard to which abstention is possible, and if we decide that, before the Conference is held, a report shall be drawn up by experts for the purpose of submitting further data to Governments, there would still be some chance of weakening the resistance. I know our colleague's gift of persuasion. Could he not endeavour to convince those who are still incredulous? That, in any case, is my earnest hope.

**The President.** — This very valuable discussion cannot be closed to-day. There are still four names on the list of speakers. I therefore propose to adjourn the meeting.

*The Commission rose at 1.10 p.m.*

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## SEVENTH MEETING

*Held on Thursday, November 13th, 1930, at 10 a.m.*

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*Chairman:* M. LOUDON (Netherlands).

23. **Discussion on Chapter II. — Material: Section I—Land Armaments (continuation).**  
**Draft Resolution submitted by the British Delegation; Draft Resolution submitted by the French Delegation (Enquiry by a Committee of Budgetary Experts).**

**The President.** — This morning we will continue the very important discussion on the limitation of the material of land armaments.

If I might briefly sum up yesterday's discussion, I would say that five methods of solving the problem were clearly suggested:

First, publicity alone, then direct limitation alone; a choice between direct limitation and indirect budgetary limitation, a combination of the two foregoing methods of limitation, and, finally, budgetary limitation alone.

Concerning the last-named method, M. Massigli proposed that the principle of budgetary limitation should be adopted and that the consideration of details should be referred to a Committee of Experts. According to M. Massigli, this investigation would take place during the interval between the meeting of this Commission and that of the general Conference. I understand that this Committee of Experts would send a report to the Governments through the Secretary-General.

**Lord Cecil (British Empire).** — With one or two other members of the delegations, notably the French and that of the United States of America, we have been considering how we would in a resolution sum up what you have been good enough to say, and this is the resolution I propose to move at the end of the general debate:

“ The Commission

“ 1. Approves the principle that there should be the fullest possible interchange of information respecting armaments between the parties to the proposed Convention;

" 2. Records the unanimous desire of the members of the Commission to find some method which will provide for the limitation of war material in a more precise manner than can be achieved by publicity alone;

" 3. Recognises that the majority of the Commission are of opinion that, as to land war material, the most practical method of securing this more precise limitation is by budgetary limitation, that other members of the Commission are of opinion that the most practical method is by direct limitation, by specific enumeration, and that a certain number would desire to see some combination of the two methods."

That is the resolution, and we should have to see how we could transmit this into the body of the Convention.

This text has been sent in to the Secretariat for translation and distribution so that you may all have it before you. Paragraph 3 states that certain delegates were of opinion, in regard to land armament material, that direct limitation was the best, others preferred budgetary limitation and yet others a combination of the two methods.

It is a resumé of the three opinions expressed.

**M. Massigli (France).** — With reference to the proposal I outlined yesterday, I should like to read a draft resolution which would supplement that which Lord Cecil has just proposed. This resolution, too, will be placed before the Commission in due course. It is as follows:

" 1. With a view to limiting Land War Material by limiting expenditure on its purchase, manufacture, and upkeep, the Preparatory Commission requests its President to instruct the Committee of Budgetary Experts to enquire into the means by which such limitation could be carried out, paying special attention to:

" (a) The necessity of limiting all the expenditure in question.

" (b) The variety of ways in which budgets are presented and discussed in different countries,

" (c) The adjustment of the proposed method of limitation to possible fluctuations in the purchasing power of different countries.

" (d) The conditions in which credits for one financial year might be carried over to the following year or years.

" 2. In order that the Governments may be able, before the Conference meets, to come to a decision on this point, the Expert's report should be transmitted to them in good time by the Secretary-General of the League of Nations.

" 3. The Committee of Experts should be asked to make a similar enquiry in connection with the limitation of the aggregate annual expenditure of every country on its land, naval and air Forces, and to make a report which will also be transmitted to Governments."

**General de Marinis (Italy).** — I assume that M. Massigli's resolution will be circulated.

**Count Bernstorff (Germany).** — I intended to speak later, and I desire now merely to raise a preliminary question. The resolution proposed assumes that there is a majority in one sense and a minority in another. I think we should first ascertain whether that is really the case and, accordingly, I should like a vote to be taken by roll-call so that we may know what Governments are on one side and what Governments are on the other. In this way, we shall discover what the Commission thinks about direct limitation, which goes much further than the other systems. For that reason, the vote on direct limitation should come first—before the vote on any resolutions.

**The President.** — We are now continuing the general discussion. Naturally, a vote will be taken after this discussion.

**Lord Cecil (British Empire).** — May I suggest that it will be very convenient to the members of the Commission if Count Bernstorff will kindly do as I have tried to do, put down definitely in writing what resolution he desires to see adopted?

I do object to these general consultations of the Committee, when nobody knows exactly what they are voting about, and I suggest, therefore, that Count Bernstorff should put down in writing what he wishes to obtain the views of the Commission upon. I have no objection to that being done now or at any other time.

**Count Bernstorff (Germany).** — I agree.

**The President.** — We will therefore continue the general discussion.

**Munir Bey (Turkey).** — On the important question of the limitation of war material the Turkish delegation continues to hold the views that it has stated from the outset in the Preparatory Commission.

The discussion which has gone on for three days has brought out all the points of the problem. There is no need to refer again to the arguments advanced in favour of each of the systems proposed. I shall therefore confine myself to stating that, realising the need for including the limitation of war material in any plan for the reduction of armaments, the Turkish delegation could support

any one of the three systems so far suggested—the direct system, the indirect system or the combined system.

I must, however, add at once that this general approval is subject to the condition that large exceptions should be made in favour of non-industrial countries. This adjustment is necessary because, if it be not made, the idea of the reduction and limitation of armaments would meet with insurmountable obstacles. Similarly, in the case of indirect limitation, specially favourable treatment must be reserved for countries whose budgets fall below a figure to be settled by the Conference. Should circumstances arise in consequence of which, according to the provisions of the Convention, the engagements undertaken would be suspended, that would be the only way to avoid placing such countries in an unfavourable position in comparison with industrial countries or countries with large budgetary resources.

I would make an urgent appeal to all my colleagues and ask them to be good enough to consider the serious consequences that would follow from any system of limitation for which the necessary correctives were not, at the same time, set out in our draft Convention.

In conclusion, I desire to put forward a suggestion concerning the statement made by the representative of the United States of America two days ago. I gladly associate myself with previous speakers who welcomed the American proposal. This proposal, although made only on behalf of the United States of America, makes it possible for this Commission to contemplate another solution of the problem, by which the draft Convention would contain a provision to the effect that the Contracting Parties would be entitled, as suited them best, to adopt either of the two equivalent systems of limitation. This procedure might perhaps facilitate agreement on the question of war material.

**M. Cobián (Spain).** — Gentlemen, I desire to reply to M. Fierlinger's appeal that we should all give our opinion on the important problem of the limitation of war material.

When he spoke, there was no written proposal before us on which we might clearly express our views. To-day, however, several proposals have already been outlined, and we have to decide, and probably to vote, on these proposals.

As to my delegation's opinion on the problem that the Commission has discussed for the last three days, I must remind you that, at the meeting on May 3rd, 1929, I had the honour to acquaint the Commission with my personal standpoint, and with the special position of my country concerning this question. I shall not repeat to-day what I said then, but I note with great satisfaction that, in their speeches yesterday, M. Litvinoff, M. Rutgers and Dr. Riddell showed that I was fully justified in the remarks I made in 1929 from the standpoint of my own country concerning limitation by budgetary means.

I do not know whether, by the method suggested by M. Massigli, it would be possible to arrive at a formula which, whilst adopting the principle of limitation by budgetary means, would avoid, in the case of my own country, the disadvantages to which I have just referred. In any case, we might find full satisfaction in the American delegate's happy and ingenious proposal.

Though, for the special reasons to which I have just referred, Spain cannot accept for herself limitation by budgetary means, although she might admit it in the case of other countries, she would, in return, be prepared to adopt for herself the principle of direct limitation of material in service.

I emphasise the fact that this concerns only material in service, for Spain could not admit limitation of material in stock. We think, indeed, that such a limitation of material in stock would constitute a premium for countries with highly developed military industries, of which Spain is not one. Spain could not agree to any limitation of material in stock. On the other hand, as regards material in service, she is quite prepared to adopt the principle of direct limitation for herself, without wishing to impose it on other countries.

In this problem of the reduction of armaments we consider that the principle of supervision is an essential premise. We think that nothing can be done without supervision. I quite understand certain apprehensions regarding supervision which have long been expressed. I agree that, when we are contemplating binding ourselves by a convention or a contract, we must have full confidence in all the parties. But, though that is true in every field—even the international field—I think that when national defence and national security are at stake, we should reflect more than once before showing undue confidence which will bind us for the future, and which may amount to a crime against our own country.

I must also say that, though we are all agreed on the need for publicity regarding armaments and material, and even regarding military credits, we are also agreed that the solution we adopted at our last session does not of itself imply any limitation, and that this limitation can be obtained only by methods other than the two methods contemplated. The objections that have been raised against these two methods show that neither is perfect, that both are attended with serious disadvantages. That is why the Commission is divided.

I also recognise the force of the arguments M. Sato advanced at yesterday's meeting when opposing the Hon. Hugh Gibson's proposal, with which I have just expressed my entire agreement.

A simple formula is always preferable but, when the problems to be solved are themselves complicated, it is somewhat difficult to find a simple formula which gives entire satisfaction. Accordingly, I venture to appeal to M. Sato's good will and spirit of conciliation and ask him not to persist in his opposition, particularly as his country will suffer no disadvantage. The United States, Spain, Turkey or any other State may accept direct limitation, but they do not impose it on others. If, therefore, as M. Sato said yesterday, Japan is prepared to accept limitation

by budgetary means, we are quite ready to agree to her doing so. It can be no disadvantage for Japan to allow other countries to adopt still stricter methods of limitation.

**M. Politis (Greece).** — Gentlemen, my remarks will be very brief. I desire to state that, in the interest of my own country, the Greek delegation prefers limitation by budgetary means. In this connection, I fully agree with the arguments so clearly advanced yesterday by M. Bourquin. Nevertheless, if the alternative system proposed by Mr. Gibson were shown to be practicable, the Greek delegation would not oppose that system. I desire, however, to note one point that was raised in the 1929 discussions and to which no reference has been made on this occasion. It is that when limitation by budgetary means is discussed account must be taken, as in the case of effectives, of the special circumstances of each country.

In determining the budgetary limit for any State, regard must certainly be paid to that State's special circumstances, its economic conditions, its standard of living, its labour costs and, above all, the condition of its material at the time the Convention is signed. Obviously, if the material at a country's disposal at that time were worn out or defective and if, consequently, the country were in a position of manifest inferiority as compared with other signatories, that is a fact which would have to be taken into consideration in fixing the budgetary limit to be observed by that country.

**Count Bernstorff (Germany).** — I did not speak yesterday because—as I said at the beginning of our work—I desire above everything that we should soon reach the end of our discussions, so that the Conference may meet. I know of no better way to shorten discussions than to refrain from speaking oneself.

I had also another reason for not speaking. It is not my country which must disarm but others. Accordingly I have hitherto confined myself to listening to what speakers had to say regarding the means and methods to be employed for the purpose of disarming when the time comes.

I must say, to my great regret, that I have been greatly disappointed at what I have heard.

I do not wish to re-state arguments that have already been developed, for I do not think arguments become more convincing when they are repeated.

I was particularly struck by the fact that almost all the arguments have been technical. I must say that, personally, I regard this question from the moral standpoint, the historical standpoint and the political standpoint. I am not at all impressed by the technical point of view, for the thing has been done, and what has been done once can be done again.

I have heard only one argument that is more or less political in character. It was said that, when the European situation improves, we shall be able to make a better Convention. The unfortunate fact is, that if the Convention is bad, the European situation will not improve. That situation will grow better only if we make a good Convention. A bad Convention can never improve the situation. The unfortunate situation of Europe at present is, indeed, largely the result of inequality in armaments.

I regard this question from the moral standpoint because, in my opinion, Governments have on this subject entered into a solemn undertaking in the eyes of the nations of the world. The nations will not be satisfied if the Convention framed is such that not a single tank and not a single big gun will be destroyed. No one would be able to understand such a result.

In a large city, it is sometimes necessary to disarm the civilian population. Suppose an individual who is asked to give up his pistol, instead of doing so, puts it in his pocket and promises that the next pistol he buys will be a cheaper one. That is just the position in which we shall find ourselves if we keep all the material in stock and merely promise to buy other less expensive weapons in future.

I have not been convinced by the objections raised, and I remain persuaded that there is only one way to disarm—direct limitation.

**M. Massigli** spoke of symmetry. I wish to say merely that during the five years I have been here I have always said that, in my opinion, the levelling of armaments was the essential aim to be pursued in the matter of disarmament. Without such levelling, disarmament has no real value for us.

In accordance with the desire expressed by Lord Cecil, we are ourselves preparing a proposal which we shall submit to the Commission.

As regards M. Massigli's proposal, I see no objection to the experts studying this budgetary question once more, but on one condition which we regard as a *sine qua non*, namely, that the Conference shall not be postponed on account of this work, that in no case shall there be a further session of the Preparatory Commission, that in no case shall the experts' report be submitted to the Preparatory Commission, and that in no case—I repeat—shall the Conference be postponed because of this work. To my mind, the essential thing—and I venture to stress this point—is that the Conference should be called as soon as possible, so that we may be clear as to whether the Powers intend to disarm or not to disarm.

**The President.** — I think I may assure Count Bernstorff that there are no grounds for uneasiness. I might almost say that we have sworn that this session shall be the last. I would, moreover, remind him of paragraph 4 of the Assembly Resolution: "The Assembly accordingly expresses the conviction that . . . the Preparatory Commission will be able to finish . . ."

**Colonel Ali Khan Riazi (Persia).** — For three days we have been following a very interesting discussion directed towards finding a practical solution for the problem of land disarmament—by the direct method through limiting war material, or by the indirect method through limiting budgetary expenditure, or by other mixed methods.

Our delegation might have supported the direct method if certain Powers had not expressed doubts as to the possibility of ensuring effective supervision. Without such supervision this direct method would have no real value except through reliance on the good faith of all the contracting parties.

Unhappily for our time, though good faith exists everywhere, faith in good faith is lacking. This increases suspicion in certain nations and the fear of isolation in others, and thus retards the solution of the problem of security. If this were not the case, the Pact of Paris, by outlawing war, might have led to a much greater measure of disarmament.

If supervision is not possible, then, like many other delegations, we think that the only practical method will be limitation by budgetary means. Nevertheless, as M. Politis rightly stated, public opinion throughout the world would think it advisable and necessary that this budgetary limitation should be supplemented by a thorough investigation of the war potential of different countries, showing clearly the means at the disposal of each country at the time the Convention is signed.

**General Kasprzycki (Poland).** — After yesterday's long discussion on the limitation of material, I shall make only a short statement.

The Polish delegation does not approve of the direct method of limiting material since a majority of the members of the Commission would not support the system of supervision which is essential for that limitation. We accept the principle of indirect limitation through limitation of expenditure on armaments.

I must also refer to certain statements or suggestions made during the discussion yesterday and on previous days.

I agree with the opinion expressed by several delegations, amongst them the Roumanian delegation, to the effect that both methods entail the disadvantage that, by comparison with other countries, they put into an unfavourable position those countries which do not produce war material or do so only to a slight extent, and also those countries which have not inherited or maintained equipment for national defence or which are still engaged in organising themselves for that purpose.

That is a situation which cannot be overlooked and for which the Disarmament Conference will have to find an equitable solution, perhaps in connection with figures and with the political conditions of security.

I come now to the suggestion made yesterday by M. Massigli. I agree with him that the wording proposed in the Draft Convention is incomplete. Events have shown it to be so. It leaves outside the scope of limitation many important factors connected with the problem of war material, the constitution of stocks and, in general, expenditure on war preparations. The limitation of expenditure, like any other limitation, must admit of supervision. Now, as was pointed out yesterday, there are certain circumstances under which normal supervision by parliamentary means or by public opinion at home cannot be exercised in the same way in all countries. A solution must be found.

Whilst recognising the need for limitation of expenditure, the Polish delegation therefore thinks that this grave problem calls for special supplementary work of a technical and legal nature. We may wonder whether, under these circumstances, an Article in the Convention will be sufficient and whether it is indeed possible to refer the whole problem to the Disarmament Conference in this state.

Accordingly, I agree with the head of the French delegation that it would be advisable to ask the experts to facilitate the task before the Disarmament Conference by submitting to it the suggestions and opinions of specialists. I reserve the right to take a decision, on the texts submitted this morning, when I have had an opportunity to study them, which has not yet been the case.

To remove all doubts, I, too, desire to state that this work must in no way postpone the meeting of the Disarmament Conference. As was quite clearly stated yesterday, it must be done outside the Preparatory Commission.

Finally, there is one point to which reference has been made in this discussion. The political aspect of the problem has been emphasised. We may already anticipate that the Commission will, on the present occasion, decide in favour of the limitation of material—the first stage, closely connected with security, having been considered last year in the form of publicity concerning expenditure. The new decision we are about to take will add greatly to our disarmament obligations. Nevertheless, we are fully prepared to accept it, in spite of the undeniable fact that there is a political crisis at the present time. It has been said that the eighteen months which have elapsed since the previous meeting have brought changes—but in what sense? I put myself that question. Has the tendency to peace been really consolidated? Has the feeling of security been strengthened? No. From day to day suspicions have revealed themselves. People talk of war and the best means of waging war. They talk of it even more than before 1914.

In the light of these facts, can we agree that we are making great strides towards peace?

I merely emphasise the threatening contradiction that exists between, on the one hand, the Polish resolution adopted first by the Assembly at Geneva and later by the whole world in the form of the Pact for the renunciation of war, and, on the other hand, the spirit of hatred and of international or social upheaval of which we see the evidence. This contradiction does exist; it is developing under our very eyes. These threatening activities must be stopped at the earliest possible moment. Political pacification must begin to assume practical form if we are not merely to progress towards disarmament but even to preserve the fruits of our present efforts.

In spite of these significant facts, in spite of this unfortunate political situation, we will not give way to nerves. We shall advance towards our goal without ignoring the obstacle and, if we ultimately decide to accept the limitation of material by the indirect method, we shall take this

first important step in conditions of security which correspond to the degree of disarmament realised.

This great step towards the consolidation of peace must be taken without compromising the existing equilibrium.

**Mr. Sean Lester (Irish Free State).** — At this stage of the debate I do not propose to add to the exhaustive arguments of the speakers who have preceded me, but I think I should state the views of the Irish delegation in a few words.

In the speeches made yesterday and to-day on the question of direct limitation, I have heard no arguments against direct limitation except on the ground that it would not be effective without a degree of control which appears to be impossible in the present circumstances.

But it seems to me, as to other delegates, that a combination of the two systems of budgetary limitation and of direct limitation is possible. I think that if the majority of the Commission, as appears to be the case at the present time, be in favour of the adoption of budgetary limitation, that limitation would be strengthened by the adoption of certain undertakings by the various States restricting the main items of the land armaments at present in use.

The Irish delegation feels that if a combination of the two systems on these lines is not generally acceptable to the Commission, the Irish delegation will support a proposal for budgetary limitation as being the more effective method.

**M. Sato (Japan).** — I apologise for speaking a second time in this great discussion.

In order to remove a misunderstanding I desire to make a correction. I did not say—as M. Cobián seemed to think—that I could not accept the Hon. Hugh Gibson's suggestion. I venture to repeat a few lines of the statement I made yesterday: "There seem to me to be only two solutions: either that we should adopt the principle of budgetary limitation and that countries unable to apply it should accept direct limitation, or, if that solution be impossible, that we should revert to the solution already adopted at the last session—namely, indirect limitation by means of publicity."

Since there is no longer any suggestion that we should content ourselves with publicity, the latter solution falls to the ground. Thus, only the former solution remains, namely, a combination of budgetary limitation, in the case of most countries, with the method of direct limitation in the case of certain countries which cannot accept the method of indirect limitation. In this connection I must, however, insist on the importance of homogeneity and uniformity in the system to be adopted.

I am not quite sure that most delegations really favour the system of budgetary limitation. Before that can be said, I should like to know the result of the voting, for there are many delegations which no less forcibly urge the adoption of direct limitation. If the majority of the Commission is in favour of the indirect method of budgetary limitation, that kind of limitation will have to be considered as the general rule, to which only a limited number of exceptions can be admitted. Amongst those exceptions, there will be the case of the United States of America and perhaps of Spain. I recognise the force of M. Cobián's argument, and I readily agree to the method he proposes for his own country. In my opinion, it is necessary and most important that we should determine the cases admitted as exceptions. I think it is important for the Commission to realise that the method of direct limitation without supervision is not as good as indirect limitation through budgetary means. If direct limitation is accompanied by supervision that method will be the strictest, but if it is not so accompanied—and it seems that this notion of supervision is not really accepted by anyone—we shall have a limitation that is less rigid than budgetary limitation.

I would further point out that, by limiting material through budgetary means, we are for the future indirectly limiting the material in stock, whereas if we adopt the direct limitation of material in service as proposed by M. Cobián, the material in stock will be excluded from the limitation. There will thus be no equality of treatment as regards limitation. These facts must be borne in mind, and if we agree, if the majority adopt indirect limitation through budgetary means, the exceptions to be admitted must remain as definite exceptions. The number of countries applying direct limitation without supervision must be strictly limited.

**M. Morfoff (Bulgaria).** — So far I have refrained from taking part in this discussion because I found that the proposals made were not compatible with the military system imposed on us by the Treaties. Certain recommendations that have been made, however, compel me to offer some observations before the vote is taken.

The Belgian delegate said that an arithmetic mean might be found by multiplying the number of units by the number of years' service. That is in correct

Although we may rightly say that the effect produced by a force of one kilogramme overcoming a resistance through one hundred metres is equivalent to the effect of a force of one hundred kilogrammes overcoming a resistance through one metre, we cannot assert that one man who serves in the army for twenty-five years is the equivalent of twenty-five men who serve for one year.

Thus, there is an incompatibility which results from the difference in military systems.

I was glad to hear the President say at the outset that our object was to reduce armaments gradually to the minimum compatible with national security. Again, M. Sato, the Japanese delegate, said yesterday that he was in favour of equality and that he would only accept a system that could be applied to all in the same way. Moreover, that is the policy prescribed in the Covenant of the League of Nations.

I do not mean to say that complete equality in armaments can be applied at present. I merely desire that the future Committee of Experts should be aware that, as a result of differing



military systems, it is difficult to establish equality of armaments. Thus, we shall not be confronted by figures that are incompatible with the situation. Some figures may be multiplied without ever giving any real mathematical equivalent. I desire merely that we should, as far as possible, try to attain equality of security. We know that present conditions are such that we cannot think of disarming completely. We can only hope to secure an appreciable reduction in armaments. But we are anxious that the result achieved should give the impression that, from the point of view of security, we are all equal.

I shall not vote for either proposal, as both are inapplicable in our case.

**M. Woo Kaiseng (China).** — I wish to make a very short statement. The Chinese delegation approves of limitation of any kind but it desires to point out that countries fall into two classes— industrial countries and non-industrial countries. In accordance with the view put forward by M. Sato and by the Turkish delegate, we think that this distinction should be reflected in the Convention, for it is certain that a country with very highly developed industries can easily convert its factories, either by industrial mobilisation or by some other method, whereas countries in which industries are less developed have at their disposal only the material in stock.

I should like the Commission to note the need for making such a distinction. For my part, I fully agree with the Japanese and Turkish delegates.

The Chinese delegation strongly favours budgetary limitation. At the present time, indeed war must, I think, depend on monetary considerations. That is the great danger, for money can procure all the means for organising war. To suppress armaments, we must adopt the system of budgetary limitation. As this question has been referred to by the Belgian delegate, I shall not deal further with it.

In conclusion, I desire to state that I agree with M. Massigli's proposal for budgetary limitation. The Experts' report must, however, be forwarded in good time to the different Governments, so that they may be able to study it before the general Disarmament Conference.

I think we should endeavour to frame a convention which will be acceptable to all and which will ensure the most complete equality. The question placed before us must be settled wholly in a spirit of conciliation.

**M. Holsti (Finland).** — In principle, the Finnish delegation preferred the direct method, but, with a view to reaching a compromise, it supports indirect limitation through budgetary means.

**M. Rutgers (Netherlands).** — In order not to prolong the discussion, I shall resist the temptation to deal with arguments that have already been put forward. I am sure M. Bourquin will understand my silence and not attribute it to any lack of respect.

I desire merely to make a short reference to the British and French proposals. As some delegations support one system whilst others support a different system, it would be difficult to achieve unanimity on either method. At the beginning of the sixth session we had almost reached unanimity by setting them both on one side. As we cannot achieve the unanimity we hoped to secure by means of a new discussion, we shall have to combine the two methods in some way.

There are two paragraphs in the British proposal on which I hope we shall be able to agree. But the third starts by recognising that "the majority of the Commission are of opinion that, as to land war material, the most practical method of securing this more precise limitation is by budgetary limitation, that other members of the Commission are of opinion that the most practical method is by direct limitation, by specific enumeration, and that a certain number would desire to see some combination of the two methods".

I do not think any advantage will be gained by stating in the resolution that there is a majority for either of these methods.

The proposal goes on to say that a certain number would desire to see some combination of the two methods. I hope that is true of the great majority, or almost of all, since this procedure would enable us to overcome the deadlock in which we are at present.

The French proposal differs from the British text by making an addition thereto. The French proposal refers to what we shall do subsequently.

**Lord Cecil (British Empire).** — Would you allow me to suggest that it would perhaps be more convenient to have the discussion on these proposals when they have been formally moved and put before the Commission? At present we have merely given notice of our intention to move them at the conclusion of the general discussion. I am a little afraid of a new general discussion developing on the terms of these motions. When they are taken, each paragraph by paragraph, it will be time for us to hear Dr. Rutgers and others as to the objections they feel to each particular proposal. I do not propose to ask the Commission to hear me on certain reserves I shall have to make in regard to the French resolution. I think it will come better when we have them before us as definite propositions.

I propose to move the resolutions paragraph by paragraph and then we can discuss each one. The object of the resolutions is to keep out of a general discussion, and to get down to particular

details. When we come to the third paragraph of the British resolution, Dr. Rutgers will be able to explain why he thinks it should be modified in this or that way.

**M. Rutgers (Netherlands).** — I thought these two proposals were under discussion. It seems that is not the case. I shall therefore not insist, but I must repeat that I thought the proposals were under discussion and I saw in them a way of concluding the general discussion.

**The President.** — We are at present engaged in the general discussion. These proposals are not yet under discussion. That was what Lord Cecil meant.

DRAFT RESOLUTION SUBMITTED BY THE ITALIAN DELEGATION.

**General de Marinis (Italy).** — I assume we are still engaged in the general discussion and that it is not yet closed. We shall ourselves place a proposal before the Commission. But at present I do not feel justified in giving our reasons for submitting this text, which somewhat resembles the British delegation's proposal and which, moreover, will shortly be circulated.

**Lord Cecil (British Empire).** — I think it would be very convenient if General de Marinis would read his proposal, and reserve his observations in favour of it till the time when it actually comes before the Commission.

**General de Marinis (Italy).** — My proposal is in three parts. The first reproduces the whole of the first part of the British delegation's proposal. The third part is as follows:

“Considers that the best method for limitation of land material would consist in a combination of the two systems of direct limitation and budgetary limitation.”

**The President.** — Let us not prolong this discussion unnecessarily. The simplest procedure would be to vote, not on the various proposals as they have been put forward by Lord Cecil, but on the different systems. Lord Cecil's proposal can be discussed only after that.

**Lord Cecil (British Empire).** — If I may say so, with all respect to the President, I think that is madness. For one thing we shall get into the most hopeless morass unless we have some definite proposition before us. We cannot say we are generally in favour of this or that, we shall none of us know what we are really voting in favour of. If anyone thinks either of these propositions is insufficiently clear and desires to make the thing more precise, by all means let them move amendments, or let them present alternative propositions, but if we are asked to vote generally in favour of this or that no one can say whether they approve it or not. Merely to give one single illustration. Take the question of direct limitation, I could not say Aye or No to the question: Are you in favour of direct limitation? What I should have to say would be: In principle I think direct limitation has very many merits, but in fact I do not see my way, under the particular circumstances, to approve it in this particular case. It would be impossible for me to vote.

I beg the President to insist on precise propositions being laid before the Commission, so that we know exactly what it is we are voting for and what we are not voting for. Until we do that, I am quite sure we shall get into the most awful mess.

**M. Litvinoff (Union of Soviet Socialist Republics).** — I am not quite sure whether I shall be in order to speak now. Some new method of procedure has been introduced quite alien to the Commission or to any international assembly. Lord Cecil has moved, at the very beginning of this meeting, certain resolutions which have been circulated. It seems to me the resolutions are before us. Why should we not discuss them?

**Lord Cecil (British Empire).** — I have not moved them. I have merely given notice that at the end of the general discussion I will move them.

**M. Litvinoff (Union of Soviet Socialist Republics).** — In any case I cannot see why we must speak on these resolutions separately, and on each paragraph. Why cannot we discuss the resolution as a whole? I may speak against the whole resolution and not against separate articles. I think this right should be given to me. I myself will move an amendment which will be in due time circulated, and I shall probably have to put off my statement until then.

**Count Bernstorff (Germany).** — Mr. President, I find myself in a position of considerable difficulty. This morning, Lord Cecil placed a proposal before us. I should have liked to submit another proposal in writing, but I noticed that there were at least half a dozen others in the air and I thought it inadvisable to increase the number still further, particularly as my suggestion or proposal practically reproduces yours.

The text says, in effect, merely that “the Commission decides that the principle of direct limitation should be adopted”.

**M. Politis (Greece).** — We must agree on this question of procedure before voting, for the meaning of the vote will not be clear unless we have first agreed as to what we are voting on.

I hope Lord Cecil will allow me to point out, with the greatest respect, that it is impossible to vote on the third paragraph of his proposal, as the text of that paragraph records decisions that would have to be taken beforehand. It is difficult for us to vote on such a sentence as this: "Does the Commission recognise that the majority of its members are of this or that opinion?" before knowing whether there is a majority at all and whether that majority is or is not of that opinion.

The only method that can be employed—and it has been adopted on many occasions, even in this gathering—after a long, complicated and important discussion like the present, is to discover the general ideas that emerge and to vote on them.

Now there are three general ideas which emerge from this discussion and, on this point, I think I cannot be mistaken.

The first general idea is that of the system of direct limitation. Lord Cecil says that if the question is put to him he will not be able to answer. I hope he will pardon me if I say that what we have to ascertain is whether the system is acceptable to the Commission as a general system. I understand that he would vote against a proposal put in that way.

The first question is therefore: "Does the Commission accept the direct method as the general method of limitation?"

The second question, which will arise if the reply to the first is in the negative, will be: "Does the Commission accept the method of budgetary limitation as the general system of limitation?"

Finally, the third question, which will arise whatever the Commission decides on the first two questions, is: "Should these two systems be combined—for instance, in the way suggested by the American delegation, that is to say, as alternatives so that some may accept the system of budgetary limitation whilst others may accept the system of direct limitation?"

Once the Commission has answered these three questions it will be a very simple matter to reproduce them in a text similar to that of the third paragraph of the British proposal.

**Lord Cecil (British Empire).** — I am afraid I have not made myself clear. I do not disagree with a single word that M. Politis has said. It is not that I want you to pass my resolution immediately. When I drew it up last night there was general agreement that a majority were in favour of budgetary limitation, but if this be disputed it can and must be cleared up. I only want something precise and definite, and I confidently believe I shall have the support of M. Politis in this, for having observed his conduct at meetings of this kind I know how highly he values having something that is precise and clear. I do not want my resolution taken first but I do think we should have something quite definite and clear before us so that we shall not have misunderstandings later on as to how the Commission has proceeded. The importance of it is this, that we have to translate our decisions on the general question into particular articles which we shall or shall not insert in the Convention, and I am very anxious that when we come to draw up these articles we should not have to review the whole thing again on the ground that it is not clear.

A perfectly definite proposition has been circulated, and I should think it could be decided. Others could do the same, and I should have thought the great abilities of the German delegation would have been sufficient to enable them to draft in a few words what Count Bernstorff wishes to be decided. I quite agree that some proposition such as I have drafted can only come finally when we have determined what is the view of the Commission. Let us proceed carefully and distinctly and clearly; that is all I am asking.

**M. Fierlinger (Czechoslovakia).** — May I add a few words to M. Politis' statement, with which I entirely agree?

I think we must seek the simplest possible formula. So far, we do not know exactly on what the vote will be taken and we have, as it were, opened Pandora's box by giving all countries a choice between the different systems. Hitherto we have discussed two systems—direct limitation and indirect limitation. But now a new factor has been introduced into the discussion, a factor that has not yet been exactly defined. To-day, at the opening of the meeting, the President informed us that we now have five possible solutions. During the meeting a new method has emerged—that mentioned by M. Cobián. Thus the number of possible solutions increases every day.

I think that, in this way, we are adding greatly to the difficulties of the future Conference—which I always have in mind, since it is to crown all our efforts—by placing before it so many different possibilities. It is important that we should make clear which possibility we ourselves favour. We should therefore vote on the two possible solutions that have now been discussed with all the clarity and precision desirable. The rest is confused and indefinite and we do not see exactly what we can vote on.

Hence, I think the discussion should be confined to these two systems. Obviously, there is a mass of floating opinion swaying between one and the other. Nevertheless, I think those who have a preference either for the direct method or for the indirect method should be given an opportunity

to express that preference quite clearly. In that way we shall have a formula that is infinitely simpler.

In regard to Count Bernstorff's proposal, I am not yet quite sure which method goes farthest. After yesterday's discussion, I think indirect limitation is more far-reaching. To me it seems much more effective than the other method. But, Mr. President, that is a matter which I leave to your appreciation.

**M. Litvinoff** (Union of Soviet Socialist Republics). — I must confess that to my mind the procedure is getting more and more obscure. I have mentioned already the official document of the Secretary-General of the League of Nations which is submitted by the British delegation. My understanding of the word "submitted" is that it refers to the past and not to the future. We have been told that we must not discuss this resolution because it does not exist yet; but, shortly afterwards, M. Politis spoke against one clause of precisely this resolution. Surely if he is entitled to speak on one clause of the resolution, we are entitled to speak on the rest of it?

In any case I want to remind you that the question of land armaments has been before us in the first half of this session. At that time the Commission had proposals by the Soviet delegation and by the German delegation. Now we have decided to go back to this question and re-open the discussion and revert to the position taken up last year. It seems that we have gone back to the proposals, which were discussed then, of the Soviet and German delegations, and the British proposal appears to be an amendment to those proposals. I do not mind introducing new proposals of the same nature, but to avoid misunderstanding I would respectfully submit to the Commission that we should ask Lord Cecil to move his resolution forthwith, and then we shall be able to discuss not only his resolution but all the amendments to it. I cannot put forward any proposal without officially knowing the contents of Lord Cecil's amendment.

**The President.** — I think that is what Lord Cecil intends.

**Count Bernstorff** (Germany). — I have but little to say. M. Politis put the matter quite clearly. I agree entirely with what he said. If we vote as M. Politis proposed, there will be no need for the German delegation to draft its own text of a resolution.

**M. Massigli** (France). — Before the vote is taken, I must ask permission to make a brief statement on a question that is not related to procedure. Yesterday, in my anxiety not to import heat into this discussion and in my desire that the Commission should accomplish its task, as we all hope it will, in that spirit of conciliation and co-operation which is essential to the success of our work, I purposely refrained from taking up and discussing a statement made the day before by the German delegate. I merely alluded to it and I hoped that the reason for my attitude would have been understood. To day, however, Count Bernstorff has felt it necessary to insist again on that point. His statement compels me to repeat that, before the end of this session, it will be absolutely necessary to have a thorough explanation on the question raised and on certain other questions. For my part, I shall ensure that the explanation is a full one.

**Lord Cecil** (British Empire). — I desire now to move the resolution which I have already read. I have nothing to say about the first two paragraphs, which I had hoped represented the unanimous view of the Commission.

In regard to the third paragraph, I observe that there is an alternative proposal by the Italian delegation, and I understand that Count Bernstorff also desires to vote, either against it or for some modification of it. I shall wait to hear what these two gentlemen have to say before I make any further observations. I ask you, Sir, to accept this as a motion of the whole of the resolution, because I understand M. Litvinoff wishes to speak against the whole thing; but I shall ask you to put the first two paragraphs to the vote separately.

**M. Bourquin** (Belgium). — Referring to the Italian proposal, Lord Cecil has just said that this is an alternative text. I think it is clearly understood that the Italian delegation proposes a combination and not an alternative.

**The President.** — Exactly.

**General de Marinis** (Italy). — I do not desire to go into the details of the different proposals. I think we must adopt the method proposed by M. Politis, that is to say, vote on one part of the text at a time. For instance, we might first vote on paragraph 1 of the British proposal.

Explanations might be given with regard to this first paragraph.

When my proposal is put to the vote I shall state the reasons for it.

In reply to the Belgian delegate's remark, I may say immediately that I intend the two methods of limitation—direct and indirect budgetary limitation—to be co-existent. Perhaps I did not use the best word in my proposal and it might have been preferable to say "co-existent". I reserve the right to give the necessary explanations at the proper time.

**The President.** — We agree. I ask you to vote on paragraph 1:

"The Commission approves the principle that there should be the fullest possible interchange of information respecting armaments between the parties to the proposed Convention."

M. Litvinoff (Union of Soviet Socialist Republics). — I should like to speak against the proposal as a whole—not only against the first paragraph.

The President. — You will be able to do so later. I should like to have this paragraph voted on first.

M. Litvinoff (Union of Soviet Socialist Republics). — It will be no use speaking after the vote has been taken. The three paragraphs are all inter-connected and I cannot speak on one without mentioning the other two.

The President. — I call on M. Litvinoff.

M. Litvinoff (Union of Soviet Socialist Republics). — The proposal submitted by the British delegation is indeed quite a new departure in the proceedings of this Commission. The Soviet delegation will certainly not be accused of being too fond of old traditions and old methods. They are quite willing to accept new ones so long as they lead to a clarification of certain points—which I am afraid I must say is not so in this case. We have been discussing the question of limitation of armaments and the discussion has turned around the methods to be adopted, either direct or indirect. To sum up this discussion: the Commission is expected to say which of these two methods they would commend to the future Disarmament Conference. I respectfully ask Lord Cecil: Do we find an answer to this question in the proposal submitted by him?

The first clause deals with Publicity. For the Soviet delegation to vote on this, it would require to know first of all what exactly has been decided as to the limitation and reduction of armaments. Publicity by itself has no meaning whatever. It is for this Commission to discuss limitation and the reduction of armaments, not any other question. "Publicity", as I have pointed out many times, does not mean "Reduction" nor "Limitation". If we decide on certain methods of reduction of armaments it may automatically become necessary to give certain information, as a means of control and as a means of carrying out the decision as to reduction. I am afraid that when we come to the rest of this resolution, if we decide in the negative for reduction of armaments, the result would be mere interchange of information. The Soviet delegation, therefore, cannot accept the first paragraph at the present moment, although I have nothing to say against publicity as a corollary to the reduction of armaments.

I come to the next paragraph of the British proposal—namely, that it "records the unanimous desire of the Members of the Commission to find some method which will provide for the limitation of war material in a more precise manner than can be achieved by publicity alone". What public opinion, and what our peoples who have sent us here wish to know, is not what are the sentiments and desires of the Members of the Commission. They do not wish to know that all the Members of the Commission are inspired by the best sentiments, desires and ideals, and what our Governments are inspired by. They want to know what are we going to do in the way of disarmament. We have listened to many speeches which invariably begin with the words: "In principle I am in agreement with such a proposal . . . In principle I am for the most radical limitation of armaments". Then a speaker will go on to say, ". . . but we cannot accept it for this or that reason". That is exactly what public opinion wants to know: what States have reasons for rejecting the idea of a reduction of armaments. That is the fact which is of paramount interest to the world, not the "inspirations" which animate us.

I think it is unnecessary to record in the resolution that it is "the unanimous desire of the Members of the Commission to find some method . . ." because nobody will deny it. I do not think that any people would be found, either here or outside, who would be in favour of Armaments as such, and who would in principle be against the reduction of Armaments. But the question is: Are we willing, are we able, to find the methods of reducing Armaments, or not? It is therefore not sufficient to say we have got the "desire"—we must be able to say that we have found the method, and this resolution shows that we have not found any method. It is for that reason that the Soviet delegation must reject the second clause of this resolution.

Then I come to the third clause. I should not say that the discussion which has taken place has been quite conclusive. Many speakers stated yesterday that no arguments had been brought forward for the direct method of reducing armaments. By merely brushing aside the arguments which have been brought forward you cannot make them non-existent, for they do exist, whether they are ignored or not. It seems to me that I have made it quite clear that reduction of armaments by way of curtailment of budgets might place smaller and industrially undeveloped countries in a very disadvantageous position. I think this argument should be convincing, although it has been ignored by all the speakers. Nobody could convince us that industrially undeveloped countries can obtain, with the same resources, the same results as bigger countries. But the chief argument used (not so much this time as during the first half of the Session) was that by budgetary limitation we do not touch upon the existing stocks, the existing armaments, and I maintain that the armaments existing in many countries at present, even if they are not added to, can produce very great war and can bring about the killing of millions of men.

If we limit only the budget as to its future use and leave untouched all the armaments existing now, we are not achieving anything in the way of reducing the chances of war. This argument—the most important one—has also been brushed aside, but I think it will sound very convincing outside this hall.

The third clause says that "the majority of the Commission are of opinion that, as to land war material, the most practical method of securing this more precise limitation is by budgetary limitation".

It may be true or not true: I have no means to gauge the opinions of the Commission. If we take a vote and the majority declare themselves against the method of direct limitation, then we shall know the result. Then, "other members of the Commission are of opinion that the most practical method is by direct limitation by specific enumeration, and that a certain number would desire to see some combination of the two methods." I am not quite clear as to that. The Soviet delegation has proposed a simultaneous application of the two methods: direct limitation and reduction also of budgetary expenditure on the same armaments, because we regard each of these methods as in itself insufficient; therefore we want to supplement one method by the other. I am not sure that other delegations who have spoken of the two methods mean the same thing. To make the thing quite clear, therefore, we are wording our Resolution as follows:

DRAFT RESOLUTION SUBMITTED BY THE SOVIET DELEGATION.

"The Preparatory Commission decides that the only effective means of reducing and limiting war material is the direct reduction and limitation of all kinds of war material according to detailed tables, together with budgetary limitation, by categories. The two methods should be applied simultaneously by all countries."

I think we have made our proposal quite clear.

With regard to the resolution put forward by the Italian delegation, I am prepared to support the third clause of their proposal, if General de Marinis will assure us that he means the same thing—the simultaneous application of both methods; that all countries should apply both methods. In this case I am prepared to vote for the third clause of the Italian Draft Resolution, at the same time declaring myself against the two clauses which coincide with the British proposal.

Lord Cecil (British Empire). — Out of courtesy to my colleagues on the Commission, I feel bound to reply to the discussion. I had hoped the first two paragraphs would have passed without any discussion at all as merely preliminary to what we desire.

The first paragraph merely sets out—without any statement of principle whatever—that it is desirable to have a complete interchange of information. I heard no argument from M. Litvinoff at all against that, except that he did not see the advantage of it unless there was going to be a restriction of armaments. That might be a proposition to put forward as an argument in favour of restriction of armaments, but it does not seem to me to be an argument in favour of, or against, the principle of publicity.

With regard to the second proposition, I should have thought that on his own showing it was in accordance with the opinion which he has reached—namely, that mere publication is not enough, and that you must have some specific restriction. He objects to that because it is a statement of principle. I quite agree that if my proposal were that the Commission should satisfy themselves with a mere statement of principle, there would have been some relevance in M. Litvinoff's objection, but he knows perfectly well no such proposal has been put before the Commission. We have always said these proposals must be translated into articles in the Convention, which will carry out a definite policy. That being so, I do not see what his objection to the first two paragraphs is.

In regard to his objections to the third paragraph, I will deal with them when we come to the discussion on that paragraph, and I have heard what my Italian and German colleagues desire to say about those two points.

All I would venture to say very respectfully to M. Litvinoff is, it is not enough merely to object to every proposition that is put before this Commission, but it is essential, if we are to reach a direct result, to put forward definite and practical propositions which there is some chance of seeing adopted by the nations of the world.

*Vote on the Resolution proposed by the British Delegation.*

The President. — Before taking a vote on the first paragraph of the Draft Resolution put forward by the British delegation, I desire to say that the words "the fullest possible interchange of information respecting armaments" will in no way prejudice the full discussion of this question when we come to the chapter concerning the exchange of information.

*Paragraph 1 was adopted by 23 votes.*

Lord Cecil (British Empire). — After the declaration of M. Litvinoff we cannot say "unanimous" in paragraph 2. We must say "records the desire of almost all the members of the Commission".

The President. — I shall therefore put paragraph 2 to the vote with that amendment.

*Paragraph 2 was adopted by 21 votes.*

The President. — We now come to paragraph 3.

Count Bernstorff (Germany). — I should like to be quite clear and to know exactly how we are going to vote. Personally, I accepted M. Politis' proposal but I hoped both proposals would be voted on.

I shall ask for the vote on the third paragraph of the British proposal to be taken by roll-call.

**Lord Cecil (British Empire).** — I am entirely in the hands of the Commission. I have assured Count Bernstorff that my only anxiety is that every view shall be expressed in the clearest way. Perhaps the most fitting way of raising the particular point he wishes to raise would be to substitute the words "some members" for the word "majority". Then we shall know whether in point of fact there is a majority or not. If he does not think that is sufficient, I am quite content with any other system that he proposes. The only other thing I was going to suggest is that it is now about three minutes to one, and perhaps it would be a convenient course to adjourn. Then perhaps Count Bernstorff and I, with M. Politis, could discuss the matter and arrange some definite form of words which would express the idea in a precise and exact form. I am only anxious to facilitate the clear decision which I most earnestly hope we shall come to.

*The suggestion was adopted.*

*The Commission rose at 1 p.m.*

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## EIGHTH MEETING.

*Held on Friday, November 14th, 1930, at 10 a.m.*

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*President: M. LOUDON (Netherlands).*

### 24. Discussion on Chapter II: Material. — Section I: Land Armaments (continuation).

**The President.** — We will continue the discussion on the limitation of the material of land armaments. Yesterday you adopted the first and second paragraphs of the draft resolution submitted by the British delegation. We now come to the third paragraph.

There was some confusion yesterday, and it is desirable that we should be perfectly clear to-day. The simplest method appears to be to vote in succession on the various amendments to paragraph 3 of the British draft resolution. Three amendments have been submitted by the Soviet,<sup>1</sup> German and Italian delegates respectively.

The German and Italian delegations' amendments are as follow:

#### AMENDMENT BY THE GERMAN DELEGATION TO THE DRAFT RESOLUTION SUBMITTED BY THE BRITISH DELEGATION.

" Paragraph 3 of the said draft to be replaced by the following text:

" 3. The Preparatory Commission for the Disarmament Conference is of opinion that the principle of direct limitation should be applied to land war material. "

#### DRAFT RESOLUTION SUBMITTED BY THE ITALIAN DELEGATION.

" The Commission,

" (1) Approves the principle that there should be the fullest possible interchange of information respecting armaments between the parties to the proposed convention;

" (2) Records the unanimous desire of the members of the Commission to find some method which will provide for the limitation of war material in a more precise manner than can be achieved by publicity alone;

" (3) Considers that the best method for limitation of land material would consist in a combination of the two systems of direct limitation and budgetary limitation.

" Direct limitation will be applied separately to material in stock and material in service. Two tables will indicate separately the armament categories of the material in stock and those of the material in service, together with the respective maximum figures fixed for each country. Budgetary limitation will be applied in accordance with the rules which are determined on the basis of the work of the Committee on Budgetary Questions. "

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<sup>1</sup> Note by the Secretariat. — See page 96.

General de Marinis' amendment, with an addition explaining the third paragraph, has been circulated, and I will ask General de Marinis, who is first on the list, to address you.

**General de Marinis (Italy).** — As I have already stated, the purpose of my remarks in regard to the chapter on material is to make a further effort to avoid the grave disadvantage of submitting to the General Disarmament Conference a method for the limitation of material which does not take account of some of the essential elements of disarmament. One of those elements is the war material in stock. If the Disarmament Conference is not able to take that into consideration, it will not have a really solid basis for its work. It is because indirect limitation can only deal with future armaments, and not with existing armaments, that it is necessary to combine the two systems.

This was clearly explained by M. Rutgers when he said that my proposal referred to the object rather than to the method of limitation, and this object is, I repeat, the limitation of existing material. This was corroborated by the honourable delegate for Sweden in his very interesting speech.

It has been pointed out that both budgetary limitation and direct limitation have certain defects. That is why I think it is necessary to combine them, so that each may, as far as possible, supply what the other lacks. If both are adopted, we shall have done all that it was possible to do for the reduction of this very important element of armaments. Dr. Riddell, the honourable delegate for Canada, in concluding his important speech, also stated that, in the end a solution might perhaps be found by combining the direct and indirect methods of limitation. Moreover, M. Litvinoff pointed out that industrially undeveloped countries, whose interests must be protected in the same way as those of other countries, would be placed in a position of inferiority if the budgetary method were employed. If this method were combined with direct limitation, it would be justifiable to allow industrially undeveloped countries, or countries which lack raw materials, to have stocks of materials compatible with their special situation.

I will not reply to the objections which have been made to the method of direct limitation, because I do not wish to prolong the discussion. I quite admit that there are gaps in this method, and it is in order to fill those gaps that I propose we should limit expenditure in respect of the purchase and upkeep of material. We should thus have the co-existence of the two systems.

If both were adopted, I see no objection to taking into consideration the difficulties mentioned by Mr. Gibson in regard to the adoption of budgetary limitation by his country, and I am quite prepared to agree that the United States of America, for instance, should merely give the figures relating to material in service and in stock.

As regards the method of applying the combination of the two systems, I consider that each country should accept a limitation of its military expenditure according to the system adopted by the Conference, and, at the same time, each country would accept a maximum figure either for material in service or for material in stock.

The maximum for the material in service would be comparatively easy to fix as a result of the limitation of effectives.

As regards the material in stock, I recognise the difficulty, not only of fixing a maximum figure for the different categories of material, but, above all, of finding a system which will ensure the loyal execution of the obligations assumed. That, of course, raises the difficult question of supervision. In this connection I would repeat what I said last Monday—namely, that we must not start from the assumption that countries which sign the Convention do not intend to carry it out in good faith. Moreover, we may perhaps agree upon the establishment of a Permanent Disarmament Commission.

Apart from these reasons, it seems to me that from a general standpoint we shall have made considerable progress towards disarmament if we also accept the principle of the limitation of material in stock. Once that principle is accepted, we must have confidence in the goodwill of all countries to apply it more and more effectively as time goes on.

In order to explain more precisely the views which I have just put before you, I have added the following paragraph to my original draft resolution:

“Direct limitation will be applied separately to material in stock and material in service. Two tables will indicate separately the armament categories of the material in stock and those of the material in service together with the respective maximum figures fixed for each country.”

I think it would be best for these two tables to be drawn up by the Conference and for us to content ourselves with laying down the principle, which is the most important thing:

“Budgetary limitation will be applied in accordance with the rules which are determined on the basis of the work of the Committee on Budgetary Questions.”

If we adopt the proposed text, I think we shall have done everything possible to show the Conference the importance which we attach to the existence and accumulation of stocks of war material which, whenever large supplies are immediately available, undoubtedly constitute the most dangerous means of aggression.



In order that we may progress as quickly as possible, I would request the President to put my proposal to the vote in two parts.

I propose that we should associate the method of budgetary limitation with the method of direct limitation—that is to say, with the limitation of material in service and in stock. Some delegations may perhaps be prepared to accept indirect limitation associated with direct limitation, but only as far as material in service is concerned.

I should be glad if you would first put to the vote the proposal to associate indirect limitation—*i.e.*, budgetary limitation—with the direct limitation of material in service.

I presume that other delegations will be prepared to go further and to accept budgetary limitation combined with the direct limitation of material both in service and in stock. I accordingly suggest that a second vote shall be taken on the adoption of my system in its entirety.

**M. Litvinoff** (Union of Soviet Socialist Republics). — I would bring up a point of procedure. I think no useful purpose will be served by prolonging the discussion, and that it is time we proceeded to vote. We ought to take first the proposal which goes furthest—the Soviet proposal—to apply simultaneously both methods, the direct method and the budgetary method. The Italian proposal amounts to the same thing with some modification at the end.

If this proposal falls through, I would suggest that a vote should be taken as to whether we should apply only one method, voting first on the direct and then on the budgetary method. I would propose to take a vote by roll-call on every one of these three points. Naturally, after this, the third clause of the British proposal would be quite superfluous.

**Count Bernstorff** (Germany). — Contrary to what I said before, I no longer desire the Commission to vote on my proposal before the others. After what General de Marinis has said, I am prepared to vote for the Italian proposal.

I should, however, like to make some reservations. I shall vote for this proposal if material in stock is included.

Secondly, I should prefer the tables to be submitted to our Commission and not to the Conference, and would be prepared to submit tables myself.

Lastly, I should like to reserve my final decision in regard to the budgetary question until we know exactly what the experts propose as a result of their investigations.

**Lord Cecil** (British Empire). — I find myself in a considerable amount of agreement with a good deal that was said by M. Litvinoff and Count Bernstorff. I agree with M. Litvinoff that, supposing we proceed to vote on these questions, or any of them, it is evident that my way of dealing with the matter is no longer applicable. I hoped that my resolution would have been accepted almost as a matter of course, and then we would have tried to elaborate it; but that plan has now gone by the board, and I do not attach any importance to the third paragraph. Also, I agree with Count Bernstorff that it is important that we should make as definite and clear a proposal as we can in our Convention. I do not agree with the idea put forward (if it is the idea) of General de Marinis or M. Litvinoff that it would be enough for us to pass a resolution and leave that to be worked out by the Conference.

**M. Litvinoff** (Union of Soviet Socialist Republics). — That is not my proposal.

**Lord Cecil** (British Empire). — I am very glad to hear that, for I could not agree. But whether General de Marinis' resolution is passed or not, I shall still ask to be allowed to move the two articles of which I have given notice, and I hope that you will allow them to be taken immediately, since we have been discussing the subject and the matter is now entirely open in our minds. These are the two Articles DA\* and DB\* shown hereunder. But I propose that they shall be put together and made into one article in order to explain my whole idea.

#### PROPOSALS BY THE BRITISH DELEGATION.

#### CHAPTER III. — BUDGETARY EXPENDITURE.

Insert the following articles for the blanks left as a result of the second reading:

*“ Article DA\*.*

“ Each of the High Contracting Parties agrees that its total annual expenditure on land, sea, and air forces, in any budgetary year, shall not exceed the figures given for them in Tables . . . ”

*“ Article DB\*.*

“ Each of the High Contracting Parties agrees that its total annual expenditure, in any budgetary year, on the upkeep, purchase, and manufacture of war material,<sup>1</sup> shall not exceed the figures indicated in Tables . . . ”

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<sup>1</sup> War material to be defined in a special Annex.

CHAPTER V: MISCELLANEOUS PROVISIONS. — SECTION II: EXCHANGE OF INFORMATION.

Substitute the following article for Articles DA\* and DB\*:

“ Each of the High Contracting Parties shall communicate to the Secretary-General of the League of Nations, in a model form, a statement showing the actual total amount expended on land, sea and air forces during the preceding financial year.

“ It shall at the same time communicate to the Secretary-General a statement showing the amount actually expended during the preceding financial year on the upkeep, purchase, and manufacture of war material as defined in Article DB of Chapter III of the present Convention.

“ This communication shall be made not later than . . . months after the close of the financial year. ”

**Lord Cecil** (British Empire). — Finally, as far as General de Marinis' proposal is concerned, I should have great difficulty in voting for it in its present form, because I do not really know exactly how it is going to be worked out in the Convention. I abstain, therefore, from voting as far as his resolution is concerned in its present form, and, when he brings up the definite articles which he proposes to insert in the Convention, I shall be able to decide whether or not I can support them.

**M. Massigli** (France). — I agree with Lord Cecil that it is inadvisable at the present stage of our discussion to introduce new proposals, more particularly as these proposals are not clearly defined.

We have the Italian delegation's proposal to distinguish between material in stock and material in service.

But what we want to know is: What is meant by material in stock and by material in service ?

This question has already been discussed at length, and it was found very difficult to give a definition. Consequently, we must first have this definition.

Then there is the question of tables. We have no idea what those tables are to contain.

This being the case, it is impossible for me to decide for or against the proposal, and I would urge that any new proposal should be elaborated and submitted in the form of articles. We shall then know where we stand.

**General de Marinis** (Italy). — Our discussion during the last three days has shown that we must first agree on a general criterion.

Do we desire limitation by publicity ? Do we desire it by publicity alone ?

Do we desire it by budgetary limitation or by direct limitation ?

Is the limitation to be confined to material in service or to material in stock ?

Should it apply to both ?

We are not yet agreed as to these general principles, and the object of my proposal was to enable the Commission to state its views on these general principles. When agreement has been reached—that is to say, when the majority of the Commission has stated that it is in favour of publicity alone (as a matter of fact, a negative answer has already been given to this question), or of budgetary limitation alone, or else of budgetary limitation combined with direct limitation, complete or partial—we shall then be able to go into details and discuss the articles to which Lord Cecil has referred.

For the moment, you are only asked to vote on principles. I am prepared to draw up the tables immediately, but we must first know whether the Commission wishes to adopt them or not. This is not a question of the text we are going to insert in our draft, but simply a question of principle, and it is quite in conformity with the first two paragraphs of the British proposal.

I would repeat that the only object of my proposal is to enable us to decide on the principle.

**M. Cobián** (Spain). — When we are asked to vote on a question of this kind, especially when the vote is to be taken by roll-call, the vote must be based on clearly defined principles, or on a proposal for an article to be inserted in the Convention.

If the matter on which we are asked to vote is very complicated, a number of delegations will hesitate to vote one way or another because, while they find certain principles acceptable, there are others which they cannot accept. They would thus be obliged to abstain from voting, with the result that there would be an enormous number of abstentions and only a few votes for or against.

It seems to me that the question of principle has already been decided, because every delegation, without exception, has stated its views very clearly. We have only to refer to the Minutes to see what those views were. I am not opposed to a vote on the principles, provided they are clearly defined.

I should like to recapitulate the clear principles which have emerged from this discussion:

1. Direct limitation of material in service and in stock, proposed by Count Bernstorff;
2. Budgetary limitation, which has the support of several delegations;
3. A combination of the direct method and the budgetary method suggested, I think, by

M. Litvinoff;

4. The system now proposed by General de Marinis,—namely, to combine the direct and the budgetary methods with the various gradations which he has clearly explained.

Finally, we have a proposal of principle by the United States delegation, with which I fully associated myself yesterday; this consists in an alternative between the direct method and the method of budgetary limitation.

We unanimously accepted publicity as the fundamental basis for the limitation of material, although we agreed that, by itself, publicity limits nothing. We could enumerate the five principles which I have just mentioned, and each delegation could say whether it is in favour of principle No. 1, principle No. 2, and so on. We should then know the number of delegations in favour of each system and could thus settle the question by a single vote.

In any case, I think that, if we vote on anything but principles, we shall never arrive at a definite result. We could afterwards appoint a sub-committee representing the chief exponents of the different systems to draw up a text for insertion in the Convention. I repeat that, if we do not first settle the question of principle, a vote will be useless.

**M. Sato (Japan).** — I should first like to explain my attitude to the Italian amendment and afterwards to touch on the question of procedure.

The Italian amendment recommends the simultaneous adoption of the two systems of limitation—direct and indirect—and thus provides for the co-existence of these two methods of limitation. We know already, however, that there are at least two very important delegations which will be unable to accept that combination.

In addition to direct limitation, the Italian amendment provides for budgetary limitation on the part of all countries. Mr. Gibson told us the other day that, for constitutional reasons, the United States would be unable to accept budgetary limitation. Consequently, the Italian amendment would not cover the case of Mr. Gibson, who would be unable to accept this combined system.

Moreover, M. Cobián has told us that his country would prefer direct limitation and could not agree at the same time to indirect budgetary limitation.

There are thus two delegations which could not accept the combined method suggested in the Italian amendment.

Personally, I also have a strong objection to this combination. I agree to budgetary limitation, but I cannot commit my Government to direct limitation as well. My Government takes the view that, without very strict supervision, direct limitation would be ineffective or would, at best, have the same value as publicity.

Moreover, if General de Marinis' proposal for direct limitation were to be extended to material in stock, my Government would not be able to accept this either. The arguments against it have been explained at great length during the last four years. This question was first examined by Sub-Commission A, and at the third session we had an opportunity of explaining our views very fully. I have already stated the reasons why it is impossible for my Government to accept direct limitation of the material in stock. My Government's views have not changed during the last four years, because Governments do not decide lightly on questions of such importance. My Government therefore adheres to its previous opinion.

You see, therefore, the difficulties in regard to the Italian proposal. On the one hand, the American and Spanish delegations could not accept it and, on the other hand, my Government could not accept direct limitation, more particularly if it is to include the direct limitation of material in stock. It would be impossible for my Government to sign a Convention containing this obligation.

In view of all these difficulties, I should like to suggest to the Commission another method of procedure. Generally speaking, I am in favour of the procedure suggested by M. Cobián. In my opinion, a separate vote should be taken on the two systems—direct limitation and indirect limitation.

I should like to add, however, that the adoption of either of these two methods should not preclude the possibility of allowing exceptions in the case of certain countries which cannot accept either system.

I do not know whether the Commission will adopt direct limitation or indirect limitation. The vote will show which system is favoured by the majority. We should therefore vote separately on the two systems, on the understanding that the adoption of either method of limitation will not preclude the possibility of exceptions being allowed in the case of countries which cannot adopt either method. This seems to me to be the only possible method of procedure and I believe it will give satisfaction.

**The Hon. Hugh Gibson (United States of America).** — I reach out for M. Cobián's proposal somewhat as a drowning man reaches out for a large and substantial life-preserver. It seems to me that he has offered us a way of simplifying our procedure and getting on with the subject we are all anxious to get on with.

I confess that I find the present system very confusing with this avalanche of proposals and amendements, and I think it would be very difficult for anyone, without a card index, to have a very clear idea of them in their present form. I am glad M. Cobián has made a suggestion which will put all these views into the form of a tabulated statement, where we can see clearly where we stand.

I do not want this to be taken as criticism, because this general discussion has been extremely valuable; and, in addition, we have, in fact, performed a miracle—we have resurrected a text that

died on second reading. It was completely dead; we have raised it; discussed it and really got back to fundamentals. To put it another way, I think we might say we went back to Genesis. As we went back to Genesis, I felt obliged to bring the matter up to Exodus, that is our exodus on the subject of budgetary limitation. I think, if we act according to M. Cobián's system, we may trust that the Bureau, as it has often done before, may find a way out and bring us into the Promised Land, and perhaps lead us on to Revelation.

**M. Bourquin (Belgium).** — I agree with Mr. Gibson that M. Cobián's proposal has clarified the discussion to some extent. Up to the present we seemed to be groping our way in the dark and, personally, I felt very uneasy. I regret to say that I do not yet feel altogether reassured.

The question has been presented in a simple form. We have been told that there are certain main principles which have already been discussed and between which we must decide. I agree that there is a clear distinction between principles and technical methods of application, and that we must first take a decision on principles. I should like to say, however, that, from this point of view, the two alternative systems which have been defended during our discussions are not quite on the same footing. This is a point to which I should like to draw the Commission's attention before the vote is taken.

In the case of budgetary limitation, the principle is very clear, because we know the object. We know that what we want to limit is the total expenditure on war material of every category and description.

M. Massigli told us the other day that the question of the limitation of budgetary expenditure would require further study by experts, and I quite agree with him on this point. However, the purpose of this study would not be to define the object of the limitation, it would deal exclusively with the technical methods of achieving that object.

In the case of what is termed the principle of direct limitation, it is not merely a question of doubts as to the methods of application, but of doubts and confusion in regard to the actual object of the limitation. This was shown very clearly and simply by M. Massigli, and I need not repeat his explanation. In discussing the Italian proposal, he asked what was meant by material in service and material in stock. These expressions are misleading, and the previous discussions of the Commission have shown that it is necessary to define the meaning of those terms. In regard to air material in particular, there was very lengthy discussion regarding the definition of material in service and material in stock. The meaning of these two terms is not clear in our minds.

There are other questions which would have to be settled. The proposed tables are blank. What are they going to contain? This matter raises a number of queries and, as the honourable representative for Bulgaria, who has a highly mathematical mind, would say, there are a number of "unknown quantities" which relate to the actual object of limitation and not the methods of application.

If you ask me to vote on the principle of direct limitation or the combination of this with indirect limitation, it will be impossible for me to do so until I know exactly what direct limitation is to cover.

I should like to support an observation made by M. Sato. It is obvious that we shall not succeed in obtaining unanimity for either formula. One may obtain a very large majority, but it will not receive unanimous support. If we obtain a very large majority, we shall go away at one o'clock or thereabouts feeling extremely satisfied. But will the Disarmament Conference for which we are working be equally satisfied? When the time comes to apply the formula which we have adopted, the Conference will find that there is opposition; and it will not be possible, therefore, on the basis of this single formula, to arrive at a general Convention which will be adopted unanimously. It is essential for us to bear in mind, at this stage, that the minority will not give way to the majority. It will maintain its point of view; consequently, the formula which has obtained the support of the great majority will not be applicable to the general Convention, which requires unanimity. I regret this, but we have to face the facts, and in these circumstances I do not think we can be content with a single formula. We shall have to adopt at least two, if not three, formulæ. The British proposal has this advantage—that it contemplates several formulæ. It would, of course, be best to draw up a single formula, but this cannot be done.

If we are to have several formulæ, I think that we should put them in order of preference. We ought to inform the Conference that the majority of our Commission was in favour of such and such a principle. We should thus simplify the work of the Disarmament Conference as far as possible. In view of the circumstances, we can only lighten the task of the future Conference by indicating an order of preference. I therefore concur entirely with the view expressed by M. Sato.

**Lord Cecil (British Empire).** — What is Mr. Cobián's proposal? It is that we should vote on five or six different principles. He has not defined them, he has only indicated them. I cannot believe we shall get very far by that method. We shall have a number of formulæ which no one will know the meaning of. I feel that, if you depart from the regular method in these matters, you always get into confusion. What is the position under ordinary procedure? I have moved a motion, and General de Marinis and M. Litvinoff have proposed alternative

propositions—amendments really, but they are different propositions. I think the only thing to do is to vote on these propositions separately and immediately. We know exactly what they are, we know exactly what they propose. I personally think that they are not satisfactory, and I cannot vote for either of them; I can only vote for my original proposition, but, whatever happens to them, we have got to put something into the Convention. With great respect to M. Bourquin—it is the first time I have not agreed with him—I cannot agree with him in this. I cannot agree to the principle of having alternative schemes in the Convention. It will show us up as being quite incapable of producing a definite proposal for the consideration of the Conference. Therefore, I hope we shall stick to that principle and have something in our Convention of a perfectly definite character. Whatever happens to these motions of General de Marinis and M. Litvinoff, I shall continue to move my proposal, which I think is the only definite proposal, for insertion into the Convention. If, when that is moved, it is thought it ought to be expanded, by including direct limitation, by giving an alternative or by giving any other proposal you desire to include, anyone can move an alternative or an addition. I beg the bureau now to put the amendment of M. Litvinoff or the amendment of General de Marinis, whichever ought to come first, but to put one of them to the Commission, and, if it be carried, it, of course, takes the place of my paragraph 3; but, if not, I shall ask the Commission to vote for my paragraph 3.

**The President.** — Mr. Gibson will speak to clear up a small point.

**The Hon. Hugh Gibson** (United States of America). — I have asked to speak because I want to make clear to Lord Cecil that I have not intended to question that his proposal was the regular and orderly way of dealing with the subject, and I myself find no difficulty in voting for this proposal subject to possible changes of drafting. I favoured the other proposal, to which Lord Cecil has referred, only because there have been such a number of amendments and explanations, and I felt that, if there could be a tabulation of the views expressed, it might provide a way out. But, obviously, if we could have a regular vote it would clear the way. I think if, as suggested by Lord Cecil, we could proceed to an immediate vote on the resolutions that would solve our difficulty.

**General de Marinis** (Italy). — I regret to have to speak again. I quite recognise that it is necessary to close the discussion and to take a vote, and I therefore thank Lord Cecil for his suggestion. However, I must say a few words in view of the criticism of my proposal.

There are many things I could say in reply to the apprehensions which have been expressed concerning future inventions, but I will leave them unsaid because I do not wish to take up the Commission's time.

It was stated just now that it was not possible to distinguish between material in stock and material in service, and that this was a matter for the experts. If we are going into technical discussions, I think we may remain here for centuries.

What is the object of the limitation of material? It is to reduce the whole material of a country, whether in stock or in service. I quite realise that part of the material in stock—for instance material assigned to certain units which is taken into service for example, during manœuvres)—changes its character, and that in this way a large quantity of material in stock becomes material in service.

It may be said, therefore, that this is not material in stock but material in service. It is the duty of a country in all good faith to reduce all its available material; that is the whole question. If at a given moment a certain country brings into service a much greater quantity of material than that allowed it, all the other States would have the right to say that it was partly material in stock, the total material remaining the same.

You will see, therefore, that, if we enter into questions of an exclusively technical nature, we shall never agree. The question is one of good faith. When we speak of limiting material we refer to war material as a whole.

Our distinguished colleague, the honourable delegate for Belgium, said just now that the great advantage of indirect limitation—*i.e.*, budgetary limitation—is that the object of the limitation is clearly defined. I would point out, however, that, as a matter of fact, we have had the greatest difficulty in deciding to what things budgetary limitation was to apply.

A committee of experts sat for months and found it extremely difficult to determine the object of the limitation. They raised the question, for instance, whether the construction of a military road or railway, or a subsidy given by a certain Government to some industry which might be used for military purposes, were to be covered by budgetary limitation.

It was for that reason that we hesitated to accept budgetary limitation—because the object of that limitation was not clear.

I should not have spoken if a direct reference to the question of material in stock and in service had not been made. However, I hope that we shall soon be able to take a vote, which will end the matter.

**M. Massigli (France).** — I merely wish to say that the reason I referred to the difficulty of drawing a distinction between material in stock and in service was not only because I made the same remark last year and did not meet with any contradiction, but also because, if you open the report of Sub-Commission A at page 71, right-hand column, you will find a reference to that difficulty. Unless I am mistaken, the Italian expert associated himself with the drafting of the report.

**General de Marinis (Italy).** — This is not a technical question but a question of good faith. We desire to reduce the whole of the material at a country's disposal. Whether it is shown as in stock or in service that country will undertake to reduce the whole of its material to the figure fixed. That is the whole question: but, if we enter upon a technical discussion, difficulties will arise. Those difficulties will disappear if a country loyally undertakes to reduce the whole of its material and gives the assurance that its total material will not exceed the sum of its material in service and in stock. This is obviously a question of good faith.

**The President.** — I appreciate the attempts made by a large number of delegates to clear up the question in order to facilitate the work of the Conference. May I say, however, that, in my opinion, the only way to clear up the matter is to adopt my proposal that we should vote on the three amendments to Lord Cecil's text.

Perhaps in the circumstances M. Litvinoff and M. Sato would consent not to speak?

**M. Litvinoff (Union of Soviet Socialist Republics).** — I would readily have responded to the appeal of the President if it had been made a few minutes earlier. It happens, however, to come just at the moment when it is my turn to speak, and I must, in this instance, regret that I am not able to fall in with his suggestion.

**The President.** — I addressed myself both to M. Sato and to yourself.

**M. Litvinoff (Union of Soviet Socialist Republics).** — I would have been quite happy to speak on procedure only if the Belgian delegate had not made a passionate appeal in favour of the method of reduction which he is advocating. I shall restrict myself to a very few words in answer. He based his argument mainly on the ground of simplicity, and prefers the method he advocates because of its simplicity. I would respectfully point out to the Commission that the question of disarmament is by no means a simple question—far from it. The simplest way of solving the question of disarmament would be to leave armaments alone. If the Commission agreed to the reduction, for example, of only the effectives of land armies, that would be a bit less simple, but it would still be a simple enough method. The simplicity of the method is in inverse ratio to the extent of disarmament, and for that reason I cannot agree with the proposal that we should only strive after simplicity. Reduction by budgetary limitation expenditure is not so simple as it appears to the Belgian delegate. He is against direct reduction because he does not know exactly what will be reduced in that way. I am against budgetary expenditure reduction because I know exactly what will not be reduced. I know that budgetary limitation will merely affect future armaments, if that, leaving existing armaments as they are. For that reason I am against budgetary limitation of expenditure only.

Now with regard to the remarks of M. Massigli, he complains that we have no tables before us, and that we cannot, therefore, deal with direct reduction. I would, with all respect, remind M. Massigli that this session began in April 1929, and during this session tables have been introduced which are before us. You will find in the Minutes of the first half of this session, pages 160 and 161, tables proposed by the German and the Soviet delegations. They may be lengthened or they may be shortened, but they exist and, therefore, I think that that objection falls to the ground.

**M. Sato (Japan).** — I regret that I cannot respond to the President's appeal. Moreover, I am encouraged to speak by several of my colleagues.

I proposed a procedure similar to that suggested by M. Cobián, and several of my colleagues are in favour of it. If the Commission does not consider it advisable to take a vote on the Cobián-Sato proposal, I will not press the matter, unless M. Cobián desires to maintain his proposal.

I have thus no objection to a vote being taken on Lord Cecil's proposal; but, before this is done, I should like to ask him for certain explanations which might facilitate the adoption of his motion.

In paragraph 3 of his text, the British delegate proposes a parallel recommendation in favour of the three methods—the direct, the indirect and a combination of the two.

The third will naturally be capable of various sub-divisions.

The British proposal does not indicate a preference for any one of these three methods. If this proposal be adopted, what will be the position? The Commission will doubtless be obliged to discuss the matter article by article. This will bring us at once to Article TA in regard to which there is a German proposal for direct limitation.

What attitude is to be taken by those who are opposed to that method of limitation?

I am myself against the method of direct limitation and shall naturally have to combat the German proposal, and I hope that a large number of delegations will continue to combat this method and will endeavour to exclude it from the draft Convention.

Similarly, when we come to indirect limitation by means of budgets, those who consider that direct limitation is the only possible method will doubtless do their utmost to exclude indirect limitation.

Consequently, I do not quite see how we are to proceed in this discussion. It would be somewhat incongruous for me to accept a method of limitation which I should afterwards be obliged to combat.

Lord Cecil (British Empire). — When I presented my resolution—the third part of it—I meant it to be a summary of what, as I understood it, was the result of the debate on the first day, and I thought that we had agreed on the first two propositions, and yesterday's vote showed that we had. I thought that, with respect to the third part, there was a majority in favour of Budgetary Limitation, but that there was no majority (as far as I knew) in favour of the other methods, either the direct or the indirect. My resolution merely summarises that result. I do not think you can go further as a result of the general discussion, and any attempt to go further in general discussion will merely lead to endless debate and not to a definite result. Therefore I want to come back to the definite proposals for the Convention. I have already given notice that if my resolution be passed, I shall ask to move at this place, as part of the limitation of land material the two first paragraphs of which the British delegation gave notice<sup>1</sup>. If these two paragraphs be accepted, it will be open to anybody—General de Marinis or M. Cobián—to add to them some combination of the direct limitation method, or it will be open to Count Bernstorff or anybody else to move an alternative in favour of direct limitation. We shall then vote on that precise proposition and know exactly what we are voting on, because we shall see the exact proposal made with the exact consequences. I hope now that the Commission will be good enough to adopt my proposal, which seems to me to be the best in view of getting a clear and businesslike determination of this question.

#### VOTE ON THE SOVIET PROPOSAL.

**The President.** — We will now proceed to vote on the first amendment to the third paragraph of the British proposal—*i.e.*, the proposal submitted by the Soviet delegation.

Before the vote is taken, I have to communicate a letter which I have received from the Ambassador Munir Bey.

This letter reads as follows:

“ Geneva, November 14th, 1930.

“ As it had the honour to state yesterday in the Commission, the Turkish delegation will vote in favour of any system for the limitation of war material. In order to avoid having to ask to speak when the various proposals in regard to this matter are put to the vote, the Turkish delegation desires to confirm its statement that its acceptance in each case will be subject to the proviso which it has already formulated in regard to the necessity of making an exception in favour of non-industrial countries and of those whose budgets are smaller than a figure to be determined by the Conference. - In order to avoid any misunderstanding, I would request you to be good enough to take note of this declaration before the Commission proceeds to vote.

(Signed) Mehmed MUNIR.”

**M. Fierlinger** (Czechoslovakia). — I do not quite understand the purport of the Turkish delegate's letter, because it appears to me that, if a delegation cannot accept a certain system, it should abstain from voting.

**Munir Bey** (Turkey). — Each delegation has the right to make any reservation which it thinks fit. I do not consider that the Turkish delegation's reservation calls for any discussion. It is not a motion.

**M. Fierlinger** (Czechoslovakia). — Nevertheless, if a reservation be made in regard to a certain point, it is hardly possible to vote on that point.

**The President.** — Delegations can make any reservations they wish.

**M. Fierlinger** (Czechoslovakia). — Even so they cannot vote in favour of a system in regard to which they have made an express reservation.

**The President.** — With regard to the Soviet proposal, I was asked at the beginning of the meeting to have the vote taken by roll-call. I think that the most practical procedure would be for delegations to raise their hands, and I will call out the names of the delegations which are in favour and those which are against.

*The vote was then taken.*

*The following five delegations voted for the Soviet proposal:*

Germany, Italy, Netherlands, Turkey, Union of Soviet Socialist Republics.

<sup>1</sup> Note by the Secretariat. — See page 99.

*The following twelve delegations voted against it:*

United States of America, Belgium, British Empire, Czechoslovakia, Finland, France, Greece, Japan, Persia, Poland, Roumania, Yugoslavia.

**Colonel Ali Khan Riazi (Persia).** — My reason for voting against this proposal is that we cannot accept direct limitation without supervision, because ours is a non-producing country and is consequently dependent on other countries.

**M. Holsti (Finland).** — I have to make the same declaration as the honourable delegate for Persia as regards the facts that the proposal did not include the principle of control and secondly that my country, generally speaking, does not produce war material.

**The President.** — The Soviet delegation's proposal has been rejected by twelve votes to five.

**Count Bernstorff (Germany).** — May I renew my request for a nominal roll-call for the next vote, because the procedure which has just been employed does not enable us to know which delegations abstained, and this may be of interest.

#### VOTE ON THE ITALIAN PROPOSAL.

**The President.** — This will be done. A vote will now be taken on the Italian proposal. I understand that General de Marinis wishes a vote to be taken first on the two points which he has mentioned. I will therefore ask the Commission the following question: Does the Commission accept the principle of indirect limitation by means of budgets combined with the direct limitation of material in service?

**Lord Cecil (British Empire).** — This is not the amendment we have been given notice of. The only amendment I have commences with " Considers that the best method. . . "

**Dr. Markovitch (Yugoslavia).** — I have already made the same observation as Lord Cecil.

**General de Marinis (Italy).** — I flattered myself that I had been understood. I said that we should endeavour to go as far as possible in the matter of the reduction of armaments, both as regards material in stock and material in service—that is to say, war material as a whole. In my desire to obtain as much as possible, and because I know that " striving to better, oft we mar what's well ", I said that I would be content with a combination of budgetary limitation and the limitation of material in service. I therefore asked that a separate vote should be taken on my entire proposal and on the first part of it—that is to say, that members of the Commission should state whether they are prepared to accept indirect limitation together with the limitation of material in service, or whether they would accept budgetary limitation combined with the total limitation of material, whether in service or in stock.

Some speakers were concerned with the difficulty of distinguishing between material in service and material in stock. I admit that in some cases—during manœuvres, for instance—material in store is used. It is then no longer material in stock. This raises the question of good faith. Material in service is the whole of the material distributed to the troops in normal times. Moreover, it would be a simple matter for the Commission to adopt a definition of material in service. Consequently, the objections raised in this connection do not affect the substance of my proposal.

First question: Is the Commission prepared to accept the principle of the combination of budgetary limitation with the limitation of material in service? If necessary, a sub-committee could be appointed to define what is meant by material in service.

Second question: Does the Commission accept budgetary limitation combined with the direct limitation of all material in service and in stock?

**M. Bourquin (Belgium).** — The text of the Italian draft before us states:

" The Commission considers that the best method for limitation of land material would consist in a combination of the two systems of direct limitation and budgetary limitation. "

If I have rightly understood the text, which has not been circulated but which was read out to us just now and reread by General de Marinis, this appears to be different; it states that the Commission accepts the principle of a combined system, which is quite another thing.

I am not opposed in principle to the direct limitation of material, but, for reasons which I will not repeat, I should prefer budgetary limitation. If I were asked whether the combined method is the best, I should reply: " No! "

You see, therefore, that it is necessary to have a definite text before a vote is taken, and this small illustration shows that there would be a considerable difference in the result of the vote according to the formula adopted. My attitude would be quite different, according to the text. I repeat that, if I were told that the best solution is to combine the two systems, I should disagree.



**Lord Cecil (British Empire).**— I am sure General de Marinis will forgive me if I venture to make a suggestion to him. I quite understand the way the difficulty has arisen, but I think he will see there is a little difficulty because we have not got the definite text before us. Also, a little difficulty is caused by the vote we have just taken, because we have voted now for the time being against the proposition—at any rate till we see something more precise—of a complete limitation by direct and a complete limitation by indirect. Therefore there only remains really, as far as I understand it, the other proposition of General de Marinis—namely, limitation of the material in service. I should like to know a little more about exactly what is intended before giving a vote myself.

I make this suggestion. There is nothing in General de Marinis' proposition which is really in conflict with the proposition I have made. I have merely recited the three propositions, pointing out that there is a majority, as I believe there is, in favour of indirect limitation. He agrees with that, but he wants to add something to it. I suggest very respectfully for his consideration that he should withdraw his proposition now and bring up a definite amendment to the Convention, when he will be able to explain exactly what it is. He may have two alternative propositions to explain exactly what it is that he proposes to ask the Commission to adopt. I respectfully suggest to him that that would be of great assistance to us. We do not want to vote against any proposition of General de Marinis if we can possibly avoid it.

**M. Westman (Sweden).** — With all due deference to Lord Cecil, I would say that I do not think that the Italian proposal is affected by the vote which has been taken on the Soviet proposal. I was unable to accept the latter because it referred to detailed tables, and I have always maintained that, in the case of direct limitation, we should confine ourselves to a few broad categories of arms.

I should like to ask General de Marinis whether he does not think it would be best, first to vote on the Italian text as it stands, and afterwards, if necessary, on the more limited Italian proposal covering the direct limitation of material in service alone.

**Count Bernstorff (Germany).** — I associate myself entirely with what M. Westman has just said.

**General de Marinis (Italy).** — The sole object of my suggestion was to facilitate the acceptance, at all events of part of my proposal, by delegations which might have found it difficult to accept it in its entirety; I also desired to avoid prolonging the discussion. I now see that this proposal has given rise to further discussion, and, while thanking Lord Cecil for his suggestion, I prefer to accept the proposal of the Swedish delegate and Count Bernstorff—that a vote should be taken on my proposal as it stands. If any delegation thinks that it is not clear, it can abstain from voting or can vote against it, but I desire to maintain it as it stands. This will save the Commission's time, and I think I have clearly explained the object of this proposal.

**M. Cobián (Spain).** — If a separate vote had been taken on the two sub-paragraphs of paragraph 3, I should have voted for the first and against the second. Since General de Marinis proposes to submit the whole of paragraph 3 to the vote, I can only vote against it.

**The President.** — We will now vote on General de Marinis' proposal as it stands.

The vote will be taken by roll-call.

*The following nine delegations voted for the Italian proposal:*

Canada, Germany, Irish Free State, Italy, the Netherlands, Sweden, Turkey, Union of Soviet Socialist Republics, Venezuela.

*The following eleven delegations voted against it:*

Belgium, British Empire, Czechoslovakia, Finland, France, Japan, Persia, Poland, Roumania, Spain, Yugoslavia.

*The following five delegations abstained:*

United States of America, Bulgaria, China, Greece, Norway.

*The Italian proposal was rejected by eleven votes to nine; with five abstentions.*

#### VOTE ON THE GERMAN PROPOSAL.

**The President.** — We will now vote on the German proposal.

**Colonel Ali Khan Riazi (Persia).** — I desire to repeat the declaration which I made when the previous vote was taken.

**M. Holsti (Finland).** — My vote is subject to the same reservation as in the last vote.

**M. Litvinoff (Union of Soviet Socialist Republics).** — The Swedish delegate has misunderstood me. I have alluded to tables but not to specific tables. Tables are necessary, and we cannot reduce armaments without them. I think our amendment is the same as the Italian amendment, and I think M. Westman will be happy to know he has unconsciously voted for a Soviet amendment.

**M. Westman (Sweden).** — I desire to point out that the Soviet delegation's proposal contains an explicit reference to "detailed" tables. It was for that reason that I preferred the Italian proposal.

**The President.** — We will now vote by roll-call on the German amendment, which reads as follows:

"(3) The Preparatory Commission for the Disarmament Conference is of opinion that the principle of direct limitation should be applied to land war material."

*The vote will be taken by roll-call.*

*The following nine delegations voted for the German amendment:*

United States of America, Canada, Germany, Italy, the Netherlands, Sweden, Turkey, Union of Soviet Socialist Republics, Venezuela.

*The following nine delegations voted against it:*

Belgium, Czechoslovakia, Finland, France, Japan, Persia, Poland, Roumania, Yugoslavia.

*The following seven delegations abstained:*

British Empire, Bulgaria, China, Greece, Irish Free State, Norway, Spain.

*The German amendment was not accepted.*

#### VOTE ON THE THIRD PARAGRAPH OF THE BRITISH PROPOSAL.

**The President.** — We now come to the third paragraph of the British delegation's proposal.

**Lord Cecil (British Empire).** — I have said all I have to say on the proposition, but I would like to add that, in my view, the adoption of this resolution leaves the door open to anyone to propose definite and precise amendments to the Convention on the lines of this paragraph.

**Count Bernstorff (Germany).** — We are going to vote on a text which "recognises that the majority of the Commission are of opinion . . .". I merely desire to point out there is not at present a majority.

**Lord Cecil (British Empire).** — That is quite true at the moment, but there will be a majority in a few minutes.

**Count Bernstorff (Germany).** — We are none the less going to vote on a statement which is not correct.

**M. Massigli (France).** — What Lord Cecil has said is true. The only way out is first of all to vote on the last principle, which has not yet been voted upon.

**M. Politis (Greece).** — I think before saying that there is a majority, it must be shown that there is one; and the simplest method—I desire to make a formal proposal—is first to vote on the first part so as to ascertain whether the majority of the Commission "are of opinion that, as to land war material, the most practical method of securing this more precise limitation is by budgetary limitation".

**General de Marinis (Italy).** — Before we can vote we must have a text.

**M. Politis (Greece).** — We have one.

**The President.** — You have the text before you.

**General de Marinis (Italy).** — Before you can say “the majority” you must be sure that this majority exists.

**Lord Cecil (British Empire).** — I think General de Marinis is right: it is better to vote for the motion on the paper. It does seem to me it is a refinement of verbal criticism to say you cannot recognise that a majority exists without first saying there is a majority and then recognising the fact. But you can decide whether such a majority exists and then recognise that it does. Rather than pursue the point, I think it is better to vote for the motion on the paper.

**The President.** — M. Politis has made a definite proposal that the paragraph should be divided. I suggest voting first of all on the first sentence.

**Dr. Riddell (Canada).** — Yesterday I said I favoured direct limitation and should vote for it; but, if that did not receive a majority, I would vote for indirect or budgetary limitation. Now it is difficult for me to say that we consider this is the best method, which is what Lord Cecil's resolution calls for. We are prepared to support it because the other proposals have not received a majority, and we would like to support it; but to make a definite declaration like this, which we should do if we voted for it, puts us in a difficult position. The other proposal makes it much easier for us. I want to vote for budgetary limitation, but I do not want to have it put on record that this is the best method. I think it is the method which may find acceptance with the Commission or may find a majority in favour of it, and that is why I am going to vote for it.

**M. Westman (Sweden).** — I entirely agree with what Dr. Riddell has just said. I shall only support the indirect method because it will be the only one left as the result of our discussion and not because it is the most practical.

**M. Rutgers (Netherlands).** — I, too, am in the same position as Dr. Riddell. If you ask me whether I consider indirect limitation to be the most practical method, I should say “No”; but that does not mean that I would not accept that method.

**General de Marinis (Italy).** — I desire to associate myself with what the last speakers have said. It is obvious, as I have already stated in my proposal, that the best solution is a combination of the two methods. I shall not be able to support a proposal which states that budgetary limitation is the most practical method. I shall therefore be obliged to vote against the proposal under discussion.

MODIFICATION OF THE TEXT OF THE THIRD PARAGRAPH OF THE BRITISH PROPOSAL.  
VOTE ON THE MODIFIED TEXT.

**The President.** — The meeting will be suspended for ten minutes to enable us to agree upon a text.

*The meeting was adjourned at 12.40 and resumed at 12.50 p.m.*

**The President.** — The Bureau has agreed with Lord Cecil and several other delegations on a slight modification of the existing text. As there was not time to have this typed or distributed, I will read it to you very slowly. The following alterations have been made. The first four lines are to be replaced by the following words:

“(3) Accepts the principle of budgetary limitation for land war material, while recognising that certain members prefer the method of direct limitation by specific enumeration and that certain other members would desire to see some combination of the two methods.”

The words “are of opinion” have been replaced by the word “prefer” and the words “other members” by “certain other members”.

This time we shall not vote by roll-call unless you so request.

**The Hon. Hugh Gibson (United States of America).** — I note that the new text does not mention the fact that there is a majority of the Commission in favour or what the actual majority is. I thought that we were to vote on a text which was founded on the existence of a majority in favour, in which case I should have had no difficulty in voting for the original text. I could have adopted such a text, but in the present circumstances, inasmuch as it is stated that the Commission accepts the principle of budgetary limitation, I regret it is impossible for me to vote for this text.

**Lord Cecil (British Empire).** — I should like to say to my friend Mr. Gibson that I hope he will not think it is my doing that the text has been changed. I was quite satisfied with the text as it originally stood, and it was only owing to the grammatical scruples of some better-educated people than myself that it was thought necessary to alter it.

**The President.** — I think there is a very easy way out. It has been suggested by the French delegation that we should simply add the words “by a majority”, and should thus say “the Commission by a majority accepts . . .”.

I think Mr. Gibson will agree to this.

**M. Rutgers** (Netherlands). — I notice that this text reads: “. . . recognising that certain members prefer . . . and that certain *other* members would desire . . .”

As I belong to both categories I could not accept this text.

Moreover, the acceptance of the principle of budgetary limitation does not exclude other combinations; it does not exclude the possibility of inserting the direct method in the Convention.

**The President.** — I think that if we leave out the word “other” this will meet M. Rutgers’ point.

**M. Cobián** (Spain). — I merely desire to say that the vote I am about to record is based on all that I said yesterday, and that it is on the basis of those statements that I am voting in favour of this proposal.

**The President.** — The text upon which we are going to vote reads as follows:

“ The Commission accepts, so far as the majority is concerned, the principle of budgetary limitation for land war material, while recognising that certain members prefer the method of direct limitation by specific enumeration and that certain members would desire to see some combination of the two methods.”

**General de Marinis** (Italy). — All the observations which I have made were intended to show the necessity of limiting material in stock—that is to say, all existing material.

As to-day’s discussion is confined exclusively to future material and has not touched on existing material, I am obliged to vote against this proposal, especially as this text states that the majority prefer indirect limitation, whereas in reality there were an equal number of votes for direct limitation and for indirect limitation.

**The President.** — We shall, of course, take note of General de Marinis’ observations.

**M. Rutgers** (Netherlands). — I should like to point out to General de Marinis that there is no question of preference in the text in its present form. Consequently, there is nothing to prevent those members who voted in favour of Count Bernstorff’s proposal from maintaining their former point of view. I might even say that the proposal before us does not really decide anything.

**M. Litvinoff** (Union of Soviet Socialist Republics). — I regret to have to disagree with M. Rutgers. My reading of this clause (which I confess is very “misty”) is very different from his. This clause presupposes a preference, because it mentions the existence of a majority. I do not regard the budgetary reduction method as preferable to other methods. It is understood that, if I vote against this clause, it is because I am not of the opinion that this method is preferable. That does not say that I am against this method. I cannot vote for this clause. If I vote against it, it must be taken as opposition not to reduction by the budgetary method, but to preference being given to the budgetary reduction over other methods.

**The Hon. Hugh Gibson** (United States of America). — I should like to give an explanation of my abstention from voting. I am in complete accord with the substance of the third paragraph, but I anticipated that we would have established whether or not there was a majority in favour of budgetary limitation, before voting. As an affirmative vote now might place me in the position of contributing to that majority, I shall abstain from doing so.

**M. Massigli** (France). — I shall vote for the proposed text on the understanding that the Commission will give its opinion later on the draft resolution submitted by the French delegation concerning the appointment of a committee of Budgetary Experts.

**M. Westman** (Sweden). — I shall abstain for the same reasons as Mr. Gibson.

*A vote was taken by roll-call.*

*The following sixteen delegations voted for the British proposal as amended:*

Belgium, British Empire, Canada, Czechoslovakia, Finland, France, Greece, Irish Free State, Japan, Netherlands, Norway, Persia, Poland, Roumania, Spain, Yugoslavia.

*The following three delegations voted against it:*

Germany, Italy, Union of Soviet Socialist Republics.

*The following six delegations abstained:*

United States of America, Bulgaria, China, Sweden, Turkey, Venezuela.

*The proposal contained in the text read by the President was adopted by sixteen votes to three with six abstentions.*

25. **Expression of Sympathy with the Japanese Delegation in regard to the Attempt on the Life of the Prime Minister of Japan.**

**The President.** — We have received this morning the news of an attempt on the life of the Prime Minister of Japan. I am sure that I shall be interpreting the feelings of all the members of the Commission in saying that we were deeply grieved at this news. I am very glad to say, however, that M. Sato has informed me that, according to the latest report, the Prime Minister is going on fairly well and that the crime has not had fatal consequences.

I am very gratified to hear this, and should like to express to M. Sato on behalf of the whole Commission our horror at this outrage.

**M. Sato (Japan).** — The Japanese people have heard with indignation the news of this dastardly outrage. However, as the President has just stated, the latest report is fairly satisfactory. I desire to express my sincerest thanks to the Commission for their expression of sympathy.

*The Commission rose at 1.10 p.m.*

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NINTH MEETING.

*Held on Saturday, November 15th, 1930, at 10 a.m.*

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*President:* M. LOUDON (Netherlands).

26. **Discussion on Chapter II: Material. — Section I: Land Armaments (continuation).**

**The President.** — The discussion during the last two days has enabled us to make some progress. The majority of the Commission, by its vote of yesterday, has accepted the principle of limiting material for land warfare by the budgetary method. The discussion has thrown light on the different aspects of the application of this method. We have now to embody this principle in an article and to regulate the details of its application. The drafts submitted by the British and French delegations fulfil that object. Moreover, the text of the draft Article TA, submitted by the French delegation at the first reading, is on the same general lines as the new articles proposed by the British delegation for Chapter III.

I would further remind you that the Soviet delegation has submitted proposals in regard to this question. An amendment by the Netherlands delegation has also been circulated. These are as follow:

CHAPTER III: BUDGETARY EXPENDITURE.

PROPOSAL BY THE SOVIET DELEGATION.

“ Article DA to be replaced by the following articles:

“ *Article DA.* — The total annual expenditure counted per budgetary year and allocated according to Tables ..... (home forces and formations of the home country organised on a military basis) and ..... (overseas forces and their reinforcements and overseas formations organised on a military basis), shall not exceed the figures approved by the several contracting States in the present Convention, the military budgets current at the time of the signature of the present Convention being reduced by an equal percentage; an exception being allowed, however, in favour of the States which are weakest from a military point of view and are specially mentioned in the present Convention, and of such States as have reduced their armaments in virtue of international agreements other than the present Convention.

“ The reduction of military budgets shall also extend to the expenditure specified in the table attached to the present Article.”<sup>1</sup>

“ *Article DB.* — Secret funds intended in a disguised form for extraordinary expenditure on special preparations for war or an increase in armaments shall be excluded from the national budgets.

“ In conformity with the above provision, all expenditure for the upkeep of the armed forces of each State shall be shown in a single chapter of the national budget; their full publicity shall be ensured.”

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<sup>1</sup> See Tables on pages 12 and 13 of Document C.P.D. 90, of July 1st, 1927.

CHAPTER II: MATERIAL. — SECTION I: LAND ARMAMENTS.

*Article TA.*

AMENDMENT PROPOSED BY THE NETHERLANDS DELEGATION.

"The Commission adopts the two texts of Article TA. It leaves it to the Conference to decide whether it can agree, in the case of a particular State, to no figures being entered in one of the tables (budget table or table with regard to material). In that case, such table would not apply to that State."

The President. — I now open the debate on this question.

PROPOSAL BY THE BRITISH DELEGATION.

Lord Cecil (British Empire). — I desire to move now the two articles which are headed DA and DB. The Commission will find them set out in the British proposal. Whether, when the drafting Committee comes to consider this matter, it will regard this as the right place for them in the Draft Convention is a matter which must be considered later on, but I propose to move them now because I think they come conveniently at the end of our discussion on this question.

Just let me read them out; they are very short and very simple:

"Article DA. — Each of the High Contracting Parties agrees that its total annual expenditure on land, sea and air forces, in any budgetary year, shall not exceed the figures given for them in Tables ..."

I ought to explain that the tables we have in view are the tables prepared by the special Committee which sat on these subjects in 1927, and appear in document C.P.D.90. You will find a very short table there which they think would carry out the work. I understand that my French colleague thinks further technical enquiries are necessary and of course I shall not oppose any further enquiry, but it is necessary that I should refer the Commission to that table.

Our proposal goes on:

"Article DB. — Each of the High Contracting Parties agrees that its total annual expenditure, in any budgetary year, on the upkeep, purchase, and manufacture of war material<sup>1</sup> shall not exceed the figures indicated in Tables. . ."

The war material would have to be shown in a special annex, as has been done in other documents of this Commission. I do not burden my paper by putting it in here in detail. That is the principle which, I venture to suggest, carries out the decision at which we arrived—namely, to apply the system of budgetary limitation. I want to say one or two things in addition. In the first place, it is, of course, quite open to add to this some specific limitation. We were not able to accept that yesterday, but I shall raise no objection if somebody proposes a scheme for some further limitation of a specific kind. However, with the best will in the world I have not been able to satisfy myself that any such scheme is practicable.

I want to say two other things and then I do not think I need keep the Commission any longer. Certain of the delegations represented here explained, with very commendable candour, if I may be allowed to say so, the difficulty they feel about this scheme of budgetary limitation. I think that it ought to be very clearly set out in our report that that difficulty, at any rate, exists and will be provided against in some way or another. It may be provided against in a number of ways. For instance, we might have a special exception for certain particular countries enabling them to adopt the system of specific enumeration in view of the very special difficulties that affect them. That would be a possible course, and that might be inserted in an annex. It is quite evident that a full reservation of their position will have to be made in the report—at least, I hope it will be made—and the whole difficulty that we have been in must also be set out in full in the report. I venture very respectfully to suggest to those delegations that feel a difficulty about this matter that that will be sufficient, and it will not be necessary to make any alternative proposals here. I think that such proposals produce an air of uncertainty and irresolution about our proceedings which I personally should regret. I think that we ought to recommend one particular text, pointing out that, owing to the circumstances of the case, it may turn out that that text will not be sufficient to deal with the whole of the difficulties. If it be so, then some such proposal as I have indicated will have to be adopted to meet those difficulties.

In absolute candour, I think that I ought just to add this: the British Government are in favour, as I have said more than once in this Commission, of a complete system of budgetary limitation. But it is quite evident that, if budgetary limitation be rejected, say for naval matters, by other great maritime Powers, it would be very difficult for the British Government to accept budgetary limitation for naval matters. There is a very complete specific limitation of fleets already existing and that would, of course, remain. I think everyone will agree that it would be a very difficult proposition for the British Government to say that they accepted, not only a specific limitation of their fleet, but a budgetary limitation also, whereas other Powers accepted a different standard. I only state that now so that there may be no misunderstanding on the

<sup>1</sup> "War material to be defined in a special Annex."

point when we come to the Conference. Personally, I do not propose to ask the Commission to put in anything of that kind, or even to make a formal reservation on that point at this stage. That is a matter which will fall to be dealt with when we come to the actual Conference settling the final terms of this treaty; but I thought it was only right and fair to mention that matter.

It would be an impertinence for me to talk again about the advantages of budgetary limitation as a system, because we have discussed that *ad nauseam*, but there is this other point I should like to touch upon. The Commission will see that in our articles the British Government provides first for a limitation of the total annual expenditure on each of the three forces—that is the total, including personnel and everything. Then it provides for a specific limitation of the material of each of the three forces. That is the scheme on which we proceed. I venture to move that now, although it goes a little beyond the particular article we have been discussing, for this reason: the British Government feel that, unless you have a total limitation first and then a specific limitation of material, it will be very difficult to be sure that there has not been some manipulation of the figures which enables a particular country, whilst greatly increasing its expenditure apparently on personnel, is, in reality, spending some of its money which is allotted to personnel on material. Therefore, if you are to have a complete scheme of limitation of material it seems necessary, to the British Government, that you should also have a limitation of the total expenditure, so that it would be impossible, by increasing other items of the war budget, in actual practice to increase the amount spent on material. Those are the broad principles of the proposal I submit to the Commission.

I ought to add that it is the intention to put, in a very general form, the broad principles, because the British Government believes that that is the only practical way in which you are going to deal with these problems. You have, at any rate at the start of a system of disarmament, to be content with broad, general principles of limitation and reduction. We quite agree that we aim, not only at limitation, but at reduction; but we feel that, if you try to go too much into detail, your difficulties will be enormously increased at the final Conference, where the figures have to be filled in, and it is extremely doubtful whether you will gain anything material in the way of certainty of reduction or limitation. We therefore ask the Commission to accept this very general system, leaving it, as we are bound to leave it, to the Conference to fill in the figures which will make that general system really effective as a system of limitation and reduction.

**The President.** — Lord Cecil's remarks refer to Chapter III: but what we now require is a text for Chapter II Section I, and I fear that there may be some confusion on this point. What exactly is intended by Lord Cecil?

**Lord Cecil (British Empire).** — I should be quite content to have this put in Chapter II. The only thing is, that when the final draft comes to be arranged, it may be that the Drafting Committee will see a better way in which to deal with it; but that is a matter for them. This is to take the place of what is proposed in Chapter II, the chapter we are now dealing with.

#### SUGGESTION BY THE AMERICAN DELEGATION.

**The Hon. Hugh Gibson (United States of America).** — I have to thank Lord Cecil for the friendly consideration he has shown in regard to this special problem. I am most anxious to respond to his appeal that we keep our text as simple as possible—free from alternative texts and, so far as possible, free from specific reservations.

I should like to go all the way to meet him, but I am sure he will agree that this whole subject is so fluid that we would hardly be contributing to our real purpose if we failed, in some way, to give a picture of the present state of opinion. However, I am quite ready to give up any idea of an alternative text, and I should like to avoid the necessity for adding a specific American reservation.

I should like to make a suggestion for the consideration of the Commission; I am not making a specific proposal. In seeking some way of translating our friendly desire to meet Lord Cecil in regard to terms for our text, one possible means has occurred to me—that is, of course, in the event that our text is confined strictly to budgetary limitation. I obviously cannot make a proposal until we know what our text is to be, but I should like to have the Commission consider whether we could not keep the text in a single column and avoid the necessity for reservations—or at least for an American reservation—by the insertion of a footnote after the text, saying something to this effect:

“ In connection with the text of Article . . . , it should be borne in mind that, on the following resolution, the Commission was evenly divided as follows . . . ”

Then I suggest that you should give the text of the German amendment to the draft resolution submitted by the British delegation and the vote. I think that might give the picture and at the same time avoid the necessity for reservations.

**M. Massigli (France).** — I think that we are really discussing two questions, if not three, at the same time. There is the article on direct limitation, the article on budgetary limitation and, lastly, a French draft resolution which several delegations regard as an essential factor in the question. As regards Article TA, there is a French first reading draft. I now withdraw it,

because it no longer corresponds to the situation, for it assumes that certain questions, on which we are not agreed, have been settled—for instance, the circumstances in which credits may be carried forward.

We have now to decide what we are going to insert in place of that draft. Lord Cecil has proposed a very simple article—too simple, perhaps, since it implies the solution of certain problems which cannot be settled until the report of the experts, which is to be submitted to the Governments before the Conference, has been made known. Lord Cecil's draft makes mention of certain tables, but they have not yet been drawn up. Document C.P.D.90, to which the British delegation refers, provides, indeed, for a very detailed system of publicity, thirteen categories of expenditure including 104 limitations; whereas here we are merely dealing with totals.

I quite understand Lord Cecil's desire to insert such an article in the draft, and I agree with him that it is essential that all this discussion in regard to material for land warfare, Chapter II, Section I, of the draft, should result, after so many arguments, in something more than a blank page. We must arrive at some positive conclusion; and, if I am not mistaken, that is the true object of the British proposal. It seeks to show that there was a majority—as, indeed, is stated in the resolution—in favour of the principle of budgetary limitation.

Our American colleague, who finds some difficulty in the proposal, has made a very interesting suggestion—namely, that we should append the resolutions we have adopted after the article which it is proposed to insert. This would show clearly that the decision only implies the recognition of a principle, and that all the details of its application have still to be elaborated. I think that is a very ingenious suggestion.

Our Dutch colleague made a substantially different proposal; for, if I have rightly understood, he proposes, not simply to adopt two alternative texts expressing the decisions we adopted yesterday, but, in fact, to efface one of them altogether. One of these decisions was of a very definite character, since the Commission, by eleven votes to nine, rejected the idea of combining the two systems; whereas M. Rutgers' text would lead one to conclude that the combination of the two methods was to be the rule, and that the Conference might then allow exceptions to that rule; that is very far from being the case.

After the vote we took yesterday on direct limitation, when the views of the Commission were seen to be divided, it might conceivably be contended that there were two evenly balanced opinions in the Commission, and that the question whether the countries would be free to choose, and the conditions of such a choice, would perhaps have to be dealt with by the Conference.

That was, indeed, the sense of Mr. Gibson's proposal; but I do not think that, at the present moment, it can be claimed that the principle of a combined system commended itself to the Commission.

The only question to consider is, therefore, whether we shall have two alternative texts or a single text representing a principle accompanied, in the form of a note, by a reference to the resolutions adopted, and to the French resolution which, as I have already said, is regarded by many delegations as an essential element in the question.

**M. Rutgers (Netherlands).** — We are now dealing with the text itself. If I rightly interpret the decision we took yesterday, we did not reject any system—unless it were the compulsory combination of the two systems under review. The Commission did not express its opinion concerning what has been termed the "alternative" system, since none of the resolutions referred to that system. The proposal of the Italian delegation, which was rejected by eleven votes to nine, aimed at a compulsory combination of the two methods of limitation—direct or budgetary. This is proved by the fact that, if I remember rightly, Mr. Gibson did not vote on the Italian proposal. If it had not involved a compulsory combination of the two systems, he would have voted in favour of it, instead of abstaining.

What is called the "alternative" system was not voted upon. The Commission was not asked to express its opinion on that system. I do not know who first used this term, "alternative" system. Perhaps it was myself; but it is not a correct term. It is not proposed to insert alternative provisions in the Convention, and to allow countries to choose between them. The Convention must contain an explicit obligation. The alternative would exist only for the Conference, whose hands we must leave perfectly free in regard to questions which are not technical but political. Our task here is to prepare the Conference, to deal with technical issues and take decisions upon them. But the political decisions must be left entirely to the Conference.

The Conference might have two series of tables before it—one series for budgetary limitation and one for direct limitation. How will they proceed? During the Conference, figures will be under discussion; I have no idea how they will be discussed, as I was not at the London Naval Conference, but it may well prove more difficult than in London. Each Government will produce its figures and announce that it is prepared to accept certain figures in some tables and others in other tables. The Conference will then have to say if it is prepared to allow one State to give its figures in one series of tables, other States in another series, and some States perhaps in both series of tables.

I would, therefore, prefer not to use the word "alternative". Several delegations have been willing to recognise the particular situation of the United States of America. Other speakers have made various reservations, but have inclined towards the notion that a given country might be willing to accept direct limitation but not indirect limitation; they were prepared to consider that suggestion, but solely as an exception. If I am right, it was not suggested that all the countries should be entitled to adopt one plan or the other.

If we accept the notion of an "exception", is there any way of giving it technical expression; or is this not a purely political question? My opinion is that it cannot be given any technical form, and that it is a political question.



Lord Cecil has suggested that it would be quite possible to give technical application to this method by making the draft Convention provide only for indirect limitation, and by giving a summary in our report of our political discussions concerning direct limitation.

If we do not adopt a single text, our report will give an impression of uncertainty and indecision: but, if we accept Lord Cecil's proposal, there will be an appearance of decision and certainty which will not correspond with the facts. The uncertainty and indecision would therefore subsist.

Perhaps you will reply that, at any rate, there will be more certainty, in the sense that a draft Convention in the form proposed by Lord Cecil would certainly not be adopted; and, indeed, the speeches we have listened to show that a Convention drawn up as Lord Cecil proposes would not be acceptable to all the countries. Our resolution would not, therefore, constitute an adequate preparation for the Conference, a preparation which we are appointed to provide. Our task is to prepare the Conference from a technical point of view. We must recognise that certain solutions cannot be adopted in the final Convention, and yet our task is to submit to the Conference, which we are preparing, a text which it will be able to adopt.

As regards the wording of the Netherlands proposal, I have one remark to make now that M. Massigli has withdrawn the French proposal. The Netherlands amendment provides for the adoption of both texts of Article TA. I have no wish to resuscitate the French text, since it has been withdrawn by its author; but, instead of saying "adopts the two texts of Article TA", we could say "adopts Article TA and Article DB". That is only a formal modification. The Netherlands proposal in no way excludes the French proposal, which is still acceptable.

To conclude, I feel some hesitation in discussing general budgetary limitation. It seems to me that we are now discussing Chapter II, Material; Section I, Land Armaments. We ought to observe a certain method in our proceedings.

It does not seem to me an orderly procedure, when we are dealing with land armaments, to make comparisons with naval expenditure—a question which has a very remote relationship with the subject now under discussion.

**Lord Cecil (British Empire).** — I should like to say a few words in answer to M. Rutgers and to express my great admiration for the extremely ingenious reasons which he has presented in favour of doing nothing; but, with every respect to him, it is not our function to present the Conference with all the difficulties that may exist in the way of reaching a conclusion. Our function is to make a recommendation to the Conference as to one way, at any rate, in which those difficulties can be surmounted; it is not to present alternatives but to make recommendations. Therefore, I am very much opposed to the general thesis of M. Rutgers' proposal.

I should be altogether opposed to the substance of the proposal. Although it is clear that it may be necessary, in particular cases and for particular reasons which will have to be justified to the Conference, to make exceptions to whatever general rule is established, I think it would be an altogether disastrous thing to leave to countries complete liberty of choice as to what system of limitation of armaments they are going to adopt. In substance, therefore, I could not accept the suggestion and, in form, it seems to me to be equally objectionable.

M. Rutgers says that he objects to my articles because they give too much of an air of certitude as to what we are doing. That is not generally the charge that has been made against the proceedings of this Commission, but I think it is justifiable that we should state quite definitely that this system, whether it be completed or added to, is a totally different matter. This system of budgetary limitation did command the assent of a very large proportion of the Commission. I may remind M. Rutgers that, of the three delegates who voted against it, two of them, M. Litvinoff and General de Marinis, explained that they were not opposed to budgetary limitation in itself, but they thought that by itself it was insufficient. Therefore, they were not voting against the principle of budgetary limitation. I do not know whether I can say the same of Count Bernstorff, but I think he was not opposed to the principle of budgetary limitation. The net result, therefore, is that there was only one delegate—I may be misinterpreting even him—who was against this proposal on its merits. In that case, I do not think I am wrong in saying that it is a proposal we have a right to put into our Convention.

M. Rutgers was very anxious we should do nothing which would embarrass the United States delegation. I have the greatest possible admiration and respect for the delegation of the United States of America, and I am quite sure of their capability to look after themselves. Since they have not expressed any opposition to this proposal, provided their own position is made clear, I do not see why M. Rutgers should be more anxious about their interests than they are themselves.

**M. Sato (Japan).** — I shall start by stating some objections to M. Rutgers' amendment. He explained that his proposal does not aim at the adoption of an obligatory system including the two methods of limitation—direct and indirect. Nevertheless, he clearly showed that no country will be free to choose one or other method of limitation. The duty of indicating the method to be applied to each country will fall on the Disarmament Conference itself.

I must say quite frankly that I cannot agree with this idea. M. Rutgers said that several countries might give figures in two columns. Now I do not think that is the case. If the

Conference admitted the claims of one or more countries which could not give figures in one column—whether those for direct limitation or those for indirect limitation—it is very unlikely that other countries would accept an obligation to give figures in both columns. The proposal could not be carried out; it is even somewhat illusory.

If we contemplate such a possibility, why not call the system proposed by M. Rutgers “the alternative system”? Under that system, every country will be entitled to choose one or other method. That was the system recommended yesterday by M. Cobián. I do not support that system either, because it leaves all countries too free to choose one or other method. That would lead to confusion and produce uncertainty.

When a country goes to the Conference, it must know under which system it comes and what general rule will be applied to all countries. Just now, Lord Cecil showed the necessity for this certainty, and I shall have very little to add to what he said. This certainty is absolutely necessary to every country which goes to the Conference. It must not be possible for a country to be unaware which method will be applied in its case. Now, according to M. Rutgers’ proposal, a country, though favouring the method of indirect limitation, might at the Conference suddenly find itself compelled to accept the other method of limitation, since the Conference itself will decide this matter on political grounds.

My country, for instance, favours the method of indirect limitation. I go to the Conference and suddenly the Conference tells me that, in consequence of this or that consideration, I cannot belong to the group of countries coming under the method of indirect limitation, but must accept the other method. In that case I shall say: “I am very sorry, but my country cannot accept such an obligation; I must belong to the group of countries coming under the method of indirect limitation.”

As Lord Cecil showed just now, M. Rutgers’ idea is very ingenious; but, in my opinion, its ingenuity is of the kind that is likely to torpedo the Conference.

With Lord Cecil, I said just now that a general rule applied to all was essential and should be framed in this Commission, for a general rule, obligatory for each Government, must be laid down. In that way, there would be certainty beforehand as to the purpose for which we are going to the Conference. I readily agree, however, that it may not be possible to apply this general rule to all countries and that we may have to accord certain derogations and exceptions.

Personally, I am quite prepared to accept them, to recognise the need for them, to admit the possibility.

M. Rutgers told us that such derogations and exceptions could not be drafted in technical terms. This morning, however, Mr. Gibson gave us an example. The example given by Mr. Gibson is, perhaps, not perfect. The Commission will discuss the way in which the door may be opened for certain exceptions. That is a question for discussion; but, in principle, I think Mr. Gibson’s idea is excellent. In my opinion, the general rule must be that of indirect limitation. Moreover, after yesterday’s vote, it seems that that would be the opinion of the majority of this Commission.

From these considerations I pass to the British delegation’s specific proposal concerning Article DA.

Lord Cecil proposes that we should limit the total annual expenditure on land, sea and air forces. He says that the total in question will be the total for each class of armaments—that is to say, there will be one total for land forces, one total for sea forces, and another for air forces.

Personally, I find it somewhat difficult to accept Lord Cecil’s idea. He himself said just now that he could not accept any limitation of naval expenditure if the other naval Powers could not, for their part, accept such limitation.

I find myself in the same position. Further, it would be particularly difficult for my country to accept the principle of the limitation of naval expenditure—not because other Powers are unable to accept such an obligation, but there is another difficulty in our case. The reason for it is quite simple. In naval matters, we have already adopted a strict and direct limitation of material. Further, we have adopted an aggregate limitation of effectives. If we accept a third kind of limitation—through budgetary means—we shall find ourselves in a position which entails various disadvantages. Accordingly, we say that, as regards sea forces, we must be content with the direct limitation of material and effectives.

With regard to air forces, we adopt the same view. Further, we would observe that, in the case of air forces, there are several countries—of which mine is one—which cannot yet determine their total for these forces. In Japan, for instance, the air force is now in course of formation. It is not yet completely constituted and as yet we do not know what expenditure will have to be allocated to it. It is very difficult for us to estimate that expenditure, and, therefore, it is also very difficult for us to accept any limitation of it.

Under these circumstances, I propose to strike out from Article DA the reference to sea and air forces.

In the same article there is another point on which I should like to be quite clear. The British proposal says:

“Each of the High Contracting Parties agrees that its total annual expenditure on land, sea and air forces, in any budgetary year, shall not exceed the figures given for them in Tables . . . .”

I am not quite clear as to the meaning of the words “in any budgetary year”. Is this the expenditure provided for in respect of a given year, or is it that provided for in respect of several years?

If we are required to limit expenditure for several years—that is to say, for the period covered

by the Convention—we shall be confronted by many difficulties, for we do not know exactly how great that expenditure will be, as it is spread over a fairly lengthy period.

These questions are, naturally, rather technical, and I should like to go into them with the technical experts of the other nations. I do, however, feel anxious about them.

As to the French proposal, in principle I entirely agree with it.

I am quite prepared to accept the principle that a small committee of experts should be constituted to draw up the table of expenditure with a view to the limitation and determination of credits for national defence.

I should, however, like to add one or two paragraphs to this French proposal; but, as it is not yet under discussion, I shall reserve until later the proposal or proposals which I shall venture to submit.

**The President.** — What we need is the text of an Article TA. I received a text a few moments ago and I will have it copied and circulated, but I should like first to read it to you.

I wish to shorten the discussion as much as possible; but, if the four speakers whose names are still on my list desire, nevertheless, to speak, I shall ask them to do so.

The text, which for the greater part corresponds to the Article DB proposed by Lord Cecil, is as follows:

“ Each of the High Contracting Parties agrees to limit its annual expenditure on the upkeep, purchase and manufacture of war material for land armaments in accordance with the conditions laid down in Annex No. . . . to the present Convention.

“(Note. — In pronouncing on this article, the Governments will take into account at the Conference the report requested from the Committee of Budgetary Experts, which will have been forwarded to them in order to permit of the drawing up of Annex No. . . .

“The Preparatory Commission, by sixteen votes to three with six abstentions, adopted the principle of limitation by expenditure. It also discussed the following resolution:

“ ‘The Preparatory Commission is of opinion that the principle of direct limitation should be applied to land war material.’

“ When this resolution was put to the vote, there were nine votes for and nine against with seven abstentions.

“ Lastly, it examined the principle of a combination of the two methods, for which nine members of the Commission voted, while eleven voted against.) ”

This Article TA corresponds almost entirely to the Article DB proposed by Lord Cecil. I think we might resume the discussion on this basis.

**Lord Cecil (British Empire).** — I am quite content that the discussion should go on, on the new text, but I must make two reservations. In the first place, I shall want—at some time or another, I do not care when I do it—to insert the navy and the air in that resolution. It may be found more convenient to do that when we discuss the navy and the air, and I am quite content to await my time for that purpose.

Also, I shall certainly ask the Commission to adopt my Article DA as well. I think, without that first article, the second article would be ineffective. But, there again, if it is more convenient to the Commission to take that at some other stage, I am quite content.

**The President.** — Could we not discuss Article DA under Chapter III ?

**Lord Cecil (British Empire).** — By all means—wherever you like to have it. But my assent to the present draft depends—or is at any rate in the hope—that it will be completed in the two ways I have indicated.

**Dr. Riddell (Canada).** — I am handicapped by not having before me a copy of what the Chairman has just read. I understood, however, that the proposed explanatory note to the Article stated that sixteen voted in favour of budgetary limitation, that three were opposed to it and that there were six abstentions. In my opinion, this is not what the Commission decided yesterday when it adopted the resolution on this matter. In that resolution the Commission stated that it accepted, “ *so far as the majority were concerned*, the principle of budgetary limitation for land war material ”—in other words, that there was a majority in favour of the principle of budgetary limitation. If my memory is accurate, I believe that the actual text on which we voted yesterday said that the Commission “ *accepts by a majority* the principle of limitation by budgetary methods of land war material ”. I even raised the question then of whether there was a majority in favour of budgetary limitation; however, I voted for this system because I was desirous of obtaining some type of limitation after direct limitation had failed to obtain a majority. I suggest, therefore, that, in the note which it is proposed to insert under the text of the article, it should be stated that sixteen recognised that there was a majority for the principle of budgetary limitation, but not that by a vote of sixteen to three with six abstentions the Commission accepted budgetary limitation.

**M. Fierlinger (Czechoslovakia).** — I wish to say a few words concerning the proposal which has just been read and which is still anonymous. I hope that the text will be circulated and that we shall be able to study it. The remarks of our Canadian colleague, in particular, must be borne in mind.

For the moment, we are discussing the principle. At bottom, the principle contained in the new proposal is practically the same as that of the British proposal. Yesterday, a majority of the Commission supported the principle of limitation by budgetary means. I think that the

text of the resolution gives a very good summary of the situation as it was yesterday. By its decision, the Commission has, to some extent, endeavoured to remove the problem of the limitation of material from the field of competence of the general staff to that of the legislative organs. Thus, in a natural and semi-automatic way, we not only ensure publicity but also provide a certain guarantee that the international undertakings will be carried out. Certainly, this system is not ideal. We recognised that there are still many gaps in it. I think we should, therefore, attentively consider the French proposal that the question should be thoroughly studied. We must see which classes of expenditure would be affected by our articles. We shall have to try to prevent certain expenditure, which is really incurred for armaments, being incorporated in budgets other than those for war or national defence. We must also make it impossible for countries to grant direct or indirect bounties to certain industries. You know that fiscal questions are so complicated that we can imagine boundless possibilities in that direction.

For all these reasons I think that the work of the committee of experts, whose constitution is suggested by the French delegation, may have an influence on the final drafting of the article in question. The text just read anticipates, to some extent, the results of that Committee's work. Indeed, it refers to a special annex which, I imagine, would include those results.

I think that the principles the experts have to establish should be as clear and simple as possible if they are to be embodied in a General Convention. Ultimately, everything will depend on the spirit in which the Convention is applied, and emphasis should be laid on the fact that the supervision will be exercised by the legislative organs themselves.

As I have already said, the final drafting of the article—whether there is an annex or not—must be left to the Conference. Here we can only outline it. On the basis of our decision, which sums up the situation, the Conference will draw up the final text. Accordingly, I shall raise no objection to the adoption of either the British proposal or the text which the President has just read.

M. Rutgers pointed out that no vote was taken on one particular point—namely, the alternative. That is true, but I think we ought not to reopen the discussion with the possibility of all the other proposals being revived. I think we may trust the future Conference to take account of all the suggestions we accepted by our decision.

**The President.** — There is still some mystery as to the origin of the text I have just read. Several delegates would like to know the author of it. There is no reason for not stating it. Its origin is somewhat mixed, but the ultimate author is M. Massigli. Please note that M. Massigli agreed beforehand with certain other delegates, particularly with Lord Cecil, who is really the original author.

**M. Colban (Norway).** — If I remember aright, one speaker said this morning that the Commission, by its vote yesterday, rejected the combination of the two methods—direct and indirect limitation. I do not entirely agree. In my opinion, by eleven votes to nine, with a certain number of abstentions, the Commission rejected the very definite text of paragraph 3 of the Italian delegation's proposal.

I do not know whether this slight difference as to the interpretation of the vote will ultimately be of any real importance; but I desire to emphasise the fact that, in my opinion, the question of any kind of combination is still unsettled.

**M. Litvinoff (Union of Soviet Socialist Republics).** — May I venture to say a few words on a point of procedure? It seems to me that, in order to save time and work, we ought to be told at the beginning of each meeting what are the questions we are going to discuss—what are the limits of this discussion; otherwise, we are apt to "drift on the open sea" without knowing exactly what are the issues before us.

I think, if the Commission has decided that there should be only one method of reduction of armaments, and that by way of limiting budgetary expenditure, then Chapter II, Section I: Land Armaments, should be left a blank and all the questions relating to budgetary expenditure should be referred to Chapter III, and then we could discuss the amendments of the British, French and Soviet delegations, with one exception—the Netherlands' amendment, dealing with the question of tables for land armaments. That is for the Chair to decide; but, at any rate, all the rest should be discussed at a later date, when we come to Chapter III.

I take it, however, that we are now discussing jointly Chapter II, Section I: Land Armaments, and Chapter III, and that the discussion will be an exhaustive one and we shall not refer again to Chapter III. Therefore we shall be in order in speaking, not only of curtailing expenditure on land armaments, but also of naval and air Armaments. That seems to be the most simple procedure.

I could not quite grasp the meaning of what Lord Cecil said this morning—that he had no objection to adding some further methods for the reduction of armaments to the one adopted by yesterday's vote.

**Lord Cecil (British Empire).** — All I meant was that, as far as I was concerned, I would raise no objection to an amendment of that kind being moved if the Chair thought it in order. I was only dealing with the question of budgetary limitation.

**M. Litvinoff (Union of Soviet Socialist Republics).** — We have decided that there should be no other method of reduction of armaments but the budgetary method. If Lord Cecil thinks

it would be in order to bring in amendments with regard to the direct reduction of armaments, I can, of course, only express my satisfaction to be able to include Lord Cecil among those who voted for the combined method of reduction. Whatever their formal meaning, Lord Cecil's words, if I may be allowed perhaps to interpret his feelings, expressed a certain uneasiness and dissatisfaction with yesterday's vote. He admits that it was not quite conclusive, and that is what has been said to-day by the Canadian delegate and by M. Colban. Indeed, yesterday, we adopted quite an extraordinary means of registering the opinions of the Commission. Usually this is done by means of a vote; but in this case we have adopted a resolution in which not only the opinions of the majority but also the opinions of the minority are mentioned. That means that we have come to no definite conclusion, and the Commission itself is not clear as to whether there was a real majority for one method or another. That being so, we are bound to be, in some measure, in agreement with what the Netherlands delegation told us to-day. We have to consider the possibility of the Conference adopting the direct method of reduction or the combined method of reduction in spite of the decision of the Commission.

Moreover, there have been a great number of abstentions. I suppose that, at the Disarmament Conference, the delegates will have more responsibility and more authority, and that to each question coming before the Conference they will give a direct answer. It is therefore possible that those States who abstained from voting here will adhere, at the Conference, to the direct or combined method.

As far as our delegation is concerned, Lord Cecil stated quite truly that we are not opposed to the principle of reducing armaments by way of budgetary expenditure; but we are opposed to this principle taking the place of disarmament. We did not come here to discuss the question of budgets, but of disarmament, which means the direct reduction of armaments. The Soviet delegation will therefore not be satisfied with any Convention which does not contain some clauses for the direct reduction of armaments; and, if it nevertheless takes part in the discussion now with regard to budgetary expenditure, it does so in the belief that the Conference will do better on this point than the Commission has done.

I should like to remind the members of the Commission and the Chairman himself that, in addition to the amendments on budgetary expenditure from the British, French and Netherlands delegations, there was also an amendment brought some days ago by the Soviet delegation which is of quite a different nature to the other amendments, the principal difference being that, while the British and French and other amendments deal only with the limitation of budgetary expenditure, the Soviet amendment expresses quite clearly that "the total annual expenditure . . . shall not exceed the figures approved by the various contracting States in the present Convention, the military budgets current at the time of the signature of the present Convention being reduced by an equal percentage . . . This means, not limitation, but reduction.

We should take a vote on the cardinal point: Are we only going to limit expenditure—*i.e.*, to place expenditure on the level existing now, or an even higher level, or to reduce expenditure?

The further characteristic of the Soviet amendment is the mentioning of secret funds. It is no secret that, in many States, there are some funds for military expenditure which are placed either at the disposal of General Staffs or are disguised under expenditure, not actually of War Ministries, but of other institutions. The Soviet amendment proposes that all these secret funds should be done away with, and the whole expenditure of the armed forces of each State shown in a single chapter in the national budget, and that thus full publicity shall be assured.

My proposal is that, when we come to the vote, the Soviet amendment, as the most radical one, should be voted on first.

**The President.** — I have not forgotten it. I mentioned it at the beginning of the meeting.

**Count Bernstorff (Germany).** — Every time I have to speak on arguments that we have been hearing for the last five years I feel that I am saying, as Æneas did to Dido: "*Inlandum regina jubet renovare dolorem.*"

The discussion seems to turn on the method that will be provided for in the Convention. It is clear that there was not a majority of this Commission against the direct limitation of land material. We have before us a proposal by Mr. Gibson and another by M. Rutgers, and now a third is put forward. Personally, I am not expressing any definite preference for one or other method, but I think it is absolutely essential that we should inform the Disarmament Conference that there was not a majority against the direct limitation of land material.

The other day I said that I considered our work, above all, from the historical standpoint. In this connection I should like to remind you of what occurred in the early days of this Commission. Five years ago we convened so-called sub-Commissions of Experts—I say "so-called" because now we are doing the opposite—whose duty it was to inform us on more or less technical questions. We had a Sub-Commission A and a Sub-Commission B; and these convened a Joint Commission. The last-named unanimously adopted the following decision: "For these reasons, limitation by expenditure only would be inadequate as the basis of a Convention".<sup>1</sup> I repeat that that was the unanimous opinion of the Joint Commission. I accept that opinion, for that Commission is better acquainted with financial matters than I am.

<sup>1</sup> Note by the Secretariat. — See document C.P.D.29, Sub-Commission B, Report No. 1, page 20.

Budgetary limitation alone is not acceptable to me because it does not cover a tremendous amount of material accumulated in anticipation of a war.

**M. Cobián (Spain).** — Yesterday, my friend Mr. Gibson abruptly parted company with me when we were marching together towards the Promised Land. This is the result. The Commission was unwilling to vote on principles, and now everyone interprets yesterday's vote quite differently. I agree with what M. Colban has just said concerning the combination of the two methods, and I would point out that, when we were about to vote on the Italian proposal, I said that, if a distinction were made between the two parts of paragraph 3, the vote would be clearer, as we should have voted first on the combined system and then on the remainder of the Italian proposal.

As M. Sato referred to me just now, I should like to make clear when and how I spoke of the alternative. It was when delegations were each giving their opinion on the systems before us—that is to say, before a vote was taken on any proposal. But since we have adopted the British draft resolution, which clearly states that the majority of the Commission accepts the budgetary solution, I am not entitled to press for an alternative solution, which, in reality, has been rejected by the majority of the Commission. Only in those exceptional conditions emphasised by M. Sato is it possible, after yesterday's vote, to maintain this alternative for definite and well-defined exceptional cases. I therefore agree with M. Sato's proposal.

Count Bernstorff rightly said that there was not a majority against direct limitation, but it is none the less true that there was not a majority for direct limitation. Only a positive vote can justify the assertion that a proposal was accepted.

We have now to consider the last proposal with an explanatory note, referring to Section I of Chapter II, for we are still dealing with the limitation of land armaments. I fully approve of that text, as it reflects yesterday's vote. I think, however, the last paragraph of the note ought to be modified, since it does not exactly correspond with what occurred. I could not accept this proposal—that is to say, the system of budgetary limitation—unless, in fixing the figures, account were taken of the special conditions—of the cost of manufacture of land armaments—in my country. That is the spirit in which I submit the following slight amendment to the French proposal:

“ CHAPTER II. — MATERIAL.

*“ Addition proposed by the Spanish Delegation to Paragraph I, Sub-paragraph (c), of the Draft Resolution submitted by the French Delegation.*

“ I. . . . .

“ (c) . . . and to the special circumstances of each country with regard to the cost of production of war material. ”

**The President.** — Gentlemen, I would ask you to confine yourselves to the consideration of Chapter II, and endeavour to settle the object of our discussions to-day—namely, the text of Article TA. Lord Cecil has informed us that he is prepared to discuss the British proposal when we come to the discussion of Chapter III. Accordingly, I would ask M. Litvinoff to be good enough to allow the discussion of his draft amendment to be postponed until we come to consider Chapter III. Thus, we shall confine ourselves solely to the consideration of the text of Article TA under Chapter II: Material, Section I, Land Armaments. Thus the position will be clearer.

“ CHAPTER II. — MATERIAL: ARTICLE TA.

*“ Proposal by the French Delegation.*

“ Each of the High Contracting Parties agrees to limit its annual expenditure on the upkeep, purchase and manufacture of war material for land armaments in accordance with the conditions laid down in Annex No. . . . to the present Convention.

“ (Note.— In pronouncing on this article, the Governments will take into account at the Conference the report requested from the Committee of Budgetary Experts, which will have been forwarded to them in order to permit of the drawing up of Annex No. . . . The Preparatory Commission, by sixteen votes to three and six abstentions, adopted the principle of limitation by expenditure. It also discussed the following resolution:

“ ‘ The Preparatory Commission is of opinion that the principle of direct limitation should be applied to land war material. ’

“ When this resolution was put to the vote there were nine votes in favour, nine against and seven abstentions.

“ Lastly, it examined the principle of a combination of the two methods, in favour of which nine members of the Commission voted, while eleven voted against.) ”

**Lord Cecil (British Empire).** — May we take it, then, that we are now discussing on the basis of the French proposal which has just been handed in.

**The President.** — Yes, I should have mentioned it at the end.

**Lord Cecil (British Empire).**— I should like to propose an amendment to the French proposal. I am a little afraid of the rather vague character of the first phrase:

“ . . . la fabrication des matériels de guerre des armements terrestres dans les conditions définies . . . ”

I should greatly prefer it if some words could be put in to make it more clear that what we are leaving to the experts is the consideration of the technical details; that we definitely accept the principle and leave only the figures and so on to be settled after discussion with the experts.

If M. Massigli would be good enough to agree to the insertion of the words “ au chiffre fixé et ”, as follows:

“ . . . la fabrication des matériels de guerre des armements terrestres au chiffre fixé et dans les conditions définies . . . ”,

I think it would be an improvement. I still do not like its vagueness; but, as long as it is quite clearly understood that we are not postponing the decision on this question but are really taking a decision, I do not mind.

**General de Marinis (Italy).**— I have before me the proposal submitted by the French delegation, and, in principle, I should have no difficulty in accepting it, provided, of course, that it were additional to the principle of direct limitation. As I said yesterday, my Government thinks it could not accept any budgetary limitation which was not additional to direct limitation.

I should be prepared to accept that part of the French proposal which relates to indirect limitation. I must say, however, that I cannot accept the word “ annual ” in the phrase: “ Each of the High Contracting Parties agrees to limit its annual expenditure. ”

I note that the French delegation has abandoned its original standpoint as, in its first draft, it allowed expenditure to be carried over from one budgetary year to another, whereas that is no longer the case.

It was, moreover, under another chapter that the French delegation expressed its view concerning the possibility of carrying over from one year to another whatever it had been possible to save. Now it is definitely stated that the expenditure must be annual—that is to say, a country will not be able to carry over to the following year part of its budgetary credits which it has not really expended within the limits of its budget.

I strongly oppose this provision, and I venture to say that I do so on humanitarian grounds. If, in a given year, a country is overtaken by great public calamities, such as earthquakes or other catastrophes, it is compelled to economise on certain budgets—for instance, on its armament budgets—in order to meet great unforeseen difficulties. It would be the height of injustice if such a country were to be further handicapped by being told that it could not carry over from one year to another expenditure on its military defence.

**The President.**— Is there not a misunderstanding? If I understood M. Massigli aright his draft text covers the point you mention.

**General de Marinis (Italy).**— I am glad to agree with M. Massigli: but what I said applies to the British proposal, and I desire to state quite definitely that my Government could not accept that.

If M. Massigli's text is to be adopted, I would ask him to be good enough to make an addition to the last paragraph, where abstentions have been overlooked.

As I said, I could not accept budgetary limitation alone as a method of limitation. As Count Bernstorff pointed out, we are in a curious situation. A committee of competent experts stated that limitation by budgetary means alone could not be an effective method of disarmament. After this unanimous decision by the experts of Sub-Commission B, we are entirely disregarding their reply.

Is it worth while to convene experts and to set them to work for a long time and then disregard their reply?

May I now put one consideration before you? What have we to do? We have to submit to the Conference a plan for the reduction and limitation of armaments. This plan, must, if it is to have any value for the guidance of the Conference, in each of its articles give an exact indication of the unanimous opinion of this Commission, or at least the opinion of the great majority of this Commission.

Should it happen that, on any one of these articles, we are not in a position to give the Conference such an indication, such guidance, then it would be better not to try to frame a text at all costs.

I think the note in the French proposal clearly reflects the situation. The same is true of the proposal submitted yesterday by the British delegation. I think that anyone reading the British proposal or the French note would be struck by the fact that, after stating that votes were equally divided on the question of direct limitation, and that there were many abstentions, and after recording the various votes that were taken, this Commission finally adopted an article. That article could not represent the opinion of the great majority of the Commission.

We should find it very difficult to draft that article; but, even supposing we succeeded in doing so, many reservations would certainly be stated. Moreover, even if they were not expressed, they would nevertheless be apparent from our discussion. Accordingly, I think we should do

the Conference better service by merely stating the position as regards land armaments. The discussion would subsequently be opened at the Conference.

I do not think we should be doing anything to help the Conference if we prolonged our discussion in order to frame an article which would be weakened by the reservations that are apparent from the Minutes of recent meetings.

To portray the situation as it is, I should be satisfied with the proposal made yesterday by Lord Cecil and with the note submitted by the French delegation.

If we merely portray the situation, the discussion begun here will be continued at the Conference, but we shall at least have saved time here.

How can we agree on a single text after all the reservations that have been made and after all these somewhat doubtful votes? We could only gain for ourselves the satisfaction of having apparently prepared a draft. But, note, it would be merely apparent; for, in reality, as other speakers have pointed out, the situation is so uncertain that we ought to submit a table showing the differences of opinion that have become evident.

**M. Massigli (France).** — I should like to give General de Marinis a word of explanation. I used the expression "annual expenditure" instead of "budgetary expenditure" with a view to covering all expenditure, whether included in budgets or not. I therefore think my text meets even M. Litvinoff's anxiety concerning secret expenditure. By "annual expenditure" I cover the whole of the expenditure on material in any year.

Moreover, in using the word "annual", I had no intention of excluding the possibility of credits being carried over from one year to another. In the explanations I previously gave the Commission on this subject, I pointed out that, in this respect, there were certain differences between the French proposal and the original British proposal. Hence, in my resolution<sup>1</sup> I mentioned in paragraph (d) that credits for one financial year might be carried over to the following year or years under conditions to be determined. This question will have to be discussed later. I think Lord Cecil will propose certain amendments to this paragraph, but it seems to me that General de Marinis's anxiety may thus be removed. Moreover, I myself gave the example of a country which was overtaken by a calamity in the course of one year and which would therefore have to effect unforeseen economies in its military budgets, and I added that such a country would be obliged to carry certain expenditure over to the following financial period.

There remains the question whether we should adopt the text of an article. I tried to take account of real possibilities, and my very reason for drafting a proposal was that I thought the text proposed by Lord Cecil was somewhat too optimistic. I venture to state that I think my proposal accurately reflects the situation. Yesterday, sixteen delegations supported the principle of limitation by budgetary means. What we ask is that those sixteen delegations should vote for this text. The notes which follow show how the other votes were divided and accurately describe the situation. I think that, under these circumstances, the text might be accepted without any supplementary reservations being necessary.

**General de Marinis (Italy).** — The Committees of Experts are doing their duty, and we have no right to disregard their work. May I be allowed to supply the Commission with a new fact which will enable it to judge the situation better? The report of the Committee of Experts on Budgetary Questions, published on July 1st, 1927 (document C.P.D.90), says on page 9:

"In its report, the Joint Commission makes the following remarks concerning the limitation of expenditure:

"Limitation by expenditure only would be inadequate as the basis of a convention. If, however, the contracting parties agreed upon specific maximum figures for effectives and material, it would, in the opinion of the Commission, be useful to supplement that method of limitation by limiting certain main categories as well as the total of budget expenditure on national defence.

"The Commission assumes that the Disarmament Conference, in preparation for which this work is being undertaken, will, in the first place, proceed to limit the number of effectives and material . . ."

I would emphasise that this is the opinion of the Joint Commission. I had the honour to be a member of that Commission, as was Lord Cecil. We appoint commissions every year; but if, the following year, we forget what those commissions did the previous year, it is not worth while appointing them.

**M. Litvinoff (Union of Soviet Socialist Republics).** — I understand that the proposal of the Italian delegate really amounts to interrupting our discussion of this question altogether, and simply stating that the Commission cannot come to an agreement on any text for the reduction of armaments and, therefore, passes the question on to the Conference. That is a very radical proposal. I think that we should not embark on a discussion of this particular proposal, but simply take a vote at once. If it is decided in the affirmative, then there is an end to the discussion; and, if it is rejected, the discussion will go on.

With regard to the proposal made by the President that we should limit our discussion to Article TA, I should like to quote an English proverb which says: "One should never change horses in mid-stream." I think that, as we have begun the discussion we should finish it on all the questions

<sup>1</sup> Note by the Secretariat. — See Seventh Meeting.



that are relevant. My contention is that the French proposal, although it has the heading "Chapter II. — Material: Article TA", etc., does not come within Article TA but belongs of right to Chapter III, and it would be proper to include it in that Chapter. But, as I mentioned before, having begun the discussion, it is, perhaps, better to continue it, and, that being so, I maintain that my proposal comes within the same heading. We cannot discuss two proposals on the same subject, one under Chapter II and the other under Chapter III. I think they should both be taken together, and, even if my proposal be not discussed, I ask that it should be voted upon, together with the French and the British proposals.

**M. Rutgers (Netherlands).** — In its first form, the Netherlands proposal said:

"The Commission adopts the two texts of Article TA."

The French delegation withdrew its proposal on Article TA. Consequently, I had to change my wording; but, as the French delegation has reversed its decision, I have had to go back to my first wording.

I was greatly flattered by the compliments paid to the Netherlands proposal. It was said to be very ingenious, and, if that were not a compliment that is sometimes addressed to offenders when they appear before their judges, I should be tempted to return it to the new French proposal, for I think it is very ingenious to refer in a note to the vote taken yesterday on Lord Cecil's proposal. For my part, I believe it would be better to say nothing on that point, for I think there are many ways of using figures, however accurate they may be, so that they do not give an adequate impression of the situation.

When we voted on Lord Cecil's proposal, several of us thought that budgetary limitation should, in one way or other, be alternative to, or combined with, direct limitation. Others said that direct limitation was the better. Still others asserted that a convention without direct limitation would not be acceptable. Some speakers said that they could not wholeheartedly support the principle of indirect limitation, but they were voting for it in order to reach some conclusion. The proposal has been modified so as to prevent members of the Commission from voting against it.

The first wording was that the majority prefers indirect limitation. The present wording is that the majority accepts the principle. That was a more innocent statement, and some members were caught by it. They said that they were not opposed to direct limitation being included, and they voted for this wording. Others voted against it. Still others abstained. If we merely read what is stated, we do not obtain a correct idea of what occurred.

Accordingly, I think it would be better not to mention that vote.

In regard to the Netherlands proposal, Lord Cecil told me that the United States of America were well able to take care of themselves, and that it was not my duty to plead their cause.

I have not pleaded the cause of any country. What I am pleading is the cause of the preparation for the Disarmament Conference, and, though I recognise that I have a very agreeable position next to the United States delegate, I must add that the Netherlands proposal was not inspired by the fact that that delegate is a very pleasant colleague.

It is not a question of the United States. It is a question of preparing for the Disarmament Conference and I still think that, to prepare it well, we must place both texts before it.

M. Sato raised the question whether, if the Netherlands proposal were accepted, the figures to be inserted in the Convention would be fixed by the Conference or by the members of the Conference. I do not think that question can arise, since the decisions of the Conference must be unanimous. The inclusion by any country of a figure in this or that table will have to be decided by the Conference. The country cannot be said to have freedom of choice. As to the table in which the figures will be entered, the countries may truly be said to decide, since the decision of the Conference is identical with the decision of its members.

M. Sato feared that, by placing both texts before the Conference, we might cause its failure. I think that nothing is gained by shutting the skeleton up in the cupboard. Danger lies, not in the fact that the two texts are placed before the Conference, but in the fact that there are two opinions. To submit both texts to the Conference may, on the contrary, enable the Conference not to fail, or to be "torpedoed" as M. Sato said, but to get under way, and that is a very different matter. M. Sato himself recognised that there might be exceptions. If the Conference had only a single text, the question would arise all the same. By eliminating political questions from our draft, we do not necessarily eliminate them from the discussions of the Conference.

Lord Cecil feared that we might give the impression of being irresolute. The Netherlands delegation has, however, been to some extent satisfied by the French proposal. I would merely like the note to be drafted rather differently. We should be satisfied if, for instance, it mentioned the fact that the Commission had before it a proposal concerning the limitation of material—the text of this proposal being reproduced in the note—and added that this text was not voted upon. That would satisfy us, because, in this way, the essential part of the Netherlands proposal, which I continue to recommend to the Commission, would be adopted.

**The President.** — I should have liked to pass to the vote on the question of procedure raised by M. Litvinoff. As, however, it is already 1.5 p.m., and as this question is so important, I propose that, as an exception, we should meet this afternoon at 5 p.m.

**Lord Cecil (British Empire).** — I hope we can avoid a five o'clock sitting by sitting a little longer now and getting a solution. I see no reason why we should not reach a decision on the French proposition almost immediately. It is a perfectly definite proposition. It merely sets out that this Commission recommends, as one means of limiting armaments, the limiting of expenses. It does not confine itself to that, of course. We are going to limit effectives, ships of war and aeroplanes; but we do say that, in addition to all those methods, we do think there ought to be the limitation of expenses.

I just want to refer to what Count Bernstorff and General de Marinis have read from document C.P.D.90.<sup>1</sup> In my view, we are going on almost exactly the recommendation of that Committee. That Committee said: "It is perfectly true that you cannot limit armaments merely by limiting expenses"; but they were considering, as is quite clear from the text—I have read it all—all armaments. They said: "Of course you will have to limit effectives; of course you will have to limit ships of war"; and, in addition to that, they thought you ought to limit, if possible, big guns and tanks. Beyond that, they did not expect you could limit in detail all the armaments. They go on to say that, whatever decisions you come to in regard to direct limitation, they do think a limitation of expenses would be useful as a controlling agency to see that the other limitation is carried out. It seems to me that statement is entirely in support of what we are hoping to do, and I am surprised that it should have been read in the opposite sense. General de Marinis merely read a quotation from that document which appears in a later document. If he would be good enough to read the whole of the passage I think he would agree with me that the financial experts by no means said there was no advantage in a limitation of expenses as a controlling agency. On the contrary, they said it was mainly a political question and not a question for experts. They explained some of the conditions which would have to be accepted in such a limitation. Therefore, there is nothing in those previous documents which gives any reason against our deciding, here and now, that one method of limiting armaments ought to be budgetary limitation. By deciding that, we do not decide that it is the only method. Indeed, it is clear that it cannot be the only method.

I very much regret that, instead of these resistances to this proposal, we have not had definite, precise proposals, saying: If you cannot have limitation of all material, why not (as I think the Swedish delegation suggested) limit some of the material directly? I think this is a matter that certainly ought to be considered and is important.

I would ask the Commission here and now to vote on the question of whether, in addition to all other methods of limitation, we do accept the principle that there ought to be a limitation of expenses. I think we ought to arrive at a decision now on that point.

**The President.** — Since an objection has been raised to a meeting being held this afternoon, I am glad to see that Lord Cecil shares my original opinion that we should proceed to vote on the question whether the article under discussion shall remain blank and whether we shall adjourn the question.

We will, therefore, proceed to vote.

**Count Bernstorff (Germany).** — When I asked to speak, I merely intended proposing that we should adjourn at once and not meet this afternoon. I think that would be agreeable to everyone. But, as a contrary decision has been taken, I shall say a few words.

I have never spoken against budgetary limitation as a supplement, but I have spoken against budgetary limitation as a supplement to a limitation of air and naval material only, whilst an exception is made in the case of land material. I ask myself why this exception should be made in favour of land material. If the reason is explained, the position will be different; but, up to the present, no one has explained the reason for this exception.

**M. Litvinoff (Union of Soviet Socialist Republics).** — What is happening to the Soviet proposal?

VOTE ON WHETHER THE DRAFTING OF A TEXT OF ARTICLE TA SHOULD BE REFERRED TO THE CONFERENCE.

**The President.** — I propose to take a vote on the preliminary question—namely: Should the drafting of the text of Article TA be referred to the Conference?

I invite the Commission to vote.

*A vote was taken by a show of hands.*

*One delegation voted for this proposal.*

*The proposal was rejected.*

**M. Litvinoff (Union of Soviet Socialist Republics).** — I was going to support the Italian proposal, but as I see the Italian delegate did not vote for it himself, there seems to be nothing for me to support.

**General de Marinis (Italy).** — I merely gave my personal opinion. I made no proposal; but, obviously, I maintain what I said.

<sup>1</sup> Note by the Secretariat. — Report of the Committee of Experts on Budgetary Questions.

VOTE ON THE FRENCH PROPOSAL OF A TEXT FOR ARTICLE TA.

**The President.** — This vote shows that the Commission desires a text. The text before us is M. Massigli's, with a slight amendment. After the words "land armaments" the words in accordance with the figures and the conditions laid down in Annex No. ... to the present Convention" must be added. I put M. Massigli's proposal, thus amended, to the vote.

*A vote was taken by a show of hands.*

*Fifteen delegations voted for this proposal and one delegation against it.*

**The Hon. Hugh Gibson** (United States of America). — I assume this is voting on the text of the French proposal and not on the note, which is separate.

**M. Westman** (Sweden). — Yesterday I abstained from voting for the British proposal so that it should not appear that I wished to increase the majority against direct limitation. To-day, my vote cannot admit of that interpretation, and I therefore voted for the French proposal.

**M. Litvinoff** (Union of Soviet Socialist Republics). — I cannot vote for the French proposal until my proposal is disposed of.

**General de Marinis** (Italy). — I desire to explain my abstention so that my statement may be included in the Minutes.

I am not opposed to budgetary limitation. I desire, however, that it should not be adopted alone, but that it should be associated with direct limitation. I think it my duty to explain my view on this subject, for I should not like any misunderstanding to remain. The present text of our draft gives the impression that the Commission decides solely in favour of budgetary limitation. That does not at all correspond with the unanimous opinion of the Commission, of which several delegations, I think, accept budgetary limitation on condition that it is associated with another form of limitation.

**The Hon. Hugh Gibson** (United States of America). — There is one point arising out of General de Marinis's remarks. If any reservations are brought forward relating to a single text, the note which I suggested this morning loses its virtue. From the moment that any delegation feels it must offer a definite reservation, much the best course would be to drop the footnote and leave it to the various delegations to make such reservations as they deem essential.

**M. Rutgers** (Netherlands). — I desire to state that I did not vote, and that I shall abstain from voting on the French note for the same reasons as General de Marinis.

**Count Bernstorff** (Germany). — Since all the minority have done so, I wish to explain the reasons for my abstention. I made a general reservation and stated that a convention which did not cover trained reserves and land material would not be acceptable to me. Like Mr. Gibson, I abstained because I did not wish to cause any obstruction. I hope the majority will bring us to the Disarmament Conference as quickly as possible and we shall meet again there.

**The President.** — We shall now proceed to vote, and I invite delegations who desire to vote in favour of the inclusion of the note without reservation to raise their hands.

*The inclusion of the note without reservation was adopted by sixteen votes.*

**The President.** — We still have M. Litvinoff's amendment. Does M. Litvinoff desire a vote to be taken forthwith on his proposal, or would he like it to be postponed until we come to discuss Chapter III, for the Commission has not yet discussed this proposal?

**M. Litvinoff** (Union of Soviet Socialist Republics). — If we have disposed of everything in Chapter III and there will be no further discussion, then, of course, I should wish my amendment to be put to the vote now; but, if we are going to discuss Chapter III, then I do not mind putting it off till then.

**The President.** — The discussion will be resumed when we consider Chapter III, subject to a reservation as to the texts adopted at the end of our session.

At the beginning of the next meeting we shall start the discussion of the draft resolution submitted by the French delegation.

*The Commission rose at 1.35 p.m.*

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TENTH MEETING.

*Held on Monday, November 17th, 1930, at 10 a.m.*

*President: M. LOUDON (Netherlands).*

30. Discussion on Chapter II: Material. — Section I: Land Armaments (continuation).

*Discussion on Draft Resolution submitted by the French Delegation<sup>1</sup> (Enquiry by the Committee of Budgetary Experts).*

**The President.** — After agreeing by a majority vote on the principle of budgetary limitation, the Commission, at its meeting the day before yesterday, embodied that principle in an article, with which you are now familiar, followed by a note, also adopted, by two successive votes.

To-day, therefore, the Commission will discuss the draft resolution submitted by the French delegation<sup>1</sup>.

To this resolution there is an amendment to paragraph I (c) proposed by the Spanish delegation. The proposal is to add to that paragraph, which reads as follows:

“(c) the adjustment of the proposed method of limitation to possible fluctuations in the purchasing power of different countries;

the words: “. . . and to the special circumstances of each country with regard to the cost of production of war material.”

The discussion on the French proposal is now open.

**M. Massigli (France).** — After what has already been said on the subject, I shall confine myself to a few very brief remarks defining the resolution submitted by the French delegation. As I said at a previous meeting, its purpose is to enable the Governments, before the Conference, to determine the conditions for the application of budgetary limitation.

The four points enumerated in paragraph I of the resolution are not limitative, and the experts can of course examine and point out any other questions that they consider important.

Paragraph (a) indicates the necessity of limiting the aggregate expenditure under every head.

Paragraph (b) emphasises the importance of studying the budgets and taking into account, in any solution, the variety of ways in which budgets are presented in different countries.

Paragraph (c) reverts to a point the importance of which has long been clear: the purchasing power of the different currencies.

To this paragraph the Spanish delegation proposes an addition which in itself appears to me quite reasonable, but I wonder, since for the moment we are discussing the experts' programme of work, whether the question really comes within their competence; it appears to me to be rather a question of figures, to be raised at the General Conference, when we come to limit the expenditure on material; the Conference will realise that in every country the cost price has to be taken into consideration, so that the figures are not absolutely comparable.

Such being the case, unless there are any other arguments, and though I agree that the idea is in itself perfectly sound, I wonder whether we might not be complicating the experts' work if we introduced this amendment.

Lastly, paragraph (d) concerns the question of carrying credits for one financial year over to the following year or years; as I have already said, I consider this principle essential, while readily admitting that it is important to prevent abuse and the disastrous consequences that might ensue.

Paragraph III, I may say at once, concerns Chapter III of the Draft Convention, though it can be taken separately; but if we are already agreed on the principle of studying the limitation of the aggregate budgetary expenditure, there is no real objection to approving it now.

**M. Cobián (Spain).** — Since the Commission first met, the Spanish delegation has maintained the same attitude towards the grave problem of the reduction and limitation of armaments.

On May 3rd, 1929, I put before the Commission my doubts as to the wisdom of accepting the method of budgetary limitation, owing to my country's special situation as regards manufacturing costs. Still with the same conciliatory purpose in view, I may say, therefore, as regards budgetary

<sup>1</sup> Note by the Secretariat. — See Seventh Meeting, page 86.

limitation, approved by the majority, that this principle explains the small amendment now under discussion. I realise that it will further complicate the experts' work, but we have to remember that any complications not examined to-day will have to be settled by the Conference, and that the more difficulties we face in the Preparatory Commission, the fewer the General Conference will have to examine.

I understand that the chief point is the question of figures, but if figures were the only point at issue the Preparatory Commission would have nothing at all to do, as it rests with the Conference to decide them.

We are meeting now to establish methods and agree on principles. In this amendment submitted by the Spanish delegation, what I ask for is the recognition of a principle.

I do not quite agree with M. Massigli when he says that the question exceeds the scope of his amendment. I think that if the experts are to study the question of whether the method of limitation agreed upon can be adapted to the fluctuations in the purchasing power of the different currencies (paragraph (c) of the French draft) it will be quite possible for them also to study the principle embodied in my proposal. You all appreciate my conciliatory attitude. My country will be satisfied if the Commission decides on that principle. I see no objection to deciding not to fix the figures, but months will elapse between now and the Conference and there will be changes. In the interests of my country, therefore, I would ask you to accept my proposal or another, framed in different terms, but embodying the same principle. I do not think that my country can agree to limitation, as proposed, unless that principle is adopted.

M. Westman (Sweden). — The first point in the French proposal refers to an enquiry by the experts into land material only, whereas point III proposes a similar method for the limitation of the aggregate annual expenditure of every country on its land, naval and air forces.

I shall have a few words to say on the subject of the experts' enquiry with reference to the forces to be maintained and I should like to know if this is the moment to raise the point or if there will be a discussion later, on the instructions to be given to the experts for the questions mentioned in point III.

M. Massigli (France). — I am prepared for the moment to withdraw point III.

Lord Cecil (British Empire). — I do not rise to make any objection to this French proposal, though personally I am not quite sure that it is actually necessary. I believe that the enquiries which have already been made by the experts will be sufficient; but if anyone desires to have a further reference to them I have no objection. The only thing is, I hope they will be called together at the earliest possible moment. I do not know whether it will be possible for them to meet while we are sitting here, that would be best, but, if that be impracticable, then as soon as possible after that. Perhaps the President will be good enough to consider that matter and see what can be done if my colleagues agree that the earlier the experts meet the better.

As I understand that paragraph III is for the moment withdrawn, I will reserve any criticism on that; I had a little doubt as to whether the wording was correct.

As regards the Spanish proposal, I entirely agree that it would be quite wrong to make any comparison between one country and another as to the cost of their armaments. Take my own country for example—and the United States, supposing we ultimately find some means of arranging the matter so far as they are concerned—the cost is enormously greater in both these countries than in any other country owing to a variety of circumstances. Any comparison, therefore, between my country and other countries in which production is much cheaper would obviously be quite unfair and unjust, and would not help. That is not the idea of budgetary limitation at all. It is not to furnish a comparison between countries, but to see that one country, having accepted a standard of limitation, is not exceeding that standard in some manner—without any intention but in fact.

It is really as a check on that very useful report to which Count Bernstorff called attention on Saturday. It is not useful as a primary method of limitation, but it is very useful as a check. That being so, it seems to me that all that ought to be pointed out in our report; it ought to be made quite clear that there is a great difference in the cost of production in different countries, and that, therefore, there can be no comparison as between one country and another but only as between one year in each country and the next year—or the previous year. I do not know whether an insertion of that kind in the report would meet M. Cobián's apprehension, so as to make it quite clear that the question of the cost of production must be considered.

As far as I am concerned, if it would add to M. Cobián's satisfaction—I do not know what M. Massigli thinks—I should see no objection to adding at the end of paragraph (c), "especially with regard to the cost of war material". That is to say, that any question of variation in the cost is particularly important when you come to deal with war material. It obviously is.

I fully understand from M. Massigli that it is not intended to ask the experts to report on the principle of disarmament in any way. Their business is to point out the technical methods in which this disarmament can be carried out, and the technical difficulties, if any, and the way in which these technical difficulties can be overcome. As long as that is quite clear I have no objection.

I mention that because I am not quite satisfied, with the wording of paragraph (d), whether that is quite clear. But I do not want to propose any amendment so long as it is entered in the proces verbal that it is quite clear that the experts are not advisers as to whether it should or should not be done, but only as to the way in which it should be done if it be decided to do it.

**M. Cobián (Spain).** — I am very grateful to Lord Cecil for his proposal. If the cost of manufacture of material is taken into account, I have no observation to offer: the proposed addition entirely meets my requirements.

**Lord Cecil (British Empire).** — The words are “ especially with regard to the cost of war material ”.

**The President.** — M. Massigli accepts the proposal to add to paragraph (c) the words “ especially with regard to the cost of war material ”.

**M. Politis (Greece).** — I wish to make one remark in connection with the Spanish amendment, though not by way of objection to it. I am not quite clear whether this is the proper place for the amendment. I agree with M. Massigli's remarks, but I should not object to the French proposal being amended as the Spanish delegation suggests. I simply wish to point out that budgetary limitation must be individual, for every country. The special conditions in the different countries would have to be taken into account, not only the cost of the goods, the cost of raw materials and labour, but all the other economic and military conditions. The general economic conditions of the country and the state of its armaments would have to be considered. A country may at present have reserves of armament that are incomplete or unfit for use. It would not be fair to put it on the same footing as the others, and to have one rule for all of them. The Spanish delegation's suggestion, therefore, even if it were embodied in the French proposal, does not exhaust the question, and I should like the report to note, either in this connection or in connection with the general discussion on the indirect limitation of armaments, that budgetary limitation implies individual limitation, and that it would be fixed for each country with due reference to the particular conditions of that country.

**M. Colban (Norway).** — I wish to direct the President's attention to the somewhat peculiar position of the Committee of Experts. This Committee has been to all intents and purposes non-existent for the last three and a half years. I do not know if the members would be prepared to meet again. I should like it to be understood, therefore, that the Bureau has the right to reorganise the Committee. Since it was originally constituted by the Bureau, it would be in conformity with a principle adopted by the Commission to leave the Bureau absolute discretion as regards its composition.

Moreover, it is quite clear from M. Massigli's proposal that the Committee is not intended to give an opinion on the expediency of budgetary limitation, but only on the means of applying a principle already adopted by the majority of the Commission. I should like this point to be made quite clearly. Members of the Committee will not have to discuss the arguments for or against budgetary limitation. Budgetary limitation, it must be remembered, is simply one of the methods of limitation under the Draft Convention, which will also provide for the limitation of effectives, publicity, etc. The experts will not have to give an opinion on the value of budgetary limitation, for they will not have before them all the factors which the Commission alone can appreciate. I wish to point this out, to emphasise the great importance of Lord Cecil's observations on the subject.

**M. Antoniadé (Roumania).** — The Roumanian delegation accepts the French delegation's proposal and entirely agrees with M. Politis' judicious observations. We feel, as he does, that any budgetary limitation accepted by the States will have to be peculiar to each country, taking into account all the economic, financial and other factors, and we wish this to be definitely stated in the report which will be submitted by the Commission to the Conference.

**Dr. Markovitch (Yugoslavia).** — I entirely agree with M. Politis' suggestions, which should, in my opinion, figure in the report not as the personal suggestions of the delegate of Greece but as illustrating our resolution concerning the method for the limitation of land material, that is, as a decision of the whole Commission.

**Munir Bey (Turkey).** — The Turkish delegation entirely agrees with M. Politis' observations.

*Adoption of the Draft Resolution submitted by the French delegation, with an amendment to paragraph (c) and the holding over of Paragraph III for further discussion.*

**The President.** — Due mention will be made in the report of the observations which have just been submitted, and the Commission will, I think, approve M. Markovitch's proposal that M. Politis' proposal should be regarded as representing the views of the whole Commission.

As regards the Committee of Experts, I can reassure M. Colban. The Bureau, realising the importance of its task, will do its best to reconstitute that Committee. I do not know if we can still call upon the different members, as I cannot say what the present position is, but I will certainly go thoroughly into the question.

In reply to Lord Cecil, I may say that his proposals will also receive full consideration. The discussion being closed, I think I may consider the draft resolution submitted by the French delegation as adopted by the Commission, with the proposed amendment to paragraph (c), and that paragraph III will be held over for further discussion.

*Agreed.*

*Convening of, and Constitution of, the Committee of Budgetary Experts.*

**The President.** — I may add, in order to avoid any possible confusion, that Lord Cecil's proposal was that we should try to convene the Committee of Experts as soon as possible, perhaps even before the close of this session, if it goes on for a few days longer.

**Count Bernstorff (Germany).** — It is, of course, understood that this question of the Committee of Experts will not mean any delay in the convening of the Conference. I should object to any delay in the convening of the Conference, which is for us the essential matter.

May I ask if it is the last point of the chapter on Land Material that we are discussing at present?

**The President.** — Yes.

*Proposal by the German delegation regarding prohibition of the more offensive engines of land warfare. Discussion deferred to Chapter IV.*

**Count Bernstorff (Germany).** — In order to conclude the discussion on this point, I may say that I have drawn up a proposal which will be circulated in a few minutes. In this proposal I have endeavoured to make up for the decision passed the other day by the Commission in the matter of land material, by demanding the prohibition of the more offensive engines of land warfare. We have included it under Chapter IV, relating to chemical warfare.

The reason that I am submitting my proposal now is to avoid all difficulty later as regards procedure, and so that the question may be discussed in connection with Chapter IV. If you think that the proposal should be discussed under the chapter on land material, may I ask you to decide the question now? Personally I should be quite prepared to discuss it when Chapter IV is being examined.

**The President.** — In reply to Count Bernstorff, I may say that as the proposal has not yet been circulated it cannot be discussed now.

**Count Bernstorff (Germany).** — That is so.

**The President.** — I think, as Count Bernstorff suggests that the proposal might be held over for Chapter IV. According to the rule that we have adopted, it should only be discussed at the last reading.

**Munir Bey (Turkey).** — The Turkish delegation is of opinion that the Committee of Budgetary Experts should also include experts of States which have since taken part in the work of the Commission. Turkey was not represented on the Committee of Experts and would certainly feel entitled to ask that her expert should sit on the Committee.

**Lord Cecil (British Empire).** — With regard to Munir Bey's remarks, I hope that we are not going to introduce the national aspect of the question. The essential thing is to get together the most qualified people, irrespective of nationality.

**The President.** — I quite agree with Lord Cecil, especially as you have asked the Bureau to see to the constitution or reconstitution of the Committee of Experts. The Bureau, I can assure you, will do its best to find the most competent experts to sit on that Committee, but it is impossible for every State to be represented.

**Count Bernstorff (Germany).** — I shall be very willing to accept the President's suggestion (for the discussion of the German proposal under Chapter IV).

Our proposal will be circulated in a few minutes. We were unable, owing to the Sunday interval, to have it ready earlier. I may add that I do not mind when the vote is taken, provided that it is voted upon.

All that matters, so far as I am concerned, is that the proposal should be submitted to the Commission, and that the latter may consider it.

**The President.** — I think that the Commission agrees with Count Bernstorff. Is it understood that the draft resolution submitted by the French delegation is adopted?

**M. Litvinoff (Union of Soviet Socialist Republics).** — I would remark that I abstain on this question. I declared on Saturday that as long as the Soviet delegation's amendment has not been discussed and voted upon, I am unable to express any opinions on other amendments on the same question.

**General de Marinis (Italy).** — May I ask the President to say exactly what the Bureau is required to do as regards the composition of the Committee of Experts? The Committee consists of delegates from certain countries, of which I have a list. You agreed to the proposal to constitute the Committee; but it already exists. You said that the Bureau would proceed to constitute the Committee and would call upon first class experts; but I do not quite grasp exactly what the Bureau proposes to do.

**The President.** — In reply to General de Marinis, I have before me a list of the experts who sat on the Committee.

It is clear, referring to what M. Colban said, that we must try to reconstitute the Committee as it was, but I do not know if all the members are still available. The Bureau will do its best to convene the former members, but we would ask to be allowed a certain latitude, if necessary, that we may call upon other experts to sit on the Committee. General de Marinis said just now that certain countries had been appointed to serve on the Committee; but if an expert of any one of those countries were prevented for some reason from attending, he would have to be replaced by another expert from the same country. This seems the best solution, but I would ask the Commission to allow me a certain discretion in the matter. The Bureau will do its best, but will naturally have regard to the original constitution of the Committee.

**General de Marinis (Italy).** — It is understood that the composition of the Committee of Experts will be the same as it was originally. Delegates will simply be appointed to replace those who cannot attend; but it is clearly understood that no country can be added to the list or left out.

**The President.** — No country will be omitted, but I would ask you to allow me some latitude as regards adding other countries. I hope you will trust to the discretion of the Bureau.

**Dr. Woo Kaiseng (China).** — The Committee of Experts will have a very important duty. May I ask the President to inform us as soon as possible of the composition of that Committee, so that we may know how matters stand and say if we are in agreement?

**Munir Bey (Turkey).** — The Turkish delegation has perfect confidence in the Bureau, but as there was some question of replacing absent members of the former Committee who could not attend, by representatives of the same countries, we wish to direct the Commission's attention to this small point.

**The President.** — I propose that the Commission should leave the matter to the Bureau, which will do its best to reconstitute the Committee as it was originally. If any changes are found necessary, I will inform the Commission.

*Agreed.*

31. **Statements by the delegates of Greece and Turkey regarding the Treaty of Friendship and the Agreement between the Greek and Turkish Governments for the Limitation of Their Naval Armaments, signed at Ankara on October 30th, 1930.**

**The President.** — I call upon the representatives of Turkey and Greece, who have statements to make.

**Tevfik Rüstü Bey (Turkey).** — I have the honour to inform the Commission that we have concluded an agreement with the Greek Government. This agreement, which was signed at the same time as the Treaty of Friendship between Turkey and Greece, is designed to put a stop to the competition in naval armaments and the unnecessary expenditure which that involves. It will undoubtedly have the effect of consolidating peace in the Eastern Mediterranean. We congratulate ourselves on being among the first nations in Europe to contribute by means of special agreements towards the creation of an atmosphere favourable to the work of the Disarmament Commission.

**M. Politis (Greece).** — My distinguished friend the Turkish Minister for Foreign Affairs and I both thought that the Commission might be interested, when it is about to begin its study of the limitation of naval armaments, to receive from the delegations concerned official confirmation of the signing at Ankara, on October 30th last, of an agreement between the Greek and Turkish Governments for the limitation of their naval armaments.

This agreement provides as follows: "The High Contracting Parties, desirous of preventing any unnecessary increase in the expenditure on naval armaments and of proceeding simultaneously to limit their respective forces with due reference to the particular conditions of their respective States, undertake not to place orders for, or to purchase or construct any warship or armaments without previously informing the other Contracting Party, six months in advance, in order that the two Governments may thus have an opportunity of preventing any competition in naval armaments, by means of a friendly exchange of views and of explanations between the two Parties in a spirit of perfect sincerity."

The agreement is embodied in a Protocol annexed to the Treaty of Friendship, signed the same day, and it marks the opening of a new era of collaboration, understanding and friendship in the relations between the two countries.

When you think, gentlemen, what struggles and rivalry those countries have known for centuries, you will realise with what joy the two nations received the news of their reconciliation.



The real value of this agreement lies in the fact that it was concluded only after the two nations, having realised their common interests, decided to accept their territorial status as definitive. Henceforth, on neither side will there be any question of mental reservations, ulterior motives or further claims. This being the case, both countries have realised that since there is now nothing to divide them, they can cease to arm against one another and proceed with full confidence to co-operate, looking as they do to such co-operation to increase their prosperity and consolidate peace in the Near East.

I am happy and proud, gentlemen, that my country should have given so signal an example and pledge of its pacific attitude. I trust most sincerely that the consecration of this friendship between the Republics of Greece and of Turkey will constitute a powerful factor for peace in the Balkans and in Europe as a whole.

**The President.** — I shall, I am sure, be interpreting the feelings of the whole Commission in expressing to the Turkish Minister for Foreign Affairs and to our colleague and Vice-President M. Politis our satisfaction at the news which they have just announced.

The conclusion of this Treaty between two peoples who for centuries were enemies is a matter for general rejoicing.

The Protocol which M. Politis has just read and which was appended to that Treaty, constitutes an example which we can and ought to follow. I congratulate those two countries and their eminent representatives in particular. I feel that the agreements were concluded—and you, I am sure, will agree with me—as the result of the efforts of two statesmen of outstanding capacity, vision and nobility of character.

### 32. Discussion on Chapter II: Material. — Section II: Naval Armaments.

**The President.** — Our draft Convention provided for a series of articles relating to naval armaments. The results obtained at the London Naval Conference—results which, as Mr. MacDonald himself noted in his letter to the Secretary-General, indicate a real advance in the matter of the reduction and limitation of armaments—necessitate some adaptation of our text adopted at first reading. This work could not be done better than by the representatives of the countries which took so active a part in the London Naval Conference.

Those delegates forwarded to us the results of their combined effort over a week ago, and these results, as document C.P.D.230<sup>1</sup> indicates, are intended as a basis of discussion. To the draft submitted by the seven delegations we already have amendments, presented by the Soviet, Spanish and Swedish delegations. The Soviet and Spanish delegations have also submitted amendments to the text of our draft adopted at first reading.<sup>2</sup>

The position is therefore as follows: we have before us our text adopted at first reading, and to this is now appended the draft submitted by the seven delegations. This last-named draft constitutes an amendment to the draft adopted at first reading and in its turn is the subject of further amendments.

The Commission is free to choose between these texts. Should it decide to take the draft framed by the seven delegations as a basis of discussion there would be nothing to prevent it later, in connection with the examination of the relevant articles, from considering not only the amendments to that text but also, if necessary, the amendments to our text adopted at first reading.

If the Commission agree on this procedure, I shall propose that the draft of the seven delegations be taken as a basis of discussion.

*Agreed.*

#### *General reservation by the Italian delegation.*

**General de Marinis (Italy).** — In document C.P.D.230, dated November 10th, 1930, which has been circulated, you will find a footnote on the first page concerning the general reservation made by the Italian delegation at the London Naval Conference; this reservation, regarding methods of naval limitation, I now desire to repeat.

I have the honour to state, therefore, that the Italian Government is unable to accept any specific method for the limitation of naval armaments until ratios of strength and maximum levels of tonnage have been fixed by the different Powers.

This reservation, of course, will not prevent us from collaborating in the technical examination of the provisions of the draft which we are now examining.

**M. Litvinoff (Union of Soviet Socialist Republics).** — I want to say a few words in favour of the Soviet delegation's Amendment, but perhaps as it is based upon the text of the proposal of the seven States, the latter's representatives may like to say a few words first, and in that case I am prepared to wait.

<sup>1</sup> Note by the Secretariat. — See Annex 3.

<sup>2</sup> Note by the Secretariat. — These amendments are given in the text, where they are taken into discussion.

### 33. Setting-up of a Naval Sub-Committee.

**M. Politis (Greece).** — The Commission has before it various amendments to the text, submitted by a number of delegations representing the principal naval Powers, and I would venture at this juncture to submit a proposal in regard to procedure.

I think it would facilitate our work if we decided now to set up a Sub-Committee on which any delegations which so desire might be represented by their naval experts, the duty of this Sub-Committee being to examine the various amendments, to see which can be retained, which should be rejected, and which should be further amended.

Once agreement has been arrived at in the Sub-Committee the discussions in the plenary Commission will be much shorter, and this will mean added clearness and saving of time.

My proposal, therefore, is that we should decide to set up a Sub-Committee on which any delegations that so desire might be represented by their naval experts. The Sub-Committee would sit when the plenary Commission is not sitting.

**The President.** — May I express my personal view? I propose that we should first hold a very brief general discussion. We might then proceed, if necessary, to appoint a Sub-Committee.

**Lord Cecil (British Empire).** — I am far from opposing the idea of a Sub-Committee; I think that very likely it would be a good plan, and the Sub-Committee could discuss in the afternoons when this Commission is not sitting. But I do hope that no naval expert will misunderstand me if I say that I trust the representatives of the delegations will be those who have the responsibility for decisions in these matters, and that delegates will not try and shift the burden on to the shoulders of their naval experts. I feel very strongly that that would be a mistake and put the naval and other experts into a wrong position. Of course they must be consulted, and continually consulted, on the technical aspects, but the political delegates of the various countries must take the decisions, and therefore I trust M. Politis will be kind enough to move his motion allowing for that to be done, and I should then be in full accord with his suggestion.

I am afraid I do not like the idea of another general discussion. I do not see what we are to discuss in general terms. We have to put something in about naval limitation—that was decided three years and more ago—and it was decided that it should be based on these proposals before us. What more is there to discuss generally? I cannot conceive such a discussion being useful or saving time, if we have to proceed through a Sub-Committee. M. Litvinoff courteously suggested that some of those responsible for the proposal of the seven delegations should explain it in general. I am very much obliged to him for his suggestion, but I do not think there is anything to explain in general. The proposals seemed quite clear to me, and if there is any doubt or difficulty when we come to it some of those responsible can explain. A general discussion would mean long explanations in detail of each paragraph, or it would have to be a mere statement of platitudes which would not help us, and I hope Mr. Litvinoff will forgive me if I do not respond.

**The Hon. Hugh Gibson (United States of America).** — The American delegation would like warmly to support the proposal of M. Politis for a Naval Sub-Committee to sit concurrently with this Commission. The great advantage of that procedure is that, while we are going ahead with such matters on our agenda as we have decided to take up, the Naval Sub-Committee can take the various amendments to the text submitted by the seven delegations, and deal with them, and so bring us the problem reduced to its simplest form with the minimum of problems left for discussion. Otherwise we may follow a large number of red herrings.

If we leave to the Naval Sub-Committee the reduction of the problem to its simplest form, we may find that the discussion in this Commission will be limited, to the benefit of all concerned.

As to the composition of that Sub-Committee, I feel that Lord Cecil has the most practical idea in saying we should be represented by members of our delegations who are competent to take decisions, because the whole purpose of this Sub-Committee is to do some preliminary work and to do away with problems which otherwise will take up the time of this Commission.

The American delegation would like to be represented by a political member, and other delegations may wish the same; perhaps the President would say that each delegation is at liberty to choose its representatives as it deems best.

Now, Mr. President, there is one step we might take before referring this question to a Naval Sub-Committee—that is, to decide one question of principle at any rate. One thing that makes it simpler to refer this problem to the Naval Sub-Committee is that so far no amendments to our draft have been brought forward regarding its form.

There are briefly three types of amendments now before us: the first class provides for drafting changes which can obviously be dealt with by the Naval Sub-Committee. The second class provides for adjustments. It remains to be seen whether or not those can be dealt with. They are

proper amendments. There is the third category which, to my mind, involves quantitative proposals. It will be observed that in our draft there are a number of figures, and it is explained that these are inserted as being the figures of the existing Treaties—Washington and London—and that they are given for purposes of illustration and in some cases in order to make the text intelligible. We, the Powers submitting the draft, have no intention of seeking to impose the acceptance of those figures. They are there for clarity and simplicity. It seems, therefore, that there is no reason to substitute other figures, and that the substitution of figures not in existing Treaties would mean exactly nothing so far as this body is concerned, because we have decided that we cannot entertain quantitative proposals.

I think it is within the power of the Chairman to instruct the Naval Sub-Committee of the decision we have taken in the past—namely, that proposals involving quantitative suggestions are out of order.

**M. Litvinoff** (Union of Soviet Socialist Republics). — I am in full agreement with the remarks of Lord Cecil as to the prematurity of forming a Sub-Committee at the present time. It would certainly give the impression that the delegates are shifting their responsibilities and trying to hide the question from the public. The question of naval armaments has held the attention of this Commission, and of the whole world, for over three years. We have been wandering in the wilderness all this time and have been told that the naval negotiations going on somewhere or other would bring us to the Promised Land. Now that this promised land has been reached it is proposed that it should be shown only to a Sub-Committee. As to Lord Cecil's proposal I think it must be left to everyone to explain his point of view in the form he thinks best. Each of the proposals before us is inspired by definite ideas, and the authors should be allowed to explain the ideas which are the basis of their proposals. I would therefore like to insist that some general discussion should take place here before the setting up of a Sub-Committee of experts.

**M. Westman** (Sweden). — Before making up our minds about this question of procedure, we ought to know whether the meetings of the Sub-Committee are to be public or not, and whether Minutes will be kept.

**M. Cobián** (Spain). — I understand that the representatives of the principal naval Powers, which discussed the questions at such length in London, regard it as quite superfluous to have a discussion before we set up this Sub-Committee as M. Politis suggests. Nor do I myself wish for a discussion if that means loss of time, but I think all the same that we might formulate certain principles; the Sub-Committee would give an opinion on them, and would then submit to the Commission a text on which we can take a decision. M. Westman has just made a most useful observation. If the constitution of this Sub-Committee and the machinery at its disposal make it, to all intents and purposes, the same as the Commission itself, we can proceed at once to appoint it. But if it is to work on the usual lines, then we ought to consider whether it would not be better to formulate certain observations before appointing it. I personally should have no observation to offer if, in connection with Article A, and in conformity with the procedure proposed by Lord Cecil, which I support, each delegate could bring up any questions of principle which interest him.

**The Hon. Hugh Gibson** (United States of America). — I am in entire accord with M. Cobián's views, which seem reasonable. In accepting the proposal of M. Politis, nothing was further from my mind than that we should have secret meetings or should do anything to suppress discussion. Our sole object is to press forward with the work of the Commission, and we welcome the fullest discussion. It would be helpful if we had Minutes of our meetings, and my support is based on that understanding.

**Dr. Riddell** (Canada). — The Canadian delegation fully approves the setting-up of a Sub-Committee, which it believes should be helpful in considering the difficulties that may arise when we examine, article by article, the texts which we have taken as a basis for discussion. Some of the articles we shall have no difficulty in agreeing upon, but when we find that we have difficulties with certain articles or the amendments to them, these might be referred to the Sub-Committee; I cannot see any reason for the Sub-Committee taking over any other work from the Commission. The problems which do not offer great difficulties might better be settled in the full Commission.

**M. Massigli** (France). — I am quite prepared to accept any proposal that secures the support of the majority of the Commission. I think, as the Mr. Gibson pointed out, that it is essential, if the naval question is referred to a Sub-Committee, that the latter should have full publicity. We are of course all agreed on this point.

In practice, moreover, the Sub-Committee will be the same as the Commission itself, except that certain members not being interested in naval questions will not attend it. If the proposal be adopted, the position will be as follows: In the morning we shall hold plenary meetings to examine the other questions on the agenda, and in the afternoon we shall sit as a Sub-Committee to discuss naval questions. Very good; there is, however, one drawback. As Lord Cecil very rightly pointed out, either the Sub-Committee will be a body of experts and the Commission will have to take a decision on the various questions afterwards, else the Sub-Committee will itself

take what are practically final decisions, which the Commission will simply have to ratify. If that be the case, the responsible representatives of the delegations must continually be present at the proceedings of the Sub-Committee, and one objection occurs to me. If we decide to sit morning and afternoon to discuss the naval question, I see no objection to the procedure that has been proposed, but if in the morning we discuss non-naval questions—and there are very important questions not yet settled, which will require also a good deal of discussion between delegations outside meetings—and if in the afternoon we deal with naval questions, I am afraid that we shall soon have more than we can cope with.

The naval question has, however, been prepared to some extent, and the various problems clearly defined, while the amendments are specific in character, so that it might be better to discuss the naval clauses both morning and afternoon. If we examine all the various questions at the same time, I am afraid that we might encounter difficulties.

**Dr. Woo Kaiseng (China).** — I support M. Massigli's proposals and Dr. Riddell's observations. Serious difficulties will obviously ensue if we sit both morning and afternoon, and even from the standpoint of the public and of the journalists following our discussions, our proceedings might appear somewhat obscure and less easy to comprehend. I desire, therefore, to support Dr. Riddell's proposal that we should discuss the articles one by one, and only refer to a Sub-Committee those on which we fail to agree.

**M. Westman (Sweden).** — I support M. Massigli's proposal, provided that the Sub-Committee's meetings are public, that Minutes are kept and that the delegations can be represented by their political members.

**The President.** — I feel that M. Massigli's proposal is really very sound. It is impossible to discuss certain questions—very important questions—in the morning, and quite different questions in the afternoon. It would be much better to continue the discussion in the Commission. My suggestion is that we should meet to discuss naval questions both morning and afternoon. It is understood that there would be no general discussion.

**M. Massigli (France).** — I did not intend to propose that the Commission should meet morning and afternoon, but that the Sub-Committee should do so.

**The President.** — This Sub-Committee would then be exactly on the lines of the plenary Commission, and Minutes of its proceedings would be kept.

**M. Massigli (France).** — The technical delegates would simply be present.

**The President.** — We must be quite clear. Does the Commission desire to continue the discussions under the conditions which have governed the general discussion, or does it wish a Sub-Committee to deal with the matter?

**Lord Cecil (British Empire).** — I hope the Commission will not think me terribly pedantic, but I have a great fondness for seeing any proposition that is submitted to the Commission decided by the Commission before we proceed to any other proposition.

I understood M. Politis had moved a definite motion that this matter should be referred to a Sub-Committee. I hope that we shall decide that question now. Then we can decide when that Sub-Committee is, or is not, to sit, whether mornings or afternoons, or only in the afternoons. That is a separate matter. I hope we shall now decide whether we agree with M. Politis or do not agree with him, that this being a matter of great detail is more suitable to a Sub-Committee than to the whole Commission. I personally hope we shall accept M. Politis' motion. In any case, I hope the President will be good enough to put it to the Commission.

**M. Colban (Norway).** — Before we can decide on M. Politis' proposal, the Commission ought to know whether the Sub-Committee is to sit simultaneously with the Commission. If it is not to do so, I shall vote in favour of the proposal, but I cannot do so otherwise.

**M. Politis (Greece).** — I feel that the question raised by M. Colban is quite a subsidiary one. The real point is the question of method. The idea in suggesting a Sub-Committee was that for a large number of delegations—unless I am mistaken—these questions are of no interest at all, or only of secondary interest. I felt, therefore, that the Commission could get on better with its examination of this question if its numbers were limited, as it would be able to arrive more quickly at results.

Should you endorse this view, you will decide first to set up a Sub-Committee. Then will come the question of when it is to sit, and whether it is to sit at a different time from the Commission or simultaneously.

M. Massigli's objection would have the result that the plenary Commission would not sit until the Sub-Committee has concluded its work, but I repeat—and I think I am no more pedantic than Lord Cecil—that the questions will have to be thoroughly dealt with. You will have to decide, first of all, on the principle of setting up a Sub-Committee. If you decide in the affirmative, you will next have to decide whether the Sub-Committee is to sit simultaneously with the Commission or not.

**Dr. Markovitch** (Yugoslavia). — I agree entirely with M. Colban's view, and my vote will depend on whether the Sub-Committee is or is not to sit simultaneously with the plenary Commission. Our delegation desires, for very special reasons, that all its members should take part in the proceedings both of the Sub-Committee and of the Commission.

**The President.** — I can answer M. Markovitch at once: it is impossible for the Plenary Commission and the Sub-Committee to sit simultaneously, since we adopted the principle—Lord Cecil, if I remember rightly, brought it up at the beginning—that the responsible delegates should themselves sit on the Sub-Committee.

**M. Litvinoff** (Union of Soviet Socialist Republics). — I am in favour of the proposal of M. Politis as to the procedure of voting on this question. I understand this proposal is that we are going to vote, whether there should be a Sub-Committee or not, and that if we vote against it, it does not mean that we may not decide to form a Sub-Committee at a later date. We are voting only on the question: Is the sub-committee to be formed immediately or not?

**The President.** — I put to the vote M. Politis' proposal for the immediate setting up of a Sub-Committee. It is understood that it would be on the lines just suggested by the Mr. Gibson—that is, Minutes would be kept and there would be the necessary publicity.

*The proposal was adopted.*

**The President.** — The principle of the constitution of this Sub-Committee having been adopted, we now have to decide when it will sit, and it is understood that it will not be at the same time as the plenary Commission. I propose that we should adjourn the plenary Session and meet morning and afternoon, but not before 4.30 in the afternoon. The meeting would be adjourned at 6.30. We want two hours, but not a minute longer.

It is understood, then, that we are to set up a Sub-Committee for naval questions and that that Sub-Committee will meet morning and afternoon until the subject has been thoroughly discussed.

**M. Bourquin** (Belgium). — Now that we have agreed to set up this Sub-Committee we might decide, as it is understood that all the delegates can take part in its proceedings, simply to do away with the word "Sub-Committee". Actually, the Commission is continuing its work.

**M. Politis** (Greece). — I have no objection in principle to this suggestion. Still, there is a difference. The Commission has decided to resolve itself into a smaller Committee, but the work of this Committee will have to be approved by the plenary Commission. Delegations which do not desire to take part in the work of this smaller Committee will have to vote on the final decision to be taken on the conclusions of this body.

**The President.** — In that case I adjourn the meeting of the Commission, but we continue to sit as a Sub-Committee, and any delegates who do not wish to sit on the Sub-Committee may retire if they so desire.

*The meeting was adjourned at 12.20 p.m.*

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FIRST MEETING OF THE SUB-COMMITTEE.

Held on Monday, November 17th, 1930, at 12.25 p.m.

President: M. LOUDON (Netherlands).

34 Discussion on Chapter II: Material. — Section II: Naval Armaments (document C.P.D.211, Annex 1).

(Basis of discussion: Document C.P.D.230 (Annex 3 to the Minutes).

DISCUSSION ON ARTICLES A, B, C.

Article A.

The High Contracting Parties agree to limit the total (global) tonnage of their vessels of war, other than exempt vessels (as specified in Annex I) and Special Vessels mentioned in Annex II, to the figures laid down in Table I.

These figures give the tonnage which shall not be exceeded during the term of the present treaty.

Table I.

High Contracting Party.	Total (Global) Tonnage
A.	
B.	
C.	
D.	

Article B.

Table II shows, by tonnage per category, the way in which each High Contracting Party intends to distribute, during the period of application of the Convention, the total (global) tonnage which it has limited to the figure indicated, as far as it is concerned, in Table I.

The maximum displacement and gun calibre limits of the several categories shall be as laid down in this Treaty.<sup>1</sup>

Table II.

Categories (defined in Annex III)	High Contracting Parties						
	A.	B.	C.	D.	E.	F.	G.
(a) Capital Ships . . . . .							
(b) Aircraft Carriers . . . . .							
(c) Cruisers . . . . . (i) Guns of more than 6.1" (ii) Guns of 6.1" and less.							
(d) Destroyers . . . . .							
(e) Submarines. . . . .							

<sup>1</sup> With reference to Articles A and B, the Italian Delegation expressed the opinion that they should be replaced by a single article stating:

"The Limitation of naval armament accepted by each of the High Contracting Parties is indicated in the annexed Table"

"Which might be the Table II attached to this document. Consequently the Italian Delegation is in favour of suppressing Table I."

*Article C.*

Within the limits of the total (global) tonnage shown for each High Contracting Party in Table I, and in the absence of more strict conditions resulting from special conventions to which it is or may become a party, each of the High Contracting Parties may effect a transfer of the tonnage indicated for it in the different categories in Table II, subject to the two following conditions:

(1) The tonnages by category shown for each High Contracting Party in Table II shall in no case be the object of increase beyond the figures shown for it in Table III.

(2) Before the laying-down of the ship or ships for the construction of which the transferred tonnage has been assigned, due notice must be given to all of the other High Contracting Parties of the amount of tonnage transferred, the length of such notice being that laid down for each of the High Contracting Parties in Table III.

*Table III: Rules for Transfer.*

AMENDMENTS BY THE SOVIET DELEGATION TO ARTICLES A, B AND C.

**The President.** — There are amendments to Articles A, B and C by the Soviet delegation, which are as follows:

*Article A.*

The High Contracting Parties agree to reduce the existing tonnage by . . . % by limiting to the figures fixed in Table I the total (global) tonnage of their vessels of war other than exempt vessels (as specified in Annex I).

These figures give the tonnage which shall not be exceeded during the term of the present Treaty.

*Article B.*

The High Contracting Parties whose navy exceeds 200,000 tons agree to limit their total tonnage in conformity with the classes and figures fixed in Table II.

*Article C to be deleted.*

**M. Litvinoff** (Union of Soviet Socialist Republics). — I shall have some difficulty in limiting myself only to Article A, as Articles A, B and C together, in my opinion, form one method of restricting naval armaments. You cannot treat of one article in our proposal without dealing with the other two also, so I must speak on the three Articles together. Together they constitute the idea which pervades the Soviet proposal.

In this connection I would like to remind the Commission that the discussion on Naval Armaments has been delayed for over three years in the expectation that the naval negotiations going on in certain States would help us to overcome the difficulties that have been met with in this Commission. We have now got the outcome of those naval negotiations and we are, of course, entitled to ask ourselves whether the proposals put forward in document C.P.D.230 really afford a solution and remove the difficulties which have prevented the Commission so far from coming to an agreement on Naval Armaments. I can see no solution in the proposals which are put forward by the seven States, because, after all, the point at issue was whether to choose the global method for the limitation of tonnage or the method of limitation by categories. And what is the situation now? Article A proposes global limitation compulsory for all the contracting parties. Article B merely stipulates that each country should itself classify, according to category, the tonnage allowed to it. It is obvious that it is publicity, and not the limitation of categories, that is meant here. Article C allows any country to make transfers, with supplementary publicity throughout the term of the Convention. This alteration, however, is subject to certain limits which cannot be exceeded.

The percentage allowed for transfers from one category to another will depend upon whether we adopt the global or the category method. Should, for instance, a 100% transfer be allowed, there will be no limitation except global limitation, whereas with strict tonnage figures and only a trifling percentage of transfer we shall have limitation by categories. A scheme which places no limits on transfers practically shifts from the Commission to the Conference the problem of choosing the method itself as well as settling on the figures. The blank space in Table III shows that no practical agreement as to a uniform method has been arrived at by the Seven States themselves.

The Soviet delegation considers that the partial reduction of armaments cannot be based on the individual method of establishing rates acceptable for all. That method is bound to come up against enormous, if not insurmountable, difficulties. It therefore proposes proportional reduction, with certain exceptions in favour of weaker countries. This proposal is embodied in the Soviet draft of Article A and Table I. At the same time they consider it would be fair for big sea Powers, with uniformly organised navies, to limit them by categories in accordance with Table II, while States with smaller navies, with, let us say, a total tonnage of less than 200,000,

would be subject to global limitation only. This principle will be found in Article B, and in the proposed removal of Article C. That is the essence of the Soviet proposal on Articles A, B and C.

I wish to repeat that one cannot accept one Article of the proposal without accepting at the same time the other Articles. I would therefore propose that members of the delegations who speak after me should give their opinions on the proposal as a whole—not only Article A, but all three Articles—as on a single method of dealing with Naval Armaments. We propose that the big sea Powers should accept the method of reduction by categories, and that the smaller countries should accept the method of reduction by global tonnage. We shall then have to draw a line between the big sea Powers and the smaller countries. For the smaller countries we suggest a figure not exceeding 200,000 tons. Perhaps the Commission will propose another figure, and the Conference yet another figure. We suggest not only limitation but also a proportional reduction of the existing navies. I can foresee that some delegates who do not agree with the principle of proportional reduction may propose some other methods—for instance, some progressive proportional reduction—the bigger the sea Power the greater the decrease in its armaments, to which I should have no objection to offer.

May I add a few words more? I wish only to say that Article A in the proposal of the seven delegations (Document C.P.D. 230) differs in another point from the corresponding Article in the Soviet amendment. That is where mention is made that “the High Contracting Parties agree to limit the total (global) tonnage of their vessels of war, other than exempt vessels (as specified in Annex D) . . .”. These exemptions do not exist in our proposal. We do not know exactly what vessels will be included in the list of exemptions, but some idea may be found if we refer to the London Naval Treaty. Therein is a list already drawn up, and if you look at it you will be struck by the dimensions of the exempted vessels. For instance, the total tonnage of the special vessels of the five Powers exempted by the Treaty of London was equivalent to 87% of the Italian Navy. We regard it in this way: If States build such ships or want to maintain them, they should be included in the global tonnage at their disposal.

Lord Cecil (British Empire). — I will do my best to say a few words in answer to M. Litvinoff. It is rather difficult to deal with the number of proposals in the Soviet amendment, Articles A and B. I will take them one by one.

The first change is that instead of limiting the total tonnage of the vessels of war as stated in the Table, M. Litvinoff proposes to reduce that tonnage by percentage. Well, I do not think that would do at this stage, because you do not know the existing tonnages, and, apart from that, it would mean the existing proportional strengths of navies would continue as it is at present, and that, for many reasons, is not a practical solution.

I want to guard myself by saying that once you have a General Treaty on Disarmament you have the levels of every one's armament fixed, and then the system of reducing by percentage might be usefully employed, and perhaps you will have to reduce in that way. But first you have to fix the armaments at a figure the various States agree to accept at the present time.

The second proposal in Article A is to get rid of the special vessels, and I think there is a misunderstanding here. As I understand it, what was proposed in London—and indicated in this Article—was that there should be a list of certain vessels difficult to classify in any existing or proposed category, and that they should be allowed to go on until they came to a natural termination by age, and after that tonnage which replaces them should be included in the total tonnage of the vessels limited by the Treaty. So that special vessels are only a temporary exception to the general principle of limiting the tonnage of the various fleets. I think that is not an unreasonable proposal in order to bring the Treaty into force.

The next proposal is to get rid of the system of limitation by categories, modified by a power of transfer from one category to another, to forbid all transfers under all circumstances, and to draw a sharp line at 200,000 tons and say that all fleets above that line should be limited by categories and all fleets below it should be limited by total tonnage. I do not think that is a practical proposal, and I can say so the more freely because I remember that, in 1927, I ventured to make a proposal on these lines, and it was rejected and has never been revived by those who are considering these problems. There are a number of other objections which I will not elaborate. One seems fatal. If you fix a hard and fast level like 200,000 tons, you will have a fleet with 200,001 tons limited in one way, and a fleet of 199,999 tons limited in another way, and that is impracticable. You need something more elastic and supple, and in the circumstances I ask the Sub-Committee to reject the amendment of the Soviet delegation.

M. Westman (Sweden). — I should like to commence with a quotation. During the discussions in our Commission in 1929 Mr. Gibson, the representative of the United States, made a declaration



from which I would venture to quote. The passage is a short but highly significant one.

Mr. Gibson's words were: "Aside from the signatories of the Washington Treaty there is no conceivable combination of naval power which could threaten the safety of any of the principal naval Powers."<sup>1</sup>

To my mind, this declaration puts the question which we are discussing on its proper plane. I will make a few preliminary observations in order to clear up the situation, before expressing an opinion on the various proposals before us.

Under the terms of Article A of the proposals of the seven Powers, fleets would be limited globally—the method consistently advocated by the Swedish delegation. Under Article B, however, the category method is advanced as a second principle and we are invited to maintain the definitions of the various categories of vessels as laid down at Washington and London. Naturally, these categories are conceived from the standpoint of the requirements of large navies, and it is obvious that the unmodified application of such categories to small navies will not be an easy matter.

As a concrete instance of the difficulties afforded by such application, I should like to put some figures relating to one of the great navies, say with a tonnage of 1,000,000 tons, alongside those of a small navy of about 100,000 tons.

If we take the classification given in document C.P.D.230, (Annex 2) we shall have five different categories. When we come to distribute the total (global) tonnage of one of the great navies over these five categories, very large tonnage figures (frequently several hundred thousand tons) have to be inserted in each category. In other words, you will have in each category a tonnage figure equal to the total (global) tonnage of three or four small fleets.

On the other hand, to show you what would be the effect of applying the five-category system to a smaller navy the manner in which the tonnage would be split up by such an operation—some 10,000 tons per category—I would point out that, if navies of a great Power like Great Britain or the United States of America had their tonnage similarly distributed, we should have to provide, not five but fifty or sixty categories.

My sole object in making these remarks is to stress the tremendous difference between large navies and the small navies for which we are at present trying to find the best and most equitable methods of limitation.

The proposals before us clearly prove also that their advocates realise the impossibility of imposing the London category system unchanged on small navies and the need of modifying that system so as to give it the flexibility necessary for the needs of such navies.

Table III of Article C, showing within what limits transfers may be made, has been left blank, so that it is at present impossible to give an opinion on the real effect of the proposals.

It will clearly be our duty to discuss this problem; but I would like to say, here and now, that it is very difficult to commit oneself to a course, or to adopt a principle or a solution without knowing whither they lead.

To ensure the necessary flexibility in the navies referred to, other methods than those contemplated in the document might certainly be conceived. For example, navies below a certain limit should not be entirely exempt from regulation (except, of course, publicity). A provision might be made determining the categories specially adapted to the types of ships and to the requirements of small navies. I will not at the moment go into further details of the various possibilities which offer themselves. The Swedish delegation has just handed to the Bureau a concrete proposal which we shall have to discuss.

To know which solution to choose, it would clearly be very helpful to have some explanations of the intentions of the authors of the proposal in document C.P.D.230. For this purpose, I would like to put two questions.

I. Article A lays down the so-called total (global) tonnage principle, and Article B refers to a Table which will show the tonnage per category and the way in which each High Contracting Party intends to distribute the total (global) tonnage.

Will this distribution by category be made *by* the Disarmament Conference; or simply *at* the Conference by each State, after any necessary discussion, with the countries specially interested?

II. Article C provides that States may effect a transfer of tonnage in the different categories; but it states at the same time that the tonnage by category shall in no case be the object of increase beyond the figures shown for it in Table III. As Table III does not exist for the moment this is tantamount to saying that the document in question provides for the right of transfer but makes no regulations on the subject. Do the authors of the proposals intend that these regulations should be made by the Preparatory Commission or only by the Disarmament Conference?

**The President.** — I did not want to interrupt M. Westman but I would remind him that we are at present discussing Article A, and not Article C. I would therefore suggest that M. Westman should continue his speech later. We must now vote on the Soviet amendment.

**M. Westman (Sweden).** — Unless I am mistaken, M. Litvinoff urged that the Articles could not be dealt with separately. As no one raised any objection, I take it this is the view of the Commission.

<sup>1</sup> Note by the Secretariat. — See Minutes of the Sixth Session (First Part), page 58.

As far as I am concerned, I cannot vote before receiving a reply to the questions I have raised. If the Soviet amendment is put to the vote now, I shall have to abstain.

**Lord Cecil (British Empire).** — Other delegates and I myself are anxious to satisfy M. Westman, but it was impossible to prevent M. Litvinoff presenting his case on Articles A, B and C. Article A is separate from Articles B and C, and we can vote on Article A without interfering with Article C. The amendments on that point will have to be carefully considered, because it is one of the most contentious articles in the Draft. I hope we shall vote now on Article A, reserving the discussion for Article C.

**M. Westman (Sweden).** — I can only say that I regard these three articles as closely connected.

**M. Litvinoff (Union of Soviet Socialist Republics).** — I wish to answer the criticisms made by Lord Cecil, in the first place as regards special vessels outside of existing categories. Lord Cecil's arguments are not convincing, and I cannot see why such vessels should not be limited under the general category of light vessels. We have, for instance, in the list of special vessels attached to the London Naval Treaty vessels built as recently as 1924—surely these should be limited in one way or another. Then I understood Lord Cecil to say that it was impossible to draw any distinction between the naval Powers because it was difficult to agree as to figures. And that, if we take the figure of the Soviet proposal of 200,000 tons, States with 200,001 tons would have to be treated differently from States which have 199,999 tons.

This seems to me almost as metaphysical as the problem of when baldness may be said to begin: after the loss of the two-thousandth or of the two-thousand-and-first hair. Naturally if we want to draw a distinction between naval Powers, we must insert some figure as to their tonnage. The Swedish delegation also gives figures<sup>1</sup>, namely, 100,000 tons; so Lord Cecil's objection ought to apply to their proposal too, and to the Spanish amendment which put an "x", to be replaced by a definite figure. If we follow up the argument of Lord Cecil we shall have to treat small and great Powers alike, which is exactly what the Soviet delegation is opposed to.

Lord Cecil has said we cannot reduce armaments until we know what existing armaments amount to. But surely we can get more or less precise information as to existing armaments from the figures given in the Armaments Year Book of the League of Nations.

What will be the position if the Soviet proposal for the reduction of naval armaments is rejected and we keep strictly to the limitation of armaments? What would be the tonnage of the various navies? Some idea may be formed from a study of the London Naval Treaty, which is offered to us as the prototype of any future Convention on naval armaments, and has been commended to us in the letter referred to by the President and by the President himself. The outstanding fact is that the total figures for the displacement of the navies of the three Parties to the Agreement came, on March 1st, 1930, to 2,979,000 tons, and by 1936 these figures for the same three Powers are to be 2,989,000 tons. Thus the Treaty gives no reduction in naval armaments for the next six years, but at the best stabilisation at the present level of naval forces. If this Treaty is to become a prototype of a common agreement with regard to general, and not merely naval, disarmament, then, indeed, not merely disarmament, but the very reduction of armaments is decided in advance in the negative.

If we consider that the total displacement for cruisers and aircraft carriers (newer than twenty years) built by March 1st, 1930, comes to 814,800 tons, and that for the same categories the London Naval Treaty allows for a total tonnage of 1,222,000—*i.e.* an increase of 407,200 tons, or 50 per cent—with the disposal by the three Powers of only nine battleships, and precisely those which are oldest, weakest, and perhaps obsolete, we shall have an actual increase in the destructive powers of those navies.

That gives an idea of the result of a disarmament conference conducted only on the method proposed by the seven States. It is for that reason the Soviet delegation must earnestly insist that something be done for reduction and not only for limitation.

The figures given by me are taken from official American documents which can be put at the disposal of the Commission if desired.

**The President.** — It is past one o'clock and there are still two delegates to speak. I would ask them to be good enough to refrain.

*The meeting rose at 1.5 p.m.*

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<sup>1</sup> Note by the Secretariat. — See page 157 of the minutes.

SECOND MEETING OF THE SUB-COMMITTEE.

*Held on Monday, November 17th, at 4.30 p.m.*

*President: M. LOUDON (Netherlands).*

35. **Discussion on Chapter II: Material. — Section II: Naval Armaments** (continuation).  
— **Discussion on Article A** (Document C.P.D.230) Annex 3 of the minutes (continuation).

AMENDMENTS BY THE SOVIET DELEGATION (continuation).

**The Hon. Hugh Gibson** (United States of America). — I assume we are dealing with the amendment to Article A, submitted by the Soviet Delegation (document C.P.D.239).<sup>1</sup>

**The President.** — Yes.

**The Hon. Hugh Gibson** (United States of America). — In connection with that I would like to draw the attention of the Commission to something which happened in the first part of the sixth session. At the meeting on April 19th, 1929, reported on page 37 of the Minutes of the Sixth Session (document C.195.M.74.1929.IX), the President began by reading a document prepared by the Bureau, of which paragraph 2 reads as follows:

“ The Commission has not seen its way to adhere to the method of reduction based on the proportional principle. At the same time, there is nothing to prevent the Government representatives assembled at the Conference, when they finally come to draw up the Disarmament Convention, from taking account of this principle or of any other similar objective criterion in addition to those indicated in Article 8 of the Covenant.”

This document was adopted by the Commission, as shown on page 41 of the same Minutes. It seems clear that, unless the Commission decides to re-examine the question of principle and to reverse its former finding, the Soviet amendment is out of order, in that it clearly provides a method of reduction based on the proportional principle.

**M. Massigli** (France). — I asked to speak this morning in order to dispel what seemed to me to be a misunderstanding between the Swedish and British delegation.

**M. Westman** pointed out, perfectly justly, that Articles A, B and C were inter-connected: my own opinion is that we cannot take these articles separately, as they form an indivisible whole.

The question at present under discussion does not, in my opinion, refer to Article A, together with Articles B and C; it is rather whether we shall take into consideration the principle of proportional reduction embodied in the Soviet amendment: when that is disposed of, we shall have to decide on Articles A, B, and C in conjunction as **M. Westman** has pointed out.

**Lord Cecil** (British Empire). — **M. Litvinoff** seems to think my attitude is against reduction. My attitude is that you must begin by finding some means of settling the amount of tonnage each country is going to have and then you can proceed with reduction. Personally, I very much hope that when we come to the actual Conference we shall be able to agree to a considerable reduction.

**M. Cobián** (Spain). — I want to explain why I cannot support the amendment defended this morning by **M. Litvinoff**. The Soviet delegation has always demanded the reduction, as well as the limitation, of armaments. In the case of land armaments, I had no objection to this criterion of **M. Litvinoff's**, from my own country's standpoint; but as regards the limitation of naval armaments our situation is quite different, and that is why I shall be quite unable to support this proposal, which provides for proportional reduction, and only contemplates limitation on the basis of an all-round reduction of navies.

Spain occupies quite a special situation in this respect, as we have at present a very small navy. In all our proceedings, however, at the Conference or at the Preparatory Commission, there is one common denominator—namely, the attainment of the object mentioned in Article 8 of the Covenant. According to this article, the reduction and limitation of armaments should be carried out to the lowest point consistent with each country's safety and national defence.

As regards the problem of naval armaments, from the Spanish point of view, the question is absolutely vital to us. We have, as you know, a very extensive coast line, as well as islands, which compel us to keep a navy sufficient, from an exclusively defensive standpoint, to enable us, in the event of a conflict, to defend our neutrality and contribute to the maintenance of world peace. That is why we cannot give unqualified support to the principle of naval reduction. Now, **M. Litvinoff's** proposal does not provide for any exception and we cannot therefore adopt

<sup>1</sup> Note by the Secretariat. — See Annex 4.

it for the reasons I have just given, and for those already expressed by the United States representative.

I have some remarks to make on Article A, but I leave it to the President whether I do so immediately or later.

**The President.** — Preferably later. Mr. Gibson has pointed out that there is a question of procedure involved. The Soviet delegation's amendment reopens the question decided in the first part of our session regarding the principle of proportional reduction. We must therefore decide whether we want to reopen this question, which has already been decided; the Commission is free to do so, but I am bound to point out that the question was decided in the first part of the session. In such circumstances the simplest way is to put the principle of the Soviet amendment to the vote.

**M. Westman (Sweden).** — As M. Massigli maintains that the three articles A, B and C form an indivisible whole, I agree with the procedure proposed.

**M. Litvinoff (Union of Soviet Socialist Republics).** — I am glad to hear from Lord Cecil that he is not against reduction, and that he admits that the Disarmament Conference should take some decisions favouring reduction. That being so, it is for this Commission, which is to prepare the work of the Disarmament Conference, to propose some definite scheme. What Commission, if not this, will have to prepare what the Conference will have to deal with?

With regard to the remarks of the Spanish delegate that he cannot vote for proportional reduction because he is in favour of certain exceptions on behalf of small countries, I should like to remind him that on every occasion when I have advocated proportional reduction, I always made a proviso for exceptions for smaller countries, and that holds good for naval armaments too. I am not against the Spanish or any other delegate introducing an amendment to this effect, and if such an amendment is submitted I shall support it.

Now a few words on the question of procedure. The delegate who spoke against the Soviet amendment to Article A pointed out that this amendment was out of order because the Commission had taken a decision against proportional reduction. That is quite true, but at the beginning of this session it was decided that the Commission could go back on certain decisions which had been taken previously, and the Commission must decide whether the present question is sufficiently important to allow of reversing the previous decision. We have had no discussion so far on second reading in regard to naval disarmament, so the question should be discussed now, and not at the third reading, and if the Sub-Committee is against proportional reduction, even in respect of naval armaments, they can vote on it.

I would only say a few words more. It is precisely on the question of naval armaments that certain Powers have tried to come to an agreement with regard both to methods and figures, and they failed in those negotiations. They failed in all their efforts. I had hoped this would have been a lesson to them and that they would have drawn the conclusion that the only way to obtain reduction is not to prejudice the interests of any country, but by adopting a universal method.

If they have not learned this lesson, then the case is hopeless. Eighteen months have passed since the resolution was adopted and I thought perhaps views might have changed in that time. We have seen many instances of opinions changing, but if the Commission decides against proportional reduction, that does not necessarily mean the rejection of the Soviet amendment, because this amendment contains the principle, not only of proportional reduction, but of reduction as such.

Another characteristic of the amendment is in regard to the list of special vessels, and I think this should be taken separately; I would ask the Sub-Committee to vote on these three points separately.

**General de Marinis (Italy).** — I think it my duty to explain the Italian delegation's attitude to the amendment submitted by the Soviet delegation. In doing so I shall, perhaps, have to go beyond the limits of Article A. This is inevitable, however, because in discussing Article A we must also necessarily refer to Articles B and C, since they all deal with the same problem. M. Westman made the same remark this morning, quite justifiably, as I think.

I shall first explain, as shortly and clearly as possible, the Italian delegation's attitude on the method of naval limitation. This attitude is based on the reservation appearing on the first page of the draft (document C.P.D.230), and it signifies that we cannot—and I believe none of us can—decide on the fairness or the practicability of any method of limitation from a merely theoretical standpoint.

Such a method must be considered with regard to the basic factor of limitation. This basic factor is represented by the proportions and maximum levels of tonnage fixed for each navy. You may reply: "But even if these proportions and maximum levels are only to be fixed at the Conference, is that a reason why we should abstain from discussing questions of method here?" I do not go so far as that. Just as we co-operated in the Technical Committees in the London Naval Conference, so we intend to co-operate in this Sub-Committee, provided it is understood that our general reservation will none the less be fully maintained.

This declaration is perhaps superfluous, but it explains the Italian delegation's attitude towards M. Litvinoff's amendment.

The central idea of M. Litvinoff's proposal seems to me to be a reduction of existing tonnage; and there we agree with him, for we, too, advocate not merely limitation, but reduction.

Where we cannot follow the Soviet delegation is when it asks for existing tonnage to be reduced by a percentage that is to be fixed; this, I understand, is a reduction percentage applicable indiscriminately and automatically to all navies. On this point we cannot agree, because the Soviet proposal overlooks what we believe should be the prerequisite condition, the basis, so to speak, of all reduction—namely, agreement on the levels of the various navies.

In this connection let me make a short digression, which must come at this point because it refers to a statement M. Litvinoff made this morning.

Speaking of the large tonnage of the special vessels specified by the London Naval Treaty, M. Litvinoff mentioned a figure which impressed the Sub-Committee as well as the public, the more so as it appeared that the figure referred to Italy only.

M. Litvinoff has kindly explained to me that the figure of 87 per cent which he gave should be understood to mean that the total tonnage of the special vessels of the five Powers which signed the London Naval Treaty amounted to 87 per cent of the Italian navy.

On that point, I would observe that, at the London Naval Conference, the Italian delegation tried to limit the exempted tonnage as far as possible.

I now come to another aspect of the question, one which has already been presented in the discussion in the form of a dilemma: global tonnage, or limitation by categories?

You have read our note at the foot of the draft (document C.P.D.230), worded as follows:

“ With reference to Articles A and B the Italian delegation expressed the opinion that they should be replaced by a single article stating:

“ ‘ The limitation of naval armament accepted by each of the High Contracting Parties is indicated in the annexed Table . . . ’ which might be the Table II attached to this document.

“ Consequently, the Italian delegation is in favour of suppressing Table I.”

This note has been taken to mean that the Italian delegation, which had formerly maintained the principle of global tonnage has now gone over, bag and baggage, to the opposite party which advocates strict limitation of all navies by the system of categories. Such an interpretation is far too ingenuous to be exact. It is quite incorrect that we have changed our views, or that we now propose to combat what we yesterday advocated. It is still our conviction that the global tonnage method is more equitable for all countries who do not wish to spend too much money on building up a navy, and that this method is therefore more suitable than that of reduction by categories.

We supported this principle for years without convincing its opponents, until we were begged to leave principles on one side and work for a solution on practical grounds.

In compliance with this request we went to London and there endeavoured; with the other Powers, to find a solution. The solution has not yet been found so far as we are concerned, and that is why we maintain our reservation.

But Articles A and B of the draft (document C.P.D.230) raise quite a different question. They refer to a Table No. I and a Table No. II, the first being a table of global tonnage and the second showing how this global tonnage will be allocated. If I am not mistaken, Table No. II is not optional but obligatory, and I believe I am also right in thinking that the phrase “ the way in which each High Contracting Party intends to distribute ”, etc., means that such distribution will not be left to the option (*ad libitum*) of each Power; that, I think, implies that the system proposed in the draft is the system of limitation by categories.

What is the use, then, of Table No. I?

It seems to me that this Table has no significance, serves no purpose and may more likely lead to difficulty and confusion. In the first place, it would contain figures which would not be comparable as between the various navies, since they would be merely the result of totalling the figures in Table No. II, which may not have the same significance in every country. Secondly, the table seems to exclude the possibility of any special agreement, between two or more Powers who might succeed in making a preliminary arrangement based on a different method of limitation.

On the other hand, I do not ignore the argument which has been used this morning and will no doubt be frequently repeated in this Sub-Committee, that, as regards the method of limitation, the situation of a country with a large navy differs from that of a country with a very small navy. I fully realise the force of this argument, and it is precisely on that account that we have admitted, in principle, the possibility of transferring naval vessels from one category to another. Naturally, we shall have to discuss—more particularly, I think, at the future Conference—how this system of transfers is to be applied to the various naval Powers. I can even imagine that the percentage of transfer may be very high, as much as 100 per cent, which would allow a given Power, where it appears justified, complete freedom of transfer between certain categories.

That question, as I said, will have to be discussed in the light of particular circumstances and special needs; but I think that our draft would gain considerably in clearness and frankness if we deleted Table No. I.

**The President.** — M. Litvinoff proposes to re-word his amendment as follows:

“ The High Contracting Parties agree to limit and to reduce the existing tonnage by . . . per cent by limiting to the figures fixed in Table I . . . ”

**Lord Cecil (British Empire).** — May I venture to ask that we take the amendment as it has been distributed. Afterwards, if M. Litvinoff, or some other member, wishes to bring some further amendment, I shall not raise any objection. If he says this does not cover everything he wanted it to cover, I shall raise no objection. If we have amendments which are read out from the Chair and which none of us have seen—I am not quite sure whether the Chair can fully understand what they mean—it makes it impossible for us to follow what is going on. We must have some regularity in our proceedings.

**The President.** — I was reading what we have to put before the Sub-Committee.

**The Hon. Hugh Gibson (United States of America).** — I raised a point of order as to whether we could entertain a proposal which was in violation of a decision already taken by this Commission. That point of order takes precedence of everything else, and I should like to ask that it be decided. Whichever way it is decided, we shall at least know what we want to talk about.

**The President.** — We agreed to proceed thus, even before the last proposal was submitted, and before M. Litvinoff's amendment was read.

Mr. Gibson is perfectly right. We agreed to vote on the proportional principle, as embodied in M. Litvinoff's amendment, and I shall ask the Sub-Committee to vote on this principle.

**Lord Cecil (British Empire).** — If I might say so very respectfully, that is exactly what I object to. Here is a definite proposition that we should insert in the draft Convention here and now this principle of proportional reduction. I am against that, because I think this is not the right place. I think it is for the Conference to consider it. But I cannot vote against the principle of proportional reduction. On the contrary, I think it is extremely likely that ultimately that would be a very useful principle to adopt in the reduction of armaments, and when the Conference comes we shall very likely, all of us, wish to adopt some such principle. Personally I hope M. Litvinoff, or someone else, will press that upon the Conference. Now I vote against it, because it is not the right place to put it in. We have expressly declared, over and over again, that we have nothing to do with questions of quantity, and that all these kinds of questions are to be left to the Conference. I do not see how you can settle the principle of proportional reduction until you have a datum line from which to make your reduction. All I ask is that this amendment be put in its original form. If there is a slight verbal change, that is a different matter, but it should be put substantially as it is now; then we can vote on it. If it be rejected, if M. Litvinoff thinks there are still some points that have not been covered, let him bring in a fresh amendment and we can vote on that.

**The President.** — We can, of course, vote on the principle, but we can also vote on the amendment, since it embodies the principle. I even believe that is what the Sub-Committee prefers and that Mr. Gibson will probably not object.

I therefore propose that we vote on Article A of M. Litvinoff's amendment.

**M. Litvinoff (Union of Soviet Socialist Republics).** — It has been decided that we should take as the basis of our discussion the proposals made by seven Powers (document C.P.D.230). The Commission agreed that the Soviet proposals and all other proposals should be regarded as amendments to the proposals of the seven Powers. I think I am entitled to ask that the principles embodied in our proposal should be voted on separately. One can be in favour of one principle and not in favour of another, and I ask that all the principles be voted on separately, as they are of a different nature.

In the text of Article A in the proposal of the seven Powers, the words are “ The High Contracting Parties agree to limit . . . ” I did not mention in my proposal the word “ proportion ” at all. I said: “ The High Contracting Parties agree to reduce the existing tonnage ”, by a certain percentage, leaving it for the Commission to say, in due time, what the proportion was to be. Whatever the reduction is, it would be a percentage of the tonnage that exists at the present time.

The second suggestion is to strike out in the proposal of the seven States the words in the first paragraph “ and special vessels mentioned in Annex II ”. That is quite a different principle; it has nothing to do with the proposal for reduction, and you cannot vote at the same time on two different principles. I hope Lord Cecil will withdraw his objection to our voting separately on each of these two principles.

**Lord Cecil (British Empire).** — I do not object at all. It is not for me to direct the proceedings of the Sub-Committee. All I want is to have it perfectly clear what I am voting for, and not to be asked to vote for or against a principle which may be quite right in one case and quite wrong in another. I am quite prepared to vote on any definite amendment that the Soviet delegation puts forward, and then to vote on their next amendment. Let us dispose of the first amendment first and then go on to the next one.

**M. Litvinoff** (Union of Soviet Socialist Republics). — That is what I am suggesting.

**M. Massigli** (France). — We cannot keep on interminably discussing this question. As I see it, there are really only two points to bear in mind:

First, the Soviet amendment re-introduces into this discussion in one form or another the question of the limitation figures, and that, as we have already said, is anticipating the decisions of the Conference.

Secondly, it is, of course, quite impossible to settle now the question of special vessels which were, so to speak, created in London by the five Powers, the latter having realised that they each had certain types of vessels which did not come under any definite category. They therefore decided to classify them separately.

Clearly, when the question comes up before the Conference, not merely for five navies, but for ten, twelve or fifteen, it will perhaps be formed either that new categories can be created, or, it may be, that certain vessels of some other navy, or of all navies, will also have to be classified separately among "special vessels".

I therefore believe that it would be wasting time to try and settle the question to-day; and I accordingly ask for the Soviet delegation's second amendment to be rejected as prejudging a question which, like the first one, can only be dealt with at the Conference.

**The President.** — There are thus two questions which we have to vote upon, the first, that of figures, and the second, that of the special vessels mentioned in Annex II.

**M. Litvinoff** (Union of Soviet Socialist Republics). — I am not proposing any figures. I am proposing that we should add the words "and reduce".

**The President.** — Figures are not mentioned, but you are raising the question of the proportional principle. Does the Sub-Committee agree to add the two words "and reduce" to M. Litvinoff's amendment?

**M. Colban** (Norway). — I do not understand how we can vote on the addition of two words to a text which has not yet been adopted. If I am correct, the Soviet amendment to Article A should be put to the vote.

**M. Litvinoff** (Union of Soviet Socialist Republics). — It is my amendment to the proposal of the seven Powers.

**M. Massigli** (France). — I don't think we can proceed thus. We have two amendments before us, the Soviet text (document C.P.D.239)<sup>1</sup>, and the seven delegations' proposal. I think we should first vote on the amendment to the proposed text, that is, on the Soviet amendment. If this amendment be rejected, we shall have to vote on the text in document C.P.D.230.

**M. Sato** (Japan). — I entirely agree with M. Massigli's proposal. So far, we have been discussing the Soviet amendment, and now we are suddenly asked to vote on the original amendment. I think the procedure is wrong. We should stick to the amendment and see what the result of the voting will be. I would like to make it clear that I am referring to the original Soviet amendment. I propose that the article should be voted on as an indivisible whole, because the question is so clear that it is not worth while to divide it into two or three paragraphs.

**The President.** — May I ask M. Litvinoff if he wishes to keep his Article A as it originally stood?

**M. Litvinoff** (Union of Soviet Socialist Republics). — There is no original Soviet proposal, nor a second or third proposal; there is only one Soviet proposal. If M. Massigli and M. Sato will take the document of the seven Powers they will see that our amendment is, as the Chairman has just explained, an amendment to add the words "and reduce" in Article A of document C.P.D.230 and to strike out the words "special vessels". They are two separate amendments, and I maintain that they should be voted on separately. You can accept one and reject the other, and I think it is my right to ask that they be voted on separately. May I remind the members of the Sub-Committee that only the other day we had a proposal by the British delegation consisting of three clauses, and we agreed to vote on each clause separately? I ask that the same procedure be adopted in regard to the Soviet delegation's amendments here. For it seems to me that what was right a few days ago for a British proposal must be right to-day for a Soviet proposal.

**M. Sato** (Japan). — May I have an explanation? What has happened in the document C.P.D.239 of the Soviet delegation to Article A? I have no recollection of M. Litvinoff having withdrawn the amendment embodied in this document, which must be still in existence. We should, therefore, vote on what I call the "original" amendment, because we have had it before us for some time past. I do not understand why M. Litvinoff contends that there was no original amendment.

#### VOTE ON THE SOVIET AMENDMENT TO ARTICLE A.

**The President.** — The normal procedure is to vote on Article A of the Soviet delegation's proposal as originally submitted.

<sup>1</sup> Note by the Secretariat. — See Annex 4.

(A vote was taken on the Soviet amendment to Article A as submitted in the original document (C.P.D.).)

*The Soviet amendment was rejected.*

M. Litvinoff (Union of Soviet Socialist Republics). — I did not vote myself, because that is not what I proposed.

DISCUSSION ON ARTICLE A (document C.P.D.230, Annex 3 of the Minutes).

The President. — We now come to the discussion of Article A as submitted by seven delegations (document C.P.D.230, Annex 2).

General Kasprzycki (Poland). — I should like to give my views on the principle of the limitation of naval armaments as set forth in document C.P.D.230, more particularly as regards the method of its application.

M. Politis has very clearly and very forcibly laid down the principle of special situations, which must be taken into account when applying the various methods of limitation of armaments.

The Sub-Committee made no objection this morning to M. Markovitch's request for an acceptance of this principle. It is clear that it applies to all categories of armaments, both land and naval. M. Cobián pointed that out this afternoon.

The special situation of Poland is clearly shown in the sphere of naval armaments also. The free access to the sea restored to Poland is a vital factor in my country's existence. Poland has no heritage of naval armaments and must organise the defence of its maritime interests from the beginning. It is her duty to do so, and she will do it.

I want to stress this fact, as it will explain our attitude at the Disarmament Conference, just as it does our extreme interest in the present discussion.

I come now to Article A of the proposal made by the seven delegations. Generally speaking, I endorse the remarks made by the Swedish representative. Unless I am mistaken, the same idea is expressed in the Spanish delegation's amendment. Clearly, the principle of global tonnage, or of free transfer among the vessels of the various classes, is vitally important to smaller navies. It has, moreover, been shown to leave the interests of the great naval Powers unaffected. An acceptance of this principle for second-class navies would facilitate the accession of the maritime Powers and, *ipso facto*, the work of disarmament.

M. Antoniadé (Roumania). — In connection with the discussion of Article A of the joint draft contained in document C.P.D.230, the Roumanian delegation wishes to submit the following observations on the method of limitation of naval armaments.

For historical, economic, financial or other reasons there are certain small naval Powers which still do not possess the navy strictly necessary for the defence of their coasts and their maritime interests, and which cannot therefore consider reducing their present naval armaments, but only limiting the global tonnage of their future naval programme.

The method most acceptable to such countries, including Roumania, is that of limitation by global tonnage only.

In Sub-Committee A, the naval experts fully demonstrated the arguments in favour of this method. It should be remembered that the very small tonnage required by us will not need to be inserted in all the columns of Table II. Roumania, for example, will have no entry to make in some of the columns of this Table.

Moreover, as Roumania's very modest naval programme is still in the stage of realisation—to the extent that the country's finances permit—we cannot at present determine very closely all the details of the programme, more particularly as scientific progress may make necessary certain modifications, which will have to be taken into account.

Our delegation therefore asks that the global tonnage method of limitation, by published categories, should be applied to countries which will have less than 100,000 tons global tonnage, but with full freedom for the transfer of tonnage from one category to another.

For the above reasons, I support the Swedish proposal and my delegation is very sympathetic to the Spanish proposal. We are prepared to adopt the scheme set forth in document C.P.D.230, provided that, in Table III, this rule regarding the transfer of tonnage from one category to another is admitted in the case of Powers agreeing to accept a tonnage of less than 100,000 tons.

M. Cobián (Spain). — The Spanish delegation associated itself with the Italian and French delegations in advocating the advantages of global limitation. We shall not change our minds to-day. We still hold the same view—for the same reasons that we have frequently explained. On the first reading, the French delegation made a concession by submitting a compromise text, and we supported this compromise. This is a further proof of the accommodating spirit shown by that delegation, which we must all commend. As General de Marinis very well said, his views have not changed either, but, in a spirit of accommodation, he, too, has abandoned the method of global limitation for naval armaments.



The Polish and Roumanian delegates have just explained their countries' views on the problem. I fully support, and will vote in favour of, the wish expressed by these delegations that the amount of global tonnage should be laid down for all countries which will not have more than 100,000 tons global tonnage.

In the case of Spain, however, I would have preferred that the Convention should specify in the first column of the French compromise proposal the tonnage which Spain will need in accordance with the spirit and the letter of Article 8 of the Covenant.

If we are contemplating a Convention of very short duration, it may seem inexpedient to lay down tonnage figures which cannot be reached during the period of the Convention. At the same time, I think it very important that the principle should be recognised, so that, whenever, on the expiry of the Convention, it may be desired to prolong it or draw up a new one, it should not be possible to quote as a precedent the figure already adopted by certain countries merely for the period of the validity of the Convention.

I therefore venture to suggest a slight amendment to the authors of the proposal in document C.P.D.230. Article A contains a second paragraph which reads:

“ These figures give the tonnage which shall not be exceeded during the term of the present Convention. ”

In order to emphasise the principle to which I have just alluded, I would ask the Commission to have this clause of the second paragraph inserted in the first paragraph, which would read as follows:

“ The High Contracting Parties agree to limit to the figures laid down in Table I, and during the term of the present Convention, the total (global) tonnage of their vessels of war. ”

The object of inserting the subordinate phrase “ and during the term of the present Convention ”, is to show that it is solely on account of the comparatively brief term that certain countries can accept the figures laid down, without thereby implying that they forgo any of their rights under Article 8 of the Covenant.

M. Massigli (France). — The interesting remarks we have heard this morning and this afternoon from our Swedish colleague, as well as from our Roumanian and Spanish colleagues, and the opposing observations of General de Marinis, largely justify the proposal which the five Powers represented at London have submitted, subject to the reservation mentioned by the Italian delegate.

The fact must not be overlooked that the object of the Conference is to frame a general Convention, and it was thus essential to find a flexible formula. The most flexible is obviously the global tonnage formula pure and simple—but you know what difficulties it has met. I think, therefore, that the formula adopted at London and applied in Part III of the Treaty (in Articles 17 and 18) affords smaller navies the satisfaction they require.

In reply to M. Westman's questions this morning, I would point to the machinery which the Convention provides. Article A defines global tonnage. It may be thought that in certain cases it is unnecessary to mention global tonnage; but, as we are drafting a general Convention, it seems to me that it should be realised that such cases form the exception and not the rule. The global tonnage principle should, therefore, be inserted in column I.

This global tonnage is distributed in categories. In Article B we read:

“ Table II shows, by tonnage per category, the way in which each High Contracting Party intends to distribute, during the period of application of the Convention, the total (global) tonnage which it has limited to the figure indicated, as far as it is concerned, in Table I. ”

M. Westman enquired this morning when and how this distribution would be carried out—before, after or during the Conference.

Clearly, distribution will be effected during the Conference itself, as a result of the discussions at its sessions, so that, when the Conference closes, it will be possible to sign a document which—subject to the provisions of Article C—will definitely settle the size of world navies during the term of the Convention. It cannot be otherwise. Reference was made a moment ago to small navies of 100,000 tons. If a country with such a navy proposed to have a global tonnage, pure and simple, assigned to it and then announced that such tonnage would be, wholly or to the extent of 80 per cent, applied to the class of submarines, it would certainly meet determined opposition. It is perfectly clear that there must be distribution of tonnage among the categories.

I now come to Article C, which is an integral part of the general mechanism. The drafting of each of these articles will, of course, have to be revised.

Article C provides the transfer machinery regarding which certain doubts appear to exist. M. Westman enquired when Table III regarding transfers would be drawn up. Obviously, this will also be done at the Conference.

The machinery is as follows: the second paragraph of Article C (1) reads as follows:

“ The tonnages by category shown for each High Contracting Party in Table II shall in no case [clearly ‘ by means of transfer ’ must be understood here] be the object of increase beyond the figures shown for it in Table III. ”

In other words, Table III will show the maximum which a navy can reach in a given class by means of transfers, within the limits of global tonnage.

What will this maximum be? It will vary very considerably. This is where regional agreements in particular will play a large part. It is quite possible that, in a navy of 30,000 tons, up to 95 per cent may be transferred, whereas in a navy of 100,000 tons, transfers will certainly be much less.

The formula proposed is, therefore, extremely flexible and, if everyone displays the necessary goodwill, should dispose of all the difficulties.

One word more on M. Cobián's suggestion, emphasising a fact which, I think, we all admit. M. Cobián said "it is quite clear that the figures which will be inserted in the Convention will only bind the parties for the term of the Convention". Of course. It is certain that, generally speaking, the figures will be fixed in proportion to the general security prevailing in the world and the particular situation of each country, and that any modification in the situation would lead to the figures themselves being modified at the next conference.

I wonder whether the transposition of the second paragraph, as suggested by M. Cobián, and its insertion in the second line of the first paragraph would make any real difference in the text. In my opinion, it would not; it has, the disadvantage of making the phrase longer and more ambiguous.

Let me add that the principle that the figures inserted are not to form a precedent, for a later Convention appears in Article 23 of the Treaty of London, where it is expressly stated: "it being understood that none of the provisions of the present Treaty shall prejudice the attitude of any of the High Contracting Parties at the Conference agreed to".

**M. Cobián (Spain).** — Probably I was not quite clear. Texts are texts, but, in interpreting them, precedents must be followed. In Article A, I find the following paragraph:

"These figures give the tonnage which shall not be exceeded during the term of the present Convention."

I conclude that that is not a self-evident truth, as M. Massigli has just said, otherwise these last words would not have been inserted.

Why was this second paragraph inserted? Because, at the first reading, the French delegation, abandoning the global limitation method, accepted, as a compromise, limitation by categories, a table being employed to show for each of the contracting parties the total (global) tonnage which it thought requisite for the defence of its safety and its national interests.

If this table existed in the draft under discussion I should have nothing to say.

To the French proposal was added:

"The figures in column II represent the total tonnage that each of the High Contracting Parties considers it necessary to complete before the expiry of the Convention."

This gives us the text proposed, which reads:

"The High Contracting Parties agree to limit the total (global) tonnage of their vessels of war . . . ."

"These figures give the tonnage which shall not be exceeded during the term of the present Convention."

Article B reads:

"Table II shows, by tonnage per category, the way in which each High Contracting Party intends to distribute, during the period of application of the Convention, the total (global) tonnage which it has limited to the figure indicated, as far as it is concerned, in Table I."

That is to say, the only figures are those which will be reached during the term of the Convention and these figures may be distributed in accordance with Table II.

The figures which specify the needs of each of the contracting parties have been deleted, and that is exactly what I drew attention to.

In such circumstances, my proposal was that, accepting the idea at the basis of Table I, the Sub-Committee should change the wording of Article A so as to make it clear that this Table does not cover all the requirements of each country, but merely the tonnage it thinks it can achieve while the Convention is in force.

I am very sorry that I did not express myself as clearly as I would have liked, but I trust that M. Massigli's keen comprehension will apply the precision which my words lack.

**The President.** — I apologise for having called on M. Cobián before M. Colban. I only did so to make the debates clearer.

I now ask M. Colban to allow me to call upon M. Massigli who is anxious to supplement the explanation he has just given.

**M. Massigli (France).** — I apologise for not having immediately understood M. Cobián's idea. I grasp it now and think he will be satisfied if, as he suggests, we omit paragraph 2 and say:

"For the period of the present Convention the High Contracting Parties . . . ."

**M. Cobián (Spain).** — I accept M. Massigli's wording, as it embodies the principle which I stated was so important to my country.

**M. Colban (Norway).** — The Norwegian delegation considers that small navies should be entirely free to dispose of all their tonnage. I agree therefore with what has been said in the

Swedish delegation's memorandum that the amount of tonnage transferred should vary in inverse ratio with the total tonnage of the various navies. I therefore welcome M. Massigli's declaration. There is no one better fitted to explain what occurred in London, and what is set forth in document C.P.D.230.

**Admiral G. von Schoultz** (Finland). — I am not going to explain the position of my country. I think everyone in this room knows that we have a very long coast, and are exposed to all kinds of dangers on all sides. I support the Swedish proposition put forward this morning. I do not insist on the number, which may be one hundred thousand tons or other number, it would be, as I understand it, for the Conference to put the number in. I hope nobody would expect Finland—during those six years, or perhaps double that period, which the Convention may cover—to build a large navy, not even one hundred thousand tons, perhaps not half that amount. But we ought to have the liberty to dispose of the little tonnage which we are going to build as it suits our condition. I do not think anybody in this Commission would be prepared to say that the conditions are the same as those for the Great Powers. I am objecting to categories as they are put down in the project of the five or seven Powers. I think it would be ridiculous to call a gunboat of three or four thousand tons a ship of the line.

I repeat I am supporting wholeheartedly the proposition made by M. Westman, and I hope that the conditions of the small navies and small Powers, which may sometimes be in a more dangerous position than the large Powers, will be taken into consideration by this Commission.

**The President.** — The meeting is adjourned.

*The Commission rose at 6.30 p.m.*

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### THIRD MEETING OF THE SUB-COMMITTEE.

*Held on Tuesday, November 18th, 1930, at 10 a.m.*

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*Chairman:* M. LOUDON (Netherlands).

#### 36. Discussion on Chapter II: Material. — Section II: Naval Armaments (continuation): Discussion on Article A (document C.P.D.230) (Annex 3 of the Minutes) (continuation).

**The Chairman.** — As President, I found yesterday afternoon's discussion particularly instructive. It showed me that it is absolutely essential to lay down very strict rules in order to avoid confusion. With that object, I would ask that: (1) Except when a general discussion has been declared open, the discussion should be limited to one definite question. I say this very clearly, because there is a tendency to disregard this rule, although it was established at the outset. (2) No proposal or amendment whatsoever should be discussed before it has been submitted to me in writing. I will acquaint the Commission with any such proposal or amendment and, if the Sub-Committee decides to discuss it, the discussion will take place and will bear exclusively on the proposal or amendment in question.

**Lord Cecil** (British Empire). — I only want to express for myself the warmest thanks for the announcement just made, and ask whether you will be good enough to complete it by stating what the question is we are now discussing. I assume it is that Article A be adopted, and if that motion be put then it will be for anybody to move amendments to the article. Or you may prefer that Articles A, B, and C should be adopted together—whichever you think right—but I wish to move one or other of these motions.

**The Chairman.** — We have had a general discussion on Articles A, B and C. We are now entering upon the discussion of the various articles of the draft, starting with Article A.

**M. Westman** (Sweden). — I formally propose that the discussion should bear on the three articles A, B and C together.

**Lord Cecil** (British Empire). — I understood that we would now have the discussion confined to Article A and then take Articles B and C together, because they cannot be discussed separately.

**M. Litvinoff** (Union of Soviet Socialist Republics). — I should like to be quite clear also as to the two amendments put forward by my delegation. I want to know when we are going to discuss them and to vote on them.

**The Chairman.** — I should like to reassure M. Litvinoff. I have not forgotten his amendments.

AMENDMENT PROPOSED BY THE YUGOSLAV DELEGATION.

**Dr. Markovitch (Yugoslavia).** — Yesterday's discussion showed very clearly that in this question, which concerns both great Powers and those States that are usually said to have "limited interests", we must seek a solution covering both classes of Powers.

Yugoslavia is one of those States whose interests in naval matters are limited. Nevertheless, she considers that, for her national security, she needs a fleet, solely for defensive purposes.

We are now considering Article A, which lays down the global tonnage that no contracting party may exceed during the term of the Convention. The London discussions showed that this rule means that each country must indicate the global figure which corresponds to the minimum compatible with its national security. The figures in question are not purely technical. They correspond to certain conditions of a political character. Now, as the Roumanian, Polish and Finnish delegates said yesterday, some countries are in a special position. At the General Conference, those countries will be invited to submit figures corresponding to that minimum but, at the same time, they will be confronted by the limit which may not be exceeded during the term of the Convention.

The Spanish delegate noted an essential difference between, on the one hand, those countries which have a complete fleet, the countries with a maritime history, the countries which, through their favourable economic and financial situation, have been in a position to realise either the minimum or something approaching that minimum, and, on the other hand, those recently created countries which have new maritime needs and which, notwithstanding their keen desire, have not yet provided for their defence to the minimum extent necessary.

The Spanish delegate asked that this special—but real—situation should be taken into account when all the Powers represented at the Disarmament Conference are called upon to announce the minimum that must be granted to them during the term of the Convention.

Although approving M. Cobián's point of view in principle, M. Massigli thought that it might be met by changing the order of the words in Article A. Finding that this solution was not entirely satisfactory, M. Massigli mentioned Article 23 of the London Naval Treaty, of which the last paragraph, referring to the forthcoming Naval Conference of 1935, says:

"It being understood that none of the provisions of the present Treaty shall prejudice the attitude of any of the High Contracting Parties at the conference agreed to."

M. Massigli apparently suggested that a similar provision should be inserted in our draft Convention, but I do not think such a provision covers the case M. Cobián had in mind.

I have ventured to draft a text. I do not put it forward as a formal amendment but as a suggestion, so as to give other delegations an opportunity to state their views on this point. To meet the apprehensions and desires of the Spanish delegate and of the delegates of many small countries, I would propose to add to Article A a third paragraph as follows:

"States which, for reasons due to their recent creation or as a result of their special situation, are obliged to spread over a number of years exceeding the duration of the Convention the expenditure on the construction of the minimum of their respective tonnages compatible with their national security, shall be allowed to indicate, within the limits of the total tonnage agreed upon, what portion they intend to construct within the period of duration of the Convention".

**The Chairman.** — Will you kindly submit that amendment in writing, so that the Commission may consider and discuss it?

**Dr. Markovitch (Yugoslavia).** — I submitted this amendment solely as an accurate expression of the view taken by our delegations and of our real need to ask that mention should be made of the global tonnage necessary to our countries.

May I add one remark? If the small countries do not secure satisfaction, if they are compelled to submit figures limiting them solely during the term of the Convention we are now discussing, each country will be bound to ask for the maximum figures corresponding to its real needs, regardless of the fact that these figures are nevertheless unreal, because it will be impossible to realise them during the five or ten years the Convention will remain in force.

Accordingly, if, as I understand, all countries are required to make a frank statement of their real naval programme, with an indication of their real needs, account must be taken—either on the lines suggested in my proposal or in some other way—of the apprehensions and vital needs of the countries to which I have just referred.

**The Chairman.** — If I understand you aright, this is not really a proposed amendment but merely an idea expressed during your speech. Naturally, it will be noted both in the Minutes and in the report.

**Dr. Markovitch (Yugoslavia).** — I will have this amendment circulated presently, but I shall not press it if I see that the Commission is not prepared to adopt it.

**M. Cobián** (Spain). — I thank M. Markovitch for the way he has just supported the observation I submitted to the Sub-Committee at yesterday afternoon's meeting. Naturally, I am quite prepared to approve of any formula framed in that sense. Nevertheless, I think that the simplest means—a means to which no one could object—would be to reinstate column No. 1 of the table provided for in the French compromise proposal at the first reading—that is to say, a table of which the first column would give, for each of the contracting parties, the global tonnage that party considers essential for the purposes of its security and the defence of national interests.<sup>1</sup>

Then, the second column of this table would give the global tonnage that each of those countries thinks it necessary to reach before the expiry of the Convention.

All these suggestions can, of course, be noted in the report and the Conference will in due course be able to consider them. In any case, I think it is most important to emphasise them all, for they are based on very definite principles.

Personally, I accepted limitation by categories in connection with global limitation as a compromise and I am very anxious to emphasise the need for this reservation.

**The Hon. Hugh Gibson** (United States of America). — I should like to express my satisfaction at the adoption of definite rules of debate. It seems to the American delegation that it is only through the strict enforcement of such rules that we can hope for the orderly and expeditious disposal of our work. When I asked to speak yesterday, the general discussion was on Articles A, B and C, and what I intended to say was addressed to that general subject. The discussion has now reverted to Article A only and I will reserve what I have to say until we come to the latter articles.

**M. Rutgers** (Netherlands). — The Netherlands delegation accepts Article A, which relates to the global limitation we have always supported in this Sub-Committee. I will not add to this statement an expression of our sympathy with the Swedish amendment, for I shall speak of it in connection with Articles B and C.

**The Chairman.** — I am very grateful to the last two speakers for the excellent example they have given the Sub-Committee.

#### FIRST AMENDMENT PROPOSED BY THE SOVIET DELEGATION.

**The Chairman.** — As the discussion on Article A has now been completed, we will pass to the amendments proposed to that article. First, we shall consider the Soviet amendment, which is as follows:

“ After the words ‘ agree to limit ’, introduce the words ‘ and to reduce ’. ”

**M. Colban** (Norway). — Before the vote is taken, I should like to express my opinion on this amendment. My country ardently desires the reduction of armaments, but it does not follow that this desire must be expressed in similar terms as regards the fleet of each country. The reduction of armaments is the object of our work; it must be the obvious result of the First Disarmament Convention. But I am afraid the somewhat rigid form given to this addition makes it very difficult to vote for it. By voting against this amendment, or by abstaining, I do not in any way imply that I am not a supporter—and a keen supporter—of the reduction of armaments.

#### AMENDMENT TO THE SOVIET AMENDMENT, PROPOSED BY THE FRENCH DELEGATION.

**M. Massigli** (France). — The statements just made and the explanations given yesterday by M. Litvinoff himself make it easily possible, I think, to frame a text on which we can all agree. Instead of adding the words “ and to reduce ”, it would be sufficient to say “ and if possible to reduce ”.

Thus, according to the circumstances, there would be a reduction, stabilisation or increase of fleets, and that might satisfy everybody.

**M. Litvinoff** (Union of Soviet Socialist Republics). — I think the question is a simple one, which requires a straight and unequivocal answer. The question was raised by me during the first half of the session when we discussed this point. I then explained fully and exhaustively the importance of this amendment, which of course, in my opinion, should refer not only to naval armaments but to all kinds of armaments. I mentioned then that even the Covenant of the League of Nations speaks in Article 8 of reduction of armaments, not of limitation. If the Sub-Committee has substituted for the word “ reduction ” the word “ limitation ”, it has practically infringed the rules of the League of Nations. It is not for me to defend the Covenant of the League of Nations, I only mention this in order that delegates should not be able to take refuge in this Covenant of the League of Nations, as has so often been done here. In any case, we think this question is of the

<sup>1</sup> Note by the Secretariat. — See document C.P.D.211 (Annex 4 of the Minutes), page 8).

utmost importance and that the world should know what the Preparatory Commission is preparing for. Is it preparing for limitation, augmentation or a decrease of armaments ?

We cannot have too clear an answer to this question. There are no rules which do not admit of exceptions. I can imagine, if we accept a quite rigid form on this point with regard to reduction, that some countries may come before the Conference and demand some exemptions in their favour, but it is not necessary to weaken the meaning of this word "reduction" by introducing such words as "if possible". This would mean that the Preparatory Commission itself is not sure that any reduction is possible. I therefore object to this new amendment.

According to the rules laid down by the Chairman this morning, a new amendment should be put in writing, but I am no stickler for formalities. After my original proposal has been voted on, and if it be rejected, then the President can put to the vote the wording "and reduce" with the addition of the words "if possible", a quite different proposal.

I attach so much importance to this question that I would ask the President to have a roll-call on this point, without any addition and in the original form that I proposed it this morning. If it be rejected, M. Massigli or some other delegation can propose a new amendment.

**Lord Cecil (British Empire).** — I quite feel the force of what M. Massigli and M. Colban have said. I think, on the whole, it is better to put in the words "and to reduce" quite simply. It may well be when the Conference meets that it will find that ideal is incapable of being carried out, but I think on the whole that we shall more accurately convey the general feeling of this Sub-Committee if we insert the words "and to reduce" than if we insert them subject to any modification.

**The Hon. Hugh Gibson (United States of America).** — I propose to vote in favour of the amendment to insert the words "and to reduce", and I should like to explain my vote. It seems to me that these words are really superfluous, but I see no objection to adding them. I am not troubled by the analysis as to the possible inferences to be drawn from the insertion of these words, because I think, to almost anybody they merely mean that is the goal towards which we are striving. I question very much the value of adding these words. I might illustrate the value to be attached to such a proposal by a story of a very eminent American who was noted for his extreme parsimony in the use of words. One Sunday morning he returned from church and his wife enquired from him the subject of the sermon. He replied: "The subject was Sin". His wife said, "What did the parson say about it?", to which our eminent statesman replied, "He was against it". I shall vote for the amendment.

**M. Cobián (Spain).** — I am unable to vote for M. Litvinoff's amendment since it does not provide for the exception of which, in principle, he himself approved. I would vote for a reduction affecting fleets of over  $x$  tons, but the amendment is so rigid in form that I shall abstain, pending a more elastic wording.

#### VOTE ON THE AMENDMENT PROPOSED BY THE SOVIET DELEGATION.

A vote was taken by roll-call.

*The following eleven delegations voted for:*

British Empire, Canada, China, Finland, Irish Free State, Italy, Japan, Netherlands, Sweden, Union of Soviet Socialist Republics, United States of America.

*The following delegation voted against:*

Poland.

*The following twelve delegations abstained:*

Belgium, Czechoslovakia, France, Germany, Greece, Norway, Persia, Roumania, Spain, Turkey, Venezuela, Yugoslavia.

*The amendment was adopted by eleven votes to one with twelve abstentions.*

*On voting, the under-named delegations made the following declarations:*

**Count Bernstorff (Germany).** — In conformity with my general declaration, I abstain.

**M. Massigli (France).** — I abstain on the understanding that a vote will be taken afterwards on the addition of the words "and if possible to reduce".

**M. Politis (Greece).** — The Greek delegation abstains for the same reasons as the Spanish delegation.

**General de Marinis (Italy).** — I am voting for this amendment, but I have to inform the Commission that I shall vote for M. Massigli's proposal also.

**M. Antoniadé** (Roumania). — I abstain for the reasons given yesterday and repeated to-day by the Spanish delegation.

**Dr. Tevfik Rüstü Bey** (Turkey). — I abstain for the reasons given by the Spanish delegation.

**Dr. Markovitch** (Yugoslavia). — I, too, abstain for the reasons given by the Spanish delegation.

**The Chairman.** — I invite you to vote on the French delegation's amendment.

**M. Massigli** (France). — As I have already stated, I consider the Soviet amendment to be merely an idle manifestation, for, as we know after the statements made here, it does not at all correspond to the real situation in this Sub-Committee. Personally, I do not like idle manifestations. In passing, however, I should like to thank M. Litvinoff for his defence of the Covenant of the League of Nations. I hope that, on other occasions, he will adopt the same principle.

I should like to refer briefly to my amendment. I ask that the words "and as far as possible to reduce" should be added, in a parenthesis, after the words "agree to limit". In that way, we should be taking account of the situation as it really is, and of the statements made here. By adopting the Soviet text as it stands we should be transmitting to the Governments a misleading document giving no idea of the real situation.

**M. Rutgers** (Netherlands). — I am not at all clear as to the effect of the French amendment. Two possibilities are contemplated. But when will a choice have to be made between them? At the Conference? The Convention we are drawing up will not come into force until after the Conference. How, then, can the Conference introduce the words "if possible" into the text? Accordingly, I think it would be better if the French delegation withdrew its amendment. Some delegations have already stated that they supported M. Massigli's view. The decision as to whether it is possible to adopt it will be taken at the Conference, but the amendment now proposed would not in any way change the state of affairs.

**M. Litvinoff** (Union of Soviet Socialist Republics). — Only a few words in regard to this new amendment. However optimistic we may be with regard to the future Conference, I do not think that anybody can believe that the Conference will achieve what is impossible. If it be impossible it will, of course, do nothing. This amendment really seems to me to be quite superfluous. In other clauses of the draft Convention, when we spoke of limitation we did not say "if possible", although limitation also may prove to be impossible at the Disarmament Conference. Is M. Massigli so sure that limitation will be possible and easy to realise at the Conference? We know of difficulties in negotiations in London, Washington and Geneva dealing with limitation only, and it would therefore seem logical to add the words "if possible" wherever the word "limitation" is used, and even to call the Commission itself "Preparatory Commission for the Disarmament-if-possible Conference."

**Lord Cecil** (British Empire). — I want to be quite clear, as usual, what exactly we are voting on. I did not understand M. Massigli to move "*si possible*", but "*autant que possible*". To reduce "if possible" suggests that you will not reduce at all, but to reduce "as far as possible" suggests that you certainly will reduce and go as far in that direction as it is possible to go. It seems to me to be a very fortunate form of words, and a form which I think protects everybody's susceptibilities, and I hope we can all agree on that form, because, on this matter of importance—which is a question of principle—it is better to have a unanimous decision of the Sub-Committee rather than a majority one. Personally, I can vote for "*autant que possible*" but not for "*si possible*".

#### WITHDRAWAL OF THE FRENCH DELEGATION'S AMENDMENT.

**M. Massigli** (France). — The remark just made by M. Rutgers is indeed accurate, but I must say that its very accuracy tells against the Soviet amendment for which he first voted. Indeed, although it is true that we are framing a draft Convention for the Conference, it is none the less true that the real situation will become evident at the Conference itself. In the case of certain countries there will perhaps be a reduction. For others there will be stabilisation and for others, perhaps, an increase. But, in any case, there will be limitation for all. The Soviet proposal, therefore, added absolutely nothing and was, I repeat, an idle manifestation.

Having said that, I should like to add that I proposed this amendment with a desire to give the draft we are preparing for the Conference a form which more adequately reflects the real situation. I recognise the force of M. Rutgers' remark and I realise that, at the present stage of the discussion, my amendment is inappropriate and perhaps even quite useless. Accordingly, I withdraw it. I would, however, ask that what has taken place at this meeting should be very clearly set out in the report, with the names of the delegations which accepted this addition of the words "and to reduce", which is a mere manifestation and nothing more.

**The Chairman.** — M. Massigli's wish will be gratified. The report will give full details of the discussion that has taken place.

RE-SUBMISSION OF THE WITHDRAWN FRENCH AMENDMENT BY THE SPANISH DELEGATION.

**M. Cobián (Spain).** — This is a question of fairness and sincerity. Of the twelve abstentions from the vote on the Soviet proposal, at least eleven were based on the assumption that the exceptions which by M. Litvinoff himself was prepared to admit would be taken into account. That was the meaning of the amendment which M. Massigli proposed and which, unfortunately, he has just withdrawn.

I do not think this is the time to discuss the literal or grammatical meaning of words. This amendment represented a compromise which we all accepted a few moments ago. These words "as far as possible", or "if possible", cannot be said to prejudice the general principle of the reduction of naval armaments. To say they do so, would be incorrect and illogical. These words merely represent the recognition of a principle in the minds of at least eleven of the twelve delegations who abstained and, if the number of abstentions had been added to the number of votes in the negative, M. Litvinoff's proposal would have been rejected.

I urge that, through some formula or other, the Sub-Committee's real opinion should be expressed. M. Massigli's formula did not entirely satisfy me; I should have preferred a statement to the effect that the reduction would apply to fleets exceeding a certain tonnage.

In any case, in order to remain faithful to the principle we supported, I now take up M. Massigli's proposal myself, and I ask the Sub-Committee to adopt it.

**M. Litvinoff (Union of Soviet Socialist Republics).** — We have now before us two new amendments.

**Lord Cecil (British Empire).** — Only one.

**M. Litvinoff (Union of Soviet Socialist Republics).** — We have Lord Cecil's amendment and M. Cobián's amendment. I maintain that Lord Cecil's amendment is different from M. Massigli's amendment, that is if my linguistic knowledge of French is right. I would translate "*autant que possible*" by "as much as possible", and if Lord Cecil puts this construction on the words I will vote for his amendment.

And now there is M. Cobián's amendment relating to certain countries. That is a new amendment, and if it is his intention that it should favour smaller countries I am prepared to agree to it.

**M. Politis (Greece).** — I apologise for taking part in this debate, but I should like to point out that we are at present engaged in a discussion which is really barren. With a large number of abstentions, you have accepted, by a small majority, the rule that there may be a reduction and that, in principle, there will be a reduction, side by side with the limitations. You also accepted the principle that, in a great many cases—that is to say, for secondary naval Powers—an exception will be allowed. In other words, there will be no reduction for them.

You are asked to express this idea, and M. Cobián re-submits the amendment withdrawn by M. Massigli, adding, before the verb "to reduce", the phrase: "as far as possible", or: "to the greatest extent possible". Be careful! Read the text and you will see that, if you add these expressions, the text becomes absolutely incomprehensible. What are you saying? "The High Contracting Parties agree to limit and, as far as possible, to reduce . . ."—What?—" . . . to the figures laid down in Table I".

This text is now quite meaningless. Obviously, you will only draw up Table I after taking into account both the present conditions for securing limitation and the possibilities of reduction on which agreement might be reached in the Conference. In drawing up this table, it is understood that, as regards secondary naval Powers, their situation will be taken into account and no reduction of their present armaments will be imposed on them. Under these circumstances, I think that, if you wish the text before you to retain any meaning, you must either not add "as far as possible" or else you must find some other wording to replace the words "to the figures laid down in Table I".

**Lord Cecil (British Empire).** — The criticism of M. Politis is right grammatically, but there is no difficulty about that. Instead of saying "*et réduire*" say "*en réduisant autant que possible*", and I am sure M. Litvinoff will not contest the grammar of this amendment.

I venture to hope we may now decide this question, because we have debated it from every point of view.

**M. Cobián (Spain).** — I think that, if M. Politis had made his remark half an hour ago, the voting on M. Litvinoff's amendment might have been different. When you are fixing the figures in a table, you cannot speak of limiting or reducing the figures given; they cannot be changed. If they imply reduction for some, they must equally imply reduction for others, and, on the contrary, if they do not imply it for some, they must not imply it for others. If we admit the principle of reduction we must take account of the exceptions. Accordingly, notwithstanding all the objections to this wording, I shall support Lord Cecil's suggestion, and I beg that my amendment should be put to the vote. Thus, the principle will be established and the



Drafting Committee will subsequently be able to put the text in order. If this suggestion is not accepted, I shall, on behalf of my delegation, make a reservation concerning Article A.

**The Chairman.** — I think we fully understand the proposal. I would ask you to trust the Bureau to find a suitable formula. At the third reading we shall be able to reach complete agreement.

*This suggestion was adopted.*

VOTE ON THE AMENDMENT PROPOSED BY THE SPANISH DELEGATION.

**The Chairman.** — We now pass to the vote on M. Massigli's amendment, as re-submitted by M. Cobián. The proposal is that the words "as far as possible" should be inserted in Article A.

*This amendment was adopted by fourteen votes to two, with some abstentions.*

SECOND AMENDMENT PROPOSED BY THE SOVIET DELEGATION.

**The Chairman.** — We now pass to the second amendment proposed by the Soviet delegation as follows:

"After the words '(as specified in Annex I)' omit the words 'and special vessels mentioned in Annex II'."

**M. Litvinoff** (Union of Soviet Socialist Republics). — I have already spoken on this subject at yesterday's meeting and I am not going to develop my argument again; I merely want to make it clearer to the Sub-Committee by repeating what special vessels I have in view. These vessels are to be inserted in a table at present blank, but the London Naval Treaty gives us some idea as to what vessels are proposed. I shall not enumerate them, but will merely say that the vessels to be exempted in accordance with a list attached to the London Naval Treaty amount to a total of nearly 250,000 tons. The United States of America alone have presented for exemption a total tonnage of 91,496 tons, which approaches the 100,000 tons which, in Mr. Cobián's view, is the demarcation line for smaller countries, and this total amount represents 87 per cent of the entire fleet of Italy, although Italy herself shares in this list with a figure of 11,960 tons. In this list, you will further find the French vessel *Commandant Teste*, built in 1929, and having a displacement of 10,000 tons, and also the British vessel *Adventure*, built in 1924 with a displacement of 6,740 tons. I think there can be no limitation or reduction if we allow exemptions of these dimensions. I understand the force of M. Massigli's and Lord Cecil's arguments, put forward yesterday, to the effect that some countries have to build or maintain these vessels, but I do not see why they should not be reduced under any category they choose. At present they belong to no class, but Great Britain, the United States of America and France may decide themselves how they will reduce their tonnage—*i.e.*, under which category. That would present no difficulty and we should then be clear that we were reducing all round.

VOTE ON THE SECOND AMENDMENT PROPOSED BY THE SOVIET DELEGATION.

*This Amendment was rejected by ten votes to one with some abstentions.*

REVISED TEXT FOR ARTICLE A PROPOSED BY M. POLITIS.

**The Chairman.** — M. Politis desires to propose a form of words which is clearer than that of the present Article A and on which we shall vote.

**M. Politis** (Greece). — In order to take account of the various votes just taken and of the observations M. Massigli made yesterday with a view to meeting the wishes of the Spanish delegation, I have prepared a text which, I think, expresses our idea and which everyone would be able to understand.

I shall venture to read this text. If you think it should be circulated before the vote is taken, we might postpone our final decision to a later meeting.

This Article A would read as follows:

"The High Contracting Parties agree to limit and, so far as possible, to reduce their naval armaments. In consequence they undertake not to exceed throughout the duration of the Convention as regards the global tonnage of their vessels of war, other than the exempt vessels specified in Annex I and the special vessels mentioned in Annex II, the figures laid down in Table I."

**The Chairman.** — In accordance with the rule laid down, this text must be circulated before it is discussed.

**The Hon. Hugh Gibson** (United States of America). — In order to assist us in coming to an early decision, would it not be preferable to dictate the text slowly so that we can discuss it now?

**The Chairman.** — I see no objection, if the Sub-Committee agrees.  
*The suggestion was adopted.*

**Dr. Markovitch (Yugoslavia).** — I have no objection to a vote being taken on the new wording, which is very clear. I do not think there is any need to have it circulated, but I would like to ask for a preliminary explanation. Does the adoption of this text imply that the suggestion I submitted at the beginning of this morning's meeting will be neglected? I proposed that a third paragraph should be added to Article A. If the adoption of the new wording entirely disposes of my suggestion, I should like to speak before the vote is taken.

If, on the other hand, you allow me to speak after the vote, I shall support the wording proposed, for my suggestion is in no way opposed to this wording.

VOTE ON M. POLITIS' PROPOSED TEXT.

**The Chairman.** — It will be quite in order for you to develop your proposal after the vote. Before passing to the vote, I desire, on behalf of the Sub-Committee, to thank M. Politis. He has, as usual, given us a clear wording which enables us to bring out what was hitherto more or less obscure.

I therefore put M. Politis' text to the vote.

*The proposed text was adopted by twenty votes. There were some abstentions.*

**Dr. Markovitch (Yugoslavia).** — Would it not be better to postpone my observations until the amendment I proposed has been circulated, for it is not opposed to the Article we have already adopted?

**Lord Cecil (British Empire).** — I hope that can be done.

*The suggestion was adopted.*

37. Discussion on Articles B and C (Document C.P.D.230) (Annex 2 of the Minutes) and on the Amendments proposed by the Swedish, Soviet and Spanish Delegations.

" ARTICLE B.

" Table II shows, by tonnage per category, the way in which each High Contracting Party intends to distribute, during the period of application of the Convention, the total (global) tonnage which it has limited to the figure indicated, as far as it is concerned, in Table I.

" The maximum displacement and gun calibre limits of the several categories shall be as laid down in this treaty.<sup>1</sup>

" Table II.

Categories (defined in Annex III)	High Contracting Parties						
	A.	B.	C.	D.	E.	F.	G.
(a) Capital ships . . . . .							
(b) Aircraft-carriers . . . . .							
(c) Cruisers . . . . .							
Light surface vessels] (i) Guns of more than 6.1 " . .							
(ii) Guns of 6.1 " and less . . . .							
(d) Destroyers . . . . .							
(e) Submarines . . . . .							

" ARTICLE C.

" Within the limits of the total (global) tonnage shown for each High Contracting Party in Table I, and in the absence of more strict conditions resulting from special conventions to which it is or may become a party, each of the High Contracting Parties may effect a transfer of the tonnage indicated for it in the different categories in Table II, subject to the two following conditions:

" (1) The tonnage by category shown for each High Contracting Party in Table II shall in no case be the object of increase beyond the figures shown for it in Table III;

<sup>1</sup> With reference to Articles A and B, the Italian delegation expressed the opinion that they should be replaced by a single article stating:

" The limitation of naval armaments accepted by each of the High Contracting Parties is indicated in the annexed Table which might be the Table II attached to this document. Consequently the Italian delegation is in favour of suppressing Table I."

" (2) Before the laying down of the ship or ships for the construction of which the transferred tonnage has been assigned, due notice must be given to all of the other High Contracting Parties of the amount of tonnage transferred, the length of such notice being that laid down for each of the High Contracting Parties in Table III.

" Table III. — Rules for Transfer.

AMENDMENTS PROPOSED BY THE SWEDISH DELEGATION.

" ARTICLE B.

" Table II.

" Replace Table II of document C.P.D.230 by the following table:

Class A		Class B	Class C		Class D
Vessels exceeding 10,000 tons displacement  A 1	Vessels not exceeding 10,000 tons displacement and the calibre of whose guns exceeds 203 mm. (8")  A 2	Aircraft-carriers	Surface vessels whose displacement does not exceed 10,000 tons and the calibre of whose guns		Submarines
			Exceeds 155 mm. (6.1") but does not exceed 203 mm. (5")  C 1	Does not exceed 155 mm. (6.1")  C 2	

" *Reasons.* — In view of the fact that the names by which warships (' capital ships ', ' cruisers ', etc.) are known in the various fleets are not identical but vary appreciably (the same type of vessel being regarded in one fleet as a torpedo-boat, in another as a cruiser, etc.), the introduction of these names in the text of a general Disarmament Convention does not appear to be advisable. It would be preferable for the purposes of the future Convention to use the terms employed in Table II of the present document. If this suggestion is accepted by the Sub-Committee, formal modifications would naturally have to be made in certain other parts of the text proposed in document C.P.D.230.

" The proposed system would facilitate the subdivision into two parts of the class termed in document C.P.D.230 ' capital ships '. The disadvantage of the adoption of this latter definition would be that the same provisions would apply to very different vessels—for instance to the British capital ship *Nelson* with a displacement of 35,000 tons, mounting nine 40-cm. guns, and to the Swedish coast-defence vessel *Aran* with a displacement of 3,360 tons, mounting two 21-cm. guns."

" ARTICLE C.

" Within the limits . . . conditions:

" (1) The tonnages by category shown for each high contracting Party *whose total tonnage exceeds 100,000 tons* in Table II shall in no case be the object of increase beyond the figures shown for it in Table III.

" (2) Before . . . in Table III.

" Table III of Document C.P.D.230.

" Observations in regard to Table III.

" The Preparatory Commission should draw up definite proposals concerning the rules for transfer to be inserted in Table III. To ignore this problem would be to renounce any effective preparation in regard to one of the most important parts of the future Convention. The Preparatory Commission should therefore examine the various possible systems (transfer either by percentage figures or by maximum tonnage figures to be transferred in each class, etc.) and decide between them. The Swedish delegation is of opinion that the percentage system is the most appropriate and that, if this system were applied, the amount of the transfer should vary in inverse ratio to the amount of the total tonnage of the various navies."

AMENDMENTS SUBMITTED BY THE SOVIET DELEGATION.

“ARTICLE B.

“The High Contracting Parties whose navy exceeds 200,000 tons agree to limit their total tonnage in conformity with the classes and figures fixed in Table II.

“ARTICLE C.

“To be deleted.

AMENDMENTS PROPOSED BY THE SPANISH DELEGATION.

“ARTICLE C.

“Substitute for the words: ‘shall in no case be the object of increase beyond the figures’, the words: ‘shall in no case exceed the figures’

“ARTICLE NA. — RULES FOR TRANSFER.

“Table III.

Categories	Limit attainable in case of transfer by each of the High Contracting Parties		
	A	B	C
Capital ships. . . . .			
Period of notification. . . . .			

“Note. — The figures to be entered in Table III will be calculated on the following principles:

“(1) The Powers whose total tonnage figure does not exceed  $x$  tons will have full freedom of transfer.

“(2) As regards the other Powers, the figures will be determined irrespective of proportionality on the basis of the total tonnage and special needs of each.

“(3) The greatest possible freedom shall be allowed for the transfer of tonnage from the capital ship to the cruiser category, and from the cruiser and submarine categories to the destroyer category.”

**M. Rutgers (Netherlands).** — I would point out that there is a Swedish amendment referring to Table II of Article B. Would it not be better to discuss the Swedish amendment separately?

**Lord Cecil (British Empire).** — I have no objection to that suggestion. So far as I am concerned, I include the necessary tables, and any amendment is quite in order. I think some delegations want to make some observations on Articles B and C taken together. I think Mr. Gibson is one. That was why I moved that they should be taken together.

**The Hon. Hugh Gibson (United States of America).** — I am rising on the assumption that the discussion on Articles B and C together is in order. There seems to be a very logical connection between them.

After the admirably lucid statement made by the honourable delegate for France yesterday, I shall not venture to go over any of the ground covered by him, but I should like to offer some observations on the remarks made by the honourable delegate for Sweden yesterday morning.

As I understand it, his purpose in his amendment to Article C is to devise a method which will give greater liberty and elasticity to the smaller navies in the distribution of their tonnage. With this fundamental purpose, the American delegation has always expressed its concurrence. We have repeatedly stated our readiness to recognise the need of the smaller Powers for less rigid limitation than we have applied to ourselves. Therefore I am confident that the Swedish delegate will not take it amiss if I say that any attempt by us to fix, here and now, an arbitrary, total tonnage-limit at which a given system shall begin or end is not really practicable. We can only determine what level should be fixed when, in the course of the final Conference, we have examined the figures put forward by the various countries and set aside the figures for ships which can be agreed upon as belonging to an exempt class, as well as special vessels not subject to limitation.

It is necessary, not only that we have a clear idea of exactly what ships a country puts forward for measurement, but that this be expressed in some common standard of tonnage measurement. Until we have achieved this, we have no clear, workable idea of the extent of the naval forces to which our limitation is to be applied, and until we have this statement in clear and comparable terms, we obviously cannot have a comprehensive idea of which navies would fall under the limitations described by M. Westman, and which would come into another category. Until then we cannot decide what level is best.

For the purposes of this Sub-Committee would it not be sufficient if we agree upon an elastic method for the limitation of smaller navies, and that we refrain from seeking to establish any arbitrary, quantitative limits for the application of that plan? While I confess I do not find it easy to accept the form of the Swedish amendment to Article C, I have no hesitation in saying I am in complete sympathy with the essential purpose of that amendment. In fact it is my impression that, in Table III proposed with our draft, we had met exactly this difficulty, that we had provided for the possibility, not only of one elastic method, but of as many different adjustments as might be necessary by agreement in regard to different groups of Powers and different conditions. As a matter of fact, it seems to me that Article C of our draft is more elastic than the scheme put forward by the honourable delegate for Sweden, for there is nothing in it inconsistent with any measure of transfer within the global tonnage.

So far as my Government is concerned I can see only one qualification that would be of interest to us, and that is on general grounds. The London Naval Conference adopted certain rules governing the use of submarines. We feel that this is in the general interest, and that, in future agreements, there will be a tendency to press for the reduction of submarines, or at least, as a first step, for their stabilisation at the present level, and that in any Conference this tendency should be taken into account in fixing general tonnage levels. It further seems to me that, if we are prepared to leave the door open for agreement on such a broad basis as I have outlined, it would not be in the interests of the smaller navies to close that door part way by the adoption of intermediate arrangements.

M. Rutgers (Netherlands). — Just now, I said that I was postponing any expression of my sympathy for the Swedish amendment until Articles B and C were discussed. The Netherlands delegation fully agrees with the Swedish amendment to Table III, by which liberty of transfer would be left to small naval Powers.

It is true that this liberty may be given to them through Table III. That is the object of the Spanish amendment. That is the system to which M. Cobián referred just now when he said that Table III is very elastic, since figures may be given under it which leave complete liberty of transfer.

Nevertheless, I wonder whether the Swedish amendment has not an advantage over this system. The object of Table III is to limit freedom of transfer. If we wish to have complete freedom of transfer we must not enter in Table III figures limiting this freedom, otherwise the table will have no value for the States concerned. It would be better to say it expressly as the Swedish amendment does, and apply the limitation of the right of transfer found in Article C only to the larger fleets.

I should like to submit another observation as to the extent of the liberty requested for small fleets. I think we should not exaggerate this extent. We must not imagine that, if we put different figures for different categories in Table II, and leave small fleets full freedom of transfer, they will have ships of one category only the following year. Small naval Powers usually retain their ships in service longer than great Powers. Freedom of transfer has practical value when a vessel is withdrawn from active service and replaced. But the ships of very small naval Powers can be replaced only as and when the fleet is renewed. The possibility of transfer in the case of such Powers is very slight. Each year it can affect only a small fraction of the figures given for the different categories.

The danger referred to by M. Massigli—namely, that we might one day find a small Power with 80 per cent of its tonnage in the form of submarines—does not arise, as that would mean withdrawing from service a large proportion of the existing vessels. There is one great obstacle to that. It is the *de facto* budgetary limitation. In other words, it is impossible on financial grounds.

That is true of small Powers which already possess a navy. It might be argued that it does not apply to small Powers who are expecting to construct a navy. But in that case, too, the same argument applies. A Power which has hardly any ships and which anticipates having a navy of, say, 100,000 tons one day, will not construct it in a year or two. The same reason which has prevented it from having such a fleet hitherto will prevent it from building one during the term of the Convention.

We must realise the true meaning of freedom of transfer; in other words, we must understand what transfers are really possible during the few years that the Convention will remain in force.

If that is true, we may wonder whether the method suggested in the Swedish amendment (according to which no figures at all are entered under Table III) is not preferable to the method by which figures would be calculated for each small Power to show the freedom of transfer which, in reality, will not be of great importance to the small countries, since they have only very limited possibilities in that direction. This impossibility of making transfers to any considerable extent,

in the case of small Powers, is certainly as effective as the limitation of freedom of transfer contained in Article C. Accordingly, I think the Swedish amendment is to be recommended.

If we are to consider the possibilities of transfer during the term of the Convention, and if we are to be certain on that point, we must have before us a statement of the different fleets. A final decision can be reached only by the Conference. Any decision that we take concerning freedom of transfer in the case of the small Powers will come up again before the Conference, which will make the final decision. For that very reason, I think we might meet Mr. Gibson's wishes without thereby being prevented, for the moment, from accepting the Swedish amendment.

**M. Litvinoff (Union of Soviet Socialist Republics).** — I wish to make it clear that we are now discussing three amendments to the proposal of the seven States. All through the Swedish and Spanish amendments runs the principle of a distinction being made between the bigger naval Powers and the smaller ones. One difference between the Soviet proposal and that of the Swedish and Spanish delegations is this: while the Soviet proposal contemplates that the big naval Powers can afford to limit and reduce their fleets by categories, the Swedish and the Spanish proposals admit of some allowance for transfers also in the case of the big Powers. If I may say so, they are more liberal with regard to the big Powers than is the Soviet delegation.

Another difference is with regard to the line of demarcation between the big naval Powers and the smaller ones. We place this line at 200,000. The Swedish amendment places it at 100,000 tons, while the Spanish proposal leaves the figure at  $x$ , the exact figure to be decided by the future Disarmament Conference.

The Soviet delegation has been asked by some delegates here why they have chosen this particular figure of 200,000 tons, implying that I had in view the special interests of my country in putting forward a figure which would allow the Soviet Union to come under the category of bigger countries. I must confess that I have been unable to answer that question because, strange to say, the Soviet Government has never been able to decide under which category its navy is to come. In spite of our enjoyment of over ten years of a state of peace, a part of the Soviet fleet is still kept in captivity by one of the big naval Powers and by what right? Only by the right of force, so that the answer to the question under which category the Soviet fleet would come is dependent on the return of that part of their fleet.

**The Chairman.** — I must ask M. Litvinoff to refrain from observations of the kind he has just made.

**M. Litvinoff (Union of Soviet Socialist Republics).** — I shall not allude any more to it because I have said what I had to say on that point.

If part of our fleet is returned to us, then we shall not be among the privileged countries; we shall not be allowed greater freedom of transfers—but in any case, it is not considerations such as those which have inspired the Soviet delegation in putting forward this or any other figure. If the Sub-Committee decides to take a lower figure we shall not offer any objection; but, as the Sub-Committee is not going to deal with figures at all, we can leave it to the Conference, as proposed by the Spanish delegation, which has put, instead of any figure, an  $x$ . The Soviet delegation will support any proposal which will place the weaker naval Powers in a more privileged position with regard to the transfer of ships from one category to another.

**Lord Cecil (British Empire).** — I do not desire to say very much on this question, but I do think that the attempt to fix a definite figure of 100,000 tons is one of very great difficulty. I have just been looking at the tables and I find that 100,000 tons would probably exclude Spain; it would certainly exclude the Argentine, and it would exclude Russia and Germany. In view of the great resources of those last two countries, that is not perhaps so objectionable, but with regard to the other two it seems more difficult, and, wherever you draw the line, you will find a similar anomaly.

Where I find great difficulty with the Swedish amendment is that it lays down a hard and fast rule. I agree with the general proposition that the small Powers ought to have greater facilities of transfer than the large Powers. I am disposed to agree with that proposition, but to fix a general figure seems to me very difficult. That is my first proposition.

My second proposition is this: I do feel that the submarine question, as stated by Mr. Gibson, does raise a very great difficulty. There is no doubt that if any of the so-called small Powers were suddenly to choose to concentrate on building nothing but submarines, that would make a very great difference in the naval balance of the fleets of the world, and I think that, whatever is done in regard to transfers, some restriction in regard to submarines will be absolutely essential. Beyond that, I am quite in agreement with M. Massigli and Mr. Gibson that, granted Table III is properly and reasonably applied, it gives all the liberty that ought to be given. It gives, indeed, complete liberty, and I am rather disposed to think that it would be better to leave it until we have got the Naval figures actually before us, so that we can judge exactly what ought to be done in the case of each Power.

I doubt very much whether a hard and fast rule applying to all Powers is judicious. The speech of M. Litvinoff shows the difficulty we are in. He, quite frankly, says that he wants to fix the figure at 200,000 tons because that will include Soviet Russia.

**M. Litvinoff (Union of Soviet Socialist Republics).** — No; I said exactly the opposite.

**Lord Cecil (British Empire).** — Other people, no doubt, less charitably disposed, would think that that was the reason why he wanted 200,000 tons. But whether he wishes it—of course, I accept what he says as to his intentions—it does raise these difficulties immediately, and I find myself in sympathy with Mr. Gibson and M. Massigli, and wonder whether some device could not be worked out to give practical satisfaction to M. Westman and others who spoke on behalf of the small Powers, without so rigid and iron-clad a system as fixing a definite tonnage, and which will, in particular, provide the same restriction we made with regard to submarines. I am not pledging my Government to the acceptance of such a system, but they would be prepared to consider a system based on some such principles.

**M. Massigli (France).** — As I stated yesterday, I should like to express my sympathy with M. Westman's amendment, but I desire, at the same time, to show him the disadvantages this amendment seems to offer in its present form.

Since we agree on the principle that, in the case of small navies, transfers shall be on a much larger scale than in the case of others, it would be advisable not to insert any figures for the tonnage limit. As specific cases, I will take the example of three navies that are not represented here—namely, those of the Argentine, Brazil and Chile. Sooner or later these countries will certainly be led to adopt a common system. The Argentine navy is of over 100,000 tons, the Brazilian of nearly 80,000, whilst the Chilean navy is rather less than 70,000 tons. The amendment proposed would, perhaps, make it much more difficult for these three countries to reach an agreement.

Consequently, I ask that, whilst asserting in the report the principle that the rules concerning tonnage will be much more elastic for smaller navies, we should nevertheless not state any definite limit in the text.

As to the Soviet amendment, I shall not give M. Litvinoff the satisfaction of developing the incident he seemed to be seeking just now. I shall make no reply on that subject. I will merely tell him that we cannot, in this particular case, fix any limit and that it is, at all events, certain that Russia did not contemplate this figure of 200,000 tons for herself. There is indeed a public document with which we are all acquainted and in which a Soviet delegation formerly stated its Government's intentions. I refer to the report of the 1924 Rome Conference (document C.76. 1924.IX). At that Conference, the Soviet delegation had asked for 400,000 tons of capital ships for its country, though agreeing, it is true, to reduce its tonnage to 280,000 on condition that the Council of the League of Nations was abolished. That condition has not been realised and I do not think M. Litvinoff intends to revive it. The Commission will decide and I shall not prolong the discussion on this point.

**M. Westman (Sweden).** — I should like, in the first place, to thank the various speakers for the sympathy they have kindly expressed for the Swedish delegation's proposal.

I desire to stress once more the ideas underlying our proposal. What are the small Powers asked to do? We are asked to cast a vote here and now in support of the method of categories; but we are not, at the same time, given any such guarantee as would be provided by definite proposals accepted by all, or by a considerable majority of the Sub-Committee concerning the rules for ensuring elasticity and freedom. In our opinion, such rules are an indispensable condition if small fleets are to abandon the principle of global tonnage.

To remedy this situation, we proposed that Article C should include a reference to fleets of 100,000 tons, which would thus be exempted from over-rigid rules concerning transfers.

We think it is very desirable that the Commission should fix a figure. Naturally, such a figure would not be final but, as it would constitute a proposal from the Commission to the Conference, we should consider it a valuable guarantee.

In this connection, I should like to tell M. Massigli that I find it somewhat difficult to understand how the result could work out as he suggested. Our system is sound, as I shall prove.

Various criticisms have been directed against our system. It has been said that the insertion of this figure of 100,000 tons would lay down too rigid a line of demarcation between two types of fleet. On this subject—and I am addressing myself particularly to M. Massigli—I should like to point out that we did not propose only that figure. We also proposed, as our document shows, a system of transfers which *supplements* our original suggestion.

We can easily agree on a starting point for the discussion of these questions. We have, on one side, a certain number of Powers for whom limitation does not seem possible unless the system of categories is applied—those are the great Powers. On the other side, we have a considerable number of countries to whom such a system cannot be applied in its entirety. I think we shall all agree that it would be absurd to divide into different categories the total tonnage of a fleet of 10,000 tons. The great majority of the countries represented in this Commission find their place somewhere between the two extreme points of this great scale. As regards the methods of limitation we are now discussing, it seems essential to cut that group in two. In other words, there must be some total tonnage figure below which complete freedom of transfer may be allowed and may be accepted by everyone. Above that figure, however, the system of categories must be applied more or less strictly.

I admit at once that we shall find great difficulty in fixing that figure. I admit that, as Lord Cecil said, such a figure will always be more or less arbitrary, but that is no reason for saying that we should not try to ascertain that figure. I even think that if, in this Commission, we wish to find a solution for the problems before us, it will be very helpful, perhaps essential, to ascertain it.

We proposed the figure of 100,000 tons. I am inclined to think it represents a happy mean. It is an appropriate figure at which to fix the line of demarcation between the different types of navies.

I am particularly anxious to reply to Lord Cecil's criticism of the suggestion that this figure should be fixed. Yesterday, as an illustration, he argued, if I am not mistaken, that a navy of 99,999 tons would have complete freedom of transfer, whereas a navy of 100,001 tons would come under the rule of categories.

We anticipated this criticism in our proposal, and we suggested a system of transfers according to which the amount of the transfer should vary *in inverse ratio* to the amount of the total tonnage of a navy. That is equivalent to saying, the smaller the navy the greater will be the amount of transfer allowed. Clearly, if this system be adopted, a navy of, say, 100,001 tons, will not by any means lose all freedom of transfer. It will not be put on the same footing as the navy of a Great Power. On the contrary, its right of transfer will be almost equal to that granted to a navy in the free class. Under our system, the two navies mentioned by Lord Cecil would, in reality, be treated almost on a footing of equality.

In conclusion, I should like to refer to the question of submarines. We are prepared to discuss this question with a view to laying down a rule which would, to some extent, limit the use of these vessels, even in the case of so-called "free" fleets. In that way, we should overcome the difficulties that will arise if certain countries are allowed to use for submarines the total tonnage granted them.

M. Sato (Japan). — I have listened to the very interesting speeches on the question of transfers (Article C). M. Westman's last speech showed me the importance of this question, particularly for his country.

In a general way, I share the views concerning the Swedish proposal expressed by Lord Cecil, M. Massigli and Mr. Gibson. To some extent, this proposal resembles the Soviet amendment. It is very difficult to trace a rigid line of demarcation between two classes of navies. Particular cases must be examined, and we must see what rule for transfers the Conference desires to lay down. I took part in the drafting of the text of the amendment submitted by the seven delegations. The delegations who co-operated with me in that work will allow me to say that we left Table III blank (that is, the transfers table), in order to give the different navies the greatest possible liberty in the matter of transfers. We thought this procedure would meet the wishes of countries with small navies. We had no intention of fixing a rule that would be too rigid in their case.

Like M. Massigli, I was going to propose that this Commission's report should include a reference to the matter. In that way, account would be taken of the wishes expressed by M. Westman and other delegations. As, in his last speech, M. Westman did not seem to be satisfied with this course, I shall raise no objection to Table III being accompanied by general rules for determining the percentage of transfers, if the delegates who assisted in drawing up the text of the seven delegations agree.

M. Westman's amendment provides for a certain proportion in the matter of transfers. Perhaps new proposals will be submitted by other delegations. We might bring these together and, as we did the other day, set up a small committee to discuss the question and submit definite proposals to the naval Sub-Commission. These proposals would serve as rules for the Disarmament Conference.

I would add that these rules should apply only to small navies. It is impossible for us to lay down any rule for transfers in the case of large navies. Only the Disarmament Conference can do that.

So far, no one has referred to Table II of the Swedish amendment. For my part, I shall accept it if delegations of other great Powers do the same. There is only one difference between this table and the Table II proposed by the seven delegations. It concerns "capital ships". The Swedish amendment proposes to make two classes. My delegation has no objection, if the others agree.

I must, however, point out that my country is bound by the London Naval Treaty, which it has signed. We must therefore add the destroyer category to the table in the Swedish amendment. That is self-evident, and I do not think it would be difficult to bring the Swedish Table into line with the table suggested by the seven delegations.

M. Colban (Norway). — I support the opinion just expressed by the Swedish delegate.

M. Cobián (Spain). — I agree with M. Sato's suggestion. To harmonise the texts of the two amendments before us and the text submitted by the seven Powers, it would be advisable to set up a small committee which could settle all the differences this afternoon.

I desire to correct a notion attributed to me by various speakers. I did not in any way intend to divide the Powers into two classes. In the naval problem, as in almost all problems connected with the limitation and reduction of armaments, the particular case of each country has to be considered, but I do not propose any method for tracing a line clearly dividing Powers or fleets into two distinct classes.



We have before us:

(a) The system proposed by the seven Powers, the authors of document C.P.D.230, which is the basis for our discussion, and

(b) Three amendments, the Soviet amendment to Article B, and the Swedish and Spanish amendments to Article C.

The Soviet amendment lays down a limit of 200,000 tons as regards the limitation of naval armaments.

As to Article C, I think that the Swedish and Spanish amendments, although not identical, are not incompatible. They deal with solutions, and even problems, that are quite different.

Lord Cecil rightly pointed out that the Swedish amendment, with its limit of 100,000 tons, does not cover the case of Spain. I make no complaint since, as a compromise, we accepted this method, on which the London Naval Treaty is based, but we desire it to be elastic. I have no objection to supporting the Swedish amendment, even if the other delegations ask that it should be supplemented by figures.

I fully realise the difficulty of introducing figures in our work, and it would perhaps be preferable to leave that matter to the Conference.

I support the Swedish amendment all the more readily because it does not cover the case of Spain — since it leaves full liberty for the distribution of the global tonnage granted to Powers whose tonnage is less than 100,000.

I quite understand the apprehensions aroused concerning submarines. M. Westman, too, stated that he was quite prepared to discuss this question with a view to reaching a solution.

The Spanish delegation's proposal does not deal particularly with cases in which Spain is interested. We placed this suggestion before the Sub-Committee because we thought it would be preferable to frame rules regarding transfers. The same idea has, moreover, been expressed by M. Sato.

We ask that one sentence in Article C should be changed, and that the words: "shall in no case be the object of increase beyond the figures" shall be replaced by the words: "shall in no case exceed the figures".

At first sight, this difference seems to be very subtle, but I must explain it. In this sentence, the seven Powers' text contemplates percentages for transfers. That is to say, a Power could not be granted a percentage greater than a certain figure  $x$ . Now, I think this wording would not be sufficient to allow a very small navy—for instance, one of from 10,000 to 15,000 tons—the possibility of a percentage increase, because, in that case, its needs would not be covered. Accordingly, I leave aside percentages, and I say that such a navy of 15,000 tons may not in any case transfer more than 12,000 or even 15,000 tons.

Having explained this small amendment, I come to the rules in Table III. We are agreed that the figures given in Table III should be fixed by the Conference. But in its statement (last paragraph) the Swedish delegation, like the Spanish delegation—for the two amendments are very similar—considers that some executive rules should be determined for transfers. As M. Sato said, the object is that Powers whose global tonnage does not exceed  $x$  tons should have complete freedom of transfer. We are not concerned with figures over 100,000 tons, or even equal to 100,000 tons. I think that this rule should be applied in the case of quite small navies, and that, as I have just explained, they should be allowed a certain freedom of transfer.

In the case of big navies, the figures will be determined without any proportional rule. The particular case of each country must, naturally, be considered. It would be very difficult, and even unjust, to bring them all under a fixed proportional rule. I realise that this introduces a complication, but we often have to face complications if we wish to ensure justice and fairness.

These special needs must be taken into account in defining the total tonnage. We should lay down a rule for the Conference to follow in determining the figures of Table III. The greatest possible freedom would be allowed as regards the transfer of vessels from the cruiser and submarine categories to the destroyer category. This means that navies for which it is thought most suitable, in view of their needs, to transfer vessels to the destroyer class, or to other classes, should be given great facilities for doing so.

In the last resort it is for the Sub-Committee proposed by M. Sato to examine these suggestions, and I do not think I need insist for the moment. I felt bound to give these explanations to the Sub-Committee in order to make the Spanish position quite clear. In putting forward this amendment our delegation does not think particularly of Spanish interests, but desires to give the Conference rules which can be put into practice by all countries.

**The Chairman.** — There are still two delegates who wish to speak.

We propose that, in view of the discussion we have just had and in accordance with the suggestion made by M. Sato and supported by M. Cobián, those who are particularly interested in this question should meet this afternoon and discuss it among themselves, so as to be able to inform the Commission to-morrow of the results.

**M. Westman (Sweden).** — I support M. Sato's proposal to set up a sub-Committee.

**Admiral von Schoultz (Finland).** — I must say that, in all the speeches made this morning, I have not heard any very serious objections to a certain tonnage limit. Let me take Lord Cecil's

example of two navies of 99,000 tons and 101,000 tons respectively. In such a case, if it is to the interest of the Power which has 101,000 tons to come within the class of Powers with less than 100,000 tons, no one will object to its doing so. It can easily bring its figure down to 99,000 tons. Many arguments have been advanced to prove the difficulty of regulating small differences but, personally, I do not think that is any objection.

I should like once more to support the Swedish proposal, for I think it is not enough merely to express sympathy with this proposal. I am, therefore, very grateful to M. Sato for not confining himself to sympathy. I think that, if we keep too rigidly to a plan drawn up solely for the great Powers, and if we do not make concessions to the small Powers, the latter will find it impossible to accept this plan. We shall be in a very difficult position if no exemption is admitted in our case. I therefore hope we shall be given this facility. I am very grateful to M. Cobián for suggesting another solution, and I think many others might easily be suggested. It is merely a question of willingness to do so.

**Lord Cecil (British Empire).** — I quite agree with M. Sato and M. Cobián that it would be a very desirable thing to have a really small committee to draft a proposal for the consideration of this Sub-Committee. But I admit I was a little frightened at your suggestion, Sir, which was simply that we should go round and round in a circle and practically have this Sub-Committee meeting again under another form as a sub-committee. That is of no use at all, and I propose the appointment of a sub-committee in the ordinary sense, presided over by our Vice-Chairman and consisting of five, or seven members, to be selected by the Bureau.

**M. Colban (Norway).** — If we accept the proposal to appoint a sub-committee and if the other delegates cannot be present, I would propose that the sub-committee should be quite small. It should not consist of the representatives of all the great Naval Powers. This sub-committee's duty is to prepare a text and nothing else, as the political decision must be left entirely to the Commission.

**The Hon. Hugh Gibson (United States of America).** — If you are going to have a very small committee, I would like to ask that I may not have a seat on that very small committee.

**M. Litvinoff (Union of Soviet Socialist Republics).** — Lord Cecil has asked for a select committee. Would it not be more practicable to have all those who have introduced certain amendments and shown interest in this special question.

APPOINTMENT OF A SUB-COMMITTEE FOR THE STUDY OF THE AMENDMENTS TO ARTICLES B AND C  
AND TO TABLES II AND III.

**The Chairman.** — I was just about to make a similar proposal, and suggest that the sub-committee should consist of M. Sato, M. Cobián, M. Litvinoff, and M. Westman.

**Lord Cecil (British Empire).** — I think M. Massigli ought to be added to it because he is the person who moved, or practically moved, the whole of this discussion.

**M. Sato (Japan).** — I assume it is understood that we shall have the assistance of members of the Bureau.

**The Chairman.** — M. Politis is willing to be present.

**M. Litvinoff (Union of Soviet Socialist Republics).** — I suppose the delegates may be assisted by the naval experts?

**The Chairman.** — Yes.

*The Chairman's proposal for the composition of this sub-committee was adopted.*

*The meeting rose at 1.15 p.m.*

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FOURTH MEETING OF THE SUB-COMMITTEE.

*Held on Wednesday, November 19th, 1930, at 10 a.m.*

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*Chairman:* M. LOUDON (Netherlands).

38. **Discussion on Chapter II: Material. — Section II: Naval Armaments (continuation):**  
**Discussion on Articles B and C (Document C.P.D. 230) (Annex 2 of the minutes)**  
(continuation).

TEXT PROPOSED FOR TABLE III, ARTICLE C.

**The Chairman.** — At yesterday's meeting, after discussing Articles A, B and C of the joint proposal by the seven delegations and the amendments relating thereto, the Sub-Committee was able to adopt the new wording proposed by M. Politis for Article A. That does not exclude discussion of the addition to Article A proposed by M. Markovitch.

As regards Articles B and C, the Sub-Committee, on M. Sato's proposal, decided to appoint a very small Sub-Committee to draw up a formula to be submitted to the main Sub-Committee. This formula was to bring into line the text of the joint proposal by the seven delegations and the Spanish, Soviet and Swedish amendments. That small Sub-Committee met yesterday afternoon with M. Politis as President, and we know already that the meeting led to a very satisfactory result. I would ask M. Politis to be good enough to inform the Sub-Committee of the small Sub-Committee's work.

TEXT UNANIMOUSLY PROPOSED BY THE SUB-COMMITTEE, THE ADOPTION OF WHICH IS A CONDITION FOR ITS ACCEPTANCE OF ARTICLE C WITHOUT MODIFICATION.

" TABLE III. — RULES FOR TRANSFER.

" The figures to be entered in this table will be calculated on the following principles:

" 1. Powers whose total tonnage does not exceed 100,000 tons (or  $x$  tons) will have full freedom of transfer.

" 2. As regards the other Powers, the amount of the transfer will vary in inverse ratio to the amount of the total (global) tonnage of each of them.

" 3. Account must also be taken of the special circumstances of each Power, and of the category of ships involved in the transfer."

**M. Politis (Greece).** — The Sub-Committee you appointed yesterday to consider the various amendments submitted in connection with Articles B and C and with Table II and III met yesterday afternoon and was fortunately able to agree unanimously on a certain number of conclusions which, on its behalf, I have the honour to submit for your approval.

First, as regards Article B, the Sub-Committee thought this might be accepted without any change. The Soviet delegation stated that it is prepared to withdraw its amendment if the Commission accepts the principles which we propose to include in Table III and, in particular, the principle given under No. 2.

The Sub-Committee also proposes that Article C should be accepted without change, provided that the principles stated in the document which has just been circulated, are included in Table III.

I shall comment very briefly on these principles so that their meaning may be clear.

The Sub-Committee considers that these principles should be taken as illustrations to enable the Conference to fix the figures in Table III. These will be different for each country, and account will be taken of each country's special situation and of its special circumstances, in accordance with the rule laid down in Article 8, paragraph 2, of the Covenant of the League of Nations.

Principle No. 1 states that, in the case of countries whose navies are small—and to make this idea clear we say " Powers whose total tonnage does not exceed 100,000 tons (or  $x$  tons)" in order to leave the Conference the fullest latitude in this respect—there shall be complete freedom to transfer vessels from one category to another.

The Sub-Committee attaches special importance to principle No. 2, in view of the Soviet delegation's statement that, if this principle be adopted, it will withdraw its amendment to Article B. This principle No. 2 states that as regards the other Powers—that is to say, those whose global tonnage exceeds 100,000 tons, for instance—the possibility of effecting transfers from one category of vessels to another will be greater in proportion as their tonnage is less by comparison with the tonnage of other Powers.

Finally, principle No. 3 is intended as a statement of the fact that, in determining the figures, account must be taken of the special circumstances of each country from the geographical and political point of view and also of the category of ships involved in the transfer. This means that, other things being equal, the possibilities of effecting transfers will be less for certain categories for instance, submarines—than for other categories, such as small surface vessels.

As regards Table II, the Sub-Committee agreed to adopt the Swedish proposal to sub-divide Class (a), Capital Ships, subject to a reservation concerning the Soviet amendment which refers to capital ships.

In conclusion, the Sub-Committee proposes that you should first take a decision on the three principles in Table III. If these principles be approved, Articles B and C will be adopted without change and without discussion.

A decision will then have to be taken concerning Table II, so that we may know whether the Sub-Committee accepts the Select-Committee's proposal to adopt the Swedish amendment. In this connection, however, a decision must first be taken on the Soviet amendment, according to which large naval units would be abolished.

These, very briefly, are the proposals which the Sub-Committee has the honour to submit to you. It hopes that you will adopt them and that, after the agreement so happily reached, no discussion on Articles B and C will be necessary.

**The Chairman.** — I am sure that, after hearing M. Politis, the Commission will agree to consider at once the three principles proposed.

Lord Cecil informs me that he does not agree. I will ask him to speak.

**Lord Cecil (British Empire).** — I feel that I am in a slight difficulty in regard to this matter. I thought I had made it quite clear, so far as the British delegation is concerned, that we could not

agree to freedom of transfer unless there was a definite restriction on submarines. So far as my instructions go, that is a *sine qua non*. I do not want to promote a long discussion, or to put the Commission in any difficulty. Therefore, under the circumstances, I venture to suggest that this matter should be adjourned to enable me to consult my Government further; but I think it is only right to say that I see no prospect of their assenting to an arrangement which does not provide for a definite limitation of submarines, and, in view of my Government's interest in this question, I am surprised that, in M. Politis's account of the work of the Sub-Committee, there is not even a reference to this matter.

M. Politis (Greece). — Evidently my explanation was not clear enough. I thought that, in my very brief summary of the Sub-Committee's work, I had met even Lord Cecil's point of view. The first principle adopted applies to small navies. As an illustration, we mentioned 100,000 tons. The second principle applies to the navies of other Powers. The third principle is common to all navies. It is intended to show that, for certain classes of vessels, account must be taken of the kind of vessels for which a certain part of the tonnage may be transferred, thus abridging the freedom mentioned in No. 1. It is in that sense that No. 3 was accepted.

I repeat, moreover, that these principles are only indicative. Acting on these very general indications, the Conference will have to fix the figures for each country in Table III. As regards submarines in particular, the Conference may be as severe as it pleases.

Lord Cecil (British Empire). — The first principle shows that, under 100,000 tons, there is to be complete liberty of transfer, and then you go on to say that a variety of other considerations have to be taken into account. That does not mean complete liberty in fact, but it is going to be settled as originally proposed under Article C. What it means is that, under 100,000 tons, there must be complete liberty; but, beyond that figure, principles 2 and 3 are to be observed. If you give complete liberty to 100,000 tons, it would mean that any navy consisting of 100,000 tons might, in theory, consist of submarines, which would be nearly double the tonnage of submarines permitted to the British navy under the London Naval Treaty. I am sure the Commission will see that this is a wholly unreasonable proposal, and one which it would be impossible for any of the great naval Powers to accept. Submarines stand in a special category and they must be limited for all navies. I do not want to argue this point at length now, but I do not think I shall be entitled to go beyond my instructions, which are precise at present. The British Government says that it does not see any reason for making any change. I could not recommend my Government to make a change which would enable any Power to have 100,000 tons of submarines and no other ships. I feel that, under the circumstances, it would be better to adjourn the consideration of this question for the moment, because, if we discuss it now, I shall have to vote against the proposal, which would be very unfortunate in view of the circumstances under which we have met here. May I ask the President to put the question that this discussion be adjourned?

M. Sato (Japan). — If Lord Cecil presses his request for an adjournment, I shall agree. Nevertheless, I should not like this question of submarines to be passed over in silence. I was myself a member of the Sub-Committee. I raised the question of submarines, and proposed that this category should be excluded from the possibility of transfer. The Sub-Committee did not agree, and, in view of the lateness of the hour, I could not insist. I was compelled to content myself with the text submitted. It provides in paragraph 3 for the possibility of limiting transfers to the submarine category to some extent. The present wording, however, is somewhat vague.

I venture to recall the fact that, at the London Naval Conference, my country's attitude on the submarine question differed from that of the other participating Powers. For the submarine category, we desired to complete freedom for the countries concerned. This point of view was not accepted by the other Governments represented in London, and, in order not to compromise the success of the Naval Conference, we abandoned our claim to a certain extent. We contented ourselves with fixing a figure for the submarine category, and, in addition, we accepted the prohibition of transfers to this category.

The Japanese delegation is therefore fully prepared to accept a greater restriction as regards transfers to the submarine category. I should like at once to reassure the British and American delegations, and the other delegations which took part in the London Naval Conference, and tell them that we by no means intend to take advantage of the text which the Sub-Committee submits this morning in order to evade the obligation we accepted in London. On the contrary, I tried to secure a strict limitation of transfers to the submarine category. Such, then, are the circumstances under which I was led to support the Sub-Committee's text.

If Lord Cecil is unable to accept this text, I am quite prepared to ask for stricter limitation, or even for the prohibition of transfers to the submarine category. We might, perhaps, agree here and now on that point, without any adjournment of the discussion being necessary. If not, I am prepared to agree to the adjournment of the discussion in accordance with Lord Cecil's request.

**The Chairman.** — M. Westman has just made a very wise suggestion. As one who took part in yesterday afternoon's conversations, he believes that agreement could very easily be reached if we suspended the meeting for a short time to enable the delegates concerned to confer.

*The proposal was adopted.*

*The meeting was suspended at 10.40 a.m. and resumed at 11.5 a.m.*

REVISED TEXT PROPOSED FOR TABLE III, ARTICLE C.

**M. Politis (Greece).** — In concert with Lord Cecil, the Sub-Committee has agreed on the following text:

"TABLE III. — RULES FOR TRANSFER.

"1. Account must be taken of the special circumstances of each Power, and of the classes of ships involved in the transfer.

"2. Powers whose total tonnage does not exceed 100,000 tons<sup>1</sup> will have full freedom of transfer as regards surface ships.

"3. As regards the other Powers, the amount of the transfer should vary in inverse ratio to the amount of the total (global) tonnage of each of them."

VOTE ON THE REVISED TEXT PROPOSED FOR TABLE III, ARTICLE C.

**The Chairman.** — I do not think any discussion is necessary. We might vote at once.

**Lord Cecil (British Empire).** — It is understood that in voting for this I will be voting only to submit it to my Government. I cannot pledge my Government.

**M. Politis (Greece).** — Lord Cecil's reservation entails a similar reservation by Powers which would have liked to go a little farther in this direction.

**The Chairman.** — As there is no objection, we will take the vote.

*The revised text proposed by the Select Committee was unanimously adopted by nineteen votes, with some abstentions.*

VOTE ON ARTICLES B AND C.

**The Chairman.** — I put to the vote Articles B and C together.

*Articles B and C were unanimously adopted by nineteen votes, with some abstentions.*

39. Discussion on Article D (document C.P.D.230).

"Article D. — No capital ship shall exceed 35,000 tons (35,560 metric tons) standard displacement or carry a gun exceeding 16 inches (406 millimetres) in calibre."

AMENDMENT PROPOSED BY THE SOVIET DELEGATION.

**The Chairman.** — We will now vote on the Soviet amendment (document C.P.D.239)<sup>2</sup> to Article D. This amendment reads as follows:

"Article D. — No capital ship shall exceed 10,000 tons (10,160 metric tons) standard displacement or carry a gun exceeding 12 inches (304.8 millimetres) in calibre."

**M. Litvinoff (Union of Soviet Socialist Republics).** — I think the meaning of our proposal is clear to everyone. Our idea is to do away as much as possible with arms of an offensive nature. In this instance we are moving the diminution of the size of capital ships in the hope that this will find support from the big naval Powers, and I am basing my remarks on statements made by them at the London Naval Conference. At that Conference the British Government said:

"In the opinion of His Majesty's Government in the United Kingdom, the battleship, in view of its tremendous size and cost, is of doubtful utility, and the Government would wish to see an agreement by which the battleship would in due time disappear altogether from the fleets of the world."

<sup>1</sup> This figure is given as an illustration.

<sup>2</sup> Note by the Secretariat. — See Annex 3.

That was supported by the Italian declaration which reads as follows:

“ Moreover, should the other Powers concur, Italy is prepared to examine favourably the abolition of capital ships.”

The Versailles Treaty, moreover, found the establishment of the limit of 10,000 tons displacement and 11-inch guns for surface vessels sufficient for purposes of defence, and that is the substance of the Soviet proposal.

DISCUSSION ON THE QUESTION OF THE INSERTION, OR NOT, OF FIGURES IN ARTICLE D.

**Lord Cecil** (British Empire). — I feel I could not support this amendment, and I think figures ought not to be given. If the figures are left in, they should be left in on the same terms as the figure of 100,000 tons—that is to say, merely as an illustration. If it is proposed to include these figures, they should appear in brackets, or a note should be added indicating what is in our minds. It seems to me that it is impossible for us to decide the question of the size of vessels, which is a political question and not a disarmament question.

**M. Colban** (Norway). — I support Lord Cecil's proposal to omit figures from the text. The objective of this Commission is the reduction of armaments, and I think it is quite impossible for us, even as an illustration, to give figures as high as 35,000 tons for the maximum displacement of capital ships. In view of the “ naval holiday ” agreed to in London in respect of these vessels, such figures would, moreover, be quite useless. Certainly, if this Commission had to decide on figures it should adopt the lowest possible figures, but the best course would be to accept Lord Cecil's proposal.

**M. Massigli** (France). — The French delegation definitely favours a reduction in the displacement of capital ships. On the other hand, I recognise, with Lord Cecil, that it would perhaps be difficult for us to embark on a discussion of this subject here, although in other articles we have precisely defined classes of vessels. In the case of aircraft-carriers, for instance, we go into minute details. If the Sub-Committee thinks it inopportune at present to engage in a full discussion of this question—and I fully agree with that view—I would at least ask that the report should state that the Commission is in favour (I hope that is the case) of a reduction in the displacement of capital ships.

**M. Sato** (Japan). — My Government, too, strongly favours a reduction in the tonnage of capital ships, and it put forward this view at the London Naval Conference. I do not think, however, that in our Convention we can give any maximum figure at all. I recognise the great importance of this question, and I hope that one day an agreement may be reached to reduce the tonnage of capital ships. But, until such an agreement has been reached between the nations who possess these big vessels, it will be impossible for us to give any figure in our text. We should, therefore, do well to omit it, as Lord Cecil proposes, and wait until we see whether those who possess big vessels can agree on such a reduction in their tonnage.

As to M. Massigli's suggestion that our report should express a desire for the tonnage of capital ships to be reduced, my delegation entirely agrees, and I associate myself with that proposal. Nevertheless, I think that, before deciding to put such a passage in the report, we should ascertain that it is the unanimous view of the Commission; otherwise, we should be in a very delicate position, if there were any opposition.

**M. Rosso** (Italy). — We have just been reminded that in London, the Italian delegation declared for the abolition of capital ships. We still maintain that view, and could therefore agree with the suggestion made by the Soviet delegation in its amendment to Article D.

If we had to discuss figures, we should perhaps have to suggest some changes—as regards, for instance, the calibre of guns. In our view, the figure of 12 inches in the Soviet amendment should be changed to 11 inches, so as to conform with the basic figure of the Treaty of Versailles.

It has been suggested that we should not discuss figures, but leave the Conference to decide on any possible reduction in maximum displacement. We consider that a reduction in the displacement of capital ships would give rise to several complications. It would imply, *inter alia*, the creation of a new type of rapid battleship, and this might lead to a new competition in armaments. We are, therefore, in favour of abolition, but feel we must make a reservation concerning reduction of displacement.

I desire now to explain my attitude in case a vote is taken on this point. I abstained from the two previous votes because that seemed the logical consequence of our general reservation. Having declared that we support the principle of the abolition of capital ships, I shall therefore abstain from voting on this subject also.

**The Hon. Hugh Gibson** (United States of America). — If the proposal made by M. Massigli is put to the vote, I confess that I am rather at a loss as to how I shall vote in order to give an accurate impression of the attitude of my Government on this subject. I shall therefore take the convenient course of abstaining.

I should like to explain the reason for this decision. The question of reducing the maximum unit size of capital ships arose between the three Powers who concluded their agreement in London. It was decided that, inasmuch as we had made practical provision for the next six years so far as our three navies are concerned, and inasmuch as it was quite impossible to foresee the trend of naval development, construction and design, the best course we could agree upon was to defer this question until it was presented in a more definite form. My Government has not taken up a position in opposition to the reduction of the maximum unit size; but it seems to us that it is impossible for us to foresee how far we would be justified in going, or whether, in view of the other developments in construction or design, we would be justified in making any step, in that direction. Inasmuch as my Government is not able to make a definite pronouncement at this time, I shall abstain, while not wishing to obstruct any recommendation that may come forward.

**Lord Cecil (British Empire).** — I hope we shall proceed regularly in this matter, and not, from a general desire to show how keen we are for disarmament, do something which will interfere with the regularity of our proceedings.

We have laid it down from the very outset that we are, in this Commission, not dealing with quantities but with methods. I hope we shall stick to that. When you formulate that a battleship is not to exceed—I do not care whether you say fifty thousand or five thousand tons—you are dealing then with the size of a unit of combat. You are dealing with matters of quantity entirely. That is entirely outside our function, and we should have to enter into a very long, abstruse and technical discussion if we were to enter upon a matter of that kind.

My Government—as M. Litvinoff has pointed out—has already declared itself in favour of a reduction, if it can be arranged. I am not trying to quote the actual words, which are not before me, but my Government has generally expressed the view that it is in favour of the reduction of the size of capital ships. As far as my personal opinion counts for anything, I most heartily agree with that proposition. I have always thought these monsters, which only exist to fight one another, are quite outside the conception of a disarmament policy. But this is a matter which will have to be dealt with, if at all, at the Conference. It is not a matter for us.

Therefore, with the greatest respect to M. Massigli, I rather hope he will not even insist on putting that indication into our report. I think if he desires to give satisfaction to his view and to mine also, the proper form is to say certain members of the Commission expressed the view that capital ships ought to be reduced in size, but the Commission felt that any decision on that point was outside its province, and therefore it did not come to any decision on the point. I think that is the right way for us to deal with a matter of this kind. Otherwise, we shall really be launching ourselves into a sea which is absolutely boundless.

I hope we may take this decision on this particular article in the sense that we express no opinion on the size, and that in succeeding articles similar alterations will be made, striking out any numbers which indicate an attempt to settle the size of these ships, which is not really part of our functions. Personally, I hope the matter will be considered very carefully by the Conference when it comes to meet.

**M. Massigli (France).** — My proposal was chiefly intended to draw the attention of the Governments to the fact that the question must be settled at the 1932 Conference, and that we cannot continue the present system with its two overlapping series of naval agreements, differing both in scope and duration. At Washington, certain Powers reached an agreement concerning certain classes of vessels. At Rome, in 1924, an attempt was made to generalise this agreement, but it did not succeed. The same Powers have just tried to reach a further partial agreement in London. The 1932 Conference seems to mark the opportune moment for at last reaching a general solution. If Lord Cecil agrees with me that the question can be settled at the 1932 Conference I shall, for my part, support the views he has just expressed.

**M. Rutgers (Netherlands).** — I have heard no arguments in favour of either of the figures proposed. Personally, I should favour the figure of 10,000, just as I favour anything which is likely to lead to a result. Nevertheless, although this very low figure seems to be widely supported, I am still in uncertainty.

**The Hon. Hugh Gibson (United States of America).** — I confess I do not attach any great importance to having this particular figure in, but in drafting the document we all felt that it was a figure in an existing treaty, and when you gave the various figures embodied in treaties, you gave a coherent picture. It was very carefully stated that this was not meant to represent a definite proposal, and we might put a footnote to the effect that the figure of 35,000 tons is added only for the purpose of illustration—as we did with the figure of 100,000 tons in Table III. It is very difficult to treat figures on different bases, and if we can treat one set of figures in that way, why not another set?

#### AMENDMENT TO THE SOVIET DELEGATION'S AMENDMENT PROPOSED BY THE BRITISH DELEGATION.

**Lord Cecil (British Empire).** — The only point is this: we had to put in the 100,000 tons because it was not a question of limiting at all but a question of creating a category, which is a different proposition. Here we are trying, or professing, to limit the size of battleships. That is really trying to deal with the quantity of the fleets and not the method of limitation. Personally, I

should be quite content to accept Mr. Gibson's suggestion of a note; but I really think, as a matter of order, that it would be better to leave out all these figures which deal with quantities absolutely, and I move formally, as an amendment to the Soviet amendment, that the figures of 35,000 tons and 16 inches, and the corresponding figures which translate these into metric tons and centimetres, should be omitted. If that is carried, I hope it will not be necessary to move a similar motion with regard to the succeeding articles, but that this may be taken as an indication of the views of the Commission.

**M. Litvinoff** (Union of Soviet Socialist Republics). — Throughout the work of the Preparatory Commission, the Soviet delegation has been in favour of the Commission settling, not only the algebraic formulæ, but also the figures—which is the most important part of our work, in our opinion—since, unless we come to an agreement on figures, nothing much will have been accomplished by the Commission. We shall only have a draft Convention in which all the questions of real value that arose will have been left to the Conference to decide. If the Commission decides not to deal with figures, that is a matter for them; but I think we must admit that, if we introduce this amendment with regard to capital ships, it is because the proposal of the seven delegations, which we have taken as the basis for discussion, also contains figures. If we accept the proposal which has just been made that we take figures as a certain indication, then again there must be a discussion as to which figure should be taken into consideration, and we say that our figure should be taken into consideration. If Article D and other articles dealing with figures are withdrawn, then all our corresponding amendments must also be withdrawn, and it will only remain for us to discuss Article M and Standard Displacement, and we shall finish the question of naval armaments very shortly.

**The Chairman.** — As M. Litvinoff will withdraw his amendment if Lord Cecil's proposal is adopted, we shall vote on the latter.

**M. Cobián** (Spain). — Everyone agrees that the tonnage of capital ships should be reduced. If, however, we give no figure, there is just as much likelihood of 10,000 being adopted as 50,000.

An agreement has been reached between the great naval Powers, who mutually undertook not to exceed a given figure. In the case of the other Powers, if no figure is given, the result may be a fantastic figure. I quite fail to understand this anomaly. This discussion has been very interesting; it has brought out our interest in the reduction of the tonnage of capital ships. I think, however, that we have reached a point where reflection is necessary before any decision is taken.

**M. Sato** (Japan). — As regards the displacement of capital ships, which is mentioned in Article D, I see no difficulty in omitting the figure both for the tonnage and for the calibre of guns. If we left a blank, that would be an even better application of the principle we have to follow. Some delegations, however, have said that the figure of 35,000 tons should be given as an illustration referring to capital ships which are at present in existence and of which the tonnage is limited by the Washington Agreements. The two ideas might be combined. We might leave a blank in Article D, as Lord Cecil proposes, and add a note to that article mentioning, by way of illustration, that the tonnage was fixed by the Washington Treaty at 35,000 tons and the calibre of the guns at 16 inches. In that way we should satisfy all parties.

I think Lord Cecil's proposal goes farther. If I understood him aright, he proposed to omit all figures, even those in the other categories.

**Lord Cecil** (British Empire). — Perhaps I might interrupt and answer at once what M. Sato has just said. I do not want to raise any further question than this particular article, because I think the great thing is to settle each question as we come to it. But, in point of fact, if we do decide to leave out these figures, there are certain other figures which, as a matter of course, we can also leave out. However, we can deal with those as we come to them.

I do not want to lay down a principle, because it is evident there may be special circumstances in regard to particular figures in which it would be improper to leave them out; but the general theory in my mind is simply this: where the figures tend to a limitation of the force of the country, they ought to be left out. That is a question of quantity. Where they are put in in order to define what is meant by a category, that is not a limitation of force; it is merely to explain what the provisions of the Convention are to apply to. Therefore, I have no objection in principle to the insertion of the 100,000 tons in connection with the matter we have been discussing this morning, because there it is a question of defining what fleets are not to be subject to transfer. That is merely to make a definition of transfer—of what fleets you propose to omit. It is not limiting the force of any particular country in any way.

I do not want to lay down principles. My motion is only to strike out the figures in this particular article. When we come to other figures, I shall be very ready personally to consider whether they ought or ought not to be left in.

A suggestion was made to me just now which is worth mentioning in order to make the thing clear. It might be desirable to add a footnote, explaining what these figures were in the Treaties of London and Washington, in order to show what we had in our minds; but, of course, not in any way to bind the Conference to accept these figures for a general reduction of armaments all over the world.



**M. Sato (Japan).** — I thank Lord Cecil for his explanation. I entirely agree with him.

Personally, I think that, without exceeding our powers, we might give the figure of 35,000 tons in Article D. There we are only seeking to limit the displacement of a naval unit. The question of quantities—that is to say, the tonnage allowed to each country—will naturally be settled by the Conference itself.

On the other hand, some delegations expressed a wish that the maximum limit for the displacement of capital ships should be still further reduced.

In these circumstances, it would be better not to give any figure in Article D; but, naturally, we cannot omit all the figures concerning the other categories. We shall soon come to page 11, where there are definitions of the various categories. We should be really paralysed if we had no figure either for the displacement of units or for the calibre of guns. How, in such circumstances, could we give any exact definition of the cruiser category, for instance?

**The Hon. Hugh Gibson (United States of America).** — I honestly feel, with regard to this question of figures, that, as we put them in for illustration, either all ought to stay or all ought to come out, and I find difficulty in picking and choosing between the different articles before us. I feel that it will lead to an endless debate if we reopen the general discussion on principle whenever we come to a fresh article, amendment or series of amendments, and it gives opportunity, to all those who wish to do so, to reopen the question. We have to put it clearly whether we can adopt a principle of illustrations, and, if so, the sensible course is to take the figures laid down in existing treaties, which present cohesion as far as the texts before us are concerned.

**The Chairman.** — I shall put to the vote the retention of the provision under discussion—that is to say, Article D as submitted by the seven delegations.

**Dr. Markovitch (Yugoslavia).** — Article 1 of Part I of the London Treaty provides for a truce in the construction of capital ships. This truce now applies to Powers which have capital ships. Before the vote is taken on Article D, I should like to raise this preliminary question: Does the adoption of such an Article imply any change in the obligations of those Powers not to lay down the keels of capital ships in general, or might the adoption of this Article encourage Powers not bound by the London Treaty to lay down the keels of capital ships not exceeding the tonnage fixed—that is, 35,000 tons?

**The Chairman.** — I think we might now take the vote.

I ask those in favour of retaining Article D of the draft submitted by the seven Powers to signify their wishes. You understand that, by voting for the retention of Article D, you are opposing Lord Cecil's amendment. Those who support Lord Cecil's amendment should, therefore, vote against this retention.

**M. Sato (Japan).** — I shall vote for the retention of Article D if the figures are given as an illustration. Moreover, that is the idea underlying the text submitted by the delegations of the seven Powers.

**The Chairman.** — That is a new amendment.

**The Hon. Hugh Gibson (United States of America).** — I shall vote on the same condition as M. Sato.

**M. Litvinoff (Union of Soviet Socialist Republics).** — I understand we are voting now on the question of whether any figures are to be inserted or not, and then on the figures themselves. I think we should vote first of all on the retention of the figures, and then on the figures themselves.

**Lord Cecil (British Empire).** — May I remind the Commission that I have moved a definite motion to delete these figures. That may be right or wrong, but that is the motion. I ask the President to put that motion. Does the Commission favour that proposal or not? M. Litvinoff wants to put it round the other way, but that will cause confusion.

VOTE ON WHETHER OR NOT THE FIGURES IN ARTICLE D SHOULD BE RETAINED.

**The Chairman.** — The question is whether or not the figures should be retained.

I ask those in favour of retaining the figures to raise their hands.

*The retention of the figures in Article D was rejected by ten to one, with a certain number of abstentions.*

**Lord Cecil (British Empire).** — May I make a suggestion? I agree with Mr. Gibson that it will be an endless business if we have the discussion renewed on each of these amendments, and this is an occasion for the Bureau or a small committee to present a definite scheme as to what we should do with regard to the other figures, otherwise we shall have a long discussion as each article comes up as to whether or not we ought to have figures.

The Chairman. — Naturally, the Soviet amendment to Article D falls to the ground.

40. Discussion on Table II. — Article B (document C.P.D.230) (Annex 2 of the Minutes).

The Chairman. — We shall now discuss Table II of the draft submitted by the seven Powers, which is as follows:

Table II.

Categories (defined in Annex III)	High Contracting Parties						
	A.	B.	C.	D.	E.	F.	G.
(a) Capital ships . . . . .							
(b) Aircraft-carriers . . . . .							
(cd) Light surface vessels { (c) Cruisers . . . . . (i) Guns of more than 6.1 inches (ii) Guns of 6.1 inches and less (d) Destroyers . . . . .							
(e) Submarines . . . . .							

AMENDMENT PROPOSED BY THE SWEDISH DELEGATION.

The Chairman. — There is the Swedish amendment to this Table, which is as follows:

" Table II.

" Replace Table II of draft C.P.D.230 by the following table:

Class A		Class B	Class C		Class D
Vessels exceeding 10,000 tons displacement  A 1	Vessels not exceeding 10,000 tons displacement and the calibre of whose guns exceeds 203 mm. (8 inches)  A 2	Aircraft-carriers	Surface vessels whose displacement does not exceed 10,000 tons and the calibre of whose guns		Submarines
			Exceeds 155 mm. (6.1 inches) but does not exceed 203 mm. (8 inches)  C 1	Does not exceed 155 mm. (6.1 inches)  C 2	

" Reasons. — In view of the fact that the names by which warships (' capital ships ', ' cruisers ', etc.) are known in the various fleets are not identical but vary appreciably (the same type of vessel being regarded in one fleet as a torpedo-boat, in another as a cruiser, etc.), the introduction of these names in the text of a general Disarmament Convention does not appear to be advisable. It would be preferable, for the purposes of the future Convention, to use the terms employed in Table II of the present document. If this suggestion is accepted by the Commission, formal modifications would naturally have to be made in certain other parts of the text proposed in document C.P.D.230.

" The proposed system would facilitate the sub-division into two parts of the class termed in document C.P.D.230 " capital ships ". The disadvantage of the adoption of this latter definition would be that the same provisions would apply to very different vessels—for instance, to the British capital ship *Nelson* with a displacement of 35,000 tons, mounting nine 40 cm. guns, and to the Swedish coast defence vessel *Aran*, with a displacement of 3,360 tons, mounting two 21 cm. guns."

M. Westman (Sweden). — The Swedish delegation proposes a table for Table II. Our reasons for proposing this table are given in the same document; there are two of them.

We think that it would be difficult to include in a general disarmament Convention such names as " capital ships ", " cruisers ", etc., since these terms are differently used in different navies.

Thus, it would probably be better to use the descriptions we have proposed, and say merely "Class A, Class B," etc., indicating the characteristic features of the types in question.

Naturally, this question is not very important from our point of view, but we attach more importance to the second reason which prompted our counter-proposal.

If you examine the table proposed in the document submitted by the seven Powers, you will see that the coast-defence vessels of the Swedish fleet would fall into the first class, which would thus include vessels of very different types. There would, on the one hand, be vessels like the British capital ship *Nelson*, with a displacement of 35,000 tons and mounting nine 40 cm. guns, and, on the other hand, the Swedish coast-defence vessel *Aran*, with a displacement of 3,360 tons and mounting two 21 cm. guns.

We should prefer the first class to be sub-divided into two columns. This division could be made either by means of our Table II or by drawing a line in the first class, called "capital ships", in the document submitted by the seven Powers (document C.P.D.230).

**M. Politis (Greece).** — I should like to offer a brief observation to show that the path we are following is edged by precipices. You have just decided to leave blank the maximum displacement allowed for capital ships. Now you are proposing to divide capital ships into two classes—namely, those above and those below 10,000 tons. We do not know whether the States which sign the Convention will be allowed to have capital ships of over 10,000 tons.

If you wish to be more or less logical and to conform to what you have just decided under Article D, you must say:

"Class A. — Should the Conference decide to fix . . . in Article D for capital ships, this class would be divided into the following two sub-classes."

**M. Litvinoff (Union of Soviet Socialist Republics).** — I fully support the proposal of M. Politis, which is quite logical. On the other hand, I should not be able to vote for the Swedish delegation's proposal, though I sympathise with its desire. If I voted for that proposal it would mean that I voted for capital ships of more than 10,000 tons.

**M. Sato (Japan).** — I regret to find myself in complete disagreement with M. Politis. In my opinion, Article D applies only to capital ships that are to be constructed in the future, and not to those already existing. If the Conference wishes to abolish all the capital ships that exist already, there will be great difficulties in the way of accepting the Convention. Together with several other Governments, we signed the Washington Treaty, which authorises us to retain our capital ships. If, by adopting Article D, the Conference intends to abolish all capital ships, the Governments which have such ships and which are Parties to the Washington Treaty will be compelled to scrap all these vessels, such as the *Rodney* and the *Nelson*, the big American units and ours also. No Government could assume such an obligation. Accordingly, I urge that we should subsequently discuss and adopt an article stating that our draft does not affect the provisions of other treaties for the limitation of armaments. Moreover, this is indicated on page 19 of our draft Convention (first reading) (document C.P.D.211<sup>1</sup>: Article EA of that draft provides that:

"The present Convention shall not affect the terms of previous treaties, under which certain of the High Contracting Parties have agreed to limit their military, naval or air armaments . . ."

According to this article, the Washington and London Treaties will remain in force. That was, I repeat, the spirit in which I accepted Article D without any figures. But I cannot assume any obligation to scrap all existing capital ships forthwith.

**M. Colban (Norway).** — I support the Swedish proposal that capital ships should be sub-divided. My country is in the same position as Sweden. That is to say, we have vessels for the defence of our coasts which mount guns of slightly greater calibre than the maximum given in the seven Powers' proposal for light surface vessels. We should be surprised if we suddenly found ourselves credited with the possession of four capital ships as the four vessels in question were built at the end of last century or the beginning of this century and are of about 4,000 tons each.

**Lord Cecil (British Empire).** — I understand there are two questions now, a question of form and a question of substance. The question of form is whether the Swedish table in which you seek to define and say exactly the vessels you mean is better than the seven-Power system of having a list of certain ships and then defining them later on. Personally, I think we had much better adhere to the seven-Power system, because it is much easier to have an adequate definition without trying to insert in a few words a definition which will certainly lead to trouble. I am therefore against the Swedish proposal on the question of form.

The question of substance is quite a different matter. The question is whether we ought not to have sub-division of capital ships, because there are some ships which are technically, according to the definition proposed on page 11 of document C.P.D.230, capital ships, but which nobody would really regard as ships of the line.

<sup>1</sup> Note of the Secretariat. — See Annex 1 of the Minutes.

M. Colban has given an illustration. I do not desire to express any final opinion, because I cannot deal with so technical a matter. Personally, I see no objection to splitting up capital ships into two different classes and having in one class ships of the line in the way we have understood it, and, in the other class, such ships as the Scandinavian and others—I believe the Finnish Government also have ships of that kind. We ought to have in Table II, if that view be accepted, capital ships of the first class and capital ships of the second class, and then a proper definition, when we come to page 11, explaining exactly what we mean by first- and second-class capital ships.

I suggest that all that is necessary at the moment is to have a sub-division of capital ships in this Table, leaving it otherwise as it is, and that we deal with the matter of the Swedish amendment when we come to the definitions.

**The Hon. Hugh Gibson** (United States of America). — I associate myself fully with the last remarks of the honourable delegate of Japan.

**M. Westman** (Sweden). — If the Commission does not wish to change the heading altogether, I am prepared to withdraw my proposal concerning Table II and to support Lord Cecil's suggestion for the sub-division of "capital ships".

#### SETTING UP OF A SUB-COMMITTEE TO CONSIDER TABLE II.

**M. Massigli** (France). — I think that our discussion would be clearer and that this question would be easily settled if we appointed a small committee to put this table in order.

**M. Westman's** table had the great advantage of being clearly set out and easy to understand, but it was incomplete as it did not mention destroyers; it therefore needs revision. I think that if a committee of technical experts were set up, it could take account of Lord Cecil's and **M. Westman's** observations and easily draw up a table that would satisfy us all.

**Lord Cecil** (British Empire). — I quite agree.

**The Chairman**. — I think you will all agree that that would be the quickest way. We must therefore request the Scandinavian (that is, the Swedish and Norwegian) experts to be good enough to come to an agreement with the British, French and American naval experts. We do not wish this sub-committee to be too numerous, but **M. Sato** would perhaps like the Japanese delegation to be included.

**M. Sato** (Japan). — Naturally, for we are greatly interested in this question.

**The Chairman**. — In that case the Japanese delegation will also be included.

**Admiral von Schoultz** (Finland). — I would ask that the Powers most concerned in this question—that is, the small Powers—should not find themselves in a minority in this sub-committee.

**Lord Cecil** (British Empire). — I hope this is not a question of a majority or a minority.

**M. Sato** (Japan). — This sub-committee has been set up as the result of an amendment to the text proposed by seven delegations. Accordingly, I think that all the delegations which took part in the preparation of the text proposed should be members of this sub-committee, together with the Scandinavian delegations which are particularly interested in the question.

**The Chairman**. — In reply to **M. Sato**, I would point out that his suggestion exactly corresponds to the proposal I made to the Commission. This sub-committee will therefore consist of the experts of Great Britain, France, the United States, Italy, Japan, Sweden, Norway and Finland.

I think we might ask **M. Cobián** to act as Chairman of this sub-committee.

*The proposal was adopted.*

#### 41. Discussion on Article A: Amendment proposed by the Yugoslav delegation.

**The Chairman**. — We have now before us the following amendment to Article A proposed by the Yugoslav delegation. I would ask **M. Markovitch** whether, after to-day's discussion, he maintains his proposal.

#### AMENDMENT PROPOSED BY THE YUGOSLAV DELEGATION.

##### "Article A.

"Add a third paragraph to Article A:

"States which, for reasons due to their recent creation or as a result of their special situation, are obliged to spread over a number of years exceeding the duration

of the Convention, the expenditure on the construction of the minimum of their respective tonnages compatible with their national security, shall be allowed to indicate, within the limits of the total tonnage agreed upon, what portion they intend to construct within the period of duration of the Convention."

**Dr. Markovitch (Yugoslavia).** — I have not heard any opinion at all concerning our amendment. My position is therefore somewhat difficult. I suggest that the report should mention our amendment, not only to give our delegation a personal satisfaction, but also on account of the principle itself. As I have already explained, it refers to the exact position of certain Powers when called upon to submit their minimum programme for the period of the Convention.

If that programme is to provide the minimum compatible with the national security of those Powers, in conformity with Article 8 of the Covenant, they will be bound to submit a larger programme than they think they can, in fact, carry out during the term of the Convention.

But if, in one form or other, you make it possible for them to give two figures, you will then have an exact picture of the naval position of those countries.

I make this suggestion so that the work of the future Disarmament Conference may be genuine, and I leave it to the Commission to decide how far they can take these observations into account.

**M. Cobián (Spain).** — I support the suggestion just made by the Yugoslav delegate all the more warmly because it also covers the case of Spain and reinforces the observations I made three or four days ago, at the beginning of the naval discussion.

**The Chairman.** — We agree with M. Markovitch that this question should be mentioned in the report.

42. **Statement by the Persian Delegate regarding the Persian Government's Intentions and Desires concerning the Organisation of its Fleet.**

**Colonel Ali Khan Riazi (Persia).** — My country's position resembles that of Yugoslavia, with this difference: that we cannot for the moment supply figures for our global tonnage, as we are engaged in organising our navy. In this connection, I shall venture to read a statement which I should like to appear *in extenso* in the Minutes :

"For the reasons given in our general statements concerning land armaments, we desire to acquaint the Commission with our Government's intentions and desires concerning the organisation of its fleet.

"Owing to the length of the Persian Empire's sea frontier, the problem of proportionate naval strength is of the greatest importance to the security of our country.

"In the north, the Caspian Sea has been, and always will be, the most direct route for our communications with Russia and Europe. Its importance has been increased by recent treaties with the Union of Soviet Socialist Republics and has just become greater through the construction of the Bender-Shah-Teheran railway, on which the Persian Government is at present engaged.

"In the south, the Persian Gulf and the Gulf of Oman are our only means of access to the open sea, and are also the routes most favoured for our international communications.

"Developments in the working of our mines and the construction of the new Trans-Persian railway compel us to be more vigilant than ever.

"The Persian Government is, therefore, unable to content itself with a few old warships now being disrated in the Persian Gulf and has just drawn up a ten-years' programme of naval construction.

"This programme, which is still a modest one, will leave us, even when it has been fully carried out, far below the figure of 100,000 tons which was advanced by other countries with small navies, and, notwithstanding the length of our coast-line, the funds available will not allow us, for the moment, either to go farther or to undertake costly building.

"The figures we shall submit to the Conference will, therefore, be proportional to our budgetary possibilities, but will in no way prejudice our maximum global tonnage, as we are unable to determine that until our defensive programmes have been carried out."

**M. Massigli (France).** — The Yugoslav proposal is tantamount to a revival of the whole of the French compromise proposal of 1927. Accordingly, if the majority of the Commission adopts this view the French delegation will, as a matter of course, also support it.

**Lord Cecil (British Empire).** — I thought we had settled that question. I thought we had agreed that it was to be mentioned in the report.

**The Chairman.** — Yes, we agreed that it should be mentioned.

**M. Litvinoff (Union of Soviet Socialist Republics).** — I only wish to say there can be no doubt that any facilities which may be demanded by the Persian Government will be in the nature of defence, in order to guarantee the security of their country. I can assure the Persian delegate that the Soviet delegation will fully support their demands.

43. **Sub-Committee to consider Table II: Extension of the Mandate of the Sub-Committee (Consideration of the Question of the Insertion of the Figures in the Draft Convention).**

**The Hon. Hugh Gibson** (United States of America). — May I make a suggestion about the Sub-Committee that is going to meet this afternoon? It seems to me that we might make a display of executive ability—which consists usually of getting other people to do one's work—if we were to ask them to come to-morrow with a suggestion as to how we are to deal with figures, possibly in the form of a resolution that we can vote on. This would obviate any necessity for discussion to-morrow morning.

**M. Cobián** (Spain). — That would certainly be very helpful.

**M. Litvinoff** (Union of Soviet Socialist Republics). — The work and nature of the Sub-Committee have been changed, and I suggest that all delegates who have made amendments be included in it.

**The Chairman.** — In that case, the Sub-Committee would be too large. I ask you to be satisfied with what we have already decided and to give the Sub-Committee your confidence. To-morrow, we shall discuss its report.

44. **Postponement of Vote on Articles E, F and G.**

**The Chairman.** — As there are no amendments to Articles E, F and G, we might take the vote at once. It must be clearly understood that, in accordance with the decision taken concerning Article D, the figures in these articles will be left blank, as this question of figures has been referred to the Sub-Committee. We shall not be able to take any decision on the figures until to-morrow, when we shall have the Sub-Committee's report before us.

Is there any objection to our saving time by taking the vote at once?

**M. Sato** (Japan). — Since this question of figures has been referred to the Sub-Committee which is to meet this afternoon, I think it would be more logical to postpone the vote on Article E and the following articles until to-morrow morning. If the Sub-Committee decides to mention no figures, I shall perhaps have a proposal to put forward as an alternative.

**Lord Cecil** (British Empire). — Let me point out that Articles F and G are not part of our Convention at all. It is only a question of Article E, and surely we can adopt Article E subject to the question of figures, and I should have hoped that we could adopt a good many other articles, too, subject to the question of figures.

**M. Cobián** (Spain). — There is a question of principle. Paragraph 2 of Article E says that "no aircraft-carrier of 10,000 tons (10,160 metric tons) standard displacement shall carry a gun exceeding 6.1 inches (155 mm.) in calibre". This concerns the great Powers and is very appropriate from their point of view. For others, however, it would not be just, and this question of principle must be considered before a conclusion is reached.

**The Chairman.** — I should have liked to obviate any further delay, but, after that observation, I see that the vote must be postponed until to-morrow.

**Dr. Woo Kaiseng** (China). — The Chinese delegation shares the view of the Yugoslav and Persian delegations and asks that this should be mentioned in the report.

*The Sub-Committee rose at 1 p.m.*

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FIFTH MEETING OF THE SUB-COMMITTEE.

*Held on Thursday, November 20th, 1930, at 10 a.m.*

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*Chairman:* M. LOUDON (Netherlands).

45. **Discussion on Chapter II.—Material: Section II, Naval Armaments (continuation): Discussion on Table II, Article B (document C.P.D.230) (continuation): Report of the Sub-Committee set up to consider Table II, and how Figures should be dealt with in the Draft Convention.**

**The Chairman.** — On M. Massigli's proposal, the Sub-Commission decided to set up a Sub-Committee of Experts to complete Table II, bearing in mind the Swedish amendment. At Mr. Gibson's suggestion the Sub-Committee was also requested to submit a draft resolution to the Sub-Commission as to whether the figures in the draft Convention should be maintained or not.

The Sub-Committee's proposals in regard to Table II are as follows :

PROPOSALS OF THE SUB-COMMITTEE CONCERNING TABLE II.

" Table II.

Categories (defined in Annex III)	High Contracting Parties						
	A.	B.	C.	D.	E.	F.	G.
(a) Capital Ships:							
(i) . . . . .							
(ii) <sup>1</sup> . . . . .							
(b) Aircraft-carriers . . . . .							
(cd) Light surface vessels							
(c) Cruisers							
(i) Guns of more than 6.1 inches							
(ii) Guns of 6.1 inches and less							
(d) Destroyers . . . . .							
(e) Submarines . . . . .							

<sup>1</sup> For Powers which possess only vessels of a displacement which does not exceed 8,000 tons.

" ANNEX III.

" Modify Annex III (page 11 of document C.P.D.230) as follows:

" For the purposes of the present Treaty the following expressions are to be understood in the sense defined in this part.

" (a) *Capital Ships.*

" (i) A capital ship, except in the case of the existing ships specified in Annex II, is defined as a vessel of war, not an aircraft-carrier whose displacement exceeds 10,000 tons (10,160 metric tons) standard displacement, or which carries a gun with a calibre exceeding 203 mm. (8 inches).

" (ii) Vessels not exceeding 8,000 tons displacement and the calibre of whose guns exceeds 203 mm. (8 inches).

" (b) *Aircraft-carriers:*

" . . . . . "

M. Cobián (Spain). — The Sub-Committee over which I presided at once accepted the Swedish delegation's suggestion. A distinction has been made in Table II between vessels exceeding 10,000 tons, and which carry guns exceeding 203 mm. (8 inches), and other vessels not exceeding 8,000 tons, even if the calibre of their guns exceeds 203 mm. (8 inches). In this sub-division into classes an asterisk will be placed against No. (ii), referring to a note reading as follows :

" For Powers which possess only vessels of a displacement which does not exceed 8,000 tons. "

This will make it quite clear that figures against which the asterisk is placed can only refer to Powers which do not possess vessels exceeding 8,000 tons. The substance of the question has thus been settled.

As regards the form, the Sub-Committee considered that it would be out of place to insert the definition of these two classes of vessels in Table II. It decided to establish two sub-divisions, the asterisk (the meaning of which I have just explained) being placed against the latter sub-division. These two definitions will, of course, be given in the Annex.

As regards the insertion of figures, the Sub-Committee unanimously agreed that it was preferable to insert these in the draft Convention. Opinions differed as to what figures should be inserted. The majority of the delegations thought that those in existing agreements or treaties should be taken, with a note stating that they do not imply a recommendation, but are simply an illustration. Other delegations thought that figures should be discussed and adopted as a recommendation from the Preparatory Commission to the Conference, the latter being, of course, free to change them.

I accordingly submit to the Sub-Commission Table II with its references to the definitions in Annex III, and propose that a resolution should be adopted to the effect that figures should be

inserted in the draft Convention. The Sub-Commission should then decide whether the figures in document C.P.D.230, which have been taken from existing treaties should be given as an illustration, or whether each figure should be discussed. In the latter case, it will be necessary to decide on what basis they are to be calculated.

VOTE ON TABLE II AS PROPOSED BY THE SUB-COMMITTEE.

**The Chairman.** — After yesterday's discussion and after hearing M. Cobián's explanations we can proceed to vote.

A vote will now be taken on Table II as proposed by the Sub-Committee.

*Table II was adopted by nineteen votes.*

**Lord Cecil (British Empire).** — I would like to explain that, although I voted for it, my vote is subject to the reservation I made yesterday. I am awaiting further instructions.

VOTE ON THE MAINTENANCE OF THE FIGURES GIVEN IN DOCUMENT C.P.D. 230 ON THE UNDERSTANDING THAT THEY ARE GIVEN AS AN ILLUSTRATION.

**The Chairman.** — We now come to the question of the figures. Do you agree to maintain the figures taken from existing treaties in the draft of the seven delegations, it being understood that they are given as an illustration?

*The maintenance of the figures was adopted by sixteen votes for to two against.*

ANNULMENT OF PREVIOUS DECISION TO OMIT FIGURES IN ARTICLE D.

**Lord Cecil (British Empire).** — I understand that the decision we took yesterday to leave out the figures in Article D will, of course, be annulled now, and we shall put in those figures?

**The Chairman.** — That is agreed.

46. Discussion on Article E (document C.P.D.230).

"ARTICLE E.

"1. No aircraft-carrier shall exceed 27,000 tons (27,432 metric tons) standard displacement or carry a gun with a calibre in excess of 8 inches (203 mm.).

"2. No aircraft-carrier of 10,000 tons (10,160 metric tons) or less standard displacement shall carry a gun exceeding 6.1 inches (155 mm.) in calibre.

"3. If the armament carried includes guns exceeding 6.1 inches (155 mm.) in calibre, the total number of guns carried, except anti-aircraft guns and guns not exceeding 5.1 inches (130 mm.) shall not exceed ten. If, alternatively, the armament contains no guns exceeding 6.1 inches (155 mm.) in calibre the number of guns is not limited. In either case the number of anti-aircraft guns and of guns not exceeding 5.1 inches (130 mm.) in calibre is not limited."

**The Chairman.** — In regard to Article E, it is understood that the figure of 27,000 tons is given as an illustration.

**M. Cobián (Spain).** — At the end of yesterday's meeting I stated that my delegation was obliged to vote against the second paragraph of Article E, which provides that no aircraft-carrier of at least 10,000 tons may mount guns exceeding 6.1 inches in calibre.

I said that this limitation and this prohibition were very well suited to Powers which possess aircraft-carriers exceeding 10,000 tons, but that Powers which have perhaps only one aircraft-carrier of 10,000 tons or under, ought to have the right to arm their aircraft-carriers with any guns they please.

If this principle be maintained without any restriction, it will place countries which have no aircraft-carriers exceeding 10,000 tons at a serious disadvantage. For this reason I propose, either that this prohibition should be abolished, or that the clause should be applicable solely to countries which have aircraft-carriers of over 10,000 tons.

**Lord Cecil (British Empire).** — I think we should be making a mistake in entering on this discussion. Having already resolved that these figures are only put in by way of illustration, surely we cannot take one particular set of figures and discuss them.

**M. Cobián (Spain).** — It is not the figures that I am objecting to, but the principle. I would agree to the insertion of figures as an illustration, on condition that they apply to Powers with some units exceeding this tonnage, whether the Conference fixes it at 10,000 tons or at 8,000 or 12,000 tons. What I cannot accept is a rule without exception.



Powers which do not possess large navies are obliged to distribute their tonnage in a special manner, and even to construct vessels which are not exactly similar to those of other fleets which must be capable of use as aircraft-carriers and at the same time must be sufficiently armed.

**The Hon. Hugh Gibson** (United States of America). — I can reassure M. Cobián about this text. The figures, as I have already pointed out, are inserted purely as an illustration and not as a recommendation. I think that every one of the authors of the project feels that some of the figures are unacceptable. We realise that they may be modified; but, in order to present a coherent picture, it was thought necessary to give an illustration of the situation as it now exists in the only definite quantitative treaties in force. Obviously, this matter will require a certain amount of adjustment, and there is nothing in this that precludes any delegation from entering reservations, or footnotes, making their position clear, and these will go forward with the text to the Conference. I hope what I have just said will reassure anyone who thinks that it is our desire to impose figures. That is not our wish at all.

**M. Litvinoff** (Union of Soviet Socialist Republics). — During the discussion on this draft Convention the Soviet delegation has invariably expressed itself for the total abolition of aircraft-carriers, regarding them as the most aggressive form of sea forces, adding, as they do, to the destructive might of navies the further destructive qualities of aviation over a vast field of action practically embracing the whole world. These vessels, which are, moreover, the most costly of all—the *Lexington* and *Saratoga* costing upwards of 9 million pounds—are the most advantageous for powerful navies, ensuring their undivided sway over smaller countries and colonies. For this reason the Soviet delegation abstains from voting, and at the proper moment they will either bring in a corresponding proposal, or suggest that zero be put in the tables against the aircraft-carrier figures.

**M. Cobián** (Spain). — I do not agree with Mr. Gibson, and I still maintain that this is not a question of figures but of principle. I will accept his proposal that mention should be made in the report of the Spanish delegation's reservation on this matter.

#### VOTE ON ARTICLE E.

**The Chairman.** — Note will be taken of M. Cobián's reservation. We will now proceed to vote. Will those who are in favour of Article E kindly raise their hands?

*Article E was adopted by thirteen votes, with some abstentions.*

#### 47. Discussion on Articles F and G (document C.P.D.230).

The two following articles appear in Part III of the London Naval Treaty, and are quoted as examples of supplementary restrictions which certain High Contracting Parties may be prepared to assume:

##### "ARTICLE F.

"Not more than 25 per cent of the allowed total tonnage in the cruiser category may be fitted with a landing-on platform or deck for aircraft.

##### "ARTICLE G.

"In the destroyer category, not more than 16 per cent of the allowed total tonnage shall be employed in vessels of over 1,500 tons (1,524 metric tons) standard displacement."

**M. Politis** (Greece). — In regard to these articles, I should like to point out that, even if they are merely illustrative, they can only apply to large navies and are not applicable to small navies. Examples are unnecessary. Article F shows us that countries which have only three cruisers would not be entitled, according to this text, to any cruisers fitted with a landing-on platform.

Even if these articles are only maintained as illustrations, we should adopt a wording which does not place Powers with small navies at an unfair disadvantage.

**The Chairman.** — Account will be taken of M. Politis's observation.

**M. Massigli** (France). — I think that the Greek representative's remark is very well founded, and I propose that these two articles should be inserted in the draft in the form of notes.

**The Chairman.** — M. Massigli's suggestion is a very good one, and note will also be taken of it when the final text of the draft Convention is drawn up.

**M. Cobián** (Spain). — I could not accept these two articles without reservations, even if they are given purely and simply as an indication.

[*Note by Secretariat.* — These two articles, and the paragraph preceding them, are inserted as a note in the draft Convention.]

48. Discussion on Article H (document C.P.D.230).

“ARTICLE H.

“No submarine shall exceed 2,000 tons (2,032 metric tons) standard displacement or carry a gun exceeding 5.1 inches (130 mm.) in calibre.”

AMENDMENT PROPOSED BY THE SOVIET DELEGATION.

**The Chairman.** — The Soviet delegation proposes that this article should be worded as follows :

“No submarine shall exceed 600 tons (610 metric tons) standard displacement or carry a gun exceeding 4 inches (101.6 mm.) in calibre.”

**M. Litvinoff** (Union of Soviet Socialist Republics). — I wish to draw the attention of the Commission to the fact that this proposal, as it stands in the draft of the seven States, will have a very restricted meaning and scope because, of the 333 submarines which are enumerated in the documents of the London Naval Conference, only five are of over 2,000 tons, and I may remark by the way that these five are all allowed by way of exception. If you accept this draft, it will have no meaning at all, because there are few submarines of over 2,000 tons and those which exist are already exempted. Therefore I urge the utmost reduction of displacement and of the military equipment of submarines. We want to bring about the limitation of possibilities of aggression and therefore we should not accept the limitation proposed by the seven States, the more so that both the British and Italian delegations in London were in favour of the diminution of the tonnage of submarines. I should like to hear confirmation of this point of view, officially stated in the Blue Book circulated by the Chairman. We see no reason why the Preparatory Commission for Disarmament should not follow up the suggestion made in London, and we therefore propose a displacement of 600 tons, with four-inch guns, for submarines. I am convinced that such limitation would deprive submarines of a great degree of their aggressive power.

**Lord Cecil** (British Empire). — I thought we had resolved—and I have called attention to it once—that these figures are only to be regarded as indicative and not as laying down any rule, and therefore it seems to me foolish to bother about 2,000, or 6,000 or 50,000 tons.

**The Chairman.** — I was going to make that remark myself. We have taken a decision and we must abide by it.

**M. Colban** (Norway). — I do not see how it is possible for us to vote on the Soviet amendment, which deals with figures, when we decided just now that all figures were simply to be regarded as illustrative. I have no objection to a vote being taken on the Soviet amendment, provided we first of all agree to go back on the decision which we took a few minutes ago.

**The Chairman.** — M. Colban is quite right. The simplest thing, I think, would be not to vote on the Soviet amendment but to vote simply on the text of the draft submitted by the seven Powers.

**M. Litvinoff** (Union of Soviet Socialist Republics). — If figures are given as an indication, then some importance must be attached to them. I propose that my figures should be given in the nature of an indication. I submit that I am quite in order in proposing this.

**Lord Cecil** (British Empire). — We have decided, not only that these figures shall only be illustrative, but that we shall take the figures from existing treaties, because that is the principle of illustration. Having decided that once, I do not see that we can always be going back on it.

VOTE ON ARTICLE H.

**The Chairman.** — We must maintain that ruling, and I will therefore put to the vote Article H of the draft submitted by the seven Powers (document C.P.D.230).

*Article H was adopted by fourteen votes, with some abstentions.*

49. Adoption of Articles J, K and L (document C.P.D.230).

“ARTICLE J.

“No vessel of war exceeding the limitations as to displacement or armament prescribed by the present Convention shall be acquired by, or constructed by, for or within the jurisdiction of, any of the High Contracting Parties.

“ ARTICLE K.

“ In regard to vessels of war limited by the present Treaty, the High Contracting Parties agree to be bound by the rules for replacement set out in Annex IV.

“ ARTICLE L.

“ Within one month after the date of laying down and the date of completion respectively of each vessel of war, other than the vessels exempt from limitation as defined in Annex I, laid down or completed by or for them or within their jurisdiction after the coming into force of the present treaty, the High Contracting Parties shall communicate to each of the other High Contracting Parties the information detailed below :

“ (a) The date of laying down the keel and the following particulars :

“ Classification of the vessel and for whom built (if not for the High Contracting Party), standard displacement in tons and metric tons. Principal dimensions—namely, length of water-line, extreme beam at or below water-line. Mean draught at standard displacement. Calibre of the largest gun.

“ (b) The date of completion, together with the foregoing particulars relating to the vessel at that date. ”

*Articles J, K and L were adopted without discussion.*

50. Discussion on Article M (document C.P.D.230).

“ ARTICLE M.

“ No preparation shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6.1 inches (155 mm.) calibre.”

AMENDMENT PROPOSED BY THE SOVIET DELEGATION.

**The Chairman.** — The Soviet delegation has submitted an amendment that this article should read as follows:

“ ARTICLE M.

“ No preparation shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war.”

**M. Litvinoff** (Union of Soviet Socialist Republics). — I should like my naval expert to say a few words in favour of my amendment.

**M. Antzipo-Tchekounsky** (Union of Soviet Socialist Republics). — The Soviet delegation is entirely in agreement with the first part of Article M of the draft submitted by the seven Powers. Nevertheless, it fails to understand why it was necessary to weaken this article by giving leave to stiffen the decks for the mounting of six-inch guns. It cannot be denied that this stiffening of the decks is a preparation of the same kind as the special adaptation of the hold to store shells or arrangements for the installation of fire-control apparatus. It is true that the former is easier than the latter, but that is no reason for departing from the principle.

Rules providing for warfare against enemy commerce are laid down in the “ Treaty for the Protection of the Lives of Neutrals and Non-combatants at Sea in Time of War ” (Washington, February 6th, 1922).

The essential argument for the arming of merchant ships with large guns is that they require them in order to fight submarines. Section (2) of Article 1 of the above-mentioned Treaty provides that :

“ Belligerent submarines are not under any circumstances exempt from the universal rules above stated; and if a submarine cannot capture a merchant vessel in conformity with these rules the existing law of nations requires it to desist from attack and from seizure and to permit the merchant vessel to proceed unmolested.”

Article 22 of the London Treaty states that, in their action with regard to merchant ships, submarines must conform to the rules of international law. If the representatives of the principal naval Powers who signed this Treaty consider that its articles are capable of execution, it is unnecessary to provide in a disarmament Convention for the arming of merchant ships with six-inch guns. By so doing you make it possible to create a large class of auxiliary cruisers which would strengthen the destructive power of navies.

The Soviet delegation accordingly desires to maintain its wording for Article M.

**M. Colban** (Norway). — I have no definite instructions from my Government on this point, but I feel very strongly that a clear distinction should be made between merchant ships and war

vessels. We are endeavouring to establish this distinction in the case of aircraft, and it has already been inserted in our draft Convention. In principle, therefore, I am opposed to anything which might make the distinction between warships and merchant ships less clear, and I accordingly accept the Soviet delegation's proposal.

**M. Sato (Japan).** — I am quite prepared to accept the article in its present form, especially as there is a corresponding provision in the Treaties of Washington and London.

Nevertheless, my Government has a suggestion to make. It considers it inadvisable that merchant ships should be allowed to make preparations in time of peace which would allow aircraft to start from or alight on them, because, if too much liberty be allowed in regard to aircraft installations, at a time of crisis these merchant ships could easily be converted into aircraft-carriers and would thus constitute an aggressive arm.

My Government is also very anxious not to hamper the expansion of civil aviation; but, as I said just now, it wishes some limit to be laid down to prevent merchant vessels from being converted in times of emergency into aircraft-carriers.

My Government therefore maintains its suggestion; but, in view of present circumstances, and in order not to obstruct the progress of the Commission's work, it merely desires to place this suggestion before you and reserves the right to raise the question at the Conference.

**Lord Cecil (British Empire).** — I only wish to say this in answer to what M. Litvinoff and M. Colban have said—that, after all, you must allow merchant vessels to defend themselves against submarine attack, and for that purpose they must carry some kind of gun, and this, from one point of view, is merely recognising that. More than that, this has been a matter of considerable discussion and the subject of a compromise arrived at at two international conferences—those of Washington and London. I think that, without very strong grounds, it would be unwise for this Commission to try and go against this compromise.

**M. Rutgers (Netherlands).** — I should like to explain that this article does not deal with the question of armed merchant ships, but only with the question of preparations for arming merchant ships, so as to convert them into vessels of war. Merchant ships converted into vessels of war are not armed merchant ships but warships—that is to say, auxiliary cruisers.

#### VOTE ON THE SOVIET AMENDMENT.

**The Chairman.** — We will now vote on the Soviet amendment.

*The Soviet amendment was rejected by nine votes against and five for, with some abstentions.*

#### ADOPTION OF ARTICLE M.

*Article M was adopted.*

#### 51. Adoption of Articles N, O and P (Document C.P.D.230).

##### “ ARTICLE N.

“ In the event of a High Contracting Party being engaged in war, such Power shall not use as a vessel of war any vessel of war which may be under construction within its jurisdiction for any other Power, or which may have been constructed within its jurisdiction for another Power and not delivered.

##### “ ARTICLE O.

“ Each of the High Contracting Parties undertakes not to dispose—by gift, sale or any mode of transfer—of any vessel of war in such a manner that such vessel may become a vessel of war in the navy of any foreign Power.

“ Any vessels of war which have to be disposed of as being surplus to the tonnage figures allowed by this convention shall be disposed of in accordance with the rules given in Annex V.

##### “ ARTICLE P.

“ Existing ships of various types which, prior to April 1st, 1930, have been used as stationary training establishments or hulks, may be retained in a non-seagoing condition”.

**The Chairman.** — We now come to Articles N, O and P. No amendments having been submitted, we will regard them as adopted.

*Agreed.*

52. Adoption of Tables I, II and III (Document C.P.D.230).

**The Chairman.** — After the discussions we have had in regard to them, we will consider these tables—as amended in consequence of these discussions—adopted.

*Agreed.*

53. Discussion on Annex I (Document C.P.D.230).

“ ANNEX I. — EXEMPT VESSELS.

“ The following vessels are exempt from limitation :

“ (a) Naval surface combatant vessels of 600 tons (610 metric tons) standard displacement and under;

“ (b) Naval surface combatant vessels exceeding 600 tons (610 metric tons), but not exceeding 2,000 tons (2,032 metric tons) standard displacement, provided they have none of the following characteristics :

- “ (1) Mount a gun above 6.1-inch (155 mm.) calibre;
- “ (2) Mount more than four guns above 3-inch (76 mm.) calibre;
- “ (3) Are designed or fitted to launch torpedoes;
- “ (4) Are designed for a speed greater than twenty knots;

“ (c) Naval surface vessels not specifically built as fighting ships which are employed on fleet duties or as troop transports or in some other way than as fighting ships, provided they have none of the following characteristics :

- “ (1) Mount a gun above 6.1-inch (155 mm.) calibre;
- “ (2) Mount more than four guns above 3-inch (76 mm.) calibre;
- “ (3) Are designed or fitted to launch torpedoes;
- “ (4) Are designed for a speed greater than twenty knots;
- “ (5) Are protected by armour-plate;
- “ (6) Are designed or fitted to launch mines;
- “ (7) Are fitted to receive aircraft on board from the air;
- “ (8) Mount more than one aircraft-launching apparatus on the centre line; or two, one on each broadside;
- “ (9) If fitted with any means of launching aircraft into the air, are designed or adapted to operate at sea more than three aircraft.”

AMENDMENT PROPOSED BY THE SOVIET DELEGATION.

**The Chairman.** — To Annex I there is a Soviet amendment, which is as follows. As this refers to figures the question has been decided.

“ ANNEX I. — EXEMPT VESSELS.

“ The following vessels are exempt from limitation:

“ (a) Naval surface combatant vessels of 100 tons (101.7 metric tons) standard displacement and under, the calibre of whose guns does not exceed 3 inches;

“ (b) Naval surface vessels not specifically built as fighting ships which are employed on fleet duties or as troop transports or in some other way than as fighting ships, provided that they have none of the following characteristics :

- “ (1) Mount a gun above 3 inches (76.2 mm) calibre;
- “ (2) Mount more than four guns of this calibre;
- “ (3) Are designed or fitted to launch torpedoes;
- “ (4) Are designed for a speed greater than 15 knots;
- “ (5) Are protected by armour-plate;
- “ (6) Are fitted to receive aircraft on board from the air;
- “ (7) Are fitted with any means of launching aircraft into the air.”

**M. Litvinoff** (Union of Soviet Socialist Republics).—This is a very important question. We are here speaking of reduction and we must draw a line of demarcation between those vessels which are to be reduced and those which are to be left untouched. It is not merely a matter

of figures by way of indication. We must accept some definite figure. The draft before us proposes that vessels with a displacement not exceeding 2,000 tons with guns not above 6.1-inch calibre, or with a speed of not greater than 20 knots, should not be included in global tonnage. There can be no manner of doubt that these vessels have considerable fighting power, and constitute, in particular, a substitute for small cruisers in operations against mercantile vessels and in remote theatres of war. We maintain that to leave unlimited such an important group of fighting tonnage runs counter to the principles which should inspire the Disarmament Conference. Such vessels should certainly be included in global limitations, under the category of light cruisers—light forces. For this reason I would propose that only vessels of 100 tons with three-inch guns should not be subjected to limitation. Indeed, 100 tons was spoken of as a desirable figure by the Italian representative in the Committee of Experts during the London Naval Conference.

**M. Rosso (Italy).** — It is true that in London we maintained the view that 600 tons was not a satisfactory figure and we proposed 100 tons as the maximum limit. In view of the decision which has been taken, I do not think it necessary to expound the Italian views at length, since all discussion of the figures has been postponed. We therefore propose to raise the question at the Conference.

**M. Westman (Sweden).** — I am in favour of a reduction in the figure of 600 tons and support the Soviet delegation's proposal in this connection.

**M. Colban (Norway).** — I wish to support M. Westman's observation. Nevertheless, this is a figure which will have to be adopted by the Conference, and it must be the same for all States without any exception for particular groups, unless they come to an agreement among themselves.

**Admiral von Schoultz (Finland).** — I wish to support the remarks of M. Colban.

#### AMENDMENT PROPOSED BY THE FRENCH DELEGATION.

**M. Massigli (France).** — After what M. Rosso has said, I do not think we need discuss this question at the moment. However, I think it would be desirable to take M. Colban's observations into account and to insert at the beginning of Annex I the following words: "Subject to stricter conditions resulting from special agreements, the following vessels . . ." We should thus be opening the door for special agreements which might facilitate the work of the Conference.

**M. Rosso (Italy).** — I desire to associate myself with M. Massigli's proposal, the more so as we made a similar proposal at the London Naval Conference.

**The Chairman.** — I propose that we should now vote on the Soviet amendment.

**The Hon. Hugh Gibson (United States of America).** — We are asked to vote on this, but how can we do that after what the Chairman has said?

**Lord Cecil (British Empire).** — I venture to think it would be a great mistake if we voted on M. Litvinoff's amendment. I have no kind of objection personally to a note being inserted, but I should think that it was a very great mistake to divide on any particular suggestion of this sort, for it will give a false impression. If we reject M. Litvinoff's amendment, it will look as if we are in favour of this particular standard. At any rate, I think that we should stick to our rule. I do not think this amendment is in order, and therefore it should not be put to the vote.

**M. Politis (Greece).** — I do not agree, because this is not merely a question of figures but of method. The draft drawn up by the seven delegations provides for two categories of vessels which are exempt, unless fulfilling certain conditions. The Soviet proposal is to abolish one of these categories; and, with regard to the other category, the conditions which it enumerates are not absolutely the same as those in the draft of the seven delegations. I consider, therefore, that a vote should be taken on the Soviet amendment.

#### VOTE ON THE SOVIET AMENDMENT.

**The Chairman.** — The arguments of M. Politis appear to be justified, and I accordingly propose that a vote should be taken on the Soviet amendment.

*The Soviet amendment was rejected by eleven votes against to three votes for, with some abstentions.*

**The Chairman.** — We must now vote on the amendment proposed by M. Massigli, to insert at the beginning of Annex I the following words: "Subject to stricter conditions resulting from special agreements, the following vessels . . ."

M. Rosso (Italy). — I should like to ask M. Massigli if he does not think it would be better to adopt the same formula as we used in London—namely: “ Subject to any special agreements which may submit them to limitation, the following vessels . . . ”<sup>1</sup>

M. Massigli (France). — I support M. Rosso's proposal.

M. Sato (Japan). — If we say “ stricter conditions ”, what is to be done if an agreement is concluded the conditions of which are less strict? I think it would be better to retain the London wording.

#### VOTE ON THE FRENCH AMENDMENT.

The Chairman. — I will therefore put this formula to the vote: “ Subject to any special agreements which may submit them to limitation, the following vessels . . . ”

*This formula was adopted by fifteen votes, with some abstentions.*

*Annex I thus amended was adopted.*

#### 54. Discussion on Annex II (document C.P.D.230).

The Chairman. — The Soviet delegation proposed the deletion of Annex II.

Lord Cecil (British Empire). — We have voted on that already.

*Annex II was adopted.*

#### 55. Discussion on Annex III (document C.P.D.230).

##### “ ANNEX III. — DEFINITIONS.

“ For the purpose of the present Treaty, the following expressions are to be understood in the sense defined in this part :

##### “ (a) *Capital Ships.*

“ A capital ship, except in the case of the existing ships specified in Annex II, is defined as a vessel of war, not an aircraft-carrier whose displacement exceeds 10,000 tons (10,160 metric tons) standard displacement, or which carries a gun with a calibre exceeding 8 inches (203 mm.).

##### “ (b) *Aircraft-Carrier.*

“ The expression ‘ aircraft-carrier ’ includes any surface vessel of war, whatever its displacement, designed for the specific and exclusive purpose of carrying aircraft and so constructed that aircraft can be launched therefrom and landed thereon.

##### “ (c) *Cruisers.*

“ A cruiser is a surface vessel of war, other than a capital ship or aircraft-carrier, the standard displacement of which exceeds 1,850 tons (1,880 metric tons) or with a gun above 5.1 inches (130 mm.) calibre.

“ The cruiser category is divided into two sub-categories, as follows:

“ (i) Cruisers carrying a gun above 6.1 inches (155 mm.) calibre;

“ (ii) Cruisers carrying a gun not above 6.1 inches (155 mm.) calibre.

##### “ (d) *Destroyers.*

“ Surface vessels of war the standard displacement of which does not exceed 1,850 tons (1,880 metric tons) and with a gun not above 5.1 inches (130 mm.) calibre.

“ (cd) *Light Surface vessels of war*, the standard displacement of which does not exceed 10,000 tons, and with guns not exceeding 8 inches calibre. These are divided into two sub-categories as follows:

“ (i) Vessels carrying a gun above 6.1 inches (155 mm.) calibre;

“ (ii) Vessels carrying a gun not above 6.1 inches (155 mm.) calibre.

##### “ *Standard Displacement.*

“ 1. The standard displacement of a surface vessel is the displacement of the vessel complete, fully manned, engined and equipped ready for sea, including all armament and

<sup>1</sup> Note by Secretariat. — London Naval Treaty, Article 8.

ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel or reserve feed water on board.

" 2. The standard displacement of a submarine is the surface displacement of the vessel complete (exclusive of the water in non-watertight structure), fully manned, engined and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel, lubricating oil, fresh water or ballast water of any kind on board.

" 3. Each naval combatant vessel shall be rated at its displacement tonnage when in the standard condition.

" The word ' ton ', except in the expression ' metric tons ', shall be understood to be the ton of 2,240 lb. (1,016 kgs)."

#### AMENDMENT PROPOSED BY THE SOVIET DELEGATION.

##### " ANNEX III. — DEFINITION.

" For the purpose of the present Treaty, the following expressions are to be understood in the sense defined in this part :

##### " (a) *Capital Ship.*

" A capital ship is defined as a vessel of war, not an aircraft-carrier, which carries a gun with a calibre exceeding 8 inches (203 mm.).

##### " *Standard Displacement.*

" 1. The standard displacement of a surface vessel is the displacement of the vessel complete, fully manned, engined and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of every description that are intended to be carried in war, and including fuel and reserve feed water.

" 2. The standard displacement of a submarine is the surface displacement of the vessel complete (exclusive of the water in non-watertight structure), fully manned, engined and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions for crew, miscellaneous stores and implements of every description that are intended to be carried in war, and including fuel, lubricating oil and fresh water, but without ballast water of any kind on board.

" 3. Each naval combatant vessel shall be rated at its displacement tonnage when in the standard condition.

" The word ' ton ', except in the expression ' metric tons ', shall be understood to be the ton of 2,240 lb. (1,016 kgs)."

**The Chairman.** — The Soviet delegation has proposed a new text which differs considerably from that of the seven delegations.

**M. Massigli (France).** — The drafting of this text will have to be revised.

**M. Litvinoff (Union of Soviet Socialist Republics).** — We have left out the consideration, in Annex III, of standard displacement. This question has not been discussed. There is a Soviet amendment to the proposal of the seven Powers, and, with your permission, I will ask my naval expert to say a few words.

**M. Antzipo-Tchekounsky (Union of Soviet Socialist Republics).** — The method of standard rating is not simply a technical question or a matter of convenience. The Soviet amendment proposes that, in calculating the displacement, fuel and reserve feed water should be included, thus modifying what was agreed on at Washington and London.

Everyone may not be aware of the fact that, according to the normal displacement adopted for all fleet statistics prior to the Washington Treaty, capital ships were about 5,000 tons larger than under the new method. Most of the Washington cruisers rated at 10,000 tons are really vessels of 14,000 tons.

Part 4 of the Washington Treaty provides that " vessels now completed shall retain their present ratings of displacement tonnage in accordance with their national system of measurement ".

This means that, if you try to establish any comparison between the tonnage of new and older vessels, you are really being misled. The difference between the new and old vessels, in the class of 10,000-ton vessels, amounts to more than 40 per cent—that is, taking into consideration displacement alone and leaving other factors affecting the fighting capacity out of account.



It is obvious that, if cruisers of the time of the world war are compared with the Washington cruisers, the same figure actually represents an increase of 40 per cent. That is the result of the system of standard displacement.

Moreover, the radius of action of vessels is chiefly determined by the factors excluded from the calculation. I am still speaking only of cruisers. The British vessel, the *London*, which is really a ship of 14,000 tons and the French *Tourville*, which is a vessel of 11,700 tons, are both regarded as 10,000-ton cruisers.

This shows that, in the case of cruisers which are similar, the method of standard displacement conceals the difference in this essential factor.

The Soviet proposal reverts to the older method of rating as being fairer. It may be objected that this would cause all navies to show a sudden large increase. That is perfectly true, but you would be going back to the true index, which has been considerably reduced by the new method.

These observations in regard to surface vessels naturally apply to submarines as well. The French *Surcouf* of 3,257 tons is, according to the London Treaty, only a vessel of 2,880 tons.

The British submarine, *Pandora*, really a vessel of 1,600 tons, is shown as 1,475. It is obvious that, if the tonnage calculated in this way is compared with the figures for 1919 and even for 1928, there is apparently a great reduction in the same units.

Our proposal suggests a method of correcting the defects which I have just mentioned.

#### VOTE ON THE SOVIET AMENDMENT.

**The Chairman.** — This is not merely a question of figures but of system as well. I will accordingly put the Soviet amendment to Annex III, to the vote.

*The Soviet amendment was rejected,*

*Annex III was adopted.*

#### 56. Adoption of Annex IV (document C.P.D.230).

##### “ ANNEX IV. — RULES FOR REPLACEMENT.

“ 1. Except as provided in paragraph 4 of this annex, no vessel limited by this treaty shall be replaced until it becomes ‘ over-age ’.

“ 2. A vessel shall be deemed to be ‘ over-age ’ when the following number of years have elapsed since the date of its completion :

“ (a) Capital ships: 20<sup>1</sup> years, subject to special provision as may be necessary for the replacement of existing ships;

“ (b) Aircraft-carriers: 20 years, subject to special provision as may be necessary for existing ships;

“ (c) Surface vessels exceeding 3,000 tons (3,048 metric tons) but not exceeding 10,000 tons (10,160 metric tons) standard displacement :

(i) If laid down before January 1st, 1920, 16 years.

(ii) If laid down after December 31st, 1919, 20 years.

“ (d) Surface vessels not exceeding 3,000 tons (3,048 metric tons) standard displacement:

(i) If laid down before January 1st, 1921, 12 years.

(ii) If laid down after December 31st, 1920, 16 years.

“ (e) Submarines: 13 years.

“ 3. The keels of replacement tonnage shall not be laid down more than three years before the year in which the vessel to be replaced becomes ‘ over-age ’; but this period is reduced to two years in the case of any replacement surface vessel not exceeding 3,000 tons (3,048 metric tons) standard displacement.

“ The right of replacement is not lost by delay in laying down replacement tonnage.

“ 4. In the event of loss or accidental destruction, a vessel may be replaced immediately, but such replacement tonnage shall be subject to the limits of displacement and other provisions of this treaty.”

#### AMENDMENT PROPOSED BY THE SOVIET DELEGATION.

##### “ ANNEX IV. — RULES FOR REPLACEMENT.

“ 1. Except as provided in paragraph 4 of this Annex, no vessel limited by this Treaty shall be replaced until it becomes ‘ over-age ’.

<sup>1</sup> Under the London Treaty, certain Powers agreed not to exercise their rights to lay down the keels of capital ship replacement tonnage during the years 1931 to 1936 inclusive, as provided in the Washington Treaty.

" 2. A vessel shall be deemed to be 'over-age' when the following number of years has elapsed since the date of its completion :

" (a) Capital ships : 25 years, subject to special provision as may be necessary for the replacement of existing ships;

" (b) Surface vessels exceeding 3,000 tons (3,048 metric tons) but not exceeding 10,000 tons (10,160 metric tons) standard displacement :

" (i) If laid down before January 1st, 1920, 20 years;

" (ii) If laid down after December 31st, 1919, 25 years;

" (c) Surface vessels not exceeding 3,000 tons (3,048 metric tons) standard displacement :

" (i) If laid down before January 1st, 1921, 16 years.

" (ii) If laid down after December 31st, 1920, 20 years.

" (d) Submarines : 15 years.

" 3. The keels of replacement tonnage shall not be laid down more than three years before the three in which the vessel to be replaced becomes 'over-age'; but this period is reduced to two years in the case of any replacement surface vessel not exceeding 3,000 tons (3,048 metric tons) standard displacement.

" The right of replacement is not lost by delay in laying down replacement tonnage.

" 4. In the event of loss or accidental destruction a vessel may be replaced immediately but such replacement tonnage shall be subject to the limits of displacement and other provisions of this Convention."

**The Chairman.** — There is the Soviet amendment to Annex IV. We will now vote on this amendment.

*The Soviet amendment was rejected by nine votes against to two votes for and, with some abstentions.*

*Annex IV was adopted.*

57. Adoption of Annex V (document C.P.D.230) (Annex 2).

" ANNEX V. — RULES FOR DISPOSAL OF VESSELS OF WAR.

" The present Treaty provides for the disposal of vessels of war in the following ways :

" (i) By scrapping (sinking or breaking up);

" (ii) By converting the vessel to a hulk;

" (iii) By converting the vessel to target use exclusively;

" (iv) By retaining the vessel exclusively for experimental purposes;

" (v) By retaining the vessel exclusively for training purposes.

" Any vessel of war to be disposed of, may either be scrapped or converted to a hulk at the option of the High Contracting Party concerned.

" Vessels which have been retained for target, experimental or training purposes, shall finally be scrapped or converted to hulks.

" Section I. — Vessels to be scrapped.

" (a) A vessel to be disposed of by scrapping, by reason of its replacement, must be rendered incapable of warlike service within six months of the date of the completion of its successor, or of the first of its successors if there are more than one. If, however, the completion of the new vessel or vessels be delayed, the work of rendering the old vessel incapable of warlike service shall, nevertheless, be completed within four and a-half years from the date of laying the keel of the new vessel, or of the first of the new vessels; but should the new vessel, or any of the new vessels, be a surface vessel not exceeding 3,000 tons (3,048 metric tons) standard displacement, this period is reduced to three and a half years.

" (b) A vessel to be scrapped shall be considered incapable of warlike service when there shall have been removed and landed or else destroyed in the ship :

" (1) All guns and essential parts of guns, fire-control tops and revolving parts of all barbets and turrets;

" (2) All hydraulic or electric machinery for operating turrets;

" (3) All fire-control instruments and range-finders;

" (4) All ammunition, explosives, mines and mine rails;

" (5) All torpedoes, war-heads, torpedo-tubes and training-racks;

" (6) All wireless telegraphy installations;

“ (7) All main propelling machinery, or alternatively the armoured conning-tower and all side armour-plate;

“ (8) All aircraft-cranes, derricks, lifts and launching-apparatus. All landing-on or flying-off platforms and decks, or, alternatively, all main propelling machinery;

“ (9) In addition, in the case of submarines, all main storage-batteries, air-compressor plants and ballast pumps.

“ (c) Scrapping shall be finally effected in either of the following ways within twelve months of the date on which the work of rendering the vessel incapable of warlike service is due for completion :

“ (1) Permanent sinking of the vessel;

“ (2) Breaking the vessel up; this shall always include the destruction or removal of all machinery, boilers and armour, and all deck, side and bottom-plating.

“ *Section II. — Vessels to be converted to Hulks.*

“ A vessel to be disposed of by conversion to a hulk shall be considered finally disposed of when the conditions prescribed in Section I, paragraph (b), have been complied with, omitting sub-paragraphs (6), (7) and (8), and when the following have been effected :

“ (1) Mutilation beyond repair of all propeller-shafts, thrust-blocks, turbine-gearing or main propelling motors, and turbines or cylinders of main engines;

“ (2) Removal of propeller-brackets;

“ (3) Removal and breaking up of all aircraft-lifts, and the removal of all aircraft-cranes, derricks and launching-apparatus.

“ The vessel must be put in the above condition within the same limits of time as provided in Section I for rendering a vessel incapable of warlike service.

“ *Section III. — Vessels to be converted to Target use.*

“ (a) A vessel to be disposed of by conversion to target use exclusively shall be considered incapable of warlike service when there have been removed and landed, or rendered unserviceable on board, the following :

“ (1) All guns;

“ (2) All fire-control tops and instruments and main fire-control communication wiring;

“ (3) All machinery for operating gun-mountings or turrets;

“ (4) All ammunition, explosives, mines, torpedoes and torpedo-tubes;

“ (5) All aviation facilities and accessories.

“ The vessel must be put into the above condition within the same limits of time as provided in Section I for rendering a vessel incapable of warlike service.

“ (b) In addition to the rights already possessed by each High Contracting Party under the Washington Treaty, each High Contracting Party is permitted to retain, for target use exclusively, at any one time :

“ (1) Not more than three vessels (cruisers or destroyers), but of these three vessels only one may exceed 3,000 tons (3,048 metric tons) standard displacement;

“ (2) One submarine.

“ (c) On retaining a vessel for target use, the High Contracting Party concerned undertakes not to recondition it for warlike service.

“ *Section IV. — Vessels retained for Experimental Purposes.*

“ (a) A vessel to be disposed of by conversion to experimental purposes exclusively shall be dealt with in accordance with the provisions of Section III (a) of this annex.

“ (b) Without prejudice to the general rules, and provided that due notice be given to the other High Contracting Parties, reasonable variation from the conditions prescribed in Section III (a) of this Annex, in so far as may be necessary for the purposes of a special experiment, may be permitted as a temporary measure.

“ Any High Contracting Party taking advantage of this provision is required to furnish full details of any such variation and the period for which they will be required.

“ (c) Each High Contracting Party is permitted to retain, for experimental purposes exclusively, at any one time :

“ (1) Not more than two vessels (cruisers or destroyers), but of these two vessels only one may exceed 3,000 tons (3,048 metric tons) standard displacement;

“ (2) One submarine.

“(d) On retaining a vessel for experimental purposes, the High Contracting Party concerned undertakes not to recondition it for warlike service.

“Section V. — *Vessels retained for Training Purposes.*”

“(a) Each High Contracting Party is permitted to retain, for training purposes exclusively, the following vessels :

“(b) Vessels retained for training purposes under the provisions of paragraph (a) shall, within six months of the date on which they are required to be disposed of, be dealt with as follows :

“1. *Capital ships.*”

“The following is to be carried out :

“(1) Removal of main-armament guns, revolving parts of all barbetstes and turrets; machinery for operating turrets; but three turrets with their armament may be retained in each ship;

“(2) Removal of all ammunition and explosives in excess of the quantity required for target practice training for the guns remaining on board;

“(3) Removal of conning-tower and the side armour belt between the foremost and aftermost barbetsstes;

“(4) Removal or mutilation of all torpedo-tubes;

“(5) Removal or mutilation on board of all boilers in excess of the number required for a maximum speed of eighteen knots.

“2. *Other surface vessels.*”

“The following is to be carried out :

“(1) Removal of one-half of the guns, but four guns of main calibre may be retained on each vessel;

“(2) Removal of all torpedo-tubes;

“(3) Removal of all aviation facilities and accessories;

“(4) Removal of one-half of the boilers.

“(c) The High Contracting Party concerned undertakes that vessels retained in accordance with the provisions of this Section shall not be used for any combatant purpose.”

**The Chairman.** — I now put to the vote Annex V, in regard to which no amendment has been submitted.

*Annex V was adopted.*

**58. Insertion of New Article: Proposal by the British Delegation in regard to Limitation of Annual Expenditure on War Material for Naval Armaments.**

**The Chairman.** — We will now consider the British proposal to insert a new article, to read as follows :

“Each of the High Contracting Parties agrees to limit its actual expenditure on the maintenance, purchase and manufacture of war material for naval armaments to the figures and under the conditions defined in Annex No. . . . to the present Convention.”

**Lord Cecil (British Empire).** — This is a perfectly simple amendment. Its object is to apply the method of budgetary limitation to navies as well as to armies. I do not really think that I should be treating the Sub-Committee with respect if I were again to elaborate the arguments in favour of that course. It is in accordance with that interesting report which Count Bernstorff called to our notice at an earlier stage, and it is, as I think, in accordance with general principles.

It is quite true that, in navies, you have a much closer specific limitation than, so far, we have been able to apply to armies; but, none the less, there is a considerable possibility of latitude even in the case of navies. You might have great improvements in speed, in guns and in armour-plating, all of which would be possible under the specific limitations provided for navies, but which would be controlled, more or less, by budgetary limitation—indeed, I think it would be controlled very accurately.

For these reasons, I hope the Sub-Committee will agree to apply in principle the same system of budgetary limitation for navies. Of course, in that case, we would have to enlarge the reference to what I may call M. Massigli's committee, to deal with it and to take the proposals in the same way as we have provided for in the case of the practical details in respect of armies.

**The Hon. Hugh Gibson (United States of America).** — I have, on a number of occasions, made very clear the position of my Government in respect of all forms of budgetary limitation.

I do not, therefore, feel justified in taking up the time of the Sub-Committee by re-stating our position. I merely refer then to the statements to be found in the Minutes.

**M. Sato (Japan).** — A few days ago when we were discussing the question of budgetary limitation, I explained that my Government was not prepared to accept this in respect of naval forces. If Lord Cecil's new proposal be put to the vote I shall be obliged to vote against it.

**M. Cobián (Spain).** — The only object of the British amendment is to extend the principle accepted in regard to land armaments to naval armaments. In view of the explanations given in regard to land armaments I can accept this amendment on the basis which has just been specified.

#### AMENDMENT PROPOSED BY THE SOVIET DELEGATION.

**M. Litvinoff (Union of Soviet Socialist Republics).** — The Soviet delegation is prepared to vote for the British amendment but would like to insert after the word "limit" the following words: ". . . and to reduce". This is the more important in this case because it has just been decided to reduce naval armaments. If we reduce armaments and not the budget, there will be a certain surplus at the disposal of Governments which is unlikely to be diverted to educational or similar purpose, but may be spent on other kinds of armaments, so that we shall not gain anything in the way of disarmament. I hope that no objections will be made, from a formal point of view, to this amendment not having been sent in in writing; it is so simple that anyone can grasp its meaning even without the text. Of course if for formal reasons this amendment be rejected, we shall have to propose it another day when we come to the general chapter on "Budgetary Expenditure".

**Lord Cecil (British Empire).** — I would like to say a word about M. Litvinoff's proposal. I hope he will not press it, for I think it proceeds on a wrong conception of budgetary limitation, which is essentially an auxiliary form, and not a direct form, of limitation. We will arrive at the limitation of armies so far only by a limitation of effectives. If we could have found some way of adding a limitation of material I personally should have been very glad, but we could not think of a practical way, so it depends on effectives. Effectives would require equipment, and that would require a certain expenditure. That expenditure would be the expenditure permitted and it would be limited.

If the effectives were reduced, the expenditure would be automatically reduced, and the limitation would apply in that way. It is to be an auxiliary and not a direct form of limitation.

The same thing would apply even more in the case of the navy, where the main limitation must be a limitation of the ships and the guns. You will have the auxiliary limitation of the budgetary limitation, the purpose of which is to ensure that countries which have accepted the direct form of limitation are not indirectly, in some way or other, exceeding that limitation.

We want a limitation—not so much a reduction as a limitation. That is the reason why I cannot accept M. Litvinoff's amendment.

With regard to what has been said by Mr. Gibson and M. Sato, I fully recognise their position, and can only say that if, unfortunately, no means are arrived at, at the time of the Conference, for getting over that difficulty, then, of course, the British Government would have to reconsider their position with regard to budgetary limitation also.

#### SUGGESTION BY THE FRENCH DELEGATION.

**M. Massigli (France).** — I think that the Sub-Commission should consider very carefully what it is going to vote on. We are not here to manifest opinions but to give the Governments a draft to show them the existing situation and whether an agreement is possible on the given bases.

We have just heard two very important declarations from the representatives of two of the principal naval Powers, the United States of America and Japan. Lord Cecil has also clearly explained to us his proposal, which deals with some sort of additional limitation.

I doubt whether it is advisable to accumulate difficulties and to propose combined methods when we see that two delegations are clearly opposed to such a course. Could we not try to find an intermediate solution, and limit indirectly, by budgetary expenditure, this part of the material—since it actually exists and is of considerable importance—which we cannot limit directly?

Moreover, if the real object is to provide some flexible form of additional limitation, it seems to me that from the naval standpoint, since floating material, which is the essential part of naval material, is already limited directly, Lord Cecil's proposal has, to a large extent, been met, because budgetary limitation of the total naval expenditure is provided for in Chapter III.

I hope, therefore, that if Lord Cecil thinks it necessary to maintain his proposal for the indirect limitation of material, he will consider the possibility of confining it to material which is not already directly limited under Section II of Chapter II. Perhaps this suggestion might lead to a compromise between the different proposals which have been put before us.

**M. Rutgers** (Netherlands). — I do not wish to re-open the discussion on direct and indirect limitation. I should merely like to know whether Lord Cecil's proposal also includes expenditure on material in reserve—that is to say, guns kept in reserve in the arsenals for arming auxiliary cruisers, etc.; whether it includes expenditure on merchant ships in the form of subsidies granted to steamship companies, which are not shown in the naval budget which appear in other budgets, and, finally, whether the amendment also includes expenditure on naval bases.

In conclusion, is it proposed to refer the whole question to the Committee of Experts, as was done in the case of the limitation of land armaments?

**M. Antoniadé** (Roumania). — I am quite prepared to accept the British delegation's amendment if the observations of my delegation in regard to the budgetary limitation of land armaments—which are, moreover, approved by the Greek and Spanish delegations among others—are taken into account.

**Lord Cecil** (British Empire). — So far as M. Antoniadé's question is concerned, I quite agree. My object is to put the same conditions in regard to land and sea.

In regard to the questions which M. Rutgers has put to me, I would say that, broadly, I accept all of them—that is to say, I certainly contemplate that all expenditure on merchant vessels or on maritime bases or anything else which can properly be called expenditure on material for naval purposes, and all war material, would be included. I certainly do contemplate that we should ask the Committee of Experts to advise the delegates on this matter, in exactly the same way as we have asked them to advise on the details of land expenditure. I hope my answer is sufficiently precise.

With regard to M. Massigli's very interesting suggestion, I am afraid I do not quite see what we gain by it. The difficulty with regard to the United States and the Japanese delegations is one of principle. The United States delegation quite definitely objects to budgetary limitation, and I also understand that, with regard to navies, the Japanese delegation objects to budgetary limitation. It does not appear to me therefore that we can meet either of those delegations by confining our budgetary limitation to only one part of naval material. I am sure M. Massigli will see how extremely complicated his system would be, if we were to say that only the material which was not limited by direct limitation was to be limited. What would that include? Evidently we should not have things definitely affecting the calibre of guns. Suppose there were expenditure on an existing eight-inch gun, for example, which made it far more powerful than it is at present. We know in practice how very much arms have improved in that way. The classical instance, the change from the small bore of a hundred years ago to the modern rifle, is of course the best example. Similar changes may take place, and I fancy have taken place, even in the manufacture of the big cannon on board these ships. It would need a very careful definition to say how much of that expenditure was to be included. If the improvement of an existing gun were included, would that be something which was already limited or not? I doubt whether it would. I think the complication would be extreme in trying to divide things up in that way.

The same thing would apply even more clearly in the case of armoured ships. With a ship of 10,000 tons you limit the tonnage: do you limit or not the rearrangement of armour, which may make a very great difference in the fighting capacity of the ship? I think if we are to have this at all it must apply to all forms of naval material, otherwise we shall introduce a complication.

Then M. Massigli had an alternative, or an additional, proposal, that we should not actually limit naval material, but should be content to limit the total expenditure on navies under Chapter III. I do not think that quite meets the case. The question that has been oppressing me right through these discussions is the fact that material has become, and is becoming, so much more important than personnel—I will not say more important, but increasing in importance in proportion to personnel, in all three arms—and unless you have some way of limiting material, as well as personnel, it is doubtful whether you will really accomplish your object. You certainly will not accomplish your object on land, and I doubt whether you will really accomplish it effectively in any of the three arms. That is why I hope we shall put in a general limitation. Therefore I hope M. Massigli will accept this.

I quite agree that, in view of the United States and Japanese delegations' attitudes, it must be in a sense provisional. It is only a suggestion of this Commission, as indeed is everything we are doing. If, unfortunately, we are unable to find some means of accommodation with those two delegations, it is quite evident it will be impossible for us to go on with the proposal ultimately; but if the majority of those who are present here agree that some such limitation would, if practicable, be desirable, let us say so. Let us put it into our draft Convention, and, with all respect to those two delegations, hope that some means of accommodation may be found between now and the Conference. Therefore I hope M. Massigli will not persist in his amendment at this stage. It can be well understood that it is all to be left to the Committee of Experts for the adjustment of details.

GERMAN DELEGATION'S GENERAL RESERVATION MADE AT FIRST READING: STATEMENT IN REGARD  
THERETO BY THE GERMAN DELEGATE.

**Count Bernstorff (Germany).** — Document C.P.D.211 contains a general reservation by the German delegation. I should like to know if I may speak about this reservation in the present Sub-Committee, or whether there will be a further discussion of this matter in the Commission ?

**The Chairman.** — There is no objection to your making a declaration now.

**Count Bernstorff (Germany).** — The general reservation to which I have just referred is similar to that expressed by M. Massigli. It reads as follows :

“ The German delegation declares that it is necessary to limit naval material in reserve, in addition to floating material.”<sup>1</sup>

As the majority of the Commission did not accept the limitation of material in reserve in the case of land forces, I cannot hope that my country's reservation will be accepted as a proposal. I simply wished to point out that unless naval material in reserve is limited, it would be a very easy matter to transfer it and use it in time of war for land forces. Since, in my opinion, the idea of the limitation of land material has already been sacrificed by the majority of the Commission to an agreement regarding naval material, I wished to make this observation and shall return to this question at the 1931 Conference.

**M. Rosso (Italy).** — I should like to make a statement before we vote on Lord Cecil's amendment. Lord Cecil regards the limitation of annual expenditure on the purchase and manufacture of naval war material and armaments as an additional limitation; this is precisely in accordance with the views advanced by General de Marinis in the general discussion on the method of limitation.

In these circumstances, if a vote be taken on Lord Cecil's proposal, the Italian delegation will support it, subject, of course, to our general reservation. I would add that, when the time comes to take a final decision, we shall have to take into account the attitude of the other naval Powers, because we can only accept the proposed method provided it is adopted by all the naval Powers.

**Dr. Riddell (Canada).** — When the limitation of land material was under consideration, the Canadian delegation supported a combination of direct and indirect limitation. Lord Cecil's proposal would apply both direct and indirect methods of limitation to naval material, and in view of that the Canadian delegation will have pleasure in supporting it.

**M. Sato (Japan).** — I desire to thank Lord Cecil for what he said just now. He has spoken not only for his delegation, but also for my own.

As Lord Cecil was good enough to explain, our chief objection to a proposal for the budgetary limitation of naval expenditure is one of principle.

If the French compromise proposal eliminates that objection, we shall naturally be very pleased to support it, although there is still one part of the proposal which we cannot accept. M. Massigli explained to us that, in questions of naval armaments, floating material is the predominant factor. That is true, but if you exempt the principal part of this material from budgetary limitation, why subject the small remaining part to that limitation ? If floating material is not to be so limited, the rest of the material should be excluded also.

The question of expediency must also be borne in mind: it is very difficult, in my opinion, to distinguish between floating material and other naval material. I think that Lord Cecil has clearly explained this difficulty and I fully agree with what he said.

Consequently, our objection of principle makes us oppose budgetary limitation in naval questions; moreover the considerations of expediency which I have just mentioned must also be taken into consideration.

If there is to be budgetary limitation of naval material, I should personally prefer the British proposal, which covers material as a whole and all expenditure on naval forces. This would make the question clearer for us, and we should know what our Government could approve and what it would have to oppose.

I should therefore prefer the British proposal to be left as it stands so that we can vote on it.

**M. Massigli (France).** — In making my proposal I had a threefold object: first, if possible, to find a compromise, and in this I see that I have not been successful.

Secondly, I wished to meet Count Bernstorff's point as far as this seemed possible.

Finally, I wished to be consistent. When land material was discussed, like the majority of the Commission, I was opposed to a combination of the two methods. For the moment, I can only maintain this attitude: I very much regret that I cannot vote for Lord Cecil's amendment

<sup>1</sup> Note by Secretariat. — See document C.P.D.211 (Annex 1).

because it implies a combination of methods, which I rejected in the case of land material and which I shall also have to reject in the case of air material, for reasons which I will explain when the time comes.

**The Chairman.** — We will now vote on the British delegation's proposal.

VOTE ON THE BRITISH DELEGATION'S PROPOSAL.

*The British delegation's proposal was adopted by eleven votes for to three against, with some abstentions.*

59. **Completion of the Sub-Committee's Work.**

**The Chairman.** — I am glad to state that the Sub-Committee has now completed its work, and I wish to thank the members for their co-operation. I think I may say that this result is due to the speedier methods which I have endeavoured to introduce, with your help.

The correct procedure would now be to appoint a Rapporteur; but you will agree with me that this is an unnecessary formality, because those who were not present during the proceedings of the Sub-Committee can see what was done from the Minutes; those who took part in the work can inform the others of what happened at our meetings. I accordingly declare the work of the Sub-Committee closed; it will now be possible for us to resume the discussions of the plenary Commission, which will, moreover, be asked to approve the Sub-Committee's work.

**M. Cobián (Spain).** — Since we are so often accused of dilatoriness, may I be allowed on this occasion at least to lay stress on what we have accomplished and the considerable efforts we have made? Nine days ago, the seven Powers which signed the Treaty of London distributed a lengthy document to us. We have examined it, and by holding two meetings a day—which was not done in the case of the other questions—we have settled the whole of this naval question in three or four days. It should not be forgotten that the question of naval armaments is of vital importance for the security of a large number of countries, and that it consequently interests many delegations. I should like to emphasise the value of the work done, and the speed with which it has been carried out.

*The Sub-Committee rose at 12.20 p.m.*

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ELEVENTH MEETING OF THE PLENARY COMMISSION.

*Held on Thursday, November 20th, 1930, at 12.30 p.m.*

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*President: M. LOUDON (Netherlands).*

60. **Chapter II. — Material, Section III: Air Armaments** (document C.P.D.211 (Annex I of the Minutes): Articles AA, AD, AE, Consideration adjourned to Third Reading: Article AC. — Decision to leave to the Conference the Establishment of the Rules of Measurement of Horse-power.

**The President.** — We will now continue, sitting as a plenary Commission.

We have already examined all the articles of Section III relating to air armaments. Article AA was adopted in second reading in the first part of this session. On this article we have an amendment by the British delegation and also one by the Canadian delegation.

In accordance with our Rules of Procedure, these amendments will be considered after the conclusion of the second reading.

In regard to Article AC, which was also discussed during the second reading, we have decided to leave the rules for measuring the horse-power of airship and aeroplane motors to be fixed by the Conference.

**Lord Cecil (British Empire).** — I want to be quite clear about air armaments. My amendments to air armaments are the same as those we have just been discussing with regard to naval armaments, but I think it would be more convenient to take them on the third reading, since the whole question of material will come up on the third reading. I think it is impossible to move amendments on this subject until we come to the third reading.

**Dr. Riddell (Canada).** — I bow to your ruling, but I understand that the Commission has definitely decided that the Canadian amendments will be considered at the third reading.



**The President.** — Naturally; that is a matter of course.

As regards Article AD, we have already decided to discuss that together with Article ZD.

In the case of Article AE, which was also adopted at second reading, in the first part of our session, we shall have to consider the British and Canadian amendments when we have concluded the second reading. Furthermore, the British delegation has proposed a new article, which would provide for limiting expenditure on air armaments. We are all agreed that that should be deferred to the conclusion of the second reading.

#### 61. Discussion on Chapter III. — Budgetary Expenditure: Article DA.

The British, Italian and Japanese delegations consider that budgetary limitation should be effected solely by publicity.

The delegations of the United States and Germany make a general reservation on the inclusion in the present Draft Convention of any limitation of budgetary expenditure.

##### *First Reading.*

##### *(French Draft.)*

The total annual expenditure counted per budgetary year and allocated according to Tables ..... (Home forces and formations of the home country organised on a military basis) and ..... (Overseas forces and their reinforcements and Overseas formations organised on a military basis), shall not exceed the figures approved by the several Contracting States in the present Convention and mentioned in the said tables.

**The President.** — Chapter III, concerning budgetary expenditure, has been taken from the French delegation's preliminary draft for the reduction of armaments, where it appeared as Article 19.<sup>1</sup> It was discussed at length in the third session of the Preparatory Commission. It did not receive the unanimous support of the Commission during the first reading.

During the first part of our sixth session and again during the last few days, the question of limiting budgetary expenditure was discussed in relation to material for land armaments. On the other hand, the general question of limitation by budgetary methods has so far been adjourned. In regard to Article DA, the Commission will have to take into consideration the British and Soviet delegations' proposals which follow. The Commission will also have to discuss the reports in document C.P.D.90 (Report, etc., of the Committee of Experts on Budgetary Questions).

#### PROPOSALS BY THE BRITISH DELEGATION.

##### " CHAPTER III. — BUDGETARY EXPENDITURE.

" Insert the following articles for the blanks left as a result of the second reading :

##### " *Article DA.*

" Each of the High Contracting Parties agrees that its total annual expenditure on land, sea, and air forces, in any budgetary year, shall not exceed the figures given for them in Tables . . . .

##### " *Article DB.*

" Each of the High Contracting Parties agrees that its total annual expenditure, in any budgetary year, on the upkeep, purchase, and manufacture of war material,<sup>2</sup> shall not exceed the figures indicated in Tables . . . .

##### " *Chapter V. — Miscellaneous Provisions.*

" Substitute the following article for Articles DA\* and DB\*:

" Each of the High Contracting Parties shall communicate to the Secretary-General of the League of Nations, in a model form, a statement showing the actual total amount expended on land, sea and air forces, during the preceding financial year.

" It shall, at the same time, communicate to the Secretary-General a statement showing the amount actually expended during the preceding financial year on the upkeep, purchase, and manufacture of war material as defined in Article DB of Chapter III of the present Convention.

" This communication shall be made not later than . . . months after the close of the financial year."

<sup>1</sup> *Note by Secretariat.* — See document C.310.M.109.1927.IX (Minutes of the Third Session), page 364.

<sup>2</sup> War material to be defined in a special annex.

PROPOSAL BY THE SOVIET DELEGATION.

“ Article DA to be replaced by the following articles :

“ ARTICLE DA.

“ The total annual expenditure counted per budgetary year and allocated according to Tables . . . (home forces and formations of the home country organised on a military basis) and . . . (overseas forces and their reinforcements and overseas formations organised on a military basis), shall not exceed the figures approved by the several Contracting States in the present Convention, the military budgets current at the time of the signature of the present Convention being reduced by an equal percentage; an exception being allowed, however, in favour of the States which are weakest from a military point of view and are specially mentioned in the present Convention, and of such States as have reduced their armaments in virtue of international agreements other than the present Convention.

“ The reduction of military budgets shall also extend to the expenditure specified in the table attached to the present article. <sup>1</sup>

“ ARTICLE DB.

“ Secret funds intended in a disguised form for extraordinary expenditure on special preparations for war or an increase in armaments shall be excluded from the national budgets.

“ In conformity with the above provision, all expenditure for the upkeep of the armed forces of each State shall be shown in a single chapter of the national budget; their full publicity shall be ensured.”

Lord Cecil (British Empire). — I really ought to move this amendment arrayed in a white sheet because it is a case where I have stolen the thunder of the French delegation. The French delegation had this amendment, in substance, in first reading, and as you, Sir, have pointed out, it was carried by a majority. In that case the British delegation had some doubts about it and they made a reservation. Since then their doubt has been cleared away and they are now prepared to support the amendment. They have put it in a form of their own, but I do not suppose it is superior to the form the French delegation had. In fact, it appears to me there is one word that ought to be inserted in the British amendment to make it quite clear—that is the word “ respectively ”. Article DA ought to read :

“ Each of the High Contracting Parties agrees that its total annual expenditure on land, sea, and air forces *respectively*, in any budgetary year, shall not exceed the figures given for them in Tables . . . .”

Our suggestion is for a separate figure of limitation for each of the three arms, not a general figure for the three arms taken together. No doubt, if you add together the budgets for each of the three arms that makes the total budget, but the idea is to limit each of the three arms separately so as to prevent transfers from one arm to another, and to avoid a certain amount of uncertainty as to what is being done.

The argument is much the same as the argument which has been developed in favour of limitation of material only. It is, however, a little different, because the object, in this case, is not only to add this additional limitation to the direct limitation we are providing for in our Convention, but also to provide for a general limitation of expenditure—a matter which certainly excites a great deal of interest amongst those who have to pay taxes in the various countries. Therefore, it is a matter which I certainly think we should deal with in our Convention.

But that is not our main point. Our main point is to limit armaments, not to limit expenditure. Limiting expenditure is only of value in so far as it contributes to the limitation of armaments—at least that is our point of view.

I do not think that I have anything further to say about our amendment at this stage. It is a very simple one. The machinery of it will be made clear by reading the amendment to Chapter V, which appears on the same paper, and which provides for the return which each of the contracting parties is to make with reference to its expenditure on armaments. There it provides that :

“ Each of the High Contracting Parties shall communicate to the Secretary-General of the League of Nations, in a model form, a statement showing the actual total amount expended on land, sea and air forces, during the preceding financial year.

“ It shall at the same time communicate to the Secretary-General a statement showing the amount actually expended during the preceding financial year on the upkeep, purchase, and manufacture of war material as defined in Article DB of Chapter III of the present Convention.

“ This communication shall be made not later than . . . months after the close of the financial year.”

<sup>1</sup> See tables on pages 12 and 13 of document C.P.D.90, of July 1st, 1927.

That is the conception, and that is based on the report of the Committee of Experts on budgetary questions made to this Commission in the spring or early summer of 1927. As the Soviet delegation points out, there is an actual form set out in that report which the British delegation thinks satisfactory and sufficient. But they have assented to further discussion of the actual form by the Committee of Experts, in accordance with the French resolution which had been passed.

The machinery, therefore, will be quite clear to the members of the Commission, and it has the great merit, I think, of being extremely simple. You will first have the provision for the return in a prescribed form as nearly as possible. The details, so far as it is necessary to examine them, are all set out in the Committee of Experts' report of 1927. It is unnecessary, as I have pointed out, to have an absolutely identical form for each country, provided the form covers substantially the same ground. It may be more convenient for one country to vary a little from another but, provided the broad principles are on the same lines, that return will be sufficient. When that return has been made, everybody will know what the expenditure is, in the first place, on the three arms generally, and, in the second place on the three arms with respect to material.

It will be on the basis of these figures, which limit to a certain figure the general and specific expenditure on material, that you will be able to see whether the Convention has been complied with.

All I have to do is to move this motion explaining that it is an auxiliary method of controlling expenditure on the three arms, as part of the general system for limitation of expenditure.

**The President.** — The Bureau has received a further proposal relating to Chapter III from the Soviet delegation reading as follows. It has not yet been circulated, but this will be done as soon as possible.

As we have made pretty good progress this morning I propose to adjourn the meeting.

#### PROPOSALS BY THE SOVIET DELEGATION.

" (1) First amendment to Article DA of the British delegation's draft :

" After the words ' each of the High Contracting Parties agrees that its total annual expenditure on land, sea and air forces in any budgetary year ', add the words: ' *shall be reduced and . . .* '

" (2) Second amendment to Article DA of the British delegation's draft :

" At the end of Article DA, add ' in the case of the following categories: (1) *Staff*, (2) *Movements*, (3) *Buildings*, (4) *War material*. '

" (3) Article DA proposed by the Soviet delegation is withdrawn.

" (4) Article DB proposed by the Soviet delegation is maintained. "

**The Hon. Hugh Gibson** (United States of America). — I would like to express the gratification of the American delegation at the very speedy despatch of our work this morning, and to thank the President for keeping us so strictly " on the rails ". I should like to preface what else I have to say by the statement that there is nobody in this room who more cordially dislikes the idea of two daily sittings than I, but I feel we have now got the best momentum yet attained and that it is doubtful whether we should not be justified in having afternoon sittings. We have all come here anxious to finish up the work at this session and I think nearly all of us are convinced that this is feasible if we can get through a substantial amount of productive work. There is no escaping the fact that we have lost a good deal of time in the two weeks we have been here through the prolonged general debates, but if we can keep going for a few days at anything resembling the pace maintained to-day, we can catch that up, and I would suggest that we adopt the idea of two daily sessions until the Bureau either tells us it is desirable to slow down, or until we have covered enough ground for them to foresee an orderly end of the work remaining to be done and the prospect of the final presentation of our report.

**Dr. Markovitch** (Yugoslavia). — The difficulty does not consist in holding one or two meetings a day, but in the length of the speeches. It is only by improving our methods of work that we can hope to reach an early conclusion of our labours, and I think it desirable that delegates should be given time to reflect, and to study all the aspects of the problems before them. I therefore propose that we continue to hold one meeting only each day.

**The Hon. Hugh Gibson** (United States of America). — Since speaking, I have heard from a number of delegations that the procedure I suggested would not be convenient for them. I would like, therefore, to withdraw my suggestion, but with the reservation that we shall have two sessions a day whenever the work of the Conference can be best expedited by so doing.

**Count Bernstorff (Germany).** — I think Mr. Gibson's object was to induce the Commission to proceed more rapidly, and I entirely agree with him. For my part, I would observe that I have never made any long speeches.

**Lord Cecil (British Empire).** — I entirely agree with Mr. Gibson that we must contemplate, at a future date, the possibility of two sessions a day, but I do think, having some knowledge of the subjects we have to discuss, that, just for the moment, it would be better not to have more than one session a day. I think we should probably advance quicker in that way. I certainly agree with him that we may eventually need two sessions a day, but that depends entirely upon the rate of progress during the rest of this week.

**The President.** — I infer from this discussion that the Commission considers that, as a rule, we should only have one meeting a day; provided always that the Bureau will be free to propose two meetings a day if it think necessary.

*The Commission rose at 12.50 p.m.*

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## TWELFTH MEETING.

*Held on Friday, November 21st, 1930, at 10 a.m.*

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*President: M. LOUDON (Netherlands).*

### 62. Discussion on Chapter III. — Budgetary Expenditure (continuation).

**The President.** — We will now continue the discussion of Article DA of Chapter III—Budgetary Expenditure.

I would remind you that the proposals before the Commission are :

First, the text submitted by the French delegation at the third session.

Secondly, the new text proposed by the British delegation,<sup>1</sup> to which that delegation desires to add the word "respectively";

Thirdly, the amendments submitted by the Soviet delegation to add to Article DA of the British delegation's draft, after the words "each of the High Contracting Parties agrees that its total annual expenditure on land, sea and air forces in any budgetary year", the words: "shall be reduced and . . ."; and to add, at the end of the same article "in the case of the following categories: (1) *Staff*, (2) *Movements*, (3) *Buildings*, (4) *War material*".

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — The Soviet delegation has modified its proposal because it contained the principle of proportionality, which has been definitely rejected by the Commission. We have seen the British amendment, and it is quite acceptable, with the two changes mentioned.

We desire to maintain Article DB, which provides that all military expenditure under Chapter A shall be shown in a single chapter of the budget. I believe that M. Massigli has already stated that he is in favour of such a measure.

**General de Marinis (Italy).** — We have before us a text submitted by the British delegation. This consists of three Articles, DA, DB and Chapter V—Miscellaneous Provisions. I should like to know whether we are going to discuss this proposal article by article or all together.

**The President.** — Article by article.

**General de Marinis (Italy).** — I should like to say a few words in regard to Article DA, which reads as follows :

"Each of the High Contracting Parties agrees that its total annual expenditure on land, sea and air forces in any budgetary year shall not exceed the figures given for them in Tables . . ."

The Italian delegation is prepared to accept this article, but will not be able to do so if the words "in any budgetary year" are retained, for the reasons which I explained some days ago.

I would ask Lord Cecil to admit the justice of my objections. It would be impossible for certain Governments, including my own, to bind themselves not to transfer credits unexpended in one budgetary year to the following year. The unforeseen contingencies which I have already

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<sup>1</sup> Note by the Secretariat. — See page 185.

mentioned must be provided for. If the British delegation is prepared to delete the words " in any budgetary year ", I can accept Article DA and Article DB.

**M. Sato (Japan).** — I wish to make a short statement in regard to budgetary limitation, and to deal with this question as a whole, including the original French proposal and the British and Soviet amendments.

As regards the limitation of land material, my delegation has accepted the budgetary method as a compromise, but, as I have already pointed out, this does not imply acceptance of the general principle of this method of limitation. I gave you many arguments against it at the third session of our Commission and need not repeat them now. I will merely say that I still think that, in principle, budgetary limitation is undesirable, and that limitation should be applied solely by means of publicity. I particularly object to the application of this method to naval and air armaments. In regard to these two categories of armaments, the Commission has already accepted the system of direct limitation, which goes further and is, I think, more effective. It has also recognised that the limitation of expenditure has to be individual, and that it cannot form a basis of comparison between the budgets of one country and another, but is simply a means of comparing the budgets of any given country from one year to another. If we adopt the principle of publicity of expenditure, this would make it possible indirectly to attain the object which those who advocate budgetary limitation have in view.

According to my present instruction, I am not in a position to accept the principle of budgetary limitation, except as regards land armaments; consequently, if the general principle be put to the vote, I shall be obliged to vote against it.

**Lord Cecil (British Empire).** — I should like to make a few remarks on each of the three speeches made. In the first place, with regard to the amendments proposed by the Soviet delegation; they are two-fold, and perhaps it would be more convenient if I only dealt with the first at this moment, because nothing has been said about the second.

The first amendment is to insert, after the words " budgetary year ", the words: " shall be reduced and ". I am in agreement with the purpose of this amendment—that is, I think we ought to lay down in this Convention the general principle that we aim not only at limitation but also at reduction—but I am also of opinion that it would not be proper to insert it here. As I see our project of the Convention, it is this. We are going to establish a specific limitation of each of the three arms as far as we can, we are going to do it directly with regard to the navies and the air forces, and as far as the land forces are concerned by limiting the effectives, which, so far as I have been able to hear, seems to be the only effective way that has yet been proposed.

In respect to each of the clauses dealing with that direct limitation, I should be entirely in favour of the insertion of the word " reduce ", in some form or another, as we have done in regard to the navies. I should be in favour of inserting it also in regard to the land and air forces.

When you come to budgetary limitation, I have always seen that, not as the principal limitation, but as a very important and an absolutely essential check on the principal limitation. That is why I was in favour of applying it to the navies, though there is a very complete limitation there—as far as you can make any method of limitation complete—and I should be in favour of applying it to the air forces and even more strongly in favour of applying it to the land forces. But this is a complementary limitation and not the direct and principal limitation, and, in my judgment, the figure that is to be inserted for the purpose of budgetary limitation directly results from the figure that is inserted with respect to direct limitation. Therefore, it is not logical to say you are going to reduce the budgetary limitation. Budgetary limitation will follow automatically—or quasi-automatically—on the figures that you have inserted in the direct limitation. I do not myself see any purpose in putting in the word " reduce " here, and I think it leads to a little misapprehension as to what you are aiming at with regard to budgetary limitation. I hope that will not be insisted upon.

With regard to the point made by General de Marinis, I do not feel able to resist his suggestion, because we have agreed to appoint a Committee of Experts to enquire into this question, as to how it can be done, and I think it very difficult for us now, before the report of that Committee, to insist on these words here. But I accept the point of view with the greatest reluctance and only on the strict understanding that the position of the British Government remains unchanged. They are confident that you will not get a really satisfactory limitation of armaments unless it be strictly confined year by year. If you have a system by which a country may save up its expenditure during the first three or four years, with the power of suddenly having a very elaborate and complete expenditure in the fifth year, then that will not be a satisfactory guarantee. The whole purpose of budgetary limitation will, in my judgment, go, and there will not be a satisfactory guarantee that the general standard of limitation is being observed. Therefore General de Marinis will forgive me for saying that I assent to his proposal with reluctance, because of the appointment of the Committee of Experts, but I remain strongly of opinion that, in some form or another, and subject to whatever modification may prove to be necessary, you must have an annual limitation and not a limitation spread over a number of years. That is my answer to him.

As to my friend M. Sato, he will not be surprised to hear that I deeply regret the statement he has been instructed to make. I do beg him and his Government to consider very carefully

whether really specific limitation is enough. I do not want to enlarge the debate, and I will not therefore go into the case of the air forces. When we come to consider the air forces, I do beg him to consider whether any specific limitation can possibly be satisfactory. I will not say more than that, but would ask him to consider that point before we get to it. I am afraid I must beg the Commission to accept this general principle.

Let me say just a word in conclusion. Undoubtedly, we have got to take account, in all these matters, of public opinion. I remember years ago when I was younger and more impulsive, I once ventured to go as far as to say that I did not think the Governments would ever impose disarmament upon the peoples, but I thought it quite possible that the peoples would impose disarmament upon the Governments. I would not put it quite so crudely as that now, but I believe that to be profoundly true. I believe there is a tremendous sentiment throughout the world, amongst all the peoples of the world, in favour of disarmament, and I believe that we have got to take account of that in everything that we do in our Commission. Undoubtedly one of the great reasons why the peoples of the world desire disarmament is because they are shocked and outraged by the expense to which all the countries of the world are put in this matter. It is the burden of taxation which perhaps comes most closely and most immediately home to the peoples in this matter; they, of course, desire disarmament on other grounds but they do strongly desire it on that ground.

I think it very important that we should take account of that feeling, and that we should recognise in our Convention that, quite apart from the main reason for our putting in budgetary limitation, we do wish to give satisfaction to those who desire some check on this reckless and wicked waste of the efforts and savings of the peoples of the world. Therefore, I hope that we shall adhere to this resolution as it stands, except that, in order to conform to what we have already done, I will accept the omission of the words, "in any budgetary year".

**General van Tuinen (Netherlands).** — Before the vote is taken on the article now under discussion, I should like to ask for a few explanations.

I would remind you that the Netherlands delegation attaches much greater importance to complete publicity than to budgetary limitation; it is of opinion that publicity is a more effective method of attaining the object which we all have in view. However, as we have already shown, our delegation is not opposed to all ideas of budgetary limitation.

When the British proposal for the budgetary limitation of naval armaments,<sup>1</sup> was under discussion, our first delegate asked Lord Cecil certain questions.

M. Rutgers asked him whether the limitation would also apply to certain annual expenditure—for instance, on the establishment and upkeep of naval bases, material in reserve, subsidies to navigation companies, etc.—and Lord Cecil replied in the affirmative.

Now that we are discussing the British proposal with reference to Article DA of Chapter III, I am encouraged by that reply to ask its author some further questions. Does his proposal also apply to expenditure which may perhaps not be included in the military or naval budgets—for instance, expenditure on the construction of strategical railways, subsidies to rifle and gymnastic clubs for land and naval forces and to organisations of a military character?

In this connection, I would draw your attention to page 5 of the Report of the Committee of Experts on Budgetary Questions (document C.P.D.90), where it is stated that the experts decided not to devote a chapter to expenditure of this kind.

It seems to me desirable to avoid any possibility of doubt as to the effects of the British amendment.

I should add that our only object is to obtain information on these points; but I would point out that this information will be of great value to the Committee of Experts referred to in the French delegation's proposal, especially as regards Point III of that proposal in respect of which our decision has been postponed.

Indeed, it might perhaps be useful to mention this discussion in the report, so that the experts may be informed of the Commission's discussions in regard to this article.

**Count Bernstorff (Germany).** — I only rise to explain the reasons for my vote. I understand that there are other speeches to come, but I should like to be allowed to state my views immediately.

We have discussed the budgetary question at length; and I think the Commission agreed, almost unanimously, that the budgetary method should be regarded as an accessory method.

Personally, I share the unanimous opinion of the Mixed Commission—namely, that budgetary limitation can only be an accessory method, and that it is unacceptable as the principal method. I shall therefore abstain from voting, because I think it would be wrong to regard budgetary limitation as the principal method in the case of land armaments, in view of the fact that in regard to air and naval armaments, it was accepted as a subsidiary method. This injustice appears to me so flagrant that I shall abstain from voting.

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<sup>1</sup> Note by Secretariat. — See page 170.

**Dr. Markovitch (Yugoslavia).** — In principle, the Yugoslav delegation is in favour of the British proposal. We have already said so when we accepted the principle of indirect limitation by budgetary methods. We have, thus, voted in favour of this principle: but, on examining the British proposal, we find certain difficulties in accepting it as it stands.

In the first place, account must be taken of the observation made by the Italian delegate, which I had also intended to offer, if Lord Cecil had not replied that this matter would be left to the Committee of Budgetary Experts. I should like to add, however, in order to explain the views of the Yugoslav delegation on this point, that, in asking for the right to carry forward credits from one year to the next, we do not propose that this right should be enjoyed for an indeterminate number of years, but that it should only apply from one year to the next, two years being the maximum. As this question has been left to the budgetary experts, I will not say any more at the present time.

According to the British proposal, a distinction is to be made between credits for the army, navy and air force. As Yugoslavia has only one War Ministry, for land, naval and air forces, there is a technical difficulty in carrying out this limitation, under separate heads, in such a way that no section may exceed the figures agreed to for it in advance.

I do not think it is possible to reconcile the Yugoslav organisation with the system proposed by the British delegation. In my opinion, the object of budgetary limitation would be completely attained if the expenditure on defence as a whole were limited. Such a system seems to me to be more in conformity with the principle of national defence. Political conditions and the military situation may change from one day to the next. I do not think it is our desire or intention to prescribe to any particular country the manner in which it is to organise its national defence. The purpose of budgetary limitation is to have a check on the extent of a nation's armaments, and not on its defensive system.

Therefore, with all due respect to the British delegate, whose arguments always carry great weight with me, I am unable to accept his proposal to add the word "respectively", although I could vote in favour of the limitation of budgetary expenditure as a whole. If the Commission considers it necessary to limit expenditure on land, naval and air armaments separately, the Yugoslav delegation will have to ask to be allowed to transfer, during any current year, credits intended for the army to those intended for the air force or the navy, and *vice versa*. This right is provided by the financial laws of every country. If it is also allowed under the Convention, it is not necessary to distinguish in the provisions for budgetary limitation, or to require that each category of expenditure be limited separately.

**M. Colban (Norway).** — My country is entirely favourable towards a budgetary limitation, and I must confess that I do not see how we should be obliged to exclude budgetary limitation because we agree to a certain direct limitation. I have not heard any argument which convinces me against the superposition of different methods of limitation. Budgetary limitation will be extremely helpful for the control of direct limitation and *vice versa*. Budgetary limitation, direct limitation and publicity are the three methods before the Commission and we ought to try to apply each of them as far as possible.

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — I do not see how it is possible to argue that budgetary limitation will follow automatically on the figures inserted in regard to the limitation of personnel and war material. You could quite well limit the quantity, and at the same time improve the quality, which would necessarily increase expenditure. This is not provided for in the British text, and the Soviet delegation proposes to provide for and prevent it. If, as Lord Cecil argues, these figures were automatically correlated, budgetary limitation in general would be unnecessary. Unless reduction is mentioned, the British amendment will lose a great deal of its value. I should like a separate vote to be taken on the two amendments, and I shall have a few words to say later in regard to the other amendment.

**The Hon. Hugh Gibson (United States of America).** — In my statement on budgetary limitation made on November 11th last, I said that, in spite of its definite views as to the impracticability of its accepting budgetary limitation as regards the United States, my Government did not wish that the special position of the United States should constitute an obstacle to any measures of agreement that might be found generally acceptable among the other Powers. That is still the position of the American delegation. Inasmuch, however, as so much of the general discussion of this subject has centred round the position of the American Government, I fear that, if the single text, without any accompanying commentary, were to go forward to the various Governments for study between now and the general Disarmament Conference, they might fail to find in that text a clear picture of the situation as brought out in the debate. First, a re-statement of the American position at the Conference might come as a surprise to those delegations which did not participate in our debates here and which, by reading the single text, might think there was no diversity of views about budgetary limitation and no problem such as that brought up here now. In order, therefore, that an entirely straightforward presentation of the situation may be found in our text, I desire that a reservation in the following language be stated in Chapter III:

"The American delegation makes a general reservation on the subject of budgetary limitation, and draws attention to its declaration of November 11th, 1930, fifth meeting, sixth session, second part."

**M. Massigli (France).** — At the first reading, the French delegation submitted a text which limited the total expenditure separately for home and overseas forces. We are not pressing for that distinction, which would be very difficult to make in certain cases. The French delegation accordingly agrees in principle with the British amendment in its original form.

There are three points to consider: the first is the principle of budgetary limitation itself. Two delegations are definitely opposed to it, but I think that, as Mr. Gibson said just now—and I hope M. Sato will also agree—they will content themselves for the moment with a reservation in the draft, opposite the article. There remain, therefore, the Soviet proposal to insert the words “shall be reduced and . . .”, and the British proposal to add the word “respectively”.

As regards the Soviet amendment, I entirely agree with Lord Cecil. However, if M. Lounatcharsky wishes to press the matter, I think we might adopt a formula similar to that which we accepted unanimously for naval armaments. If we say that each of the contracting parties agrees to limit and, as far as possible, to reduce its expenditure on land, naval and air forces, we shall avoid any difficulty.

The third question is that raised by M. Markovitch in regard to the possibility of the separate limitation of land, naval and air forces. If I have rightly understood M. Markovitch, his principal difficulty is due to the fact that air forces are organised in a different manner in different countries. That is a very grave obstacle to separate limitation.

At the present time, countries having a separate Air Ministry are in the minority. In some the air force is attached to the other two Ministries of national defence, while in others it is attached to only one of them. Systems differ widely. Moreover, even in countries with a separate Air Ministry, expenditure on material is not all included in the air budget; some is frequently included in the naval or military budgets. Lastly, certain expenditure is not split up—for instance, supplies, health services and so on, come out of a common fund. In these circumstances, it is very difficult to make distinctions.

I would also draw the Commission's attention to the fact that in many countries, even those which have accepted the principle of an independent air force, this principle is a subject of controversy. Some administrations are in favour of a return to the previous system—to a large extent, at all events; others, on the contrary, are anxious to increase the importance of the Air Ministry. The question is therefore very vague, and if the administrations of the various countries were asked to give separate figures for the expenditure referred to in the Convention, they might simply allot the figures almost by guess-work. It is highly undesirable that an important Convention involving solemn obligations should contain figures arrived at by perfunctory methods.

I need not stress the fact that certain countries having colonial obligations, such as the British Empire and France, may find it necessary to make radical changes in their military organisation by giving greater importance to the air force than to the other arms.

If we are going to insist on three separate maxima we shall be encouraging the administrations concerned to fix ample margins so that they may not run short of funds, and consequently the total of these three separate items will exceed that of a single item. That is a great danger; more especially as, once you fix a maximum, there is a natural tendency on the part of the administrations concerned to work up to that maximum.

I would ask you to consider these arguments very carefully. Personally, I should very much prefer the word “respectively” to be left out, and I ask for a separate vote to be taken on this point.

Moreover, if the method of global limitation be adopted, it will be necessary, in the chapter on publicity, to give some supplementary indications. Also I think that, as Mr. Gibson said, paragraph 3 of the French proposal (the first two paragraphs of which have already been accepted) should be adopted, so that the Committee of Experts may be asked to extend their studies and to furnish information in regard both to the question of transferring credits, raised by General de Marinis, and to the question of subsidies, raised by the Netherlands delegation.

**The President.** — I was about to refer to that enquiry.

**Lord Cecil (British Empire).** — I am sorry to speak again, but I have been asked some questions and in courtesy I am bound to reply to them. As to the Netherlands delegation's question, I hope I shall not be pressed to go far into detail in this matter because it is evident that this is a matter which must depend to some extent on the views of the experts. I would have been quite content to accept the actual report of the experts, in which case all the questions put to me by the Netherlands delegation would find an answer. In order to find the solution, I accepted the suggestion of an expert enquiry if it could be conducted in a way which would not delay matters, and I am sure M. Massigli shares my feelings on that point; and I think it would be better for me to refer to the experts and ask them to answer the Netherlands delegation's question. It has been clearly stated “the total annual expenditure on land, sea and air forces”. What that means is a matter for the experts' enquiry.

With regard to the suggestion of the Yugoslav and French delegations that we should not insert “respectively” I very much hope these delegates will not insist. Just let me give you an illustration from figures. Let us take a country where the armament expenditure generally is



in the neighbourhood of £100,000,000 annually; I speak without the figures before me but that is roughly the case with my own country. Let us assume that £40,000,000 goes to the army, £40,000,000 to the navy, and £20,000,000 to the air. If there is a total of £100,000,000, with the power of playing about with those great sums, it is quite evident you might entirely transform the whole atmosphere of the international situation by suddenly transferring £10,000,000, £20,000,000 or £30,000,000 from the military or naval forces to the air force. Suppose it turned out to be the case, as it may well do, that developments make the air force the most important force of all, you have no kind of means to prevent that being done, and you are not really going to make your total budgetary limitation effective at all. I beg my colleagues to consider that. How far it should be done and to what extent is a matter for the experts. I quite agree on the general principle that the three should be limited separately, and we shall have to see if that can be done practically.

I wish to remove a misconception which appears to be in the mind of my Yugoslav colleague, and perhaps in the minds of other delegations. There is no question of our asking any country to alter its system of budgets; that is not our object at all. If he will cast his eye over the report of the experts he will see that this is not contemplated. What is contemplated is what we all admit to be desirable—that countries shall make a return in some more or less identical form. I say more or less, because the experts admit that there must be some variation in the expenditure on these various armaments for the purposes of publicity. You must have some system of that kind. Having made that calculation, it is, after all, only a matter of taking items out of your budget and putting them under certain heads, not a matter which would trouble any accountant in the least; any qualified accountant who was familiar with the system could do it without difficulty. Having made your return, you have got the facts and there is no difficulty in limitation. Of course, if you desire not limitation of the three arms, but the power to transfer expenditure from one to the other, that is a different matter. I am afraid I should find myself in decided opposition to any proposal of that kind. That would really cut at the root of a great deal of the value of budgetary limitation, because, when you are dealing with these great sums in great countries—I should have thought it would have been the same in Yugoslavia—you destroy the whole value of the thing if you can manœuvre the figures in such a way as sometimes to spend a great deal on one arm and sometimes on another. Therefore I hope we shall insert “respectively”. Of course, it is entirely for the Commission to do so, but I am afraid I cannot comply with the request so courteously put to me by the delegate of Yugoslavia, and withdraw that word. If the Commission decides against me, I must submit, but I hope they will adhere to the word “respectively”, which appears to me to be a very important part of the whole proposal.

I really think that is all I need say in answer, but I may perhaps just emphasise what I have been saying to M. Massigli, because he does recognise that you have got to have entire publicity of the very facts which will enable you to make your restriction. I need not develop the argument; he will have followed it before it is out of my mouth, and he will know exactly what I desire to say. With regard to the suggestion to the experts, I quite agree we must make certain alterations in the resolution we passed, so as to include all the items we decide to limit. I would suggest we might defer that until we have finally decided what we are to do about the air, so that we may not always be tinkering at the resolution. It is understood that all these subjects must go to the Expert Committee, and I would press very strongly that there should be no delay in summoning this Committee.

**M. Antoniadé (Roumania).** — The Roumanian delegation has always supported the system of budgetary limitation, and has frequently put forward arguments on the subject which hold good for all countries not having yet been able to carry out their modest programme of defence. I desire to confirm those observations and to add a few words in regard to the British amendment. I agree with that amendment in principle; but, as my Yugoslav colleague and the French delegate observed, my delegation would find it difficult to apply the system of the separate apportionment, or specification, of expenditure in respect of the three groups.

In this respect, the position of Roumania is similar to that of Yugoslavia. In our country, there is only one Ministry of National Defence for all three arms, and the difficulties in regard to apportionment, explained by the Yugoslav delegate, apply equally to my country.

As M. Markovitch pointed out, it is first of all necessary to limit expenditure and to exercise control over that expenditure. That is the essential point, and there can be no question of controlling the system of defence.

The difficulties mentioned by M. Massigli apply to countries having a separate Ministry for each arm; but they apply even more strongly to those which have only one Ministry of National Defence, whose expenditure on various items—personnel, material, supplies, health service, etc. is indivisible.

Consequently, in spite of the explanation which Lord Cecil has just given, I cannot accept the form of publicity he requires, and would urge the Commission to retain the British amendment in its original form, that is to say, the publication of the global expenditure on the three groups in combination. This has the advantage, as M. Massigli has pointed out, of being more flexible and it does not run counter to the object in view—that is to say, it will not tend to an increase instead of a reduction in expenditure.

**Dr. Markovitch (Yugoslavia).** — I think Lord Cecil has misunderstood my arguments and the method which I suggested. In my opinion, this is not a new system. I entirely agree with

Lord Cecil regarding the system of budgetary limitation, and there is no reason to fear any weakening of that system if we content ourselves with limiting expenditure as a whole.

Our delegation has always been in favour of the application of the indirect method, because it is convinced that this would bring about a genuine limitation, and because we realise that armaments depend on credits. The armaments of a country may be said to depend on many different factors, but one thing is certain, and that is that credits are the primary factor. I simply propose that we should make the system advocated by the British delegation, and accepted by the Yugoslav delegation, more flexible and less likely to create practical difficulties. We certainly do not propose to give any country the opportunity of juggling with figures, and as far as Yugoslavia is concerned, we have never wished to do any such thing. I have merely pointed out briefly the practical difficulties in carrying out the British amendment. In the case of our navy, separate limitation would be possible; but in the case of the air force, which is an integral part of the army, I do not see how we could be expected to give separate maximum figures.

Lord Cecil gave us a theoretical example. So far as I am acquainted with British psychology—for which I have a great admiration—I do not think that is a method which finds much favour with it, because you can always take a theoretical example to suit a particular argument.

M. Massigli has also reminded us of the difficulty—I had forgotten to mention this—which the departments concerned would have in specifying maximum figures. Each department would be obliged to ask for larger credits than it really needed. Consequently, in seeking the separate limitation of the expenditure of each department of the War Ministry, we should have a higher total than in the case of global limitation. I would ask the British delegate to give careful consideration to this point also.

M. Massigli (France). — I can assure Lord Cecil that, if I believed that we might incur the grave risks to which he has drawn attention, I should not for a moment have spoken as I have done; but it is manifest that the transfer of credits from one budget to the next could only take place within very narrow limits.

As regards land forces, we have limited effectives directly and material indirectly. As regards the navy, we have also directly limited effectives and to a great extent material as well. In the case of air forces, both material and effectives have been directly limited. All these factors involve regular expenditure, and it is hardly possible to increase one budget to any considerable extent at the expense of the others.

The principal effect of the proposed distinction would be to make it very difficult, and even impossible, to modify a country's military organisation. Questions of organisation (determination of the number of units, etc.) have not been touched in any part of our Convention. I am very much afraid, therefore, that objections may be raised to the British amendment; these objections, which may to some extent be unjustifiable, will be based on technical arguments, possibly of secondary importance, but no less weighty on that account. Consequently, in spite of my great desire to find myself in agreement with Lord Cecil in this matter, as I have done in many others, I would ask the Commission to vote separately on the word "respectively". If it be adopted I shall, of course, give way, but I think that in this case it would be desirable to insert at the end of the article a note similar to that which was added to Article TA, to the effect that, before coming to a decision, the Governments will have to take into consideration the studies of the budgetary experts.

M. Cobián (Spain). — I accepted the method of budgetary limitation as a compromise, in deference to the view of the great majority of the Commission. I need not repeat the reservations which I made. If the Commission accepts budgetary limitation it follows as a matter of course, in my opinion, that the governing idea of the British proposal can be accepted by everyone—except, of course, by the two important delegations which are opposed to the principle.

Some delegations fear that, if the word "respectively" be adopted—thus fixing the expenditure of each of the three categories of armaments without any possible exceptions—practical difficulties will arise. This shows once again the danger of adopting principles and solutions which at first sight may appear very simple, but which frequently involve considerable difficulties of detail.

If the Commission were a court of law it could easily take a decision by a majority, and the question would then be settled; but we are only preparing the way for the Conference. It is our duty to elucidate and explain certain questions, and to acquaint the Disarmament Conference and public opinion with the principal arguments for and against. What is the use of putting a question to the vote when we know that, in addition to a majority and a minority, there will be numerous abstentions? I remember that in another Commission dealing with disarmament we did everything we could to avoid taking votes when we felt that they were of no practical utility.

We are all agreed on the principle and are in sympathy with Lord Cecil's desire to "tighten up" limitation and the publication of budgets as much as possible. We do not wish to run the risk of seeing various Governments raise difficulties and refuse to accept the logical consequences of this method. In these circumstances, I fail to see what would be the value of a vote. I would repeat that I am entirely in favour of the principle underlying the British proposal, and I also agree that we ought to make this distinction if it be practicable; but I think it is dangerous to bind ourselves at the present time without knowing whether it will be possible to overcome the difficulties in the way of the execution and full application of this principle. I shall therefore abstain from voting, thus leaving my Government free to pronounce upon all the details of this question at the Disarmament Conference.

**M. Bourquin** (Belgium). — I feel somewhat perplexed in view of the very weighty speeches we have heard from Lord Cecil, M. Massigli, and M. Markovitch and other speakers. I will not go into their arguments, but will simply ask Lord Cecil if he could not accept the following suggestion, which I admit is somewhat improvised:

The Commission might agree to accept the total limitation of budgetary expenditure, and might indicate its desire that, where possible, there should be a separate limitation of military, naval and air expenditure.

We would thus formally decide in favour of total limitation and would express a recommendation in regard to separate limitation.

I would add that Belgium is in a similar position to that of Yugoslavia, as explained by M. Markovitch: our air force is not a separate arm, but forms part of the army, and these two arms have common services. It is obvious that, if we had to limit expenditure on land armaments and air armaments separately, we could not make a precise and accurate distinction between the two; we could only establish what I might call a conventional limitation. We should have to take some arbitrary coefficient because there would be no other solution. We might say, for instance, that as regards these common services, one-tenth was represented by air expenditure and nine-tenths by expenditure on land armaments.

It might be possible for us to do this; but I wished to make the matter quite clear at the outset, so as to avoid any misunderstanding. It must be understood that if we accept separate limitation, no accurate distinction will be possible.

**Lord Cecil** (British Empire). — I should like of course to respond to anything which my friend M. Bourquin suggests, and I quite agree to something of that kind. If I may say so, I rather think the proposal which M. Massigli hinted at might be a more satisfactory way of dealing with the matter. Naturally, it would suit me better that we should insert the word "respectively" and have a note saying that the extent to which this could be applied depends upon the studies of the Experts Committee. I should be prepared to accept that, if it would meet the views of the delegates, because I think the situation we have got to now is that it is a technical matter. M. Massigli and I would both like the system of the closest possible limitation, but I doubt whether it can be done practically as a technical matter. I have no doubt it can be done in some countries, and I am inclined to think, in spite of the arguments, that it can be done in all; but it is a technical matter which ought to be enquired into by the Committee of Experts. I suggest, therefore, that we might make a compromise on these lines.

#### PROPOSAL BY THE FRENCH DELEGATION.

**M. Massigli** (France). — Perhaps Lord Cecil would accept the following text:

"Each of the High Contracting Parties agrees to limit and, as far as possible, to reduce its total annual expenditure on land, air and sea forces. The relevant figure and the conditions governing such limitation or reduction, in particular as regards the possibility of a distinct limitation of land, naval and air expenditure, are stated in Annex No. . . . to the present Convention."

This might be followed by the note at the end of Article TA:

"In pronouncing on this article, the Governments will take into account at the Conference the report requested from the Committee of Budgetary Experts, which will have been forwarded to them in order to permit of the drawing up of Annex No. . . ."

**Lord Cecil** (British Empire). — I do not know whether M. Massigli sees any objection to the following form of procedure: that we should first, by way of indication to the experts, have a trial vote of the Commission to see whether they are in favour of dividing the three as far as possible. In any case—whatever the result of the vote giving this indication to the Conference is—I should be prepared to accept this suggestion of M. Massigli, subject of course to questions of drafting which, I feel sure, he will be prepared to leave to a drafting committee. I should, however, like to know what the balance of opinion in the Commission is and how far it is in favour of limiting the three arms either respectively or globally.

**The President**. — A vote will now be taken on the principle of the separate limitation of the three arms.

**M. Sato** (Japan). — I must ask for a preliminary vote. I am opposed to budgetary limitation of any kind and I should like to know whether the Commission is of opinion that this limitation should be provided for or not. I am almost certain that I shall be in a minority of one, but the vote will enable my Government to know the Commission's views.

**Lord Cecil** (British Empire). — I only want this trial vote to find out the opinion of the Commission because I think it would be useful for the Conference.

**The President**. — I think, on the contrary, that the Commission must first vote on the general principle of budgetary limitation.

#### VOTE ON THE GENERAL PRINCIPLE OF BUDGETARY LIMITATION.

*This was adopted by nineteen votes for to two votes against, with some abstentions.*

VOTE ON THE PRINCIPLE OF THE SEPARATE LIMITATION OF THE THREE ARMS.

*This was rejected by eight votes against to seven for, with some abstentions.*

M. Politis (Greece). — I should like to explain my vote. I abstained, not because I am opposed to limitation by categories, but because there is some doubt as to the methods of applying that principle. As I did not quite know under what conditions these methods could be accepted, I was unable to vote either for or against, and I feel sure that other delegations were in the same position. I do not think, therefore, that the vote which has just been taken is very significant.

VOTE ON THE FRENCH PROPOSAL.

**The President.** — I will now put M. Massigli's proposal to the vote. This reads as follows:

“ Each of the High Contracting Parties agrees to limit and, as far as possible, to reduce its total annual expenditure on land, air and sea forces. The relevant figure and the conditions governing such limitation or reduction, in particular as regards the possibility of a distinct limitation of land, naval and air expenditure, are stated in Annex No. . . . to the present Convention.

“ *Note.* — In pronouncing on this article, the Governments will take into account at the Conference the report requested from the Committee of Budgetary Experts, which will have been forwarded to them in order to permit of the drawing up of Annex No. . . . .”

*This text was adopted unanimously.*

SOVIET PROPOSAL TO INSERT AN ARTICLE DB.

**The President.** — The Soviet amendments to Article DA have thus been waived and we now come to the Soviet proposal to insert an Article DB worded as follows:

“ Secret funds intended in a disguised form for extraordinary expenditure on special preparations for war or an increase in armaments shall be excluded from the national budgets.

“ In conformity with the above provision, all expenditure for the upkeep of the armed forces of each State shall be shown in a single chapter of the national budget; their full publicity shall be ensured.”

I will now put this proposal, the text of which is before you, to the vote.

M. Massigli (France). — I do not wish there to be any misunderstanding in regard to my vote. I have already stated that I am in sympathy with the principle laid down in the Soviet proposal—namely, that all military, naval or air expenditure should be covered. However, as we are going to ask the experts to make proposals covering all this expenditure, I cannot vote in favour of the proposal but must await their report.

M. Lounatcharsky (Union of Soviet Socialist Republics). — If the Commission adopted this amendment it would give the Committee of Budgetary Experts a helpful indication of its views.

**The President.** — Since the question has been submitted to the experts I am afraid the vote would not be very clear. It will all be explained in the report.

M. Litvinoff (Union of Soviet Socialist Republics). — We do not insist.

*This Soviet proposal was withdrawn.*

63. Discussion on the French Proposal to add to the Instructions to the Committee of Experts on Budgetary Questions.

**The President.** — We still have the French proposal to add to the first two paragraphs of the resolution adopted on November 17th, 1930, the following third paragraph:

“ The Committee of Experts should be asked to make a similar enquiry in connection with the limitation of the aggregate annual expenditure of every country on its land, naval and air forces and to make a report which will also be transmitted to Governments.”

M. Westman (Sweden). — I shall vote in favour of the French proposal, but I feel bound to say that the discussion has confirmed the fears of the Swedish delegation in regard to the difficulties of applying the budgetary method. Nevertheless, as the Commission has decided in

favour of this method, it is to be hoped that the Committee of Experts will find it possible to eliminate—at all events, to a large extent—the drawbacks inherent in the budgetary method.

In this connection, I am of opinion that it is hardly possible not to allow credits to be transferred from one budgetary year to the next. To take only one example: Governments might be prevented by prolonged strikes from acquiring certain material during the current budgetary year, etc. It will be difficult, therefore, to prevent them from making use of the credits in question during the following year.

There is also the very serious question of an increase in prices, which might prevent a programme from being carried out. All these problems, which arise when we attempt to apply the budgetary method, will have to be examined by the Committee of Experts.

Moreover, if we look at the model statement proposed by the Committee of Experts on Budgetary Questions, we shall see, for instance, that the expenditure on personnel is indicated in aggregate figures, but that there is no mention of the calculations on which those figures are based. It is obvious that the cost of the maintenance of personnel varies appreciably in the different countries according to whether special equipment for hot or cold climates, special rations, heating, quartering, etc., are involved. For all these reasons, the cost of the maintenance of each man per day, to give you a concrete example, necessarily differs in the military budgets of the various countries and even in two successive budgetary periods in one and the same country.

It is highly desirable, therefore, that the experts should consider the possibility of formulating their new proposals in such a way as to show the part played by these factors. This would certainly make it easier to justify the budgetary figures submitted by the various Governments to the Disarmament Conference, and would also supplement the budgetary information which the Governments will have to exchange with one another with a view to a future Convention.

In conclusion I would say that the result of the work of the experts is bound to play a very important part when the time comes for the various Governments to take up a definite attitude in regard to the question of budgetary limitation.

*The President.* — We can regard this *proposal which refers to the third paragraph of the resolution of November 17th, 1930, as adopted.*

#### 64. Discussion on Chapter IV. — Chemical Arms, postponed to Third Reading.

*The President.* — The text of this chapter was adopted at second reading. It consists of a single article in regard to which a memorandum has been submitted by the British delegation and a proposal by the German delegation. In accordance with our practice, the examination of these two documents will be postponed until we come to the third reading.

*Count Bernstorff (Germany).* — We have already accepted your decision on this point.

#### 65. Chapter V. — Miscellaneous Provisions: Order of Discussion and General Remarks.

*M. Massigli (France).* — I should like to submit a few suggestions in regard to the order of discussion of this chapter, which is both a very important and a very complicated one. It deals with widely different questions: organisation, exchange of information, derogations, procedure with regard to complaints and revision, ratification, entry into force, and denunciation. Somewhat paradoxically, Section I is that dealing with the organisation of the Permanent Disarmament Commission. If we are to discuss the composition of this Commission, we must first know what its task is going to be. The question of organisation should therefore be the last to be dealt with under Chapter V. I might even go so far as to say that we ought to begin with Section II: "Exchange of Information". Then we could go on to the questions of derogations and procedure with regard to complaints and revision. After that, we could deal with the organisation of the Commission, as its functions would then have been clearly determined. Lastly, we should take the provisions relating to the actual Convention. We should thus be dealing with this complicated question, in regard to which there is a certain amount of repetition and overlapping, in a more orderly fashion. Moreover, the very interesting proposal submitted by the British delegation affects provisions which are to be found in various sections.

#### PROPOSAL TO APPOINT A SUB-COMMITTEE TO EXAMINE THE QUESTION OF THE PERMANENT DISARMAMENT COMMISSION.

*M. Politis (Greece).* — I had intended to make a similar proposal to that of M. Massigli. There is a regrettable overlapping between the text drawn up at first reading and the various amendments proposed. It is difficult for us to determine the composition of a Commission until we know exactly what it is going to do. It would make the discussion clearer if we put all the texts relating to the Permanent Disarmament Commission together and appointed a

sub-committee to undertake a preliminary examination of them. When we had the findings of the sub-committee we could decide whether the various texts should be combined in one section or should form several sections.

I accordingly propose that a very small sub-committee be appointed to examine all the texts relating to the organisation, competence and working of the Permanent Disarmament Commission, while the Commission is discussing the question of the exchange of information.

**Tewfik Rüstü Bey (Turkey).** — I agree with M. Politis, although, if we begin with the section which he suggests and leave the question of organisation on one side, I might not be able to give a definite opinion at the moment. A large part of the Convention has already been examined, and before we can determine the powers and task of the proposed organ we must know the nature of the guarantees under which it will be constituted.

In any case, no matter what decision the Commission may come to, it seems to me desirable that we should have a general discussion on Chapter V as a whole.

**Lord Cecil (British Empire).** — I think it would be a mistake at this stage, if you will not think it impertinent of me to say so, to have a general discussion. We do not really know, until we see the work of the suggested sub-committee, what the definite proposals will be which will be submitted to the Commission. I understand M. Politis' conception not to be so much that the sub-committee will draft a new scheme, as that they will put together the actual proposals that are made, so that we shall know exactly what we have to discuss. I think that is a preliminary thing which ought to be done before we enter upon the discussion at all. At the same time, I see no objection to going on with the discussion as to the exchange of information—which is an entirely separate matter and one that is really governed by Article 8 of the Covenant.

**M. Litvinoff (Union of Soviet Socialist Republics).** — I have a few remarks to make which apply to all the sections of Chapter V, and in order not to waste time in repetitions I think it is better that I should do this at once. I am speaking of a general reservation by the Soviet delegation with regard to practically the whole of Chapter V.

We have just finished with that part of the draft Convention which is taken up with questions directly referring to limitation and reduction of armaments. The Soviet delegation has taken a most active part in this work, trying to get the utmost possible results attainable, if only within the limits of the present draft Convention. Unfortunately, our efforts have been practically in vain. Formally no doubt, we can, and probably shall, suggest amendments during the third reading, but we entertain no illusions as to the fate of these amendments.

I will refrain at present from a general appraisal of the work of the Commission, merely stating that that part of the draft Convention which has already been gone through does not satisfy the Soviet delegation in the least, and is not in the least in accordance with the tasks which confronted the Preparatory Commission in the opinion of the Soviet Government when it agreed to take part in it. We consider that the chapters drawn up are incapable of even being an adequate framework for decisions as to real reduction of armaments. The Soviet delegation in coming here had in mind nothing but disarmament, or at least considerable reduction of armaments, and not the mere stabilisation of existing armaments—still less their increase for the sake of establishing some sort of military equilibrium between States, which is apparently all that is provided for by these chapters.

**The President.** — I would remind M. Litvinoff that we are not having a general discussion.

**M. Litvinoff (Union of Soviet Socialist Republics).** — I am only making a general reservation in regard to Chapter V. The Soviet delegation cannot attach serious importance to the technical and organisational questions which the Commission is now proceeding to discuss. The attitude of the Soviet Government to these questions will depend ultimately upon the measure of the reduction of armaments which may be decided, not by the Commission, but by the Conference. The Soviet delegation will, therefore, probably abstain from voting on most of these questions. I would like, however, here and now, to give notice of the fact that any solution of these questions which binds the fulfilment of the Convention, control, and so on, with the League of Nations and its organs, will be unacceptable to the Soviet Government.

Having made this general reservation, the Soviet delegation reserves to itself the right of making supplementary reservations on individual points in Chapter V, if the discussion takes a turn calling for this.

**Count Bernstorff (Germany).** — I have no objection to the method proposed, but as regards the exchange of information, I would point out that the Commission has two German proposals before it. One is an old proposal, dealing solely with the *Armaments Year-Book*, and as the Commission has decided that this question is solely a matter for the Council, it may not wish to discuss it here; but there is another German proposal which deals with quite a different matter—namely, the preparation for the Disarmament Conference. Consequently, it does not belong to what is called "Exchange of Information" in the Convention, which provides for the exchange of information after the Convention is in being; whereas our proposal states that it is necessary for the Conference to ascertain the present position of all Powers in regard to armaments. I therefore desire to submit this proposal to the Commission.

**The President.** — It will have to come at the end of the second reading.

**Tewfik Rüstü Bey (Turkey).** — Now that we are going to discuss Chapter V, it is my duty to submit some important considerations on behalf of the Turkish delegation.

I have every sympathy with the desire that there should be guarantees for the working of the system of disarmament. Nevertheless, if those guarantees are to be effective they must be well thought out and capable of application.

While international conventions can only exist if the engagements which they involve are freely respected, and while the moral obligations of States are the true foundation of international relations, the complex nature of the problem with which we are dealing justifies the desire to find a special solution by the establishment of special rules.

It is, doubtless, for this reason, that it has been proposed to set up an organ in the form of a permanent commission to see that the Convention is being properly carried out.

Would a commission, such as that proposed in the draft Convention, fulfil that purpose? This is a point which requires careful consideration and in regard to which I have something to say.

The idea of an organ which would collect and centralise information, hear complaints, carry out enquiries, and possibly exercise supervision even in the territory of the parties to the Convention, is, I think, too new, and its incompatibility with the principle of the sovereignty of States does not justify much optimism in regard to the possibility of the Permanent Commission being accepted.

It is therefore necessary to be very cautious in regard both to the powers and composition of this organisation, if it is to be successful.

If the cause of disarmament is to triumph, the equal treatment of all countries is an absolutely essential condition. I have urged this constantly and urge it now even more strongly than before.

The creation of a commission which did not include representatives of all countries parties to the Convention we are drafting would be an anomaly, and would not be in keeping with the spirit of equity and realism by which we should be guided and which is undoubtedly the best guarantee of success.

I regret to observe that the text as discussed at first reading, loses sight of these requirements.

It provides that the Permanent Commission shall consist of the representatives of:

- (a) The High Contracting Parties Members of the Council of the League, for the duration of their term of office on the Council;
- (b) The United States of America and the Union of Soviet Socialist Republics;
- (c) The representatives of High Contracting Parties to be appointed by the Conference.

This third paragraph, although making it possible for countries not enumerated in the two preceding paragraphs to be represented on the Commission, does not altogether meet the legitimate aspirations of the countries concerned. The amendment proposed by the British delegation makes the actual position clearer by eliminating even this possibility.

Although States Members of the League can be represented on the Commission by the contracting parties Members of the Council, non-Member States, with two exceptions, would not be assured of any representation on the Commission. What is to be the position of those countries, the number of which is very small as compared with the size of the Commission, and how is their status to be regulated? Will they be excluded from the rights and obligations laid down in the Convention, or is it fair that they should be asked to accept certain obligations without being assured the same rights as the other contracting parties?

Notwithstanding its keen desire to facilitate this great work, the Turkish delegation could not accept, for fundamental reasons which have been approved by the Grand National Assembly, any of the obligations enumerated in this Convention which do not ensure to it equality and the same treatment as is accorded to the most favoured nations.

**The President.** — I did not wish to interrupt Tewfik Rüstü Bey, but I would point out that there is a previous question—namely, M. Politis' proposal to appoint a sub-committee.

**Tewfik Rüstü Bey (Turkey).** — I desired to communicate and submit to the Commission certain general considerations which are not connected with any particular article.

**Dr. Woo Kaiseng (China).** — There are two proposals before us, one submitted by M. Massigli, for the postponement of the discussion, and the other by M. Politis, for the appointment of a sub-committee. Let us therefore vote on these two proposals, and we shall then know on what basis we are going to deal with this chapter.

**The President.** — I think the Commission agrees with M. Massigli that we ought not to discuss questions of organisation at the moment. We can therefore pass on at once to M. Politis' proposal to appoint a sub-committee.

**Dr. Woo Kaiseng (China).** — Before a sub-committee is appointed I think we should have a general discussion to lay down some guiding principles for the sub-committee.

**Dr. Markovitch (Yugoslavia).** — Unless I am mistaken, the sole task of the sub-committee, as Lord Cecil has said, will be to collect the texts of the proposals and to combine them for our examination.

**Dr. Woo Kaiseng (China).** — I agree.

*It was agreed to appoint a sub-committee to examine questions of organisation.*

#### APPOINTMENT OF THE SUB-COMMITTEE.

**The President.** — I propose that this Sub-Committee should consist of the representatives of the following countries: The United States of America, Belgium, British Empire, China, Finland, France, Greece, Italy, Japan and Turkey, with M. POLITIS as Chairman.

*Agreed.*

*The Commission rose at 1 p.m.*

#### THIRTEENTH MEETING.

*Held on Saturday, November 22nd, 1930, at 10 a.m.*

*President: M. LOUDON (Netherlands).*

#### 66. Chapter V. — Miscellaneous Provisions: Section I. — Organisation: Discussion held over.

**The President.** — Yesterday we reached the last chapter of our draft Convention. I need not remind you that Article OA (Questions of Organisation), cannot be discussed until we receive the report of the Sub-Committee which you appointed.

#### 67. Discussion on Chapter V. — Miscellaneous Provisions: Section II. — Exchange of Information: Discussion on Article IA.

##### *Observations and Reservations.*

The form and the number of tables have not been decided as regards naval and air armaments.

The German delegation makes a reservation concerning this article, the tables mentioned therein not providing for publicity regarding trained reserves.

The Italian delegation makes a reservation and does not agree to all the distinctions referred to in these tables.

##### *First Reading.*

Each of the High Contracting Parties shall prepare on the model of Tables I, II, III, V, VIII and X mentioned in Article A (Chapter I) and of Table IV annexed to the present Convention (Overseas forces) an annual statement of the average daily effectives on service with its armed forces, and on the basis of Tables VI, VII, IX, and XI mentioned in Article A (Chapter I), a statement of the actual effectives on service in its formations organised on a military basis.

The statements laid down in the present provision shall be forwarded to the Secretary-General of the League of Nations within three months after the close of the budgetary year.

**The President.** — I wish to point out at once that the decisions adopted in second reading in the year 1929 and during the present session in regard to the limitation of land, naval and air effectives involve important alterations in the wording of Article IA.

These alterations primarily affect Tables I, II, III, V, VI and VII of Chapter I (first reading, Chapter I. — Effectives: Article AI, Land Armaments).

These tables were replaced at the second reading by the following:

- Table I. — Maximum armed forces stationed in the home country.
- Table II (optional). — Maximum armed forces stationed overseas.



Table III. — Maximum of the total armed forces of the High Contracting Parties.

Table IV. — Maximum of the forces belonging to formations organised on a military basis stationed in the home country.

Table V. — Maximum of the forces belonging to formations organised on a military basis stationed overseas.

Furthermore, at its meeting on November 7th last, the Commission decided that naval effectives should be limited as follows:

Table VIII. — Maximum armed forces.

Table IX. — Maximum forces belonging to formations organised on a military basis.

At the same time we decided to number the tables drawn up at the second reading for Air Armaments as follows:

Table I (optional). — Maximum armed forces stationed in the home country.

Table II (optional). — Maximum armed forces stationed overseas.

Table III. — Maximum of the total armed forces of the High Contracting Parties.

Table IV. — Maximum of the forces belonging to formations organised on a military basis stationed in the home country.

Table V. — Maximum of the forces belonging to formations organised on a military basis stationed overseas.

Then again, the two-fold system of “average daily effectives” and “actual effectives on service” has been replaced by the single system of “average effectives”, which is to be applied both to formations organised on a military basis and to armed forces.

Finally, I draw the attention of the Commission to the reference in Article IA (first reading) to Table IV (Overseas forces). This table has been removed from the list given in Article A of Chapter I (Effectives) because it was not designed for purposes of limitation but it was retained in Article IA for purposes of publicity.

The Commission will have to decide whether Table II (Overseas forces), which is mentioned as optional in Article IA, should, by analogy with what was decided at first reading, be made compulsory when we are dealing, not with limitation, but with the publication of land effectives.

The same question will arise in regard to Table I (Maximum of armed forces stationed in the home country) and Table II (Maximum armed forces stationed overseas), relating to air armaments.

Further, we shall have to add something to Article IA to provide for the publication laid down in Article H of Chapter I.

In view of the above considerations, I have decided to submit to the Commission, as a basis of discussion for the second reading, the text of Article IA, first reading, amended and amplified as follows:

#### ARTICLE IA.<sup>1</sup>

*New drafting proposed by the Secretariat and submitted to the Commission as a basis of discussion.<sup>2</sup>*

“ Each of the High Contracting Parties shall prepare annually:

“ 1. On the model of Tables I, II, III, IV, V (Land Armaments); I and II (Naval Armaments), and I, II, III, IV and V (Air Armaments) mentioned in Article A, Chapter I, a statement of the average daily effectives on service with its armed forces and in its formations organised on a military basis.

“ Tables II (Land Armaments) and I and II (Air Armaments) are optional as regards the limitation of effectives, but compulsory as regards publicity.

“ 2. As regards their armed forces on land:

“ (A) A statement indicating the number of soldiers, other than officers, who have completed more than  $x^3$  years of actual service with the colours on the date on which the statement was prepared;

“ (B) A statement indicating, in the case of *conscript armies*, the number of men whose service exceeds the legal period in force in their respective countries, but is less than  $x^3$  years on the date on which the statement is prepared.

“ 3. As regards their armed forces in the air:

“ A statement indicating the aggregate number of officers, non-commissioned officers and men who have completed more than  $x^3$  years of actual service with the colours on the date on which the statement is prepared.

“ 4. For purposes of information, and, if desired, a statement indicating the proportion of recruits not trained as defined in the national legislation, who are embodied in the effectives of its armed forces.

<sup>1</sup> The wording of Article H (Chapter I) not yet having been determined as regards naval effectives, Article IA will be completed later.

<sup>2</sup> The modifications made in the former text are based on the decisions taken at the second reading with regard to Articles A and H (Chapter I) during the first part of the sixth session and during the present session.

<sup>3</sup> *Note.* — This figure will be determined by the duration of the longest period of actual service with the colours which is in force in the conscript armies of the contracting parties at the time of the signature of the Convention.

“The statements laid down in the present provision shall be forwarded to the Secretary-General of the League of Nations within three months after the close of the budgetary year.”

You will remember, gentlemen, that the German delegation made a reservation at first reading concerning this article because the tables referred to do not provide for publicity in respect of trained reserves.

The Polish delegation has submitted an amendment to Article IA reading as follows:

*Article IA.*

PROPOSAL BY THE POLISH DELEGATION.

“Add a new paragraph 2:

“‘Each High Contracting Party shall attach to the statements referred to above an explanatory note showing the elements on which they are based, in accordance with the stipulations of Article E, and stating for each category of effectives (recruits, militiamen, reservists, territorials, etc.), the number of these effectives and the number of days service they have performed.’”

The French delegation proposes to add to Section II of Chapter V an article in the following terms:

PROPOSAL BY THE FRENCH DELEGATION.

“Add an Article IA as follows:

“‘Each of the High Contracting Parties shall forward to the Secretariat of the League of Nations within three months of the end of the budgetary year an annual statement showing the number of youths having compulsorily received preparatory military training during the previous year.’”

I now open the discussion on Article IA.

I venture to remind you once more of what I have so often said about brevity and conciseness in your speeches. I would add that the wording of Article H has not yet been settled as regards Naval Effectives, so that it will require to be amplified later on.

I think I am right in assuming that the Commission agrees to take Article IA in the new drafting proposed by the Secretariat as a basis of discussion.

*Agreed.*

**General Kasprzycki (Poland).** — The method based on average daily effectives does not in all cases give sufficient information. In a standing army effectives are present with the colours practically throughout the year, and the average figures do not fluctuate greatly. But, in some other military systems, the figures vary and the actual number of effectives may be far above that of the average effectives. The object of the Polish amendment is to deal, in the chapter on publicity, with this special situation which arises under some military systems.

We have kept our amendment within the bounds of the provisions already adopted for limitation; in other words it only relates to effectives in service and not to trained reserves.

As there are several amendments to Article IA it might be better to sub-divide this article into separate articles; and the Polish delegation would have no objection to its amendment, once adopted, forming a separate article.

**The President.** — The Polish amendment will therefore, if necessary, be embodied in a separate article.

This leaves us with the French amendment.

**M. Massigli (France).** — Ours is a separate article; it was submitted as such.

**The President.** — In that case, we should deal now with this Article IA in the new drafting proposed by the Secretariat. If nobody desires to speak I shall regard it as adopted.

*This article was provisionally adopted.*

68. **New Article IZ (Publicity concerning the Duration of Service): Proposal by the Secretariat: Procedure.**

**The President.** — As M. Rutgers observed at the end of our meeting on November 11th, the publicity tables regarding the duration of service would be out of place in Article IA, which only refers to average daily effectives. I therefore propose, in accordance with a suggestion from the Secretariat, that we insert in the draft Convention an Article IZ as follows:

*Article IZ.*

PROPOSAL BY THE SECRETARIAT.<sup>1</sup>

*Insertion in the Draft Convention of an Article IZ on Publicity regarding the Duration of Service.*

“ Each of the High Contracting Parties shall prepare, on the model of Table Z annexed to the present Convention, an annual statement showing for their land, naval and air forces respectively: (1) The number of days' active service required of the annual contingent; (2) the total duration (in days) of periods of training in the reserve; (3) the total duration of service as defined in Article I of Chapter I.

“ The statements laid down in the present provision shall be forwarded to the Secretary-General of the League of Nations at the same time as those laid down in Article IA.”

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<sup>1</sup> This draft article has been prepared on the basis of the decisions taken in the course of the present session regarding the duration of service.

**Lord Cecil (British Empire).** — I want to understand where we are. If this is only a drafting matter, I hope we shall not deal with it now, as we shall have to deal with drafting later on. If this does not change the subject matter I think it should be left over. I cannot see at the moment how this Article IZ differs from Article IA.

**The President.** — This is not merely a question of drafting, but of inserting a new article because, in M. Rutgers' view, the publicity tables concerning duration of service would be out of place in Article IA.

**M. Bourquin (Belgium).** — This is a very important question and we must be quite clear what we are doing when we come to vote on it. The texts before us are numerous, and somewhat complicated because they make constant reference to other texts. I had in mind to propose that we should appoint another sub-committee to co-ordinate all these drafts. That does not seem to be possible; but I think that we might take the first-reading texts, as they stand, one at a time. Each of them is the subject of several amendments, which their authors might briefly explain to us.

**The President.** — I naturally wish to do my utmost to expedite our work. As the procedure I had proposed gives rise to difficulties I am prepared to accept M. Bourquin's proposal, which appears reasonable. If I understand rightly we ought to take the first-reading text of Article IA as a basis of discussion.

**M. Bourquin (Belgium).** — That is my proposal. We would take the several articles, and the relevant amendments, in succession. The delegates who have submitted these amendments would explain them briefly.

**Lord Cecil (British Empire).** — If that course be adopted the first amendment, as I see it, will be the Secretariat's redraft of Article IA, but I venture to ask that that be postponed. It is purely a question of drafting and I think we had much better take all drafting questions together at the end, when we shall see the whole document and no doubt have a drafting committee to make general proposals regarding the final draft of the Convention. If there is any change then it ought not to be proposed, if I may say so respectfully, by the Secretariat. If this is merely redrafting then it ought to be delayed until we have the drafting committee to deal with it in common with all other drafting amendments. Let us, as M. Bourquin suggests, take each of the texts before us with the amendments of substance and not the amendments of drafting, which ought to be left for the present.

Therefore I suggest we do not deal with the Secretariat amendments to Article IA, which are purely questions of drafting, and that we take the first amendment, whatever it may be, on the substance.

**The President.** — I think we are all agreed. The Secretariat has, of course, not altered the substance of the article under discussion, but has merely adapted the text to the decisions already taken. I thought that it would simplify matters if we took that text as our basis of discussion.

**Lord Cecil (British Empire).** — I am sure the Commission will agree with me that if we do that we shall have to be perpetually redrafting other amendments to the substance of Article IA. If we make an alteration to the substance Article IA will again have to be redrafted. It would be a great mistake for us to try to redraft now, as we do not know yet what we want to put into the redraft. I suggest all questions of redrafting be postponed for the present until we know exactly what it is we want to put into the Convention.

**The President.** — I would ask Lord Cecil what he purposes that we should discuss at this moment?

**Lord Cecil (British Empire).** — There are French and Polish amendments to Article IA and both these are of substance. I should have thought we ought now to discuss one or other of them, or both of them, one after the other. There is also a British proposal,<sup>1</sup> which may or may not be thought to come before Article IA, proposing the general safeguarding of the rights under Article 8 of the Covenant. Whatever is thought to be the right course as to the particular amendments it is for the President and the Commission to judge; all I say is, do let us try and get on as far as possible with the formation of our text.

**M. Cobián (Spain).** — A few minutes ago we showed, by our silence, our assent to Article IA. That is tantamount to saying that we are agreed on the principle of that article, which remains the same as in the first reading text. At the first reading we were content to regulate this question in regard to land effectives. When we came to Section II, regarding exchange of information, we were again content to provide tables for land effectives. We have drawn up a very clear note stating that, as regards naval and air armaments, the models and the number of the tables have not yet been settled. At the third reading we made further progress and we settled—though not entirely—the question of naval and air effectives. The Secretariat has submitted a draft, which is based on the agreement reached at the first reading but gives effect to all the changes introduced during the present session of the Commission.

Lord Cecil has observed, very truly, that we cannot discuss the wording so long as certain questions of substance are in suspense. I think, however, that when we adopted Article IA—for I regard it as adopted—we did express our opinion on the principle. When we have discussed and approved Article A and Article I, the drafting of the whole passage can be referred to the drafting committee which Lord Cecil thinks we should appoint. Then we shall have a text which we can adopt definitely.

We have now before us Article IZ, which fills a gap left in the first-reading text. Following the method proposed by Lord Cecil, we might express our opinion on the principle embodied in that article. As regards its final wording, we must, naturally, await the decisions on certain other points, but the Commission should express its views forthwith on the principle—*i.e.*, whether it is desirable to have a table such as proposed by the Secretariat in Article IZ. We could next decide on the new draft articles submitted by the French, Polish and British delegations.

If we begin to discuss drafting questions we shall meet the same difficulties at every step. There are some provisions of a general character which affect the questions dealt with in the first chapters. That is a difficulty we shall have to reckon with. Our work is complicated, because the subject itself is complicated.

**The President.** — I understand that the Commission desires to discuss the Secretariat's proposal, Article IZ, as regards the principle it embodies.

**M. Westman (Sweden).** — I am not opposing the adoption of the principle in Article IZ as proposed by the Secretariat, but I wish to draw the Drafting Committee's attention at once to the fact that a whole series of technical questions will arise in regard to it.

**M. Massigli (France).** — Any technical questions can be discussed at once. Drafting questions will be settled later on.

**M. Westman (Sweden).** — In point 1, in the first paragraph of Article IZ, as proposed by the Secretariat, there is a reference to the "number of days' active service required of the annual contingent". Does that mean the number of days' service actually performed, or the number laid down by the law in force in any country?

It will be very difficult for some countries to reply to point 2 in the same paragraph, concerning the total duration in days of periods of training in the reserve. For instance, in Sweden we have no reserve, properly speaking. The text ought to be more general, and should apply to periods of training of all kinds; otherwise we cannot reply to that question.

**M. Massigli (France).** — I think that the Polish amendment should give satisfaction to M. Westman. It provides for explanatory notes, in which the contracting parties will show the number of days' service actually performed in their respective armies. As regards Article IZ proposed by the Secretariat, it gives accurate effect to our decisions concerning effectives in Chapter I.

**General de Marinis (Italy).** — I share the doubts of the previous speakers. I am not clear as to the exact meaning of this article. For instance, the annual contingent does not always serve for the same period. One part of it may serve for a given number of days, and another part for a different number.

**M. Massigli (France).** — I hope I shall not be thought presumptuous in defending a text of which I am not the author. But in truth I am defending the work of the Commission itself. We adopted an Article I, which is accurately reproduced in Article IZ, as proposed by the Secretariat. If we re-open the discussion on Article IZ we are re-opening the discussion on Article I. Is that what the Commission desires?

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<sup>1</sup> Note by the Secretariat. — See page 220.

DISCUSSION ON THE TWO ARTICLES PROPOSED BY THE SECRETARIAT ADJOURNED.

**Lord Cecil (British Empire).** — That is exactly the difficulty I foresaw. Either this is a redraft, and in that case it ought to go to the Drafting Committee before coming here, or else it is a fresh text, and the Secretariat should not propose that either. I do not think they have proposed anything fresh because they are always most scrupulous about introducing new ideas. Therefore this is a redraft and we shall be wasting our time in discussing it, as it will have to go to the Drafting Committee first. I propose formally that the two proposals of the Secretariat be adjourned, pending redrafting by the Drafting Committee.

**The President.** — Does the Commission agree with this proposal?

*This proposal was agreed to.*

DISCUSSION ON THE POLISH PROPOSAL.

**The President.** — We must now examine the Polish proposal. Does the Polish delegation desire to make it into a separate article?

**General Kasprzycki (Poland).** — That is a matter which I leave to the decision of the Bureau.

**General de Marinis (Italy).** — I would like to know exactly what is meant by the terms "recruits, militiamen, reservists, territorials, etc." For instance, the meaning of the word recruit varies in different countries. In some countries, a man who has served three months is no longer considered as a recruit; in others, two, or four, months may be required. Then I suppose that the term "militiamen" refers to all formations organised on a military basis. Finally, the meaning of the words "reservists, territorials" is different in different countries. I think that the meanings of these terms ought to be fixed.

**General Kasprzycki (Poland).** — The words which General de Marinis alludes to are given in brackets, and only for purposes of illustration. The point of the amendment is contained in the words "for each category of effectives". Except as regards the standing army, each country will compile the list of categories of effectives referred to in Article E as it thinks best.

**General de Marinis (Italy).** — I think that, if we adopt anything so vague, the result will be too indefinite. It is essential that every country should know clearly what it is asked for, otherwise it may be suspected of not complying with its obligations. Unless we fix these things more precisely, any country may be exposed to a sort of prosecution by the Permanent Disarmament Commission.

I rather feel that the adoption of this text would be a retrograde step. We were quite agreed on a text which showed very clearly what was required. The proposed classification would complicate matters.

In any case, we could not accept obligations the effect of which was uncertain.

**M. Massigli (France).** — If I am not mistaken, the Polish delegation's amendment is designed to supplement, so far as possible, any incompleteness in the general rules for limitation which we fixed in Chapter I. Having regard to the diversity of army organisations we had to be content with a few simple rules for limitation, by fixing the average daily effectives.

We next provided for publicity tables, designed to show the actual number of these effectives in a given year. Owing to the diversity of army organisations the transmission of these figures to the Secretariat will only give a very vague idea of the position in each country. The Polish proposal merely seeks to enable each country to show how it arrived at its figure for average daily effectives. Such data, which give a more accurate picture of conditions in an army during a given year, are very useful and cannot embarrass anybody. As has been said, it is a question of good faith. Every contracting party will give these average daily effectives, and will explain how they were computed.

The value of such information will be manifest if any discussion arises regarding a total of daily effectives, and if the total shown forms the subject of a complaint to the Permanent Disarmament Commission; in such a case the explanatory notes would greatly facilitate the work of this future Commission.

I believe therefore that such information cannot fail to be of use, and I support the Polish amendment.

VOTE ON THE POLISH PROPOSAL.

*The Polish proposal was adopted by eighteen votes, with some abstentions.*

DISCUSSION ON THE FRENCH PROPOSAL AND ON AN ITALIAN AMENDMENT TO THAT PROPOSAL.

**M. Massigli (France).** — The French proposal is due to the same desire for clearness as the Polish proposal which you have just adopted.

At the second reading we adopted the following paragraph as part of Article H :

" Each country may, if it so desires, show for purposes of information, in a special column in Publicity Table IA of Chapter V, the proportion of recruits not trained as defined in the national legislation who are embodied in the effectives of its armed forces."

If any country has a system of preparatory military training, the information derived from the return of the above-mentioned untrained recruits will be incomplete.

We therefore ask that contracting parties having a system of compulsory pre-regimental military training in their countries shall show the number of youths who have received such preparatory military training.

We should thus be observing the spirit of the observations in Sub-Committee A's report, page 38, where the majority of that Sub-Committee say that it is highly desirable to publish complete information in regard to pre-regimental military training.

**General de Marinis (Italy).** — The Italian delegation supports this proposal, which it considers well justified. It would, however, desire to see it amplified. In its view, it would be necessary to show, not only those who have received *compulsory* preparatory military training, but all who have received any preparatory military training, whether compulsory or voluntary.

I therefore move to delete the word "compulsorily" in the text submitted by the French delegation.

Thus, all youths who have received preparatory military training will have to be shown in a return to the Permanent Disarmament Commission.

**M. Massigli (France).** — I thank General de Marinis for supporting my proposal, and for his very interesting suggestion. But I must observe that it involves a difficulty, which we had already noticed without finding a remedy for it. In countries where preparatory military instruction is compulsory the Government has means of information; it knows how many youths are being trained, because they would be contravening a legal obligation if they failed to undergo preparatory training. But where military training is optional, the situation is different. How is the Government to be informed as to the number of youths trained? That is the difficulty, and it was because we could not find any solution for it that I inserted the word "compulsorily" in my proposal.

**M. Fierlinger (Czechoslovakia).** — We are now touching on a question of the highest importance, which deserves to be thoroughly examined.

M. Massigli was quite right in drawing our attention to this point. Our system must be as complete as possible to enable us to estimate the military value of any army, especially as regards effectives. Undoubtedly, the pre-regimental training of youths increases the offensive value of an army, and this very important factor must be taken into account.

General de Marinis was also right in his comments on the word "compulsorily", which appears in the French proposal. But what is the significance of that word? There are men, especially non-commissioned officers, who serve beyond the term required by the law and who are therefore not obeying a duty, and not complying with an obligation, but who are contracting a voluntary engagement. You may compare that category of men to the youths performing service which is not a direct obligation upon them. In my view, this question is very important and deserving of careful discussion.

**General de Marinis (Italy).** — I wish to reply to the objection that, as regards voluntary preparatory training, it would be difficult for a Government to know how many youths had been thus trained. I believe that this preparatory training is now well organised in all countries and that the Governments keep careful watch over it, so that I think it must be very easy for them to know how many youths have received such training. I therefore maintain my proposal to delete the word "compulsorily".

I have another observation to make. If we vote without giving any heed to each other's arguments we shall place the Conference in a difficult position. The arguments which I have ventured to offer have been left unanswered, and the Commission has simply proceeded to vote. When I asked just now for explanations regarding the meaning of "recruits", "militiamen", etc., I was simply told that every country would do as it thought fit. I pointed out that it would be embarrassing for some Governments to be left in such a state of uncertainty; and a vote was taken without any solution being offered. By these methods, gentlemen, we do no useful preparatory work for the Conference. It is a mistake to consider that important questions can be disposed of by majority votes. Despite such votes these questions will reappear in their entirety, I assure you, at the Conference.

**The President.** — I must reply to General de Marinis. I am sure he is mistaken if he believes that the Commission pays no heed to his observations. Even if some of them have been left unanswered, I can assure him that they will not be disregarded in the report, and that the Conference will, therefore, be informed in regard to all observations made.

**General de Marinis (Italy).** — I thank the President for his explanation.

**The President.** — We will now vote, first on General de Marinis' amendment for the deletion of the word "compulsorily" in the French proposal.

**The Hon. Hugh Gibson (United States of America).** — It seems to me clear that for countries with a voluntary military system the words "preparatory military training" would have no

practical application. As long as the word "compulsorily" remains, I have no difficulty in accepting the amendment, but if that be struck out the article would apply to a good deal of military training over which the Federal Government of the United States has no control, extending to training in cadet corps in high schools and colleges, boy scouts, and so on. I cannot therefore vote for the suppression of the word "compulsorily".

M. Massigli (France). — I maintain my text for the reasons I have given.

VOTE ON THE ITALIAN AMENDMENT TO THE FRENCH PROPOSAL.

The President. — I put to the vote General de Marinis' proposal for the deletion of the word "compulsorily".

*This amendment was rejected by fourteen votes against to one vote for, with some abstentions.*

Count Bernstorff (Germany). — I would have voted for General de Marinis' proposal, but I abstained, in view of the general reservation we have made.

VOTE ON THE FRENCH PROPOSAL.

The President. — I put the French delegation's proposal to the vote.

*This proposal was adopted by nineteen votes with some abstentions.*

69. Discussion on Article IB: Appointment of a Sub-Committee of Experts.

*Observations  
and Reservations.*

Owing to the various considerations brought forward by the Japanese delegation at the meeting of the Commission on April 21st, 1927, it formally opposes this proposal, and also the proposal of the German delegation opposite Article TA (Chapter II).

The Italian delegation agrees with the above remarks of the Japanese delegation.

*First Reading.*

(Netherlands Draft.)

Each of the High Contracting Parties shall prepare an annual statement of the number (weight) of arms and ammunition and implements of war in service and in reserve in its land, naval and air forces distributed between the following twelve headings and existing on the date of December 31st of the preceding year:

1. Rifles, muskets, carbines (number).
2. (a) Machine-guns, automatic rifles and machine-pistols of all calibres (number);  
(b) Mountings for machine-guns (number);  
(c) Interrupter gears (number).
3. Projectiles and ammunition for the arms enumerated in Nos. 1 and 2 above (number).
4. Gun-sighting apparatus including aerial gun-sights and bomb-sights, and fire-control apparatus (number).
5. (a) Cannon, long or short, and howitzers, of a calibre less than 5.9 inches (15 cm.) (number);  
(b) Cannon, long or short, and howitzers, of a calibre of 5.9 inches (15 cm.) or above (number);  
(c) Mortars of all kinds (number);  
(d) Gun-carriages (number), mountings (number), recuperators (numbers), accessories for mountings (weight).
6. Projectiles and ammunition for the arms enumerated in No. 5 above (number).
7. Apparatus for the discharge of bombs, torpedoes, depth charges and other kinds of projectiles (number).
8. (a) Grenades (number);  
(b) Bombs (number);  
(c) Land mines, submarine mines, fixed or floating, depth charges (number);  
(d) Torpedoes (number).
9. Appliances for use with the above arms and apparatus (number).
10. Bayonets (number).
11. Tanks and armoured-cars (number).
12. Arms and ammunition not specified in the above enumeration (number and weight).

With a view to the exchange of information as provided for in the present Section, the statement laid down in the present provisions shall be forwarded to the Secretariat of the League of Nations before March 1st of the year following the year to which it refers.

**The President.** — We now pass to Article IB, the draft submitted by the Netherlands delegation, providing for publicity in regard to various categories of arms and ammunition, and implements of war in service and in reserve. This proposal was discussed at first reading during the third session, and the Commission took note of it, without, however, adopting it. We must, therefore, proceed to a second reading of this article and come to a final decision about it.

**General van Tuinen (Netherlands).** — As the Netherlands delegation's proposal was discussed at the first reading, I will not delay the Commission by repeating the arguments used by our first delegate during the third session, at the meetings on April 21st and 22nd, 1927.<sup>1</sup>

Our proposal, like others of the same kind, is based on the sixth paragraph of Article 8 of the Covenant. At the meetings I have just referred to it was favourably received by several delegations. Yesterday, again, I told you how little the Netherlands delegation would value budgetary limitation if it were not accompanied by the fullest publicity.

As regards the list of material contained in the proposal, our delegation borrowed it from Article I of the Convention on the International Trade in Arms.<sup>2</sup> As that Convention had other objects in view than that of the Netherlands draft or of the Convention on which we are now engaged, we believe that this list should be regarded as merely illustrative.

You will perhaps allow me to repeat what M. de Brouckère, the Belgian delegate, said on April 21st, 1927, at the end of his speech on our proposal. He spoke as follows:

“ For these practical reasons, while supporting the proposal in principle, I would ask you to allow me, before giving my formal consent to the list as now submitted to us, to make certain reservations and to wait until the list has been examined in greater detail and, if necessary, revised.”

The Netherlands delegation has no objection to that attitude, provided that the proposal be accepted in principle. It might be advisable to appoint a small committee of military experts to cast the list.

**Count Bernstorff (Germany).** — I only wish to say that I cordially support the Netherlands delegate's proposal, and that I wholly approve the procedure he suggests in regard to it.

#### PROPOSAL TO SET UP A SUB-COMMITTEE OF EXPERTS.

**M. Bourquin (Belgium).** — Reference has just been made to a statement by M. de Brouckère in 1927. I agree with the suggestion General van Tuinen has just made—namely, that we should get a committee of experts to examine the list in the Netherlands draft. I think that will certainly be necessary, and I entirely agree.

As regards the principle of publicity, it does not seem absolutely necessary that we should vote before we see the result of the experts' deliberations, seeing that most of us at any rate, have admitted that principle when we acceded to the Covenant—which provides for the fullest publicity.

I would only suggest one alteration in the procedure recommended just now by General van Tuinen—namely, that we should refer the examination of the purely technical portion of this proposal to a sub-committee of experts, and should decide on the article as a whole as soon as the experts have sent in their report.

**General van Tuinen (Netherlands).** — I desire to thank the two last speakers and to say that the Netherlands delegation is perfectly ready to accept M. Bourquin's suggestion.

**General de Marinis (Italy).** — For the same reason as given by the Italian delegation during the discussion on the limitation of war material, I now support the Netherlands delegation's proposal, and withdraw our reservation made at the first reading.

**Dr. Markovitch (Yugoslavia).** — I must make an express reservation regarding the principle of publicity in respect of all war material, more particularly in respect of material in reserve.

In my view, the Netherlands delegation's proposal goes beyond the general aims of our Convention. To require every country to reveal the complete and exact state of its armaments is to ask something which no country, conscious of its responsibilities, could grant in the present state of international relations. I am therefore compelled to make an express reservation, and would revive, in my own name, the reservation which has just been withdrawn by the Italian delegation.

<sup>1</sup> Note by Secretariat. — See document O.310.M.109.1927.IX, Minutes of the Third Session, pages 302 et seq.

<sup>2</sup> Note by Secretariat. — See document A.16.1925.IX.



Nobody is compelled to perform the impossible. That is a principle. But, apart from this general principle, I must also ask you to consider the special case of Yugoslavia, and of other countries similarly situated. These countries, having no war industries, are obliged to maintain a small and limited reserve of material. If they are compelled to publish exact figures regarding their war material, they will be placed at a great disadvantage as compared with other countries. I therefore prefer that we should vote, first, on the principle, and then consider how many categories should be provided in the table which the experts are to compile.

M. Sato (Japan). — I well remember a controversy between M. Rutgers and myself three years ago on this very article. That controversy gave rise to a very emphatic reservation which I had to make on the first-reading text, and which I still maintain. There are many points to be considered in this article: publicity in regard to material in service; publicity in regard to material in reserve; and, finally, the preparation of the list of war material which the Netherlands delegate has just referred to.

I do not think all these questions can be discussed together. It might be wiser to proceed by small sub-divisions; but that is a question of procedure on which the Bureau alone can decide.

Three years ago a debate on this point took place in our Commission. M. Rutgers, on that occasion, complained that I had not read Article 8 of the Covenant with sufficient care, and drew my attention to the last paragraph of that article. Not only am I aware of the existence of that paragraph, but I am also familiar with those which precede it, as I always commence reading an article from the beginning and not from the end. I do not think it possible that the first and sixth paragraphs can be in conflict with one another. It is perfectly true that we are obliged to publish the fullest possible information; but, under the first paragraph, we are entitled to maintain the minimum armament consistent with national safety.

I am, therefore, compelled to state that I cannot assume this obligation of publicity in respect of everything affecting national security. On that point my Government holds very strong views, and that is the reason for my reservation.

To illustrate what is in my mind I will give you an example. Can you imagine a cruiser, or a battleship, putting to sea in search of its enemies, and announcing beforehand to its adversaries how much ammunition it has in reserve? Surely the captain of such a ship would never agree to tell his enemy: "I can fire a thousand rounds, and after that, I shall be at your mercy".

The same reasoning applies to a country which has to defend itself against external attack. Obviously, such a country will not declare the amount of war material which it has in reserve; it would not be normal, in matters affecting national defence. At any rate, it would be courting a grave risk, and it is to avoid doing so that my country declares itself unable to agree to a form of publicity which would be incompatible with the idea of national defence.

If we desire to proceed as indicated in the first-reading text, it would first be necessary to put all countries on an equal footing. But that is absolutely impossible, having regard to their natural resources, their financial and economic capacities, the numbers of their population, their geographical positions, etc. These are factors which we cannot alter, and, as long as inequality subsists in all these spheres, we cannot contemplate a rigid and complete equality in regard to publicity affecting all questions of national defence. If a State feels it necessary to preserve silence regarding this or that point which affects its security, it must be free to do so. We must be content to do what is possible in existing circumstances. If one country has no great natural resources, or if another country has no highly-developed industries, it would manifestly be dangerous for them to publish the same information as could be given by countries more fortunately situated.

I must therefore maintain my reservation concerning publicity in regard to material in reserve.

As regards the list appended to Article IB, I quite agree with the Netherlands delegate that this question should be referred to a sub-committee. But I think it necessary that we should first discuss it in a general way. We must decide whether we wish to have detailed categories, as in the first-reading text, or whether we prefer wider categories. Personally, I do not much like the headings in the present text; they appear to me too detailed, and, again from the standpoint of security, my Government would find great difficulty in accepting the proposed list. To facilitate the accession of my country, I would urge you to be content with wider categories. I shall have further remarks to make on this point when the Commission discusses it. For the time being, I will merely ask the Commission to undertake a regrouping of these headings.

May I revert once more to the example I gave you just now, of a warship putting to sea, in a period of emergency, to seek out its enemies. You may reply that it is an inappropriate example, having regard to the existence of the Pact of Paris. Naturally, I cannot discuss political questions in this Commission, or consider the Pact of Paris from that standpoint; that would be outside our terms of reference. Of course, no one would deny the existence of that Pact; but it is only two years old. We do not know what its effects will be. Before the world can have confidence in it it must have stood the test of practice for many years. On the other hand, the Pact of Paris recognises the right of self-defence and, therefore, I believe personally that the illustration I gave you was not inappropriate.

**The Hon. Hugh Gibson (United States of America).** — The views of the American delegation as to the general subject of publicity and exchange of information are so well known that I shall not have to take up the time of the Commission in re-stating them now.

I should like to preface what I have to say by the statement that I quite concur as to the wisdom of setting up a small committee to deal with the details of the subject, and I am quite willing to fall in with the view of the Commission as to whether this should be done before, or after, a general discussion as suggested by M. Sato.

I have repeatedly stated in this Commission and its Sub-Committees that the American Government favours the broadest measures of publicity and exchange of information. As a matter of fact, we already have very broad measures of publicity—probably there is no Government that furnishes fuller and more detailed publicity than my own. I earnestly hope that we may be able to agree on something substantially along these lines in our draft Treaty, for we consider that full and frank exchange of information, and publicity, are essential to the success of any Treaty—that they are essential to the building up of that common confidence and goodwill without which no treaty will constitute a great forward step.

To state the question in the other way, we feel that failure to adopt very definite measures of publicity will saddle our Treaty in advance with a vital defect which will militate against its success.

#### PROPOSAL BY THE BRITISH DELEGATION FOR INSERTION OF A NEW ARTICLE IN CHAPTER V.

**Lord Cecil (British Empire).** — I am sure that we have all listened attentively to the very weighty observations which have just been made by Mr. Gibson, and that every delegation will consider them with the greatest care and attention. As far as the British delegation is concerned, they had already given notice of a motion which has a similar object to that of the Netherlands delegation. They propose to do it in a very general way by inserting a new article in Chapter V, saying:

“ Nothing in this chapter restricts in any way the obligations imposed on any of the High Contracting Parties by Article 8 of the Covenant of the League of Nations.”

They propose to put that at the head of Chapter V, Section II (Exchange of Information). That would have been one way of dealing with it; whether it would have been the most satisfactory way is a different matter.

I venture very respectfully to express my doubt as to the accuracy of the reading of Article 8 by my Japanese colleague. It is quite true that in the first paragraph of that article it is said that reduction is to depend on national safety, but that does not say the whole of the provisions of this Article 8 depend on the views of each country as to national safety. On the contrary, when you come to the sixth paragraph, this obligation is expressed in the most precise terms :

“ 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.”

That is a very wide provision. It does not affect Mr. Gibson or M. Lounatcharsky, nor the Turkish delegation, but it does affect the other members of this Commission. As far as we are concerned we recognise we are bound by this obligation. As to whether this is the best way of doing it, and what ought to be put into the list, we shall be able to form a much better opinion on that, when we see the result of the considerations of the Expert Sub-Committee.

I dislike discussing any question twice over. I am afraid if we now discuss the principle of the thing, and then wait to have a report and discuss it all over again, we shall really have two entirely separate discussions. It would be, in my judgment, better to wait—after these very slight preliminary observations—until we see exactly what our experts recommend. Then we can discuss the considerations which have been put forward by M. Sato and others. I also feel a certain reluctance in discussing abstract principles, because you never know where they are going to land you, whereas when you see a definite proposal you know what you are letting yourself in for by accepting it.

I hope we shall adopt M. Bourquin's proposal, and not have any vote on this principle, which seems to me to be decided by Article 8 of the Covenant.

**Count Bernstorff (Germany).** — After what Mr. Gibson and Lord Cecil said I have little to add, because I agree with them. My only reason for speaking is that I cannot accept the construction which M. Sato has placed on Article 8 of the Covenant. The incorrectness of that construction is evident when we remember that between the paragraph relating to security and the sixth paragraph of that article we have the fifth paragraph. And, as I am referring to that paragraph, I would add that M. Markovitch's solicitude should be partly allayed by the fifth

paragraph, for as you all know, the two other Conventions on the Trade in, and the Private Manufacture of, Armaments are awaiting the conclusion of our deliberations; both these Conventions will deal with the ground of M. Markovitch's objection.

Finally, I assume that the proposed military sub-committee will deal with material of all kinds, including material in reserve.

**M. Massigli (France).** — We must deal with different questions one at a time. We are not now discussing the application of Article 8 of the Covenant, as Count Bernstorff himself pointed out yesterday, when he withdrew his proposal on the exchange of information, because he held that the Council of the League must decide on that point. We are now discussing the exchange of information, for the purposes of our Convention. For that reason, I am not going to engage in any discussion, either with M. Sato or with Lord Cecil, regarding the effect of the last paragraph of Article 8 of the Covenant. That is a question which, with all respect to the American, Russian and Turkish delegations, we shall have to discuss with one another. But here, our discussion is on other ground; we are drafting a Convention, and we are discussing publicity within the limits of that Convention.

Hitherto, both at the first and second readings, we have always been guided in regard to this question by the following rule; that publicity is, in principle, to relate to matters which are the subject of limitation, except where publicity is necessary as an auxiliary means, to enable us to keep close touch with the evolution of certain types of armaments, or to provide additional information regarding a given kind of limitation.

Seeing that, as regards material, the majority of this Commission has decided in favour of limitation by values, the question to be decided is whether we should have publicity in respect of numbers or only in respect of values?

However, I am compelled to add, the arguments against direct limitation are equally valid against direct publicity—that is, against publicity in respect of numbers. This applies in the case of the argument relating to supervision, failing which, publicity in respect of numbers would be meaningless, for the very good reasons given by M. Markovitch and M. Sato. It is beyond doubt that non-industrial countries, possessing no great resources for arming themselves in times of danger, will be led to inflate their lists of armaments, since otherwise they would be furnishing weapons against themselves. I see no objection to appointing an expert committee, if the Commission decides in the sense in which I have spoken; but I think we should ascertain, in the first place, whether the majority desires publicity in respect of numbers, although they have agreed to limitation in respect of values only.

**M. Fierlinger (Czechoslovakia).** — Lord Cecil gave us a very clear argument in favour of the proposal before us. It is one that had already occurred to us. On the other hand, we must not forget that the complete application of Article 8 of the Covenant will depend on a number of other factors, and also on the application of other articles of the Covenant. That question has been discussed here, and in other Commissions, and we must realise the weight of the arguments used in favour of the interdependence of the different articles of the Covenant. We shall certainly have to consider how far, and at what moment, it will be possible fully to apply all the paragraphs of Article 8—since it is the full application of that article which we have in mind in the preparation of the Disarmament Convention.

In principle, I do not oppose an examination of this question by the experts, but I am sure that they will find the task very difficult. Nevertheless, such an examination may be of use; though I must reserve my attitude in regard to its possible results. I can see objections of two kinds. From a purely formal point of view I am compelled, like M. Massigli, to ask what is the scope of Chapter V? It appears to me that it has a natural and logical purpose, which derives from the preceding articles. Chapter V cannot, in my view, contain provisions which are not directly related to those which precede it.

I can also see certain objections of principle against the proposal. We have already discussed direct and indirect limitation, and we have seen that certain countries, particularly those without war industries, will hesitate to publish returns of their war material, in service, or in reserve. M. Bourquin himself told us how public opinion is apt to react in regard to such questions. He spoke of the distrust which sometimes prevails. Mr. Gibson demands that this information should be as frank and full as possible. But that is a very subjective standard. People will require certain guarantees; and hitherto they have not been forthcoming.

We must also consider how far it would be possible to draw up such lists. There are certain forms of armament respecting which it is difficult to publish information. Such, for instance, are purely defensive fortifications, the existence of which makes it possible to reduce armies to an absolute minimum. Is it justifiable to ask a country to make a detailed return of all its defensive armaments?

I therefore feel some doubts regarding the results of such an undertaking. I think we shall encounter obstacles which will make it impossible to give a complete table of armaments.

**Dr. Riddell (Canada).** — The Canadian delegation recognises fully that the sixth paragraph of Article 8 of the Covenant obliges Members of the League to exchange full and frank information as to the scale of their armaments. We can see no reason why that should be questioned at all. There may be some opportunity for discussion and dispute as to what full and frank information may mean, and, for that reason, the Canadian delegation supports the setting up of a sub-committee to determine what we should do in order to comply with this paragraph of Article 8 of the Covenant. Personally, I believe that one of the things most essential to

peace is full and frank information with regard to armaments. It removes fear and suspicion which are responsible for the reluctance of certain countries to disarm.

We therefore support the setting up of a sub-committee.

**M. Cobián (Spain).** — I agree with M. Massigli that the application of Article 8 of the Covenant does not arise. Nevertheless, for those countries which have assumed them, the obligations assumed under Article 8 are bound to dominate this discussion.

I also agree with M. Massigli, up to a point, in regard to the procedure we should adopt. M. Massigli has said we must give directives to the Committee of Experts, and that therefore the Commission must express its views in regard to the principle; but the statements we have heard to-day should lead us to reflect.

Perhaps those statements throw a shadow on the results of the Conference. I think therefore that for once we should do well to leave the path of strict logic and adopt Lord Cecil's proposal. Let us leave the experts to discuss the question. Perhaps they may discover a solution among the various views which have been expressed here. In that way, we shall have time for reflection, and we can return with the necessary serenity to this problem, which is the gravest of all that the Commission has yet approached.

I hope that M. Massigli will accept this suggestion, and that we can defer a decision on the principle until the experts have reported.

If M. Massigli presses for a vote on the principle I shall have to speak further on the subject.

**M. Westman (Sweden).** — I shall be very brief. I merely desire to support, in principle, the views of the Netherlands delegation. I think that the procedure proposed by the British delegation and supported by the Spanish delegation is the best for us to follow.

**M. Politis (Greece).** — I wish to say that Mr. Cobián has not only used the language of logic but of wisdom. I quite agree with him.

It would be unwise at this moment to take a vote on the question of principle. It would be far more practical to take Lord Cecil's advice, to refer this question to the experts and to express our opinion as soon as we have had their report.

**M. Massigli (France).** — In these circumstances, I feel that I should not press my proposal, and I will not ask for a vote; but I make an express reservation regarding the results of the work in the form in which it is proposed.

**Colonel Ali Khan Riazi (Persia).** — Even though Article 8 of the Covenant is binding on all Members of the League, its application would not cover the case of Persia since all her neighbours are not Members of the League, and have not accepted the principle of mutual support in case of aggression, as provided by Article 16 of the Covenant.

Furthermore, as Persia is not a producing country, our delegation could not accept the principle of publicity in respect of war material in service or in reserve.

**General van Tuinen (Netherlands).** — I do not wish to prolong this debate. A first discussion was held on this question during the third session of our Commission in 1927, as recorded in document C.310.M.109.1927.IX.<sup>1</sup> There may perhaps be further discussions after the experts have met.

May I be allowed to add one observation? Our delegation fully agrees with what was said by Lord Cecil concerning the interpretation of Article 8 of the Covenant. I cannot understand how we can propose, in this Commission, to have the fullest and frankest exchange of information on naval matters, but reserve our right to keep such information secret in regard to land material.

**Dr. Woo Kaiseng (China).** — The Chinese delegation supports Lord Cecil's proposal for the appointment of a sub-committee. It also agrees with M. Politis that we should discuss this matter as soon as the experts have reported.

#### APPOINTMENT OF A SUB-COMMITTEE OF EXPERTS.

**The President.** — We will now vote on M. Bourquin's proposal, supported by Lord Cecil and several other members of the Commission, for the setting up of a sub-committee of experts.

**Mehmed Munir Bey (Turkey).** — The Turkish delegation will reserve its attitude in regard to the vote till it sees the results of the Expert Committee's work.

**The President.** — Since M. Massigli agrees with us, it is perhaps not necessary to take a forced vote. I can therefore declare that the Commission agreed on this point.

We must now proceed to appoint the sub-committee of experts, which will include representatives of the United States of America, France, Germany, Great Britain, Italy, Japan, Belgium, The Netherlands, Norway, Spain and Yugoslavia.

**Lord Cecil (British Empire).** — May I suggest that it would be desirable that any other military expert who desires to give information or present his views should be at liberty to do so?

<sup>1</sup> Note by Secretariat. — Minutes of the Third Session.

M. Massigli (France). — I support Lord Cecil's proposal.

The President. — That is agreed. I will ask M. Cobián to be good enough to act as Chairman of the Sub-Committee, which will meet on Monday next, November 24th, at 4 p.m.

*Agreed.*

*The Commission rose at 1.10 p.m.*

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#### FOURTEENTH MEETING.

*Held on Monday, November 24th, 1930, at 10 a.m.*

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*President:* M. LOUDON (Netherlands).

#### 70. Appointment of a Drafting Committee.

M. Sato (Japan). — I think the time has come to consider the appointment of a drafting committee to give final form to the articles already adopted. If the Commission agrees with this view, I would suggest the appointment of a very small committee, consisting of three members only—for example, one member of the British delegation, one member of the French delegation and one member of the Swedish delegation. A committee so composed will, I think, be best able to work satisfactorily. I propose that the President ask the Commission to take a decision on this subject, and I hope it will accept my suggestion.

The President. — The Bureau fully accepts the Japanese delegation's proposal, and, unless I am much mistaken, the Commission as a whole will, I think, wish to set up a small drafting committee of men of outstanding ability, and I will ask the delegations to nominate them. The committee should be appointed as soon as possible so that it may set to work without delay and determine the exact wording of the articles already accepted.

*The Japanese proposal was adopted.*

#### 71. Discussion on Chapter V: Miscellaneous Provisions. — Section II: Exchange of Information (continuation).

##### PROPOSAL BY THE ITALIAN DELEGATION TO INSERT A NEW ARTICLE.

“ Add an Article IA (2) as follows :

“ Each of the High Contracting Parties shall prepare annually :

“ (1) A table indicating the armed forces stationed in each of its overseas territories;

“ (2) A table indicating the formations organised on a military basis existing in each of its overseas territories.’ ”

The President. — The Commission has before it a proposal by the Italian delegation to the effect that an Article IA (2) should be inserted, providing that a table should be prepared annually indicating the armed forces stationed and the formations organised on a military basis existing in each of the various overseas territories. The Commission will doubtless desire to take a decision on this new proposal, upon which General de Marinis will, I think, probably wish to speak.

General de Marinis (Italy). — In the Italian delegation's opinion the exchange of information must be as complete as possible. As regards overseas forces, my delegation asked that limitation should be established for armed forces stationed in each of the various overseas territories. It was pointed out, however, that this procedure was not possible because circumstances might necessitate the transfer of armed forces from one territory to another. But, if I remember aright, it had previously been observed that the data to be given every year might simply be confined to the situation as regards territorial forces stationed in each of the overseas territories. In our opinion, that information is essential if we are to fulfil the undertaking we have given to exchange information which shall really be as complete as possible. There is, I think, nothing in this proposal which might prove irksome to countries having overseas possessions.

**Mehmed Munir Bey (Turkey).** — As regards Article A, the Turkish delegation proposed, both for land and for air armaments, that a separate limitation should be laid down for the forces in each of the overseas territories. As the proposal was not accepted at the time, the Turkish and several other delegations made reservations on the point. The Turkish delegation, still taking the same view, now supports the Italian proposal.

**M. Massigli (France).** — Before stating my opinion on General de Marinis' proposal, I should like to make clear a point on which I feel some doubt in my own mind.

When we discussed Article A, and the question of the separate limitation of overseas forces was raised, the Italian delegation was averse to such a distinction. During the second reading, the French delegation proposed, as a compromise, the optional limitation of overseas forces. The Italian delegation did not accept this suggestion and maintained its reservation. I should like to know, first of all, whether the position is still the same, because it is surely inconsistent to object to the special limitation of overseas forces and at the same time to claim special publicity for them.

**General de Marinis (Italy).** — The point of the Italian reservation was that a distinction should be drawn between overseas territories situated near the mother-country—and therefore to be regarded, from the point of view of armaments, as forming part of the mother-country—and more distant territories.

In my opinion, this reservation has no connection with our present proposal. I remember that, when I made it, the French delegation itself agreed—as will be seen from the Minutes—that the Conference should take into consideration the distance of overseas territories from the mother-country, and I regarded this attitude as implying a fundamental acceptance of my view. If this reservation be admitted, countries having overseas possessions will still have territories which must be regarded as “overseas” in the true sense of the term, and it is these territories for which we should like a simple statement to be given every year showing the forces stationed there. Such a statement would come under the general category of information.

**Lord Cecil (British Empire).** — Does “armed forces” include naval and air forces as well as land forces? It would be of very little use giving a return of naval forces, for instance, in a naval country, because these forces move continually and to some extent that refers also to air forces. I do not mind what you put in if the Commission desires it, but I would utter one word of caution: It is no use piling up these returns till they become too burdensome. I am a little afraid that some of the limitations we agreed to the other day may overburden the Convention. I am always desirous of doing something practical in this matter rather than of being led away by the desire to produce something symmetrical.

**M. Sato (Japan).** — When we discussed the tables in Article A, we considered it necessary to avoid any rigid requirements in regard to the forces stationed in overseas territories; and the intention was to leave a certain latitude as regards increasing or reducing, in special circumstances, the forces stationed in such territories. As we thought it highly desirable that this latitude should be allowed, we urged that there should not be too much rigidity in the limitation of these overseas forces.

Accordingly, and in order to retain a certain latitude as regards publicity also, I should like the word “optional” to appear in brackets. Those Powers able to publish the strength of the forces stationed overseas would do so, while others would be exempt, if they considered it impossible to do so.

#### ITALIAN AMENDMENT TO THE ITALIAN PROPOSAL.

**General de Marinis (Italy).** — The objection has been raised that this table can hardly refer to land forces only. In my opinion, it would be of no practical use to make it comprise air and naval forces: the situation might change soon after publication, because air forces, and indeed naval forces, situated in one territory, may rapidly be transferred to another, whereas such a transfer would be much more difficult for land forces. I should therefore be quite prepared to limit this table to land forces alone.

It has been said that certain complications might arise. I cannot see what complications could arise, but I should like to point out that a knowledge of such data, even once a year, may be of importance to the security of countries adjacent to overseas territories. It is not wholly immaterial to a country having a possession near territory belonging to another Power to know what forces are kept in that territory. The minimum we can accept is to be informed at least once a year as to the strength of the land forces in the various overseas territories.

I therefore suggest that my proposal should be drafted as follows :

“ Each of the High Contracting Parties shall prepare annually :

- “ (1) A table indicating the land forces stationed in each of its overseas territories;
- “ (2) A table indicating the land forces organised on a military basis existing in each of its overseas territories. ”

M. Massigli (France). — In reply to what General de Marinis has just observed, I should like to say that, when the second reading was taken, I did not approve of his views, as he appears to think. If he will refer to the Minutes, he will see that I simply mentioned distance as a factor which might be taken into consideration by the Conference; I did not say more.

As regards the actual amendment proposed, I agree with Lord Cecil that its sole result will be to make the work very complex. It is doubtless very important to know—I take my own country as an example—the number of effectives stationed in Martinique and Guadeloupe; but information of the same kind would be equally important in regard to Bordeaux and Marseilles. If we wanted to take that line, we should have to apply the system universally. We should be asked to publish information regarding all changes of garrisons. You can imagine what suspicions we should awaken, what grounds for recrimination, what complaints we should evoke. All that is, I think, extremely dangerous.

Then again, the phrase “ overseas territories ” is very vague. Such territories comprise colonies and groups of colonies. Is the separate limitation to apply to a particular colony or to a whole group ?

The question seems to me not to be of major importance in any case, and I should therefore be glad if General de Marinis would withdraw his proposal.

General de Marinis (Italy). — I cannot see any possible comparability between the distribution of forces in overseas territories and the distribution of forces in the garrisons of the home country.

There is, it seems to me, a vast difference between knowing the distribution of forces in various towns, and in overseas territories.

I therefore maintain my proposal, and I think it is the least we can do in order to comply with the principle that the exchange of information shall be as complete as possible.

I do not think that I am asking too much. It is surely desirable to know once a year what are the land forces allocated to the various overseas territories.

#### VOTE ON THE ITALIAN PROPOSAL AS AMENDED.

The President. — I think the Italian delegation's proposal might be put to the vote. I would remind you that General de Marinis has himself amended it.

The new text reads as follows :

“ Each of the High Contracting Parties shall prepare annually :

- “ (1) A table indicating the land forces stationed in each of its overseas territories;
- “ (2) A table indicating the land forces organised on a military basis existing in each of its overseas territories. ”

I put the amended proposal I have just read to the vote.

*The Italian proposal was adopted by five votes for to four against, with some abstentions.*

M. Massigli (France). — I ask to enter a reservation in regard to this proposal.

M. Sato (Japan). — I wish to make the same reservation.

#### 72. Discussion on Chapter V. — Section II: Article IC.

##### *First Reading.*

If the construction of any vessel of war for a non-Contracting Power is undertaken within the jurisdiction of any of the Contracting Powers such Power shall promptly inform the Secretary-General of the League of Nations and shall publish in its Official Journal the date of the signing of the contract and the date on which the keel of the ship is laid, as well as the following specifications: the standard displacement in metric tons and the principal dimensions—namely, the length at water-line, the extreme beam at or below water-line, mean draft at standard displacement; the date of completion of each new ship and its standard displacement in metric tons, and the principal dimensions—namely, length at water-line, extreme beam at or below water-line, mean draft at standard displacement, at time of completion.

**The President.** — We now come to Article IC, which was adopted at first reading.

Article IC provides that a contracting party which constructs a vessel of war for a non-contracting party must furnish information on the subject.

A few days ago, when we were dealing with naval material, we adopted an article which was similar, but rather more general, in scope. Since you have already adopted that article, you will have to decide whether Article IC should be retained. It corresponds to Article L of document C.P.D.230,<sup>1</sup> and therefore seems to me superfluous.

**Lord Cecil (British Empire).** — I think it is clearly unnecessary to put the thing in twice.

**The President.** — I think we are all agreed and therefore Article IC will be suppressed.

### 73. Discussion on Chapter V. — Section II: Article IG.

#### *Observations and Reservations.*

The delegations of the British Empire, the United States and Italy reserve their opinion concerning this article.

#### *First Reading.*

Each of the High Contracting Parties shall communicate to the Secretariat of the League of Nations the name and the tonnage of any vessel constructed in accordance with Article NH (Chapter II). With regard to existing vessels of this type, this communication shall be made within two months after ratification of the present Convention. With regard to vessels to be constructed, the communication shall be made on the date of completion.

**The President.** — We now come to Article IG, corresponding to Article NH, which deals with the limitation of naval material and which was adopted at first reading. Article NH does not differ from the text adopted at second reading a few days ago as Article M in document C.P.D.230,<sup>1</sup> except that, in Article M, 6.1 inches (155 mm.) has been substituted for 6 inches (152 mm.).

At the first reading, the Italian, British and United States delegations made reservations in regard to Article IG.

**Lord Cecil (British Empire).** — I ought to say that my Government is opposed to this article for reasons which I think the Commission will recognise are sound. In the first place, they think any such return would be misleading, because a large number of merchant vessels do in fact strengthen their decks in view of possible necessities for the defence of their existence, and to enter in a return those which had received payment from the Government for that purpose would mislead everybody for the reason that such a return would not indicate all the vessels that strengthened their decks. That is one reason. The other, a technical one, is this—and I think it will have some weight with the Commission. We have proceeded in this Convention on the theory that what we are dealing with are the forces available in peace for use without mobilisation; that is the principle of our Convention. It is quite plain that a vessel with strengthened decks would not be available without mobilisation, it would have no gun on board, it would have no trained personnel to man the gun, it would be entirely unavailable without mobilisation. The British Government therefore thinks that in this case it would be wrong to include this particular class of material, which can be used in war, but which cannot be used without mobilisation. They desire me to point out that, if that principle be adopted, you ought to have a return of all land transport that can be used—lorries and so on—which would be a burden quite intolerable. They think, therefore, that an exception ought not to be made for this particular kind of material.

Further, they point out that any expense to which they are put in this connection—which is, in fact, infinitesimal—will of course be returned as part of their naval expenses if the scheme adopted by the Convention be accepted, and therefore to that extent there will be a control. They feel that, on the whole, it would be improper to accept this clause and they hope the Commission will not adopt it.

**The Hon. Hugh Gibson (United States of America).** — Mr. President, as a practical matter I cannot see that this paragraph is of any particular importance. It would be a very different matter if the stiffening of decks were a very difficult operation or called for a great deal of time, but as a matter of fact I am informed that this can be done at any time within a week, which is even a generous allowance of time for adequate stiffening operations. I do not think it a very great advantage, from the point of view of our Treaty, to have a thing of this sort, but I should not be disposed to stand in the way of its adoption if very much desire be shown for it, provided we find we are all in a position to carry out this obligation. As Lord Cecil indicated, it sometimes happens that a shipping company will stiffen the decks of its ships

<sup>1</sup> Note by Secretariat. — See Annex 2.



without being required to do so by the Government, and while the Government is disposed to give returns, it may not have all the necessary information. Some doubt has arisen among our technical advisers as to whether there is any agency which we can definitely be sure will be in possession of all this information, and I cannot help thinking it would be a mistake to assume a treaty obligation that we are not sure we are able to carry out. If it be desired to maintain this article, I shall be glad to make telegraphic enquiry of my Government, and shall be ready to state the position of the American delegation on receipt of an answer.

**General de Marinis (Italy).** — The Italian delegation agrees with the arguments and conclusions of the representatives of the British Empire and the United States.

**M. Sato (Japan).** — I am in favour that this article should be retained. We have adopted a clause corresponding to the former text of Article NH, which lays down the principle that no preparations shall be made in merchant ships for the installation of warlike armaments for the purpose of converting such ships into vessels of war. We allowed, as an exception in certain circumstances, the stiffening of decks. In time of war, merchant ships must be enabled to defend themselves against attacks by submarines or other vessels of war. That is quite true; but we also know—history proves it—that merchant ships have been converted into auxiliary warships, and we know the damage they cause. We must bear that in mind.

Article IG provides for publicity in regard to merchant ships whose decks have been stiffened in time of peace. I agree that there will be difficulties in the way of such publicity. We imposed limitations in respect of warships at Washington and in London. If, on the one hand, we directly limit the material of naval forces, and if, on the other, we cannot exercise any supervision over merchant ships with stiffened decks which may be transformed into auxiliary warships, then we shall leave a way open to all kinds of possibilities. I am therefore of opinion that publicity is essential in the present case.

In the circumstances, I am very gratified to be able to accede wholly to the views of those of my colleagues who favour wide publicity in all matters.

I therefore warmly support the proposal made at first reading by the Netherlands delegation. I hope that despite the difficulties—and in my opinion they are not insurmountable—the Commission will adopt this proposal.

**M. Rutgers (Netherlands).** — I consider this question of auxiliary warships to be of very great importance. The part played by merchant ships transformable into warships will become more important as the tonnage of fighting ships, in the strict sense of the term, is reduced.

The number of merchant ships convertible into auxiliary warships is unlimited, and therefore publicity is of particular importance in their case. The transformation of a large number of merchant ships would constitute a serious danger, particularly for Powers with small navies. Indeed, at the second Peace Conference these merchant ships were christened “chameleon-ships”. Lord Cecil has said that the principle of the Convention was to deal only with armaments utilisable immediately upon mobilisation. I was not aware of any such principle. I remember how, side by side with Lord Cecil, I pleaded for the limitation of trained reserves. The majority was against us, but that does not mean that the principle was formally rejected. It is the same here: only in the last few days the principle of an article providing for publicity for arms, ammunition and war material in service and in reserve has, I believe, been discussed and adopted. The question will be discussed still further, but I do not think that article can be set aside on the ground that the principle invoked by Lord Cecil would be violated.

If I am informed aright, the stiffening of a deck so as to enable it to carry, for example, ten 15 cm. guns, would, contrary to what Mr. Gibson has said, be more likely to take a month than a week. Indeed, at Washington it was agreed to prohibit in time of peace preparations for the transformation of merchant ships into auxiliary war vessels. If an exception were allowed, it would presumably mean that the question was considered to be of very definite importance. An exception was allowed—namely, the stiffening of decks to enable merchant ships to carry guns of a calibre not exceeding 15 cm. If that exception were of no importance, if it were so simple a matter to stiffen a deck after mobilisation, if it only required a few days, would it not be better simply to drop this exception altogether and not to allow any stiffening of decks in time of peace?

In any case, Mr. Gibson is not opposed to the article. He merely expressed certain doubts about it. The possibility of giving information arises, I think, out of Article M of document C.P.D. 230,<sup>1</sup> which provides as follows:

“No preparation shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war . . .”

No exceptions to this prohibition can be allowed unless the Governments concerned are informed.

I may add in conclusion that, even before the war, some countries had voluntarily adopted this kind of publicity in regard to their auxiliary cruisers, and for that reason I hope the Commission will retain this article.

<sup>1</sup> Note by Secretariat. — See Annex 2.

M. Massigli (France). — The French delegation was one of those which at the first reading voted for Article IG. It considered that the merchant ships in question represented an important war potential, more particularly since, in some countries, the construction and plans of ships of this kind must be submitted to the naval authorities before building is begun. That is evidence of the value of such vessels for war purposes.

I must admit, moreover, the force of what Lord Cecil has just said. Since we have been working out this Convention, we have realised that war potential is an elusive factor, and in these circumstances, and since the question does not constitute an essential element of the text we are preparing, the French delegation will abstain from voting.

#### VOTE ON ARTICLE IG.

The President. — I put to the vote Article IG, adopted at first reading.

*Article IG was adopted by seven votes for to three against, with some abstentions.*

#### 74. Discussion on Chapter V. — Section II: Article ID.

##### *Observations and Reservations.*

The German delegation makes a reservation concerning this article, considering that publicity should be applied to all aerial war material and hence to material in reserve and stocks of material.

##### (Italian Draft.)

Each of the High Contracting Parties shall prepare an annual statement showing the maximum figures attained during the year in respect of the number and total horse-power of aircraft, and the number, total horse-power and total volume of dirigibles in commission according to their distribution laid down in Article AA (Chapter II, Section III — Air Armaments).

##### *First Reading.*

##### (French Draft modified.)

Each of the High Contracting Parties shall prepare an annual statement showing the maximum figures attained during the year in respect of the number and total horse-power of aircraft, and the number, total horse-power and total volume of dirigibles in commission according to their distribution as laid down in Article IA of the present Chapter.

Dr. Riddell (Canada). — In view of the fact that the Commission has before it a proposal<sup>1</sup> dealing with the limitation of the total horse-power of aircraft, it might be well to postpone the consideration of Article ID until the third reading when the amendment of the Canadian delegation will have been disposed of.

M. Massigli (France). — May I point out that there is a text regarding military aviation which has already been adopted at second reading? The Canadian delegation is the only one to submit an amendment modifying rules adopted at second reading, though the principle is admitted.

This important discussion must, therefore, I think, take place now; we ought not to defer it to the third reading, when we shall probably be working hurriedly and will perhaps be unable to give it the attention which it deserves.

Dr. Riddell (Canada). — I do not press my proposal.

The President. — We have before us an Italian proposal and a French proposal in the first-reading text. The British delegation has submitted a proposal as follows:

##### *“ Article ID (First Reading).*

“ Should read:

“ ‘ Each of the High Contracting Parties shall prepare an annual statement showing the maximum figures attained during the year in respect of the number and total horse-power of aircraft, and the number, total horse-power and total volume of dirigibles in commission as laid down in Article AA of Chapter II, Section III, Air Armaments.

“ ‘ This statement shall be forwarded to the Secretary-General of the League of Nations within three months after the close of the budgetary year.’ ”

The President. — The first paragraph of the British amendment does not seem essentially different from the Italian first-reading draft. In the second paragraph, the British draft provides for the annual statement to be published within a time-limit of three months after the close of the budgetary year.

At the first reading, the German delegation made a reservation regarding Article ID because it does not relate to air material in reserve and in stock.

Lord Cecil (British Empire). — I do not think it is necessary for me to trouble the Commission on the first part of the British amendment. As far as I can see, the only difference between the Italian and French drafts and our own in the first paragraph is that they speak of “ according to their distribution ”. We have decided, as I understand it, not to make a distinction according

to their distribution and therefore it will be as laid down in the relevant article. That is a drafting matter and I need not trouble the Commission about it. With regard to the three months I do not know whether it is appropriate to put that in here. Sometime or another we shall have to make a statement as to when all this information is to be returned, and I should have thought it would come in better there. I do not think that there is any idea on the part of my Government to make a distinction here between this information and other information; it is put in merely for the purpose of providing a period within which the information must be given.

**General de Marinis (Italy).** — The Italian delegation maintains its proposal, and accepts the slight amendments proposed by Lord Cecil. It also agrees to add that the statement shall be forwarded to the Secretary-General of the League of Nations within three months after the close of the budgetary year.

**Lord Cecil (British Empire).** — I wish to point out that in Article IA a period of three months is referred to, and no doubt that is where the three months comes from. I had not noticed it when I spoke just now. I think this is a matter which should go to the Drafting Committee so as to arrange for the delay applicable to all these returns.

**M. Massigli (France).** — The French delegation also accepts the British amendment and withdraws its own first-reading text.

**Count Bernstorff (Germany).** — Our reservation is, of course, maintained, and I shall vote against this article.

VOTE ON ARTICLE ID modified.

*The British proposal was put to the vote and adopted by seventeen votes for to one against, with some abstentions.*

#### 75. Discussion on Chapter V. — Section II: Article IE.

*Observations and Reservations.*

The German delegation reserves the right to give its definite opinion at the second reading.

*First Reading.*

In order to ensure publicity in the matter of civil aviation, each of the High Contracting Parties shall prepare an annual statement showing the total number of civil aeroplanes and dirigibles registered in the territory under jurisdiction of each of the High Contracting Parties.

**The President.** — The British delegation submits an amendment as follows :

PROPOSAL BY THE BRITISH DELEGATION.

*“ Article IE (First Reading).*

*“ Add at end :*

*“ . . . together with the expenditure by Government or local authorities.”*

**Lord Cecil (British Empire).** — This article refers to expenditure on aircraft. We have not yet decided whether we are going to limit expenditure, because that has been referred to the third reading. Therefore I should have thought that this should stand over until we reach the third reading, because it is rather difficult to provide for the return of the expenditure until we know whether we are going to limit it or not.

**M. Rutgers (Netherlands).** — I think we might now discuss everything in this article unconnected with budgetary limitation.

**Lord Cecil (British Empire).** — Surely it is not a good plan for us to have the discussion piecemeal, the first part of the discussion now and another part later on when we come to adopt the article. Surely, if we are not going to take a decision on this point, it is a great mistake to begin with a discussion. I venture to ask the Commission to try to observe some regularity in our discussion.

**M. Rutgers (Netherlands).** — My point is, that in order to avoid a piecemeal discussion, we must consider Article IE now, immediately after Article ID.

Article IE itself does not deal with a question of budgetary expenditure on armaments. It deals with publicity of expenditure on civil aviation.

The British delegation's amendment also relates to expenditure on civil aviation. It is an admitted principle that civil and military aviation must be kept absolutely separate.

There is no question here, therefore, of limitation of armaments by budgetary means.

**Count Bernstorff (Germany).** — In view of the close connection between Article IE and Articles AD and ZD, in regard to which we shall have to decide whether the draft Convention is to deal with civil aviation, I think it would be advisable to postpone the discussion of this article until we deal with the other two articles.

#### POSTPONEMENT OF DISCUSSION ON THE BRITISH PROPOSAL.

**M. Sato (Japan).** — I think we must now discuss Article IE, which has nothing to do with the limitation of air budgets. It relates to publicity regarding aeroplanes and dirigibles.

I do not quite agree with Count Bernstorff regarding the connection he speaks of between the three Articles IE, AD and ZD. Article IE relates to publicity, but the other two articles do not.

I therefore propose that we now discuss Article IE in the form it received as a result of the first reading. As regards the British delegation's amendment, I think Lord Cecil was right in proposing that it should be postponed until the third reading.

**The President.** — We are in fact dealing with a question of publicity, and I think we ought now to discuss Article IE without the British amendment, which may be considered later.

*Agreed.*

**M. Rutgers (Netherlands).** — It would be somewhat illogical to adopt a rule such as that proposed in Article IE. Though we have left the question of material in reserve on one side, we should be undertaking to deal with civil aviation. Even supposing that we may discuss armaments that can be used without mobilisation, can we really deal with material which cannot be classified as armaments at all?

Moreover, the separation of civil and military aviation is a principle laid down in the experts' report, and it has been adopted by the Assembly, and by this Commission also.

If we deal with civil aviation here, we are, it seems to me, calling in question the whole principle of the complete separation of civil and military aviation, which has been accepted by the League Assembly. I personally have no objection to this article, but I cannot think it will enhance the value of the Convention.

**Lord Cecil (British Empire).** — I earnestly hope that the Commission is not going back on its decision on first reading on this point, which seems to me one of the most vital points in the whole Convention. There is no doubt that the great blot which remains on our Convention is the extreme difficulty of limiting the air arm in this regard. Anyone who has studied the matter will agree with me, I am quite sure. One of the reasons why it is difficult is because undoubtedly a certain proportion of civil aeroplanes can be used, not for defensive, but for aggressive purposes in a war. The great aggressive purpose of aircraft, so far as we know it, is the power of dropping bombs on any object they desire to attack. The experts are undoubtedly unanimous that any civil aeroplane, probably without any change and certainly with a change which can be made in a few hours, can be utilised for that purpose. Therefore it is of the utmost importance that we should do something or other—I will not say limit, because we cannot limit—at any rate, to get information as to how many of these aircraft exist, so that, if there be a sudden unexpected increase in a particular country of aircraft of this particular character, the other parties to this Convention may be informed of it.

It seems to me a very vital matter, and I confess I have some difficulty in reconciling the speech that M. Rutgers has just made with the speech he delivered half an hour ago, in which he was successful in persuading the majority of the Commission. He may say that that applies also to me, but the answer to him is that the Commission decided against me and in his favour.

Therefore we must take that decision of the Commission on the general principle of this matter. Now I find it a little curious that he should deliver a speech which is destructive of his former contention which was successful. At any rate, quite apart from that debating-point, which is not a very important matter, I am very strongly of opinion on the merits, and as a matter of prudence and care, that we ought to stick to this article which seems to me of vital importance to any scheme of disarmament.

**M. Massigli (France).** — I have every respect for considerations of procedure and for legal distinctions; but, as Lord Cecil has said, we must sometimes face hard facts: we must bring the Commission face to face with realities.

Civil aviation has already formed the subject of keen discussion here. I will not go over the arguments adduced on both sides, but before taking a final decision we are in duty bound

to ascertain the true circumstances in which the problem arises to-day; and I am convinced that, when they realise the facts, the delegations which object to any mention of civil aviation in our draft Convention will recognise that the present position is too serious for the question to be neglected.

I will not recapitulate the facts already known or the arguments adduced in the past: I will take up the discussion at the point where we left it, and I will only cite such new circumstances and new facts as are calculated to influence our decision.

As regards the theoretical side of the question there is an extremely important document which must be brought into this discussion, and which indeed has already been mentioned.

Before coming to Geneva you all received from the Secretariat a volume, drawn up by the Communications and Transit Organisation, entitled "Enquiries into the Economic Administrative and Legal Situation of International Air Navigation".<sup>1</sup> This document contains a report by the well-known British expert, General Groves, on the relations between civil and military aviation. I only wish this report had been read by everybody; I only wish it were given publicity throughout the world. While showing great moderation, it states facts which are of extreme gravity, and the conclusions it reaches are very definite. The author categorically claims that, in certain respects, civil aircraft undeniably possess very great and immediate value for purposes of offence. This work has been placed in the hands of the delegations and I will not therefore make further reference to it; I merely remind you of it in passing, and I now come to concrete facts.

If we examine what has taken place in aircraft construction, both civil and military, in the last two or three years, we find that military aviation has evolved on definitely defensive lines, and has concentrated on chaser planes, whereas civil aviation is evolving in an entirely different direction.

M. Rutgers reminded us just now of a recommendation made by one of the League Assemblies, and he expressed the hope—which was also voiced in the report of the Brussels experts—that the distinction between civil and military aviation would be drawn with increasing clearness. That is all very well; but facts outweigh wishes, and at the present time we must perforce realise that technical developments are by no means taking the direction which the Geneva Assembly hoped they would take. On the contrary, there is no doubt whatever that at the present time civil aircraft, through their great transport capacity and the principles on which they are constructed, may be said to have become the ideal type of offensive military machine, the ideal bombing aeroplane. That is a fact which we must take into account and which military experts can no longer ignore; yet in the draft Convention we propose to limit—apart, of course, from whether the Canadian proposal is adopted or not—the total (global) horse-power of aircraft. By so doing, we should be preventing military aviation from developing powerful types of machine. Moreover, we shall probably also limit the number of such aircraft—in fact, we shall set very definite limits both to the power and to the value of military aircraft. Consequently, if we neglect civil aviation, too, we may find the problem completely changed in a few years. A country having a powerful fleet of civil aircraft and a highly developed aeronautical industry might, in the first place, have at its disposal at the shortest notice a large number of bombing aeroplanes; and further, through the mass production of extremely powerful machines, it could supplement the material drawn from civil aviation with a view to immediate aggression. Those are facts which we dare not overlook.

I will not go into details here, and I certainly do not wish to appear to be advertising any particular type of machine; but I must say this, that, since we came to Geneva, an incident has occurred, and there is a machine which has been much discussed, though not as much as I should like. I have here a weekly journal published in Madrid, containing an article of such interest that, with your leave, I venture to read it to you. Our colleague M. Cobián will pardon me if, instead of reading it in his own beautiful Castilian tongue, I only give a rather poor French translation. The pilot of the machine referred to in the article made to a journalist the following statement, which, so far as I know, has not been denied. I will shortly send the text of the article to the Bureau.

"This machine, which looks like a commercial aeroplane, may rapidly be converted into a terrible engine of war. It is so arranged as to be able to carry four guns of small calibre, which can fire in full flight, and also several machine-guns. It can rapidly be armed and can fire in all directions, including the rear. For war purposes it is an extremely formidable instrument. It can carry 5,000 kilogrammes of bombs and, starting for example from Saragossa, can drop them on London, Paris, Rome, Brussels, etc., and return to its starting-point without landing."

And here the pilot might almost seem to have had our Commission in mind:

"The machine can fly at a height of 6,000 metres carrying its full load, so that it will be out of range of attack. At that height it will be free from all attack from the ground, since anti-aircraft guns have not so great a range as that."

This text speaks for itself, and I will add no comment; I think the Commission has understood.

I will say this, however, that if a machine with features of such outstanding military value can be built in a country in which, under the terms of a Decree-Law of 1926, the construction of any aircraft capable of being equipped with arms of any kind such as guns, machine-guns, etc., is forbidden—a country, too, which certainly is anxious to observe its international

<sup>1</sup> Note by Secretariat. — Document C.339.M.139.1930.VII.

obligations—if, I say, such a machine can be built in that country, we may justifiably ask what the position might be in countries where no such prohibition exists?

These are facts which the majority of the delegations cannot ignore. I only hope that a solution will be found which will enable us to take them into account in our draft Convention.

**M. Fierlinger (Czechoslovakia).** — I think all the reasons in favour of this article have already been stated. M. Rutgers, with his well-known penetration, has pointed out to us that we are perhaps acting illogically in trying to embody this article in our Convention. There is certainly some little inconsistency, but I think this small and purely formal defect should not weigh against the concrete facts, which have now been laid before us.

This is not, I think, a matter of material alone; it is also directly concerned with the number of air pilots at the disposal of an army. Every commercial aircraft in service means one experienced pilot. As you know, it is extremely difficult for an army to maintain a permanent staff of pilots, because the upkeep of a pilot is a very expensive affair. On the other hand, civil aviation maintains a very large staff of experienced pilots. Then again, commercial aircraft in use can always be kept up to date as regards technical developments, whereas military aircraft in reserve are of comparatively little use because they do not possess the necessary counterpart in human material—that is to say, pilots. They cannot keep pace with technical developments like commercial aircraft.

For these reasons, commercial aviation represents an enormous and unknown force constantly at the disposal of the various States, and I think there is no occasion to stress the need of publicity. Such publicity, moreover, will be an easy matter, since in every country there are registers of commercial aircraft. Each country need only draw up a statement based on these registers of commercial aircraft and place it at the disposal of the Secretariat. This publicity would apply equally to all countries, and I therefore see no objection to the rule being applied by all and to all.

**The Hon. Hugh Gibson (United States of America).** — While I may be wrong in all my views on this subject at least I am consistent, inasmuch as I would prefer to delete both the articles referred to by Lord Cecil and M. Rutgers.

I have been very much impressed by the arguments put forward by those in favour of maintaining the text. I recognise their preoccupation. I recognise the very great importance of this entire subject, and the need for devising methods of dealing with it effectively, but I do find difficulties in it purely on the basis of form. It seems to me that, in a treaty for the limitation of arms and material of war, we are getting on dangerous ground when we try to provide any form of limitation, however attenuated, for civil aviation, or any form of what might be called war potential.

As to the substance of this, I do not need to assure this Commission that we are in favour of the fullest publicity. We already give it; we have annual and semi-annual reports, in a very detailed statistical form, in regard to civil aviation, but as a practical matter I cannot help feeling it would be better to deal with this whole subject outside this Convention.

My objection is purely on the difficulty of form, and solely on that ground I shall vote for the deletion of the article. If the majority finds in favour of maintaining the article, I shall readily be able to fall in with it, and furnish the desired information.

**M. Rutgers (Netherlands).** — The articles we have discussed relate to material in reserve, stiffened decks and budgetary expenditure. We are concerned at the present moment with things that are not military in character but are essentially civilian. At the same time I am not absolutely opposed to the article. My difficulty is that, while we provide for publicity regarding civil aviation, we are going to dispense with it in regard to military air material.

If M. Massigli would plead for publicity regarding military aviation with the same lucidity as in the speech we have just heard, I feel sure the whole Commission would be ready to follow him and adopt his view. Whatever we may say, military aviation is really more dangerous than civil aviation.

I have also to congratulate Lord Cecil on the decision that the Commission has taken.

**M. Cobián (Spain).** — I desire to thank M. Massigli for having adduced evidence in the Spanish language in support of his arguments. But I must remind him of one fact, the importance of which no one can fail to realise. Two years ago a Committee, of which Count Bernstorff was chairman and M. Massigli, Mr. Gibson and other delegates were members, tried to draw a distinction between civil and military aviation, and no one was then able to tell us how to do it.

Moreover, to return to the problem of publicity, I have always said—and my acts have been consistent with my words—that my country was prepared to carry out the utmost publicity in all fields. I have no course therefore but to give my vote for the proposals before us. I am quite prepared to vote for limitation of every description provided that supervision is instituted.

**Count Bernstorff (Germany).** — I must make a reservation in respect of this article. I fully approve the arguments set forth by Mr. Gibson and M. Rutgers. It seems to me extraordinary that such importance should be attached to civil aviation, while no attempt is made to limit or publish the returns of material in reserve for war purposes.

M. Massigli also spoke of the military value of a civil aircraft of my own country. In reply I beg to quote certain remarks made by M. Brocard, an expert of his own country, and, I think,

formerly chairman of the Commission française de l'aviation. I take them from the reports of the official journal containing the discussions of the Chamber of Deputies.

“ You spoke just now ”, said M. Brocard, “ of commercial aviation and our alleged intention of using our commercial aircraft for war purposes. I refute that allegation, not on grounds of sentiment, but on purely logical grounds and purely in our own interest. We have no interest in using our commercial aircraft for war purposes, particularly for bombing. We should therefore be acting with incredible stupidity if we made commercial aircraft less efficient for the express purpose of using them in time of war, when we are wholly free to build bombing aircraft, which are far superior since they are designed for that specific purpose.”

After making certain entirely mistaken observations regarding Germany's alleged intention of using her civil aircraft at a given moment for military purposes, M. Brocard continues as follows:

“ But do not forget that, in order to do so, we must reduce the speed of the aircraft, we must increase the size of its fuselage in all directions and we must lower its maximum attainable height; we must make it far more vulnerable. If I had the honour to command pilots who had to fight against commercial aircraft so transformed, it would be a splendid thing for me; we should be fighting against aircraft whose speed would be reduced by 20 or 30 per cent, whereas our superiority in speed is based in some cases on very slight margins of difference in performance. To transform our commercial aircraft would be an error from every point of view.” (*Applause.*)

I have often explained to this Commission why I cannot agree that a disarmament convention should deal with civil aviation. It is important for Germany as for other States to know the exact state of development of aviation in the various countries. For some years now we have published an official and detailed list of all aircraft. We should be very glad if, apart from this Convention, all States agreed to publish annually a statement containing particulars of their civil aircraft; but I cannot agree that such an agreement should form part of a purely military convention.

M. Sato (Japan). — I have been greatly impressed by the speeches I have just heard, particularly those of Lord Cecil and M. Massigli. I find however—contrary to what I thought—that the Commission does not unanimously share their opinion, and, for that reason, I should like briefly to explain why I wish this article to be retained.

There is no universally adopted rule for publicity in the matter of civil aviation. There is, it is true, a Convention for the regulation of air navigation. There is also a special commission, set up as a result of the adoption of that Convention and called the C.I.N.A.<sup>1</sup> Several important countries, however, are not yet parties to the Convention; and that is a fact which the Preparatory Commission must bear in mind.

Up to a point, we may compare civil aviation to the mercantile marine. Their functions are approximately the same: but, in the case of merchant ships, full and comprehensive details have to be registered—I refer to the registration at Lloyd's and with the Bureau Veritas. This registration or matriculation is quite sufficient and is universally recognised. For civil aviation, on the other hand, I repeat, there is no universal convention. An agreement providing for universal registration and publicity is urgently necessary. If a number of important delegations prefer this question to be settled outside our Convention I see no objection, provided that the same result is reached. In order to make our task easier, however, we should, perhaps, provisionally retain this article and leave the Disarmament Conference free to treat the question separately, if it thinks fit.

As regards the comparison between civil aviation and military air material in reserve, I do not entirely share M. Rutgers' opinion. There is no bar to the development of civil aviation, and I personally am glad that is so. On the other hand, in view of the rapid, and I might even say unforeseen, development of civil aviation, it would be impossible to have in reserve large quantities of military air material, since it would soon be rendered obsolete by fresh technical developments. No country therefore would conceivably make the mistake of stocking a large quantity of reserve material for its military aircraft. Consequently there is no true parallel between civil aviation and military air material in reserve. We therefore might very well disregard this comparison, and concern ourselves with publicity, though without placing any obstacle in the way of the development of civil aviation. For these reasons, I am in favour of retaining the article in question.

Colonel Martola (Finland). — I support those who have asked to retain the article. I think it is impossible to restrict the development of civil aviation; but we must also recognise that civil aircraft may be utilised at once, not merely for military purposes in general, but for offensive purposes. We cannot agree that a country, in determining the military aircraft it needs, should pay no regard to the civil aircraft of its neighbours. In that connection we consider publicity in matters of civil aviation both natural and necessary.

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<sup>1</sup> Note by the Secretariat. — Commission internationale de navigation aérienne (French title); International Commission for Air Navigation (English title).

**General Dumitresco (Roumania).** — The Roumanian delegation had the honour to submit the first proposal recognising the importance of civil aviation. We still think that nothing should be done to check the development of civil aviation; on the other hand—as indeed has been recognised by the various Sub-Committees and at the sessions of this Commission itself—the military importance of civil aviation cannot be ignored. In point of fact, the development of civil aviation, its characteristics, the facts that have been adduced, and that are well known, all show that we must constantly bear in mind the possibility of civil aircraft being transformed, in a very short time, into military aircraft. Civil aircraft may be used, not only for bombing, but also for observation, for scouting, for liaison work, for ambulance services and for other purposes.

As civil aviation is in full course of development we can readily admit its possibilities in time of war. The least we can do, therefore, is to subject it to the requirement of publicity.

#### AMENDMENT PROPOSED BY THE POLISH DELEGATION.

**General Kasprzycki (Poland).** — The previous speakers have fully stated the arguments in favour of the interdependence of military and civil aviation. A number of examples have been given, and I should like to add another. Dr. Hans Oppikofer, of Königsberg, has published an article on the legal problem of commercial aviation. In a special chapter entitled "State Supervision of Air Undertakings of the Home Country" the author observes that the importance attached by the State to air navigation is primarily political and not economic. He notes that the policy of a number of the great Powers in regard to air communications is the outcome of a desire to increase their war potential with an eye to military needs.

One way of dealing with this question would be to limit civil aviation. Some delegations have spoken in favour of such a course. As a compromise we adopted the solution contained in the first-reading text. It was, however, no more than a compromise.

I think it would be expedient to supplement Article IE by inserting, after the words "the total number of civil aeroplanes and dirigibles", the words: "and the global horse-power". I am rather late in making this proposal, but, if the President will allow me, I will submit a written text and we might decide on it at the third reading, if it is not possible now.

**The President.** — Although this amendment has not been circulated I do not think the Commission will object to adopting it.

**Lord Cecil (British Empire).** — I am afraid I could not accept that amendment. If we are to deal with horse-power, we must deal with a number of other circumstances. My information is that horse-power is a very inadequate method of measuring the strength or the aggressive power of aircraft. I hope the Polish delegation will not insist on pressing its amendment at this stage.

#### ADJOURNMENT OF THE DISCUSSION ON THE POLISH PROPOSAL.

**General Kasprzycki (Poland).** — I myself suggested that we should not discuss my proposal until we came to the third reading, as the proposal had not been distributed.

#### VOTE ON ARTICLE IE (FIRST-READING TEXT).

**The President.** — I will ask you to vote on the text adopted at first reading, it being understood that the proposals of Lord Cecil and General Kasprzycki will be discussed at the third reading.

M. Sato's suggestion that the Conference should be recommended to deal with the subject in a separate protocol will be mentioned in the report.

*Article IE, as adopted at first reading, was adopted by seventeen votes, with some abstentions.*

#### 76. Discussion on Chapter V. — Section II: Articles DA\* and DB\*.

##### *First Reading.*

##### PREAMBLE TO ARTICLES DA\* AND DB\*.

Whereas it is in the general interest that the expenditure on armaments should be limited, and

Whereas the High Contracting Parties are not agreed at present on any satisfactory method of accomplishing this object, and

Whereas the High Contracting Parties consider that, as a preliminary to such limitation of expenses, full publicity should be secured so that on



PREAMBLE TO ARTICLES DA\* AND DB\* (*cont.*)

a future occasion it may be possible again to approach this question with better hope of success:

The High Contracting Parties agree to arrange for the publicity of their military, naval and air expenditure in accordance with the provisions contained in the two following articles.

*Article DA\*.*

Each of the High Contracting Parties will communicate to the Secretary-General of the League of Nations, in a model form, a statement of the amount proposed to be expended on its land, naval and air armaments in the current financial year.

This communication shall be made not later than .... months after the entry into force of the legal provisions authorising the expenditure.

In putting forward this article, the Preparatory Commission takes note of the fact that the work of the Committee of Experts on Budgetary Questions is not complete, and that it hopes to produce a relatively simple schedule. The Preparatory Commission is of opinion that the model statement should be as simple as possible consistently with the achievement of its object.

The German delegation has accepted the principle of the simplification of the model statement on condition that the model statement is employed exclusively for the publication of expenditure on national defence and not for purposes of comparison and limitation.

The Italian delegation reserves its opinion concerning Article DA until it has examined the model statement in question.

The British delegation makes a reservation with regard to the second paragraph of this article.

*Article DB\*.*

Each of the High Contracting Parties will communicate to the Secretary-General of the League of Nations, in a model form, a statement showing the amount actually expended on its land, naval and air armaments during the preceding financial year.

This communication will be made not later than .... months after the close of the financial year.

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*Note by the Secretariat.* — In order to avoid confusion between Article DA in Chapter III and the Articles DA\* and DB\* above, these last-named should be re-lettered to conform with the series IA, IB, etc.

PROPOSALS BY THE BRITISH DELEGATION.

*“ Chapter V. — Miscellaneous Provisions.*

“ Substitute the following article for Articles DA\* and DB\*:

“ ‘ Each of the High Contracting Parties shall communicate to the Secretary-General of the League of Nations, in a model form, a statement showing the actual total amount expended on land, sea and air forces, during the preceding financial year.

“ ‘ It shall at the same time communicate to the Secretary-General a statement showing the amount actually expended during the preceding financial year on the upkeep, purchase, and manufacture of war material as defined in Article DB of Chapter III of the present Convention.

“ ‘ This communication shall be made not later than . . . months after the close of the financial year.’ ”

**The President.** — In view of what we decided in regard to Chapter III dealing with budgetary limitation, the preamble of Articles DA\* and DB\* may be omitted.

The British delegation proposes that these two articles should be replaced by a single article, as shown above.

**Lord Cecil (British Empire).** — I do not think I have very much to say about this; we have already discussed it in another form. The only point we have not decided is the question of limitation of expenditure in the air arm.

But, in any case, whether we decide on limitation or not, I do not know whether this affects the question of publicity. I hope everybody is in favour of publicity even if not in favour of limitation, and I hope, therefore, we will agree to this which only states in precise terms the necessary return that must be made if we are to have publicity as to expenditure.

**M. Massigli (France).** — Is it possible for us to vote on this point before the experts' opinion on publicity in regard to material is known?

**Lord Cecil (British Empire).** — With regard to air forces we have adopted the principle of limitation and therefore I should have thought that we ought to adopt this in principle, but I quite agree that some note ought to be added to indicate the form in which this obligation should be carried out (whatever form M. Massigli may like). This must await the decision of the experts. I think, as we have decided on this principle once, we ought to decide on it again. Moreover, limitation is one thing, publicity another. M. Massigli and I are sincerely agreed as to the ineffectiveness of publicity; but still it is something, and this is merely for publicity. Therefore I should have thought we could go as far as this. Of course, the experts may require a change as to the exact way in which it is to be done, but that is a different matter.

**M. Massigli (France).** — I think Lord Cecil and I have not the same experts in mind. I did not mean the budgetary experts, but the experts who are to discuss the question of war material, and whose conclusions will substantially affect the question now under discussion.

**Lord Cecil (British Empire).** — I do not want to be unduly tenacious, but surely that is a question of whether we are going to make a list of particular articles. Certainly a very important question. This is only the totals; but publicity as regards totals is a very desirable thing, and therefore I hope we can accept the proposal as it stands. I do not want to overburden the Sub-Committee, who will have a very difficult task as it is.

**M. Massigli (France).** — As regards total (global) publicity, I agree. I may, however, revert later to the question of detailed publicity.

**M. Rutgers (Netherlands).** — I do not quite understand what M. Massigli has just said. It is a sufficient reason for not discussing the matter now. I should like to ask the British delegation a question.

The first-reading text contains the words: "of the amount proposed to be expended". In place of these words the British proposal reads: "the actual total amount".

Up to the present, it has been intended that the figures of various items should be published in accordance with a model form. Does the British delegation propose that only one figure should be published?

**Lord Cecil (British Empire).** — I am very sorry I cannot answer that question off-hand as I have not the French text before me at this moment. The authorised text in this case is evidently the English text, because it is an English amendment and we drafted in English and not in French. The words are: "in a model form". No doubt the British had in contemplation the model form presented by the experts. The budgetary experts have drawn up a model form which satisfied us in London, and we drew up these articles assuming that that model form would be accepted. As a matter of fact, as M. Massigli has pointed out, in certain respects the work of the budgetary experts ought to be enlarged and we raise no objection. Therefore, if any change be desired the new model form will be adapted. At present, the model form of this amendment is the model form of the report of the budgetary experts. ". . . shall communicate to the Secretary-General of the League of Nations, in a model form, a statement showing the actual total amount expended on land, sea and air forces . . ." The object is to reach the total amount expended on land, sea and air forces, but the form in which that is given is the model form drawn up by the experts.

**M. Sato (Japan).** — I think it would be better to adjourn the question until to-morrow, because there appears to be some misunderstanding, and I think the point requires reflection. I will speak to-morrow.

**The President.** — . . . when we have the report.

**M. Politis (Greece).** — . . . when we have the reports of both Committees.

**M. Sato (Japan).** — Very well, then, I will give a brief explanation now, and we shall vote to-morrow.

The first paragraph of the British proposal speaks of a "model form". But we have instructed the budgetary experts to draw up a model form for the limitation of expenditure, and we have not yet given them any instructions as regards publicity. Will the budgetary experts' powers

be extended to enable them to establish a model form for publicity? That point must be made quite clear; otherwise the position of the Committee of Budgetary Experts will be somewhat confused.

I do not see any fundamental objection to the British proposal, but I think this point requires to be made clear.

**The President.** — When we have adopted the text we will give detailed instructions as regards the model.

**Lord Cecil (British Empire).** — Yes, I think it would be convenient for the experts to deal with this model form as well as with the other.

**The President.** — We will postpone the vote until to-morrow.

*The Commission rose at 1.15 p.m.*

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## FIFTEENTH MEETING.

*Held on Tuesday, November 25th, 1930, at 10 a.m.*

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*President:* M. LOUDON (Netherlands).

### 77. Discussion on Chapter V. — Miscellaneous Provisions: Section II. — Exchange of Information (continuation): Articles DA\* and DB\* (continuation).

#### VOTE ON THE BRITISH PROPOSAL.

**The President.** — This morning we will continue the discussion of Articles DA\* and DB\* drawn up at first reading.

I stated yesterday that it would be better to do without a preamble, and I understood that the Commission agreed with me on this point. We then proceeded to examine Articles DA\* and DB\* and the British amendment relating to them.

At the end of yesterday's meeting there was a very interesting discussion between M. Sato and Lord Cecil. Some uncertainty still existed as to whether the budgetary experts who had been instructed to draw up a model form in respect of the limitation of expenditure, should also be asked to deal with publicity. Lord Cecil was of opinion that the experts should deal with both these questions, and M. Sato agreed with him, but no vote was taken.

I think that we might perhaps vote now, as I hope I am right in saying that the Commission agrees that the Committee of Budgetary Experts should also deal with publicity.

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — To avoid any misunderstanding, I wish to state, on behalf of the Soviet delegation, that it will abstain from voting on all questions relating to publicity. The reasons for this attitude have been explained more than once by our first delegate, particularly in his last statement on November 20th.

**The President.** — I will not re-read the British proposal. Will those who are in favour of it kindly signify their assent by a show of hands?

*The British proposal was adopted by twenty-one votes.*

### 78. Discussion on Chapter V. — Miscellaneous Provisions: Section III. — Derogations: Article XA. — Procedure.

#### *First Reading.*

(British Draft.)

The provisions of the present Convention shall not prevent any of the High Contracting Parties from increasing its land, naval or air armaments beyond the agreed figures:

(1) If a war in which it is a belligerent has broken out; or

(French Draft.)

If one of the High Contracting Parties is compelled by the unjustified aggression of another Power to resort to the measures of mobilisation referred to in Article D (Chapter I), it shall immediately inform the Secretary-General of the League of Nations and shall

(British Draft) (cont.)

(2) If it is threatened with a rebellion, or

(3) If this increase is effected with the consent of the Council of the League of Nations.

Notice to all the other High Contracting Parties shall be given by the Party increasing its armaments in pursuance of this article.

Subject to any agreement to the contrary by the Parties to this Convention, a High Contracting Party increasing its armaments in pursuance of the first paragraph of this article shall, when peace is restored or the rebellion has come to an end, reduce its armaments to the amounts agreed upon.

PROPOSAL  
BY THE BRITISH  
DELEGATION.

The British delegation submit the following draft, to replace Article XA (Derogations) of the first-reading text:

The provision of the present Convention shall not prevent any of the High Contracting Parties from increasing the peace strength of its land, naval, or air armaments beyond the agreed figures:

(1) If it is faced with menace of organised rebellion or general uprising; or

(2) If this increase is effected with the consent of, and subject to any conditions laid down by, the Council of the League of Nations.

Notice to all the other High Contracting Parties and to the Council of the League shall be given forthwith by the Party so increasing its armaments, together with a statement of the reasons for such increase.

Subject to any agreement to the contrary, the High Contracting Party

PROPOSAL  
BY THE YUGOSLAV  
DELEGATION.

The delegation of the Kingdom of Yugoslavia submits the following draft in lieu of the text adopted at first reading for Article XA (Derogations)

The provisions of the present Convention shall not prevent any of the High Contracting Parties from increasing temporarily its land, naval or air armaments beyond the agreed figures:

(1) If it is threatened with imminent aggression or if a wrongful act of aggression has been committed against it;

(2) If it is faced with the threat of an organised rebellion or general rising; or

(3) If the increase is effected with the consent of the Council of the League of Nations and subject to all conditions specified by the Council.

This possibility of increasing land, naval or air effectives, in exceptional circumstances, does not imply

(French Draft) (cont.)

*ipso facto* be released for the duration of the conflict from the obligations which it incurs under the present Convention.

If the High Contracting Party is a Member of the League of Nations, it shall remain subject to the general obligations of the Covenant and to the decisions of the Council. The Secretary-General of the League of Nations shall be responsible for summoning the Council as quickly as possible.

PROPOSAL  
BY THE AMERICAN  
DELEGATION.

If, during the life of the present Convention, a change of circumstances constitutes in the opinion of any High Contracting Party, a menace to its national security, such High Contracting Party may modify temporarily, in so far as concerns itself, any article or articles of the present Convention, other than those expressly designed to apply in the event of war, provided:

(a) That such High Contracting Party shall immediately notify the other High Contracting Parties of such temporary modification, and of the extent thereof;

(b) That simultaneously with the notification referred to in point (a), the High Contracting Party shall make to the other High Contracting Parties full explanation of the change of circumstances referred to above.

Thereupon the other High Contracting Parties shall promptly advise as to the situation thus presented.

When the reasons for such temporary modification have

PROPOSAL BY THE  
AMERICAN DELEGA-  
TION AMENDED BY  
THE SUB-COMMITTEE.

If, during the life of the present Convention, a change of circumstances occurs which, in the opinion of any High Contracting Party, is such as to constitute a menace to its national security, the said High Contracting Party may modify temporarily, in so far as concerns itself, any article or articles of the present Convention, other than those expressly designed to apply in the event of war, provided

(a) That such High Contracting Party shall immediately notify the other High Contracting Parties and at the same time the Permanent Commission, through the Secretary-General of the League of Nations, of such temporary modification, and of the extent thereof;

(b) That simultaneously with the notification referred to in point (a), the High Contracting Party shall communicate to the other High Contracting Parties, and at the same time, to the Permanent Commission, through the Secretary-General of

PROPOSAL  
BY THE BRITISH  
DELEGATION (*cont.*).

increasing its armaments in pursuance of the first paragraph of this article shall, when the occasion for the increase has ceased, reduce its armaments to the amounts agreed upon.

PROPOSAL  
BY THE YUGOSLAV  
DELEGATION (*cont.*).

any modification in the obligation of States Members of the League of Nations to comply with the provisions of the Covenant in case of conflict. A party increasing its armaments in conformity with the present article shall be bound to notify all the other contracting parties immediately, stating the reasons for the temporary increase. When these reasons no longer exist and the said contracting party has reduced its armaments to the agreed figures, it shall notify the other contracting parties of the fact.

PROPOSAL  
BY THE AMERICAN  
DELEGATION (*cont.*).

ceased to exist, the said High Contracting Party shall reduce its armaments to the level agreed upon in the Convention, and shall make immediate notification to the other High Contracting Parties.

PROPOSAL BY THE  
AMERICAN DELEGA-  
TION AMENDED BY  
THE SUB-COMMITTEE  
(*cont.*).

the League of Nations, full explanation of the change of circumstances referred to above.

Thereupon the other High Contracting Parties shall promptly advise as to the situation thus presented.

When the reasons for such temporary modification have ceased to exist, the said High Contracting Party shall reduce its armaments to the level agreed upon in the Convention, and shall make immediate notification to the other High Contracting Parties.

**The President.** — Section III consists of a single Article, XA.

The texts before you are as follows: the French proposal, submitted at the first reading; the British proposal, shown above, which replaces the proposal submitted by that delegation at the first reading; the proposal of the Yugoslav delegation shown above; the proposal of the United States delegation shown above.

Further, the Sub-Committee has agreed upon a text which is a slightly modified version of the American proposal. I should be glad if the Commission would take the amended American proposal as a basis of discussion.

I ask M. Politis, who presided over the Sub-Committee, charged with the co-ordination of certain texts in Chapter V, to be good enough to explain that text.

**M. Politis (Greece).** — The Sub-Committee which you appointed to examine and co-ordinate the various texts relating to the Permanent Disarmament Commission naturally had to deal with Section III, Article XA, relating to derogations, as well, because there is a very close connection between the powers of the Permanent Commission, as they will be submitted to you, I understand, to-morrow, and this question of derogations.

There were several texts dealing with the question of derogations; the British delegation stated that it would withdraw its amendment and would agree to the American delegation's amendment; we also hoped that, as the substance was the same, the Yugoslav delegation would not press its proposal but would accept the American proposal. This text was examined and accepted by the Sub-Committee with certain modifications—namely, the addition to each of paragraphs (a) and (b) of a reference to the Permanent Disarmament Commission, to the effect that the various notifications, either in regard to any measure taken for the suspension of a particular provision of the Convention or in regard to exceptional circumstances which might have occasioned such a suspension, must be made to the Permanent Disarmament Commission as well as to the contracting parties.

The resulting text is perfectly clear and logical, and the Sub-Committee hopes that the Commission will adopt it. If further explanations appear to be necessary during the discussion I shall be happy to give them.

WITHDRAWAL OF THE YUGOSLAV PROPOSAL.

**Dr. Markovitch (Yugoslavia).** — The Yugoslav delegation withdraws its amendment to Article XA and will accept the American proposal, which it considers quite satisfactory.

POSTPONEMENT OF DISCUSSION ON ARTICLE XA.

**Lord Cecil (British Empire).** — I rise on a question of procedure. I am doubtful whether it is desirable for us to discuss this until we have the whole scheme of the Sub-Committee before us.

M. Politis has very rightly pointed out that when we began to discuss the question of the Permanent Disarmament Commission we found ourselves inevitably drawn into a discussion of the question of derogations, because the two things hang together so very much. I rather doubt whether it is wise for us to begin a discussion on derogations until we know exactly what the Commission is going to do with regard to the Permanent Disarmament Commission. I should have thought it would be better procedure to adjourn the discussion on derogations until we are able to see the whole proposals that come from the Sub-Committee, and to judge them as a whole. If my colleagues on the Sub-Committee do not agree with me, I am quite ready to go on with the discussion, but I think, as a matter of convenience, that it would be better to take the whole thing together.

M. Politis (Greece). — On further consideration, I think that Lord Cecil is right. For the members of the Sub-Committee the position is quite clear, since they all know what has been done, but as regards our colleagues on the Commission who did not take part in the Sub-Committee's work, doubts may arise at any moment as to the exact nature of this Permanent Commission, its powers, and the connection between its other attributions and those mentioned in the article relating to derogations. With a view to avoiding preliminary explanations, which would not be complete or very clear to the members of the Commission until they have the Sub-Committee's text and its accompanying report before them, it would be better to adjourn the discussion. In the end this will save time.

However, in order to avoid holding up our work, I propose a procedure which is somewhat different from our usual method. Instead of postponing our discussions until to-morrow—that is to say, until you have the texts before you—and thus wasting to-day's meeting, I suggest that, as proposed by Lord Cecil, we should adjourn the discussion on Article XA and should take Article H, the only one in the first section which was left outstanding at the first reading. In order to finish the second reading down to and including Section II of Chapter V, we might take the third reading of all these texts, leaving until to-morrow or the day after—according to whether we complete this third reading to-day or to-morrow—the articles dealing with organisation, Article IF which relates to the Permanent Commission, Article XA on derogations, the whole of Section IV concerning the procedure with regard to complaints and revision, which will be included in the documents to be distributed to you to-morrow, and, finally, Section V, relating to ratification, entry into force and denunciation of the Convention.

Moreover, it is possible that amendments may be submitted to Section V; if there be any, they will have to be examined, but, as an exception to our general method, we could begin the third reading of the texts adopted at the second reading down to and including Section II, after which we could complete the second reading of the other texts, and immediately afterwards, if necessary, the third reading; we could thus save time and complete our work more quickly.

The President. — The procedure suggested by M. Politis is what I had intended to propose. I think with him that we can proceed at once to Article H.

#### PROPOSAL BY THE BELGIAN DELEGATION TO INSERT A NEW ARTICLE.

M. Bourquin (Belgium). — I fully agree with Lord Cecil's proposal, which has been supported by M. Politis and approved by the President. I think it is better to postpone the discussion of the problem of derogations as a whole. However, I would remind the Commission that the Belgian delegation has submitted a proposal touching on this question, but which is of a strictly limited character: this proposal is as follows:

#### PROPOSAL BY THE BELGIAN DELEGATION TO INSERT A NEW ARTICLE IN CHAPTER V, SECTION III (DEROGATIONS).<sup>1</sup>

##### *Article XB.*

"The High Contracting Parties shall, as an exception, be entitled to exceed the figures accepted by them under Article I as a limit for the total period of service which their annual contingent is compelled to serve, in so far as, owing to a falling-off in the number of births, such an increase may be necessary to safeguard the rights conferred upon them by Article A.

"Nevertheless, they may not exceed the figure laid down in virtue of Article I as a uniform standard for the period of service."

M. Bourquin (Belgium). — We could perhaps discuss this to-day, because, although it touches on derogations, it does not prejudge the solution of the problem but deals with one special point.

Dr. Markovitch (Yugoslavia). — I support the Belgian proposal as to procedure and also the amendment proposed by the Belgian delegation.

M. Lounatcharsky (Union of Soviet Socialist Republics). — It is somewhat difficult for us to accept M. Politis' proposal, because the Soviet delegation has not had time to draw up amendments for the third reading.

<sup>1</sup> Note by the Secretariat. — This proposal is discussed at the sixteenth meeting. See page 252.

Count Bernstorff (Germany). — I have no objection to the proposed procedure, but I should like to point out that the examination of the German proposal concerning publicity was postponed until the end of the second reading.

79. Discussion on Chapter I. — Effectives (continuation): Article H (continuation).

*Observations and Reservations.*

The second paragraph of Article H has not been discussed in connection with naval and air effectives.

The delegations of France and Italy declare that the clauses of the first two paragraphs must apply in the same conditions to land, naval and air effectives, and that it can only accept them subject to this reservation.

The delegations of the British Empire, Chile, Japan, and the United States of America do not accept the third paragraph.

*First Reading.*

In order to prevent the number of officers, warrant officers and sergeants from exceeding the legitimate requirements of each army, the tables relating to land armaments mentioned in Article A above shall indicate a maximum number of officers, warrant officers and sergeants which each High Contracting Party shall undertake not to exceed.

Similarly, for the same reasons as those given above, the said tables shall show the maximum figure which each High Contracting Party undertakes not to exceed in respect of other ranks whose period of service is longer than the longest period at present in force in the conscript armies of the High Contracting Parties.

The provisions contained in the first paragraph of this article equally apply, *mutatis mutandis*, to the tables in Article A relating to naval and air armaments.

*Second Reading.*

The tables relating to land armaments mentioned in Article A above, shall indicate a maximum number of officers which each High Contracting Party shall undertake not to exceed.

The said tables shall further fix the maximum number of soldiers, other than officers, who may have completed more than  $x^1$  years of actual service with the colours.

In conscript armies, the number of men whose service exceeds the legal period in force in their respective countries but is less than  $x^1$  years, shall be shown for each High Contracting Party in the annual statements for which provision is made in Article IA of Chapter V.

The tables relating to air armaments mentioned in Article A shall indicate, in the form of aggregate figures for officers, non-commissioned officers and men together, the maximum number of soldiers who may have completed more than  $x^1$  years of actual service with the colours.

The number of men of the class mentioned in the second and fourth paragraphs of the present article who are actually with the colours shall be shown every year for each High Contracting Party in the statements for the preparation of which provision is made in Article IA of Chapter V.

Each country may, if it so desires, show for purposes of information, in a special column in Publicity Table IA of Chapter V, the proportion of recruits not trained as defined in the national legislation who are embodied in the effectives of its armed forces.

(To be discussed later as far as Naval Effectives are concerned.)

<sup>1</sup> Note. — This figure will be determined by the duration of the longest period of actual service with the colours which is in force in the conscript armies of the High Contracting Parties at the time of the signature of the Convention.

The President. — We will now pass on to Article H. The examination of this article, as regards naval effectives, was postponed until the second part of the Commission's sixth session. The Sub-Committee, which was asked to draw up an acceptable formula, discussed several proposals, the last of which has just been circulated and is as shown below.

SUB-COMMITTEE'S PROPOSAL.

“ Article H. — Naval Effectives.

“ Between the third and fourth paragraphs of the second-reading text insert the following:

“ ‘ The tables relating to naval armaments mentioned in Article A shall indicate the total of naval forces in the form of aggregate figures for officers, non-commissioned officers and men together.

“ ‘ It is understood that separate particulars will be furnished in the annual statement, for which Article IA provides, of the number of officers and men who have completed more than  $x$  years of effective active service. ’ ”

This proposal by the Sub-Committee was not accepted by the whole Sub-Committee, but only by a majority. The French delegation has maintained its reservation at the first reading to the effect that it would only accept the limitation of the number of officers and men of the land and air forces who have completed more than  $x$  years' service provided a similar rule is applied to naval forces.

PROPOSAL BY THE SOVIET DELEGATION: VOTE ON THIS PROPOSAL.

**The President.** — Since the wording proposed by the Sub-Committee does not satisfy the Soviet delegation, the latter has asked for a vote to be taken on its proposal. Consequently, before a decision is taken on the addition proposed by the Sub-Committee, we must vote on the Soviet proposal.

I will now put to the vote the Soviet proposal which is as follows:

AMENDMENT PROPOSED BY THE SOVIET DELEGATION TO THE TEXT ADOPTED  
AT SECOND READING.

“ *Article H.*

“ Considering that the increase in the number of officers, warrant officers and seamen in general remaining in active service after serving for the full term required in their navy, above and beyond the existing proportion, facilitates the deployment of the naval forces in case of mobilisation and makes it possible, *inter alia*, for the navy to utilise commercial tonnage, the Soviet delegation proposes the addition of the following paragraph to Article H:

“ ‘ The tables concerning naval armaments referred to in Article A shall indicate separately a maximum number (1) of officers, (2) of warrant officers and seamen remaining in active service after serving the full term required in their navy. <sup>1</sup> The High Contracting Parties undertake not to exceed this number. ’ ”

*This proposal was rejected by six votes against to one for.*

VOTE ON THE SUB-COMMITTEE'S PROPOSAL.

**The President.** — I will now put to the vote the Sub-Committee's proposal.

**M. Massigli (France).** — I am obliged to maintain the views which I put forward in the Sub-Committee. I shall abstain from voting and I would ask that the French delegation's reservation be inserted at the side of the article.

*The Sub-Committee's proposal was adopted by twelve votes for to one against.*

80. **Beginning of the Third Reading: Procedure.**

**The President.** — I propose that we should now begin the third reading.

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — It is understood that the Soviet delegation will have its amendments ready for the Commission to-morrow.

**M. Westman (Sweden).** — I think it would be advisable to have a text printed before we proceed to the third reading; otherwise we should be obliged to search the Minutes for the exact form of the texts adopted, and that would be no easy matter.

**The President.** — In these circumstances, it would be best to adjourn the meeting.

81. **Appointment of Rapporteurs.**

**Lord Cecil (British Empire).** — I have one proposal which might be made without any difficulty. Some of us have been thinking the Rapporteurs should be appointed as soon as possible, as there will be a good deal of work to do, and, owing to the rapidity of this Commission, we may suddenly find ourselves compelled to discuss the report. I venture to propose we should appoint M. Politis and M. Cobián as our Rapporteurs. I understand the former has some little doubt as to whether he can accept.

<sup>1</sup> This term refers to ordinary seamen remaining in effective active service for a term longer than the compulsory term of service in the navy of the country in which effective active service is the longest.



**M. Politis (Greece).** — In other circumstances, I should have been very glad to accept the invitation with which I have been honoured, but, unfortunately, I am obliged to decline it as I am still in a state of convalescence and am not well enough to undertake such a heavy task. I feel sure that M. Cobián will be able to draw up a report which will give the Commission full satisfaction, but, in view of the enormous amount of work which it will entail, I suggest that we should add another Rapporteur and I venture to propose M. Bourquin, who has already given us proofs of his sound judgment and zeal.

**M. Cobián (Spain).** — I desire to thank the Commission for its further proof of confidence and to support M. Politis' suggestion.

**M. Bourquin (Belgium).** — I wish to thank M. Politis and M. Cobián, but as I am a newcomer I doubt whether I am in a position to perform this task satisfactorily and whether, to use a term frequently employed here, I can be regarded as a "trained reserve".

**Lord Cecil (British Empire).** — I deeply regret that M. Politis is not able to accept the duty which we hoped to entrust to him, and I am still more sorry that his inability to accept is owing to his convalescence not being entirely complete. I am sure I voice the wishes of all my colleagues in hoping that that period will be a very short one, and that he will soon be restored to the complete and admirable exercise of his abilities. The only thing that comforts me is his suggestion that M. Cobián should take his place, and I feel sure that we could not do better than appoint M. Bourquin to assist him. I am quite certain that if M. Bourquin's training is not sufficient now, it will be long before he has finished the report.

**The President.** — Although we regret that M. Politis is unable to accept this duty, we are all very glad to note that M. Cobián and M. Bourquin have agreed to draw up the report.

**Count Bernstorff (Germany).** — I would remind the Commission that only the first paragraph of our proposal in regard to the first-reading text of Article I, Chapter I, was voted on; it was rejected, but the second and third paragraphs are still before the Commission. I would ask the President to be good enough to submit them to the Commission at the beginning of to-morrow's meeting.

*The Commission rose at 10.50 a.m.*

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## SIXTEENTH MEETING.

*Held on Wednesday, November 26th, 1930, at 3.30 p.m.*

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*President: M. LOUDON (Netherlands).*

### 82. Discussion of the Texts proposed by the Sub-Committee entrusted with the Examination of Certain Parts of Chapter V.

**The President.** — You will remember that, on Friday last, we decided to set up a Sub-Committee to undertake the preliminary examination of certain proposals relating to Chapter V, in particular Sections I and IV.

This Sub-Committee held three meetings under the chairmanship of M. Politis. The results of its work are given in documents C.P.D.278 and C.P.D.279,<sup>1</sup> which contain respectively the report by the Sub-Committee and the texts proposed by it.

I think the Commission should be extremely grateful to the Sub-Committee for discharging the task entrusted to it so quickly and with such lucidity.

Perhaps M. Politis will be good enough to add some explanations to the report which we have received, and I will ask him to address the Commission.

#### STATEMENT BY THE CHAIRMAN OF THE SUB-COMMITTEE.

**M. Politis (Greece).** — You have before you the Sub-Committee's report, which has been distributed in document C.P.D.278.

I should like to give you a brief summary of this report in order to facilitate the discussion of the articles which the Sub-Committee submits for your approval.

You will remember that the Sub-Committee had first to examine the various amendments proposed to Article OA relating to organisation and to the institution of a Permanent Disarmament Commission. There was the question whether such a Commission should be set up and, if so, what were to be its composition and functions.

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<sup>1</sup> Note by the Secretariat. — See Annexes 3 and 4.

In the first place, the Sub-Committee naturally considered the possible activities of such a Commission. It was unanimously of opinion that its primary duty—as, indeed, it must normally be for any such organ—would be to watch over the application of the Convention which is now being drawn up, to collect information in regard to its execution, and to submit an annual report to the parties concerned, the Council of the League and the world's public—since its report would be published.

This, then, would be its primary function. From the first-reading texts, it appeared that the Commission might have a second duty—that of dealing with complaints. If one State complained that another State, party to the Convention, had not carried out the articles of that Convention properly, or had infringed, or attempted to infringe, the provisions of any article, it must be enabled to state its complaint to some authority; and so it would be necessary to have an organ to investigate such complaints, not as a court, but as a commission of enquiry—an examining commission. After investigating the case, the Commission would give its opinion, and that opinion could then be utilised by the contracting parties in conferring with each other upon the situation which had arisen as a result of the breach of the Convention.

Again, when examining the article relating to derogations, the Sub-Committee considered that the Permanent Commission might undertake a third function. It recognised that this clause, although necessary, was of a very grave nature and that the suspension of the Convention, whether wholly or in part, in the event of a situation arising which endangered the safety of a country, was, I repeat, an act which might become necessary, but which was none the less of the greatest gravity. It would therefore be essential to delimit the cases in which this right could be exercised, to provide guarantees, and here again to have an organ competent to examine the situation and to give an opinion to the contracting parties and, so far as they are Members of the League, to the Council. Here again the Sub-Committee considered that the Permanent Disarmament Commission would be the most suitable organ for the purpose.

Fourthly, and lastly, in the event of the French delegation proposing—as it had announced—to supplement the general clauses providing for a revision of the Convention in exceptional circumstances, and of this proposal becoming an article of the Convention, it would be necessary for such requests for revision to be examined by some organ which would render an opinion; and the Permanent Disarmament Commission appeared to be the most appropriate organ.

This completes the review of the possible functions of the organ which will have the duty of watching over the application of our Convention.

The Sub-Committee considered it essential to establish such a Commission. It was unanimously of opinion that it was necessary to provide in the Convention itself for a permanent body having the functions, or at all events some of the functions, which I have just described.

What would be the composition of this body ?

On this point, the Sub-Committee was not unanimous. The minority was in favour of universal membership—that is to say, that all the contracting parties should have the right to appoint a member. The majority of the Sub-Committee, however, considered that an organ consisting of more than fifty members would be unwieldy, and that its duties would not be performed with the necessary despatch or elasticity. They therefore held that the Commission should have a limited number of members, but that it was difficult, if not impossible, at the present moment to go into further details, and to say exactly how many members this Commission should include and by which Governments they should be designated. That is an eminently political question, which can only be decided by the Conference according to the opinions expressed and the general course of the proceedings.

The Sub-Committee accordingly proposes that you should lay down in the Convention—to be precise, in Article OA—the principle that there should be a Commission with a limited number of members, and that their number and the States which will nominate them are to be determined by the Conference itself.

A second question, relating to the composition and nature of this Commission, was examined by the Sub-Committee, which unanimously recognised that, whatever the number of members and by whatever countries they were appointed, they should not, strictly speaking, be Government representatives, but should be independent and able to act according to their conscience and in the general interests entrusted to them.

However, certain delegations—for instance, the French delegation, which was good enough to agree provisionally to these findings—made a reservation, asking that the question should be examined later, as their original preference had been for a Commission of an essentially technical character.

The remaining questions were not difficult to settle. The Sub-Committee unanimously agreed that, in a Convention such as ours, it was better not to establish a rigid procedure, but that it was sufficient to lay down general principles and leave it to the Commission to draw up its own rules of procedure, within the bounds of the Convention, whose execution it was to watch over, and to regulate in this way the discharge of its functions. The Sub-Committee proposes, therefore, that you should merely lay down in the Convention certain general rules regarding the quorum, methods

of voting, principles relating to procedure and election, and, finally, regarding the publication of the report, which would be the final act after the investigation of a case by the Commission.

The Sub-Committee has accordingly redrafted Article OA under the title of "Organisation". It has added to this article a certain number of other texts expressing the various proposals which I have just mentioned. These are the Articles from OA to OI.

For the same reason, the Sub-Committee proposes a new text for Section II (Exchange of Information). This is Article IF, which provides for the collection and publication of information.

It also submits a new text in Section III (Derogations) setting out the proposals which I have just mentioned.

Lastly, in Section IV (Procedure regarding Complaints and Revision), the former Article ZA is divided into two parts and has been redrafted.

I understand that the French delegation has already submitted a text to supplement the general provisions at the end of the Convention. This text mentions the subsidiary rôle of the Permanent Disarmament Commission.

These, then, are the reasons for which the Sub-Committee proposes a series of new texts. It would be glad if you would examine them in the same order as that of the old texts of the Convention, as adopted at first reading.

#### DISCUSSION ON THE TEXTS PROPOSED BY THE SUB-COMMITTEE.

**The President.** — I thank M. Politis for his very clear statement. I propose that we should take document C.P.D.279<sup>1</sup> as a basis of discussion and examine each article separately.

#### " SECTION I. — ORGANISATION.

##### " *New Article OA.*

" There shall be set up at the Seat of the League of Nations a Permanent Disarmament Commission with the duty of following the execution of the present Convention. It shall consist of  $x$  (figure to be fixed by the Conference) members appointed respectively by the Governments of the following High Contracting Parties . . . (list to be drawn up by the Conference).

" Members of the Commission shall not represent their Governments. They shall be appointed for  $x$  years but shall be re-eligible. During their term of office, they may be replaced only on death or in the case of voluntary resignation or serious and permanent illness.

" They may be assisted by technical experts."

**Lord Cecil (British Empire).** — Might I say once for all, so as not to be continually making observations about translations, I take it that this is a very rapid translation into English and that it will no doubt be revised. There are several corrections which should be made.

**M. Westman (Sweden).** — I was very much impressed by the French delegation's proposal that the Permanent Commission should be completely independent. Is it necessary to lay down in Article OA that the members of this Commission are to be appointed by the Governments of the contracting parties from a list drawn up by the Conference ?

Could not the members of the Commission be appointed directly by the Conference itself ? It would be just as easy for the Conference to agree upon the names of the members to be elected as it would be for it to designate the Governments which in their turn are to choose a representative.

In any case, I think it is premature to exclude this possibility at the present stage, when we are discussing the various methods of constituting this Commission.

**M. Rutgers (Netherlands).** — I understand that the words " Members of the Commission shall not represent their Governments " mean that they will not commit their Governments and will possess complete independence. For this reason, I think that we should mention a matter which is not referred to in any other article; I am alluding to the expenses of the Commission. In order that it may be completely independent, I think that the simplest thing would be for the cost of the meetings, the travelling expenses of the members and their technical experts, the cost of publications, etc.—which would not be very heavy—to be borne by the League. If necessary, it might be stipulated that the League will defray the expenses of its Members and that non-Member States will pay their own expenses according to a scale to be fixed. Without some such provision, it would be impossible for the proposed Commission to act independently, or even to act at all, if it had not the necessary funds at its disposal. It might also be allowed to draw up its own budget, as it should be a practically autonomous organisation.

**Dr. Woo Kaiseng (China).** — I should like to thank M. Westman for supporting the Chinese proposal in regard to the election of the Commission and to make the following statement:

The Chinese delegation had the honour of being represented on the Sub-Committee and took part in the discussion of the various texts of Section I of Chapter V relating to the constitution of a permanent organ.

<sup>1</sup> Note by the Secretariat. — See Annex 4.

Before discussing the substance of the question, I should like to express the pleasure I feel in co-operating with you in a task of such profound humanitarian value and one which will consolidate peace.

I am well aware of the difficulties that still have to be overcome in regard to the organisation and composition of the Commission; we shall ask the Conference for a practical solution of these difficulties.

After studying the Sub-Committee's report, the Chinese delegation is of opinion that, in order to ensure a fair settlement of the question and in particular to safeguard the sovereignty of States Members of the League, it is prudent and logical that all the signatory States should be represented on the Commission. The principle laid down in the Turkish proposal should therefore be carefully considered.

However, the majority of the Sub-Committee was in favour of a small Commission; therefore the question for the Chinese delegation is: What method of nomination would be the most practical? We consider that the States must be designated by the Conference. The Commission which the Sub-Committee has proposed to you must be a semi-judicial organ, whose working must be impartial. The members of the Commission will not represent their Governments. If the Commission is to be independent and stable it must be designated by election, and this election must be carried out by the Conference. Any one of the contracting parties should be eligible as a member of the Commission, provided it fulfils one of the two following conditions:

- (a) Is a present or former Member of the League Council;
- (b) Whether a Member of the League or not, is in a special position in regard to disarmament, owing to its geographical situation, the size of its population and the extent of its territory.

Why should we consider such a method of election unsuitable for the Commission? I would remind you of Point XI4 of President Wilson's message to Congress of January 8th, 1918, which reads as follows:

"A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small States alike."

and on February 11th, discussing before Congress the reply of the German Chancellor, Count Hertling, to the statement of allied war aims, President Wilson said that:

"Each part of the final settlement must be based upon the essential justice of that particular case and upon such adjustments as are most likely to bring a peace that will be permanent; people and provinces are not to be bartered about from sovereignty to sovereignty as if they were mere chattels and pawns in a game, even the great game, now for ever discredited, of the balance of power . . . all well-defined national aspirations shall be accorded the uttermost satisfaction that can be accorded them without introducing new or perpetuating old elements of discord and antagonism that would be likely in time to break the peace . . ."

I do not wish to refer to all the proposals before us, which all possess a technical value, but which, unfortunately, do not conform to the spirit of fairness which ought to dominate our great international work. Notwithstanding the goodwill of my Government and the fervent desire of our people to strengthen still further the ties of friendship which unite them to other countries, an international institution based on equal conditions would never be acceptable to my country.

I have no intention at the moment of criticising any particular method, as the Sub-Committee has decided to leave that question to the Conference. If the Preparatory Commission is in agreement with the Sub-Committee's report, I shall therefore take part in the general discussion.

I feel certain that all the difficulties we have encountered, and which still lie before the Preparatory Commission, will be settled in a satisfactory manner at the Conference. The sage who said that it was impossible for the most powerful man in the world to create a star did not foresee the work of disarmament.

China will always associate herself with the generous efforts made in a field where the greatest goodwill is necessary to achieve the results which we all desire. "In order to attain this object we will co-operate with the peoples of the world who meet us on a footing of equality and will go forward side by side with them." Those words are the political testament of President Sun Yat-Sen.

Colonel Ali Khan Riazi (Persia). — As regards the method of selecting the members of the Commission, my delegation, although it agrees with the principle of universal membership advocated by the Turkish, Chinese and Finnish delegations, considers that since, for practical reasons, the majority of the Commission is in favour of a limited composition, account should be taken of a factor which has not yet been mentioned—namely, that the functions of that Commission may sometimes lie outside the international sphere and that it may be one day called upon to supervise the national armaments of a country. This would necessitate, at all events in theory, absolute equality between the contracting parties.

I agree that the great Powers, whether Members of the League or not, have themselves more authority than the rest put together and that, in maintaining the principle of equality, they are entitled to permanent representation, if there is to be real disarmament, and if account be taken of the support which those Powers can give to common action; but I do not agree that the other Members of the Council have necessarily a right to be represented on this Commission, which must be of a universal character.

My country has always been a faithful supporter of the League, of which it is a Member. It has been a Member of the Council for the last two years and hopes to remain a Member, but the choice of the Members of the Council depends solely on the goodwill of the Assembly and sometimes on the hazard of events or of the vote, irrespective of the defensive requirements of groups of countries which, being neighbours, are directly interested in the maintenance of equilibrium between their armed forces.

I contend, therefore, that the other members of the Commission should be appointed for a certain period in rotation and that countries (whether they are members of the Council, or members of the League, or not) belonging to groups which have common military interests—a list of which countries should be submitted to the Conference by a Committee of Experts—should be treated on a footing of equality.

Moreover, in the case of a grave emergency, the Commission would work in conjunction with the Council; and the non-permanent Members of the Council would naturally desire to be heard. The advantage of this system, which would make the Commission independent of the Council, would be that if certain other Powers became Members of the League, the machinery of the Commission would continue to function normally without any disputes or the necessity for revision.

This is merely a suggestion; but I reserve the right of my Government to return to it at the Conference if, in allocating the seats on the Commission, countries which voluntarily agree to a certain measure of investigation into their military affairs over a given period are not given an opportunity of discharging this function in respect of other contracting parties during the next following period of the Permanent Commission's mandate.

**M. Fierlinger (Czechoslovakia).** — Our delegation felt certain doubts in regard to this text and had originally intended to make observations similar to those of the Netherlands and Swedish delegates; on further reflection, however, we consider that this text takes account of all eventualities. We fully realise the importance of restricting the size of this Commission, since it must be organised so as to be able to meet as often as required and to take decisions.

• We think the Conference will be regardfull of all political and geographical considerations. We are, however, a little sceptical of the rule in this article that "Members of the Commission shall not represent their Governments", although we fully understand the important reasons which led the Sub-Committee to emphasise the personal responsibility of the members.

We are of opinion that the appointment of the members should be left to the respective Governments; first, because—for obvious reasons—the Council must be entirely eliminated, and, secondly, because the Conference will not be a permanent body.

It should therefore be left to the respective Governments to appoint the members of this Commission in the case of resignation or death.

The question of the expenses of the delegates also arises and will have to be discussed further, but it appears to us that the respective countries should pay their own members. We have not yet reached a final conclusion on this point, but we regard it as a secondary question. There are some other organs of the League whose members are paid directly by it and perhaps the same rule might apply in this case.

You see, therefore, that after feeling certain doubts in regard to the text, I am now in favour of this article and I wished to explain the reasons.

**M. Colban (Norway).** — The suggestion in the second paragraph of Article OA is a new one, and I doubt whether the Commission has had sufficient opportunity to weigh the arguments for and against it.

I am prepared to accept the text before us and consider that as far as possible the Permanent Commission should be independent of the individual Governments. However, I hope that mention will be made in the report of the Swedish delegate's suggestion, with which I agree, and that the Conference will examine other methods in addition to the principle laid down in this text.

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — In the last statement made by its first delegate, the Soviet delegation expressed its views as regards the formal questions now before the Commission.

The true effect and value of the miscellaneous provisions in Chapter V depends entirely on the final solution of the problems of disarmament adopted by the Conference itself. The Soviet delegation will abstain from voting on the system of supervision which has been proposed, especially as the draft drawn up by the Sub-Committee, of which M. Politis was chairman, has left all the important questions unsettled.

I would add that the Soviet delegation is in favour of the idea of the complete equality of all countries in regard to the organisation of the proposed Commission. My delegation will reserve the right to state its views in regard to certain other sections of Chapter V.

**Lord Cecil (British Empire).** — With regard to what has been said by the Swedish, Norwegian, Chinese, Czechoslovak and Persian delegates, it is quite evident that, if we accept this paragraph, all those questions will be open to the Conference to consider. Therefore, I do not think I should be really justified in discussing the particular proposals that have been put forward.

With regard to what fell from the Netherlands delegate, may I say that that matter was very carefully considered by the Sub-Committee. They thought that on the whole it would be better to leave it for the present and to see how the Commission was finally constituted before entering into the question—which never has proved a difficulty in any of our organisations—as to exactly

how the members are to be paid. They will be paid, no doubt, either by the countries to which the delegates belong or out of some central fund—the League fund or a fund contributed by all the contracting parties. I hope that is not a point which is likely to be of serious difficulty; it has never proved so in the past.

I myself attach the very highest possible importance to the creation of this body. I think if we can get that done it will be an immense step towards the organisation of the reduction and limitation of armaments. You will then have a permanent international body always studying this question, always watching over the execution of whatever convention is agreed upon, and always ready to propose improvements and perfections with regard to it. In my view, that will start an entirely new era in the whole question of armaments. Therefore, I attach enormous importance to it.

No doubt it is very important that the principle of the equality of States should never be forgotten, and we must certainly make provision—or the Commission must—in regard to that principle; but I very earnestly hope myself that, in having regard to that principle, we shall not lose sight of the even greater importance of constituting a body which will be independent, vigorous, and powerful. I think that is what we want most of all, and, therefore, I personally should have some little difficulty in assenting to many of the proposals which have been made, because I am afraid that in practice they would mean a form of selection which experience has not altogether justified. I will not put it higher than that. Therefore, I personally am very glad that the Sub-Committee did leave it in this way for further consideration by the Commission. As the views of the British delegation were clearly stated before the Sub-Committee, and are stated in the report, I need not develop them on the present occasion.

**M. Massigli (France).** — Like Lord Cecil, I will make my remarks very brief, since my observations in the Sub-Committee are mentioned in the report.

Although, as Lord Cecil pointed out, the question is still open, I should like, in view of the importance of the problem, to state briefly the reasons why the French delegation advocated a somewhat different system from that proposed in the draft; it reserves the right to return to that system at the Conference.

We think it desirable that the members of the Commission should be appointed by the Governments. If they are dependent on the Governments—although only to a very small extent—the members of the Permanent Commission will not be likely to take hasty decisions. Since they will not represent their Governments, they will not commit them, but will merely give technical opinions and the Governments will be left to decide what political action is to be taken in regard to those opinions. Lastly, as technical experts, they will give opinions based solely on technical considerations, which are the only considerations they will have to take into account.

These are the three principles underlying the French proposal, and my Government reserves the right to put them before the Conference.

**Dr. Markovitch (Yugoslavia).** — The second paragraph contains the following phrase: "They shall be appointed for  $x$  years . . ." Does this refer to the term of office of the members of the Commission, so that they may be appointed in rotation, or does it refer to the duration of the Convention?

**M. Politis (Greece).** — The duration of the term of office of the members of the Commission.

**The President.** — Note will be taken in the report of the observations made by the various members.

*Article OA was adopted.*

*" Article OB.*

" The Commission shall meet for the first time, on being summoned by the Secretary-General of the League of Nations, within three months from the entry into force of the present Convention to elect a provisional President and Vice-President.

" Thereafter it shall meet annually in ordinary session on the date fixed in its Rules of Procedure.

" It may also, if summoned by its President, meet in extraordinary session in the cases provided for in the present Convention and whenever an application to that effect is made by a High Contracting Party."

*Article OB was adopted.*

*" Article OC.*

" The Commission shall have full power to lay down its own Rules of Procedure on the basis of the provisions of the present Convention."

**Dr. Markovitch (Yugoslavia).** — This article provides that "the Commission shall have full power to lay down its own Rules of Procedure on the basis of the provisions of the present Convention". To what provisions does this refer?

**M. Politis (Greece).** — To all the provisions of the Convention.

**Dr. Markovitch (Yugoslavia).** — I cannot see which provisions apply to the Rules of Procedure of the Commission.

**M. Politis (Greece).** — As I have already explained, the Commission will have several duties. Those duties will be governed by the various provisions of the Convention—in particular, by the sections relating to information, derogations and revision. The Commission will have to take into consideration all those provisions when it draws up its Rules of Procedure. It will have to take into account all clauses which relate, whether directly or indirectly, to its existence and working. If we had wished to explain this more fully we should have had to draw up a very long article and the Sub-Committee considered this unnecessary. It was of opinion that a clause drawn in general terms was sufficient to indicate clearly the mandate given to the Permanent Commission.

**Dr. Markovitch (Yugoslavia).** — I do not wish to add to the length of Article OC. I merely thought that it would be better to omit the words “on the basis of the provisions of the present Convention” since the Commission is to draw up its own procedure. However, I will not press the matter.

*Article OC was adopted.*

“ *Article OD.*

“ The Commission may only transact business if at least two-thirds of its members are present.

“ *Article OE.*

“ Any High Contracting Party not having a member of its nationality on the Commission shall be entitled to send a member appointed for the purpose to sit at any meetings of the Commission during which a question specially affecting the interests of that Party is considered.

“ *Article OF.*

“ Each member of the Commission shall have only one vote.

“ All decisions of the Commission shall be adopted by a majority of the votes of the members present at the meeting.

“ In the cases provided for in Articles . . . (cases of complaint and cases of threats to national security) the votes of members appointed by the Parties concerned in the discussion shall not be counted in determining the majority.

“ A minority report may be drawn up.”

*Articles OD, OE and OF were adopted.*

“ *Article OG.*

“ Each member of the Commission shall be entitled on his own responsibility to have any person heard or consulted who is in a position to throw any light on the question which is being examined by the Commission.”

**M. Rutgers (Netherlands).** — This article stipulates that “ Each member of the Commission shall be entitled on his own responsibility to have any person heard or consulted who is in a position to throw any light on the question which is being examined by the Commission”. I do not think it is our intention to give a member of the Commission, as the text appears to imply, the right to conduct an enquiry on his own initiative. I think it would make it clearer if we were to say that the Commission shall be entitled to hear or consult any person who is in a position to enlighten it.

**M. Politis (Greece).** — No doubt is possible. Each member will be entitled to have any competent person heard or consulted, so as to enlighten the Commission. It is the Commission itself which will hear the evidence or opinion of that person and which will thus be enlightened on the question which is being examined by it.

**M. Rutgers (Netherlands).** — I will not press the matter further.

*Article OG was adopted.*

“ *Article OH.*

“ Each member of the Commission shall be entitled to demand that in any report by the Commission account shall be taken of the opinions or suggestions put forward by him, if necessary in the form of a separate report.”

*Article OH was adopted.*

“ *Article OI.*

“ All reports by the Commission shall, under conditions specified in each case in the present Convention, or in the Rules of Procedure of the Commission, be communicated to all the High Contracting Parties and to the Council of the League of Nations and shall be published.”

**M. Rutgers (Netherlands).** — In Article OI it is stated that “ all reports by the Commission shall . . . be communicated . . .”, and in Article IF, third paragraph, that “ all reports shall be communicated forthwith . . .”

Would it not be better in both cases to use the text of the second paragraph of Article IF: “ The Commission shall . . .”, as these reports are to be published by the Commission and not by the Secretariat.

**M. Politis (Greece).** — Does M. Rutgers' observation refer to the fact that the word “ forthwith ” is not included in Article OI ?

**M. Rutgers (Netherlands).** — It is stated that the reports shall be communicated, but it is not stated by whom, and, in the second paragraph of the following article, which is a better

text, it is stated that the report shall be communicated by the Commission. It is necessary in each case to say by whom the report shall be communicated, whether by the Commission or by the Secretariat.

**M. Politis (Greece).** — In this particular case the wording is the same. All the Commission's reports will be communicated, and, in the third paragraph of Article IF, it is stated that all the Commission's reports shall be communicated forthwith. By whom? Obviously by the Commission. Moreover, in Article OI, which is the general article, it is stated that the method of effecting this communication in each case, the question of date, form, etc., will be determined by the Rules of Procedure of the Commission. This makes it possible for the Commission to go into all the details of procedure. The text merely lays down a general rule.

**M. Rutgers (Netherlands).** — If it is understood that the Commission is to publish the report I am satisfied.

*Article OI was adopted.*

“ SECTION II. — EXCHANGE OF INFORMATION.

“ *New Article IF.*

“ The Permanent Disarmament Commission shall receive all the information supplied by the High Contracting Parties to the Secretary-General of the League in pursuance of their international obligations in this regard.

“ Each year, the Commission shall make at least one report on the information submitted to it and on any other information that may reach it from an authorised source and that it may consider worth attention, showing the situation as regards the fulfilment of the present Convention.

“ All reports shall be communicated forthwith to all the High Contracting Parties and to the Council of the League, and shall be published on the date fixed in the Rules of Procedure of the Commission.”

*Article IF was adopted.*

“ SECTION III. — DEROGATIONS.

“ *New Article XA.*

“ If, during the life of the present Convention, a change of circumstances constitutes, in the opinion of any High Contracting Party, a menace to its national security, such High Contracting Party may derogate temporarily, in so far as concerns itself, from any article or articles of the present Convention, other than those expressly designed to apply in the event of war, provided:

“ (a) That such High Contracting Party shall immediately notify the other High Contracting Parties and at the same time the Permanent Disarmament Commission, through the Secretary-General of the League of Nations, of such temporary derogation, and of the extent thereof.

“ (b) That, simultaneously with the notification referred to in point (a), the High Contracting Party shall communicate to the other High Contracting Parties and, at the same time, to the Permanent Disarmament Commission, through the Secretary-General of the League of Nations, a full explanation of the change of circumstances referred to above.

“ Thereupon the other High Contracting Parties shall promptly take concerted counsel as to the situation thus presented.

“ When the reasons for such temporary derogation have ceased to exist, the said High Contracting Party shall reduce its armaments to the level agreed upon in the Convention, and shall make immediate notification to the other High Contracting Parties.”

**M. Colban (Norway).** — I can vote for this article in the same sense as the British Prime Minister, who stated at the London Naval Conference that this stipulation was inserted in the hope that it would never be necessary to apply it.

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — All the derogations have a common object—namely, to enable any particular State to cancel the whole Convention at a favourable moment, and thus nullify its value, which is small enough already. It is useless to add that a breach of the Convention by one of the signatory States will necessarily serve as a pretext for its infringement by other signatories. I must therefore declare that the Soviet delegation cannot accept any system which, by means of articles providing for derogations will deprive the Convention of all value, and furnish a legal pretext for an increase in armaments.

**The President.** — I think the whole Commission will share the hope expressed by M. Colban.

**Lord Cecil (British Empire).** — I just want to say that, if I construed the article as M. Lounatcharsky construes it, I should certainly not be prepared to assent to it, nor do I think that any member of the Sub-Committee would assent to it. We do not contemplate, and I do not believe any of my colleagues contemplate, that the object of this article would be to reduce the Convention to a nullity, or enable any contracting party to escape from its obligations. We suppose that this provision can only be put into force, or used, under very, very exceptional circumstances. I share to the full M. Colban's aspiration that it will never be used, and I share



it with some confidence for I feel sure there is little likelihood of its being used if the Convention be adopted.

If anyone reads paragraphs (a) and (b) and the paragraph that follows these two particular paragraphs, they will see that it is practically impossible that these can be used lightly, or casually, or dishonestly, and I am sure that no Power which consents to this Convention would agree to action of that kind; if it did it would suffer heavily for it.

**M. Massigli (France).** — I should like to support Lord Cecil's observation. It would be most regrettable if it were thought outside the Commission that, in drawing up this Convention, we desire to nullify its value. Any Government conscious of the importance of the declarations which it makes and publishes, and which desires to apply Article XA, must bear in mind, not only that it is obliged to notify the action which it takes, but also to justify that action and to justify it before a Commission consisting of competent persons who are in a position to ask it for details and explanations, and if these are not satisfactory, to place it in an awkward position.

To suggest that this article was drawn up by representatives anxious to provide a means of enabling their countries to evade their obligations, is really to misconstrue the work which we are doing here. Surely, it was necessary to provide for grave circumstances which might arise. That is the only reason for the proposed article.

**M. Politis (Greece).** — As Chairman of the Sub-Committee which drew up this text, I think it my duty to confirm what Lord Cecil and M. Massigli have said.

If you read the text you will see at once that this exceptional right granted to contracting parties could not be used unless a State were actually confronted with circumstances of exceptional gravity which endangered its national security, and that it could not otherwise assume so important and grave a responsibility.

I am therefore convinced that, when M. Lounatcharsky said just now that this text would furnish a pretext for cancelling the Convention, he did not really comprehend the purport of this article.

**The Hon. Hugh Gibson (United States of America).** — Perhaps I may be permitted to elaborate certain remarks made in regard to this article.

The American suggestion regarding the original Article XA concerning derogations has been circulated and is reproduced at the beginning of the Minutes of our fifteenth meeting.<sup>1</sup> It is now before us in a slightly modified form.

I should preface my remarks by the statement that the form in which this suggestion is couched is not motivated by our own concern. We have accepted in two instances—in the Washington and London Treaties—much more rigid forms of escape clauses. Our concern is to make the Convention, which we hope to write, generally acceptable, and, in the present Treaty, we are, as far as the United States is concerned, prepared to accept much more rigid conditions for escape clauses than any thus far suggested. However, it is obvious that the delicate problem of release from Treaty obligations is one of infinite variety, applying in a different measure and in different ways to nearly every country. It is clear that we cannot expect to embody in this Treaty provisions applicable to any one set of conditions alone. Furthermore, it seems to us that it is hopeless to seek to lay down in such an article, an itemised statement of all the various special sets of circumstances which would justify a country in seeking relief from its obligations under the Treaty.

Our point of departure is the belief—and we are convinced it is sound—that, when a menace to international security exists in the opinion of any people, no Treaty provisions will survive as against the imperious demands of self-preservation. Moreover, however carefully we draw up an itemised statement of the various sets of circumstances which would justify a State in seeking relief from its Treaty obligations, many of them would doubtless feel a genuine and understandable reluctance to bind themselves for a definite period, because of the unforeseen and unforeseeable circumstances which might arise menacing their very national existence, beyond any prescribed in our list. Aside from the clearly foreseen factors and those I have referred to as unforeseen and unforeseeable, there exists a third category—namely, definite apprehensions as to the future which cannot be entered in any Treaty.

In view of these considerations, I feel the soundest course is to provide the broadest possible escape clause, and we feel that, by broadening the opportunities for escape, we shall, in fact, increase the probability of observance. In the first place, with its right of self-preservation fully safeguarded, a nation will feel more fully justified *vis-à-vis* its own people in laying down low figures for the duration of the Treaty. In the second place, they will be willing to undertake the obligations of this Treaty without specific reservations covering their national apprehensions.

It may be objected that we are leaving altogether too wide a latitude to each country to decide for itself the circumstances under which it must be freed from its Treaty obligations, but, as a practical matter, we feel that no State would be likely, for light and frivolous motives, to assume the very heavy responsibility of upsetting a worldwide agreement, thus risking the opprobrium of an outraged public opinion. When, added to this, it is realised that every State must give in full

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<sup>1</sup> Note by Secretariat. — See page 238.

to the other contracting parties an explanation of the reasons for which it justifies its action, then I firmly believe that we have such a check that only the most vital and serious causes would induce it to take such action, and would surely be included within any list of derogations, were we gifted with sufficient vision of the future to draw up such a list.

M. Lounatcharsky (Union of Soviet Socialist Republics). — I am perfectly ready to admit that when they drew up the text before us the members of the Sub-Committee were animated by the best intentions; but in the eyes of our delegation this section of Chapter V is very dangerous and is unacceptable to the Soviet delegation. I think it would be much better to abide by the general rule of absolute observance of the obligations contracted; that would be a much surer basis for the Convention. We should not provide for entirely exceptional cases of this character.

#### VOTE ON ARTICLE XA.

**The President.** — In view of M. Lounatcharsky's declaration I am obliged to put this article to the vote.

*Article XA was adopted by twenty-three votes for to one against.*

#### 83. Proposal by the Belgian Delegation to insert a New Article in Chapter V. — Miscellaneous Provisions: Section III. — Derogations.

##### *" Article XB.*

" The High Contracting Parties shall, as an exception, be entitled to exceed the figures accepted by them under Article I as a limit for the total period of service which their annual contingent is compelled to serve, in so far as, owing to a falling-off in the number of births, such an increase may be necessary to safeguard the rights conferred upon them by Article A.

" Nevertheless, they may not exceed the figure laid down in virtue of Article I as a uniform standard for the period of service."

M. Bourquin (Belgium). — Our proposal provides for an exception to the rule of the limitation of the period of service. I desire to state at once that we have not the slightest intention of decreasing the value of the principle of the limitation of the period of service. I need not remind you that the Belgian delegation was one of the first supporters of this limitation, and I can assure you that it is certainly not the object of our proposal to detract from the practical value of that principle.

We have, however, to face hard facts, which we cannot ignore. I know that we have not met to discuss figures. I would nevertheless ask your permission to mention just a few, to show the considerable decline in the birth-rate in belligerent countries during the war. As regards Belgium, the number of male births in 1910, which provides the present contingent, was 90,149; by 1915, they had fallen to 63,483 and, by 1918, to 43,654; the births in 1918 will provide the 1938 contingent. If you compare the figures for 1918 and for 1910 you will see that there is a decrease of over 50 per cent. This is a fact I wished to point out.

No Government can afford to overlook that fact. There is the difficulty. As regards effectives we have agreed on two rules of limitation: first, the rule in Article A, which limits average effectives, the maximum average effectives being determined by two factors—the size of the contingent and the period of service. The second rule is the limitation of the actual period of service. If the period of service be limited conventionally under Article I and if the contingent be reduced in the proportion which I have just mentioned as a result of the decline in the birth-rate, some countries will have a shortage of effectives which may be so considerable as to endanger their national safety.

After careful reflection we considered that, in order to retain the full value of the rule for the limitation of the period of service, the most practical and the safest course would be to provide for a derogation, but of a strictly limited character.

I would draw your attention to the fact that our proposal strictly circumscribes the application of the exception for which it provides. First, as regards cause; there is only one case, which is clearly specified, in which an exception could be allowed to Article I—namely, a falling-off in the number of births. That is a definite fact which can be verified by everyone, and there is nothing arbitrary about it. We have also limited the extent of our derogation by stipulating that the period of service may be increased up to the maximum, but solely in so far as this increase may be necessary to safeguard the rights conferred upon States by the provisions of Article A fixing the maximum average effectives. Moreover, it is provided that in no case may what has been called the uniform standard—that is to say, the maximum period of service for all countries—be exceeded.

I think, therefore, that we have taken the necessary precautions to prevent any improper use of the exception.

I would draw your attention to what will happen if this proposal be not accepted. The Conference is going to be held, and, at the Conference, the Governments will propose figures in regard to the maximum period of military service.

It will then be necessary for the Governments to bear in mind the state of affairs to which I have called attention—namely, the very considerable falling-off in the number of births during a certain period. Unless the proposed safety valve be provided, they will ask for a maximum period sufficient to meet all the dangers arising out of this situation. It must not be forgotten that the maximum period of service will not only serve as a limit, but also as a magnet. This

maximum will attract the Governments, who will be inclined to work up to it. This is a fact which I have already pointed out.

I am very anxious that the lowest possible maxima should be fixed in our Convention. If this is to be done we must take the necessary precautions; and I cannot see any other way of doing this than the way we have proposed.

AMENDMENT PROPOSED BY THE CZECHOSLOVAK DELEGATION.

M. Fierlinger (Czechoslovakia). — Everyone will recognise the justice of the arguments submitted by M. Bourquin in favour of his proposal, which is a logical consequence of fixing the period of service. You will remember that we have already had a very interesting discussion on this matter, when we endeavoured to show that countries having conscript armies were anxious to reduce the period of service to the shortest possible time. But there are certain logical conclusions resulting from the falling-off in the number of births; and in compensation for the resulting deficiency, it would obviously be necessary to raise the maximum to some extent.

I shall therefore vote in favour of M. Bourquin's amendment, but think that it might be better to say *expressis verbis*: ". . . in so far as this falling-off in the number of births may affect the number of effectives in service fixed by the present Convention". This wording seems to me somewhat clearer, but I will not press the matter if this is really what M. Bourquin's proposal means.

M. Massigli (France). — When we were discussing Article I, I endeavoured to explain how Articles A, I and E, taken in conjunction would operate, and I referred to the problem which has been so clearly put before us by M. Bourquin. I should now like to say that, since France is in the same position as Belgium, and the curve of the birth-rate during the war in France was in precisely the same direction as in Belgium, my delegation fully supports the Belgian proposal. The problem with which the Governments will be confronted is a very grave one. They will have to choose between several different solutions, which it may perhaps be possible to combine. M. Bourquin's proposal offers us one solution, and I shall therefore vote in favour of the proposed text.

As regards M. Fierlinger's amendment, this seems to agree in principle with the Belgian delegation's amendment, but I think that the latter is clearer.

M. Cobián (Spain). — When we were discussing Article I, I brought this point very strongly before the Sub-Committee and I received the assurance that mention would be made in the report of the very grave objections to the present wording of Article I when it is taken in conjunction with the table in Article A.

I therefore opposed the establishment of a uniform standard in addition to a maximum for each country, which would naturally take into account all the factors we are now discussing. The fixing of a common maximum might make it very difficult for some countries to reconcile the strength of their contingent with the period of service.

That is exactly the problem which has been stated by the Belgian delegation. I entirely agree to the exception proposed by M. Bourquin, but I am not sure whether the best place for this exception is in the chapter dealing with derogations or whether it would not be better to insert it in Article I, which has not yet been finally adopted.

In these circumstances, I venture to make the following proposal: Would it not be best to do away with the second maximum—that is to say, the uniform standard mentioned in paragraph 2? If that were done, all these difficulties would disappear.

AMENDMENT PROPOSED BY THE BRITISH DELEGATION.

Lord Cecil (British Empire). — I fully recognise the point and the difficulty which M. Bourquin has pointed out, and I quite agree that something ought to be done to meet it.

I am a little anxious about the actual form of his proposal. It leaves it entirely to the contracting party in question to say at any moment that, owing to a decline of births, it is to be entitled to increase the period of service. I understand very clearly from him—and, of course, I recognise that—that in no case is the party to be allowed to increase the total number of effectives. He does not desire or suggest that.

It is only the period of service that is to be increased, in order to enable the total number of effectives to be reached. That, of course, makes the proposal of much less importance. At the same time, I have a little reluctance to give to any Power of its own *ipse dixit* the right to suspend the operation of one of the articles of the Convention, and I should be very much happier if M. Bourquin were prepared to accept an amendment introducing the Permanent Disarmament Commission here as a safeguard against any unauthorised or improper application of the kind. I am taking M. Bourquin's original form—not with M. Fierlinger's amendment—and I would ask him whether he would allow it to read like this:

"The High Contracting Parties shall, as an exception, be entitled to exceed the figures accepted by them under Article I as a limit for the total period of service which their annual contingent is compelled to serve . . ."

And then, instead of "in so far as", say:

" . . . if the Permanent Disarmament Commission is satisfied by them, or by such High Contracting Party, that owing to a falling off in the number of births . . ."

And so on, so that it would depend on satisfying the Permanent Disarmament Commission.

I suggest that to M. Bourquin for his consideration and for the consideration of the Commission.

**M. Bourquin (Belgium).** — I desire to thank Lord Cecil for recognising the justice of our proposal. Our object is quite clear. We are not in any way seeking to evade the rule as to the limitation of the period of service but, on the contrary, to retain its full value. We are prepared to submit the application of this exception to any control or supervision. No doubt can exist as to our intentions, especially as we have made a proposal which has just been submitted to you and to which we shall refer later, providing that all disputes concerning the interpretation or application of the Convention will be submitted to the Permanent Court of International Justice. This shows that there is no question of leaving the matter to the discretion of the various Governments; on the contrary we court every possible supervision. I am prepared to agree that, when a country is faced with a situation such as that which I described just now, and is compelled, or thinks it is compelled, to increase the period of service laid down in the Convention, it shall be bound to notify the other contracting parties and the Permanent Disarmament Commission, as provided for in the section on derogations where we have allowed for cases of imminent danger.

At the same time, I have considerable difficulty in accepting Lord Cecil's amendment in the form he suggests, for the reason that, in principle, he proposes to give the Commission, not only the right to be notified of, and to examine, the question, but also the right to decide. This would transform the character of the Commission and I could not agree to this for the reasons which I explained the other day in private conversation with Lord Cecil. I think that there might at a given moment be some overlapping between the powers of the Permanent Disarmament Commission and those of other organs such as the League Council. I should feel some apprehensions about allowing the Permanent Disarmament Commission to give decisions, but I am quite prepared to agree that if a country makes use of the right mentioned in the proposed text, it should be bound to notify the other contracting parties and the Permanent Disarmament Commission. If the Commission thinks fit to adopt the proposal which we have submitted in regard to the competence of the Permanent Court of International Justice, I am sure Lord Cecil will feel that all necessary safeguards are provided, since recourse will be had to a court of justice.

**M. Rutgers (Netherlands).** — I am not opposed to the Belgian proposal but I should like to be sure that I understand it rightly. I followed M. Bourquin's statement very carefully and I take it that the words "as an exception" and "falling-off in the number of births" refer to the exceptional circumstances which he mentioned and not to a steady and permanent decrease in the number of births.

#### WITHDRAWAL OF THE BRITISH AMENDMENT.

**Lord Cecil (British Empire).** — I am much obliged to M. Bourquin and perhaps his suggestion would meet me. There is to be included, I understand, somewhere or other, the substance of sub-paragraphs (a) and (b) of Article XA, and he also proposes to add to the Convention a general article requiring the application and interpretation of its terms to be submitted to the Court if anyone challenges anything done under it. With these two provisions I think you get a clear control by an outside body if there be any attempt to misuse the powers in this article.

**M. Massigli (France).** — The Permanent Disarmament Commission will have no difficulty in understanding the position, since the period of service is fixed by law and can only be modified by another law, the discussion of which is bound to give rise to very full explanations.

#### WITHDRAWAL OF THE CZECHOSLOVAK AMENDMENT.

**The President.** — M. Fierlinger has withdrawn his amendment.

No objection having been made to M. Bourquin's proposal, we can regard this as adopted by the Commission; the question whether it would be better to insert this in Article I will be settled later.

*The Belgian proposal was adopted.*

84. **Discussion of the Text proposed by the Sub-Committee entrusted with the Examination of Certain Parts of Chapter V (continuation): Section IV. — Procedure regarding Complaints and Revision (Texts intended to replace all Articles in Section IV).**

*"New Article ZA.*

*"The High Contracting Parties recognise that any violation of the provisions of this Convention is a matter of concern to all the Parties."*

*New Article ZA was adopted.*

*"New Article ZB.*

*"If, during the term of the present Convention, a High Contracting Party is of opinion that another Party to the Convention is maintaining armaments in excess of the figures*

agreed upon or is in any way violating or endeavouring to violate the provisions of the present Convention, such Party may lay the matter, through the Secretary-General of the League, before the Permanent Disarmament Commission.

“The Commission, after hearing a representative of the High Contracting Party whose action is questioned, should such Party so desire, and the representative of any other Party which may be specially concerned in the matter and which asks to be heard, shall present a report thereon as soon as possible to the High Contracting Parties and to the Council of the League. The report and any proceedings thereon shall be published as soon as possible.

“The High Contracting Parties shall take concerted counsel on the conclusions of the report.

“If the High Contracting Parties directly concerned are Members of the League of Nations, the Council of the League shall exercise the rights devolving upon it in such circumstances in virtue of the Covenant of the League of Nations, with a view to ensuring the observance of the Convention and to safeguard the peace of nations.”

M. Westman (Sweden). — I should like to have confirmation of my understanding of the second paragraph of this article, dealing with a complaint made by one Government against another, the latter having the right to send a representative to plead before the Commission. I understand that this right to send a representative does not exclude the right granted under Article OE to a Government to send a member to sit at any meetings of the Commission during which a question specially affecting its interests is considered. I understand therefore that the Government would have two representatives: one to plead and the other to sit on the Commission.

M. Politis (Greece). — M. Westman's interpretation is quite correct.

Dr. Markovitch (Yugoslavia). — I think that there is an omission in the second paragraph of Article ZB. I do not know whether this is intentional or not. It is stated that: “The Commission . . . shall present a report thereon as soon as possible to the High Contracting Parties and to the Council of the League”. Since the word “report” is used, it would appear that the Commission has only to state the facts of the case, whereas, in the third paragraph, it is provided that: “The High Contracting Parties shall promptly take concerted action on the conclusions of the report”. In my opinion, the Commission should have the right to submit conclusions as to the complaint in question. I accordingly propose that the second paragraph should be drafted as follows:

“The Commission, after hearing a representative of the High Contracting Party whose action is questioned, should such Party so desire, and the representative of any other Party, which may be specially concerned in the matter and which asks to be heard, shall give its opinion in regard to the complaint in question and shall, as soon as possible, present a report thereon to the High Contracting Parties and to the Council of the League.”

This text makes it clear that the Commission's task would not merely be to give a statement of the facts, but also a definite opinion on the question.

M. Politis (Greece). — The meaning of Article ZB is that suggested by M. Markovitch. This is shown not only by the explanation given in the report and the verbal explanations which I had the honour to submit at the beginning of this meeting, but also by the following paragraph which deals with conclusions. The reason the text was drafted in this manner—which is possibly imperfect—was to provide greater elasticity and to avoid going into details which might have been inconvenient to some of the delegations. But there is no doubt as to the meaning.

Dr. Markovitch (Yugoslavia). — I am satisfied with M. Politis' explanation.

*Article ZB was adopted.*

The President. — As some amendments to Section V (Ratification, Entry into Force, Denunciation) have not yet been submitted, I will adjourn the discussion of this question until to-morrow.

*The Commission rose at 6 p.m.*

## SEVENTEENTH MEETING.

*Held on Thursday, November 27th, 1930, at 10 a.m.*

*President: M. LOUDON (Netherlands).*

### 85. Discussion on Chapter V. — Miscellaneous Provisions (continuation): Section V. — Ratification, Entry into Force, Denunciation.

#### PROPOSAL BY THE BELGIAN DELEGATION TO INSERT A NEW ARTICLE AMONG THE FINAL PROVISIONS.

“The Belgian delegation proposes to insert among the Final Provisions of the Convention an article reading as follows:

“The High Contracting Parties agree to submit to the Permanent Court of International Justice all disputes concerning the interpretation or application of the present

Convention, unless they agree in any particular case to have recourse to some other judicial procedure or to arbitration.’”

**M. Bourquin (Belgium).** — I do not think our proposal calls for any lengthy explanations. Yesterday Lord Cecil expressed some anxiety regarding the derogations which we are compelled to insert in our draft Convention, and I share his anxiety. Manifestly we must take steps to avoid abuses, and I think that the best way to avoid them is to provide for judicial supervision by an organisation whose impartiality is beyond question, and which is, so far as possible, removed from political considerations.

Our proposal, which provides that disputes concerning either the interpretation or the application of the Convention are to be referred to the Permanent Court of International Justice at The Hague, or, in any particular case, to some other arbitral tribunal, is primarily intended to prevent abuses from arising.

I admit, however, that it has also another aim—namely, to afford to countries which are unjustly accused of infringing the Convention the opportunity of justifying their action, and of doing so in the most effective manner.

For instance, if my own country were accused of unduly increasing its armaments, I would wish to defend myself, and to do so in such a way that the atmosphere of suspicion which inevitably surrounds accusations of this sort should be entirely dissipated. For that reason, I would wish to be heard by judges.

I think that a country which could say to its accusers: “Let us state the case fully and frankly before a judicial or arbitral tribunal, whose decision I will accept in advance”—such a State, I say, would thereby give evidence of its good faith. I therefore believe that this article, which we submit to the Commission, offers a twofold practical advantage: it constitutes a check on abuses, and at the same time it affords protection to countries unjustly accused. I should say that there is yet a third reason of a more general and, if you will, of a more theoretical character. We all know that international life is in process of organisation, and it is admitted that, in this new process, the development of judicial procedure is playing a supremely important part. It forms indeed the natural pivot for the working of that organisation.

In these circumstances, we should take every opportunity which offers to develop that idea, to propagate it, and better still, to assist countries to put it into practice, and it would be a sign of real progress if, in a Convention concerning armaments—*i.e.*, concerning something which most closely touches the sovereignties of States—we were to affirm the principle that, above all sovereignty, there exists a reign of law, and a procedure for judicial control; that would indeed be a step forward and it was one of the reasons which led us to make this proposal.

**M. Politis (Greece).** — I heartily support the Belgian delegation’s proposal and I would add a reason to those given by M. Bourquin—namely, that the clause which he suggests has become a common form in the last few years in all Conventions, and it would really be surprising if it were omitted from a Convention so important as ours.

#### AMENDMENT PROPOSED BY THE UNITED STATES DELEGATION.

**The Hon. Hugh Gibson (United States of America).** — I need hardly say that the United States Government is in very hearty accord with any movement to increase the force and authority of judicial procedure in the settlement of international difficulties.

In looking over the text of the Belgian proposal, it has occurred to me that we might render it somewhat more clear and make it somewhat more acceptable to certain States. I do not want to make a counter proposal, but I should like to read a suggested phrasing with the suggestion that it be referred to whatever Committee puts this Belgian proposal into final form for such consideration as it may be possible to give it. The suggestion I put down in these terms:

“The High Contracting Parties agree that all disputes concerning the interpretation or application of the present Convention shall be submitted to the Permanent Court of International Justice or to any judicial or arbitral procedure which may at the time be in force between them.”

**M. Bourquin (Belgium).** — I gladly accept the wording proposed by Mr. Gibson.

**Lord Cecil (British Empire).** — I am entirely willing to accept that also. The only thing is that I agree with Mr. Gibson that it had better go to the Drafting Committee to see whether it is all right from a strictly technical point of view. I support in the warmest way M. Bourquin’s proposal.

**The President.** — The Drafting Committee will naturally have to give final shape to the texts we adopt.

**Dr. Markovitch (Yugoslavia).** — As the Belgian proposal, which I support, is going to the Drafting Committee, I ask you to consider whether the word “application” is essential to the text.

Everyone will agree that the interpretation of the Convention must be submitted to the Permanent Court of International Justice; but as regards application, the Convention has already provided certain means of supervision in the shape of the Permanent Disarmament Commission.

M. Bourquin spoke of the desire that a country might feel to justify itself in view of an accusation brought against it before the Permanent Disarmament Commission. That leads me to ask the following question: If a country which is justly, or unjustly, accused of infringing the Convention be requested by the Permanent Disarmament Commission to justify its action, what will be the situation if it invokes the article we are now considering? Which of the two procedures will apply?

If the Commission is not prepared to discuss this question at the present moment, I ask that the Drafting Committee may bear it in mind.

M. Politis (Greece). — The point raised by M. Markovitch is more than a question of drafting; it is an extremely important question of substance. As was pointed out yesterday, the Permanent Disarmament Commission will not be a court; it is an organ, of a remarkably flexible character, which will not render judgments but only express opinions. It may be regarded as representing the rôle of an examining magistrate in the system of procedure which we are now considering. It is probable, and it is certainly desirable, that disputes will be regarded as settled when the Permanent Disarmament Commission has rendered its opinion. Still, we must provide for cases where such opinions, having no obligatory force, are not accepted by the parties; the dispute will then become a suit at law, and we need a judicial or arbitral procedure to settle it.

I therefore press for the maintenance of the word "application" in the Belgian proposal and I do not think it will produce any gap in our system.

Dr. Markovitch (Yugoslavia). — I confess I am not wholly reassured by M. Politis' explanations. He seems indeed to contemplate a radical change in the system we have been elaborating. According to him, the Permanent Disarmament Commission will in reality be the Permanent Court at The Hague. I did not think that was the intention of our Commission.

When a complaint is pending before the Permanent Disarmament Commission, and before that body has expressed its opinion, will it be open to the defendant country to invoke the present clause in order to set aside the opinion of the Permanent Disarmament Commission, which is alone competent to decide the question?

In any case, I would like an answer to the following question: Has the Permanent Court of Justice at The Hague the necessary competence to deal with military and political questions? For the questions will be of that nature; and I should have thought the Permanent Disarmament Commission was best qualified to resolve them.

That was the ground of my hesitation. The word "application" appears unnecessary, since from that point of view we have the various arbitration Conventions, and the Covenant of the League, which may be invoked when a dispute arises between two parties. The word "interpretation" should therefore be sufficient.

The President. — As M. Markovitch has not made any definite proposal we shall now vote on M. Bourquin's amendment, bearing in mind Mr. Gibson's proposal, which will be revised by the Drafting Committee.

M. Sato (Japan). — I felt some doubts, similar to those of M. Markovitch, and I listened with great interest to his explanation of his apprehensions concerning the Belgian delegation's text. This is a very important question. If the text stand as it is, there might be a conflict, as M. Markovitch has pointed out, between the powers of the Permanent Disarmament Commission and those of the Hague Court.

I think the question has not yet been sufficiently studied and should be further examined before we take a decision. I am not sure how that can best be done, but perhaps the Bureau can suggest the means, either by appointing a committee of jurists, specialists in these questions, or in some other way. Once we have taken a decision it will become harder to alter it.

Lord Cecil (British Empire). — I hope my friend, M. Sato, will not insist on his proposal, because I really think myself there is no danger such as he fears. I have been looking again at the text of the clause we adopted with regard to the Permanent Disarmament Commission, and it is quite clear that the function of that Commission is to examine the facts and present a report thereon. There is no question of a controversy between any two particular States. It may or may not amount to that; but they merely present a report on the facts, and it seems to me there is a very great advantage, from both points of view, in having the possibility—as M. Bourquin has pointed out—of going to a judicial tribunal which will express a definite opinion as to whether the Convention is being properly applied or not. What I would venture to suggest to my friend, M. Sato, is this: Suppose we accept this now on second reading, before we get to the third reading of this item, there will be ample time for all the jurists connected with the various delegations to examine the matter, and if there really be a difficulty on this question it can be raised later on. I prefer that course to referring the matter to another sub-committee, which means considerable delay, and is open to other objections which M. Sato is well aware of.

The President. — I also would ask M. Sato not to press his proposal, though I do not agree with Lord Cecil as to the possibility of examining the question further at the third reading—but

simply because M. Sato's observations will be mentioned in the report, which will go to the Conference, and the latter will therefore have an opportunity of discussing them.

**M. Sato (Japan).** — I am quite satisfied with Lord Cecil's explanations regarding the possibility of a more careful study of this question during the third reading. I think, however, that it would be better to leave such studies to the Conference itself.

**The President.** — I would remind the Commission, to avoid any confusion, that the third reading will serve only for the discussion of certain amendments relating to exceptional cases. It will not be a general third reading in the legal sense.

**M. Fierlinger (Czechoslovakia).** — There is no difference between us regarding the principle, only certain doubts regarding the text, as the wording causes some of us to fear a conflict of powers between an arbitral tribunal, or the Hague Court, and the Permanent Disarmament Commission. It is very important to note that we are agreed on the principle of arbitration or judicial settlement; but we wish to avoid any conflict of powers. I also think that a further study of the article will be necessary for that purpose.

**86. Procedure: Proposal for the Other Articles of Chapter V to be examined by a Sub-Committee.**

**M. Fierlinger (Czechoslovakia).** — I take this opportunity of asking the President what procedure he proposes for the discussion of the other articles of Chapter I. Experience has shown that it was an excellent plan to entrust the revision of these articles to a Sub-Committee under M. Politis' chairmanship, and its work has been of great advantage to us. Would it not be possible to refer the texts now before us to a similar sub-committee, or to the same Sub-Committee, and to provide thus for a further study of M. Bourquin's proposal? In that case, we could now go straight on with the third reading, and, after completing it, proceed with the other articles.

**M. Holsti (Finland).** — I support M. Fierlinger's proposal. There are other articles of Chapter V which will have to be examined in detail, and I agree with him that we might refer them to M. Politis' Sub-Committee.

**Dr. Markovitch (Yugoslavia).** — If I have understood Lord Cecil, he proposes that we should take no decision for the moment on the Belgian proposal, but leave it open to delegates to submit further amendments or new texts between now and the third reading.

**The President.** — Accordingly, M. Markovitch, if there are any amendments they will be brought up at the third reading.

**The Hon. Hugh Wilson (United States of America).** — The suggestion made by M. Fierlinger is a very sympathetic one to the American delegation, not necessarily in its application to M. Bourquin's proposal only, but also to the rest of the clauses of this Convention. It seems that if they can be studied in sub-committee before coming to the Commission it would certainly result in a saving of time.

**PROPOSAL BY THE GERMAN DELEGATE THAT ARTICLE EA BE DISCUSSED IN PLENARY COMMISSION.**

**Count Bernstorff (Germany).** — I have never objected to the procedure favoured by the majority. Nevertheless, it seems to me that Chapter V ought not to be sent to a sub-committee until we have had a public debate on Article EA. I think it is impossible to discuss that article in private meeting.

**The President.** — We must decide whether the articles of Chapter V are to be sent to a sub-committee—perhaps M. Politis' Sub-Committee—or if we are going to debate them now in full meeting.

**Lord Cecil (British Empire).** — I think there are two separate questions before us. First, what to do with the Belgian proposal, and we must dispose of that according to the rule laid down a few days ago. In regard to it there are several proposals; first, that the matter shall be adjourned generally; secondly, that we should accept the principle of it now and leave to any delegation the right to bring up amendments on the third reading, if it be desired to have further discussion, and thirdly, that here and now it should be referred to a sub-committee.

I personally do not think any case has been made out for sending the proposal to a sub-committee now. It may be desirable later on. I therefore venture to think that for this particular proposal—I am not dealing with the rest of the chapter—the best course is for us to accept it, as there is a very general agreement as to the principle; we can then leave to each delegation the right to bring up amendment later on if they think it desirable.



**The President.** — M. Fierlinger had proposed referring the whole question to a sub-committee; but, as Lord Cecil has said, we all agree in principle with M. Bourquin's proposal. It seems logical, therefore, to begin a discussion of this text, and I do not even think that a formal vote will be necessary.

The second question to settle is whether the articles of the section under discussion are to be referred to a sub-committee.

**Count Bernstorff (Germany).** — I have no objection to M. Fierlinger's proposal, except as regards Article EA.

**The President.** — The question is whether the Commission desires to refer the whole section to a sub-committee, or if it is in favour of Count Bernstorff's proposal.

**Dr. Markovitch (Yugoslavia).** — Since the German delegate desires that one question contained in Chapter V should be discussed by the Commission, I see no object in dividing the articles into two classes, one for the sub-committee and the other for the plenary Commission. I think we should do better to discuss the whole section in plenary meeting, and then send controversial questions and drafting points to a sub-committee.

**M. Massigli (France).** — I would gladly have agreed—if the Commission were of that opinion—that these questions should first be studied by a sub-committee; but, since Count Bernstorff desires a public debate, I have certainly no wish to avoid it.

**Lord Cecil (British Empire).** — Of course, I quite agree with what M. Massigli has said, but if any member of the Commission desires immediate discussion in public of these articles, he is entitled to ask for it, and personally I should not refuse it. I would, however, suggest to Count Bernstorff that no one doubts that the whole question must be discussed in full Commission, and the only question is whether we shall discuss these articles now or ask a sub-committee to draw up a text for that discussion. If Count Bernstorff wishes a discussion now, I personally do not want to oppose it in any way. As a matter of order, if these articles are ultimately to be referred to a sub-committee, I should have thought it would have been better to begin their discussion now.

**M. Fierlinger (Czechoslovakia).** — I think Count Bernstorff's request is quite legitimate. I venture to make a proposal to facilitate our debate, from a technical standpoint. When we have discussed the articles which some delegates desire to have examined at once in plenary meeting, I will have a suggestion to make in regard to the subsequent work of the sub-committee.

**Count Bernstorff (Germany).** — We have always maintained that sub-committees should only deal with technical questions. Article EA relates to a point which is purely and pre-eminently political—the most political question in the Convention. It would be a strange procedure to refer it to a sub-committee, and it might lead the public to suppose that we were afraid of discussing political questions before it. I see no reason why we should fear to debate this question in the light of day.

**The President.** — This Commission fears nothing! We have always spoken frankly and clearly, and we shall do so to the end. I therefore ask if the Commission is agreed to begin the discussion of Article EA at once. We can then decide whether to send other articles of this section to a sub-committee.

**M. Morfoff (Bulgaria).** — After what has been said by previous speakers, I feel compelled to offer a few explanations, as delegate of a country subjected to a special military system.

It is clear that we have met to draw up provisions for submission to the future Disarmament Conference with the object of progressively reducing armaments to the minimum consistent with the national security of all countries . . .

**The President.** — I regret to interrupt M. Morfoff, but before debating the substance we must decide on the question of principle.

#### PROPOSAL BY THE BULGARIAN DELEGATION TO REFER ARTICLE EA TO THE CONFERENCE.

**M. Morfoff (Bulgaria).** — It was the principle that I was going to deal with; I wish to move that this question be referred to the Conference itself. In these circumstances, I venture to continue what I was saying: . . . but this national security is relative. Indeed, all great things are relative in this world. If some are small, it is only because others are great; if some are weak it is only because others are stronger. Finally, a country is considered defenceless only because other countries are powerfully armed.

I have willingly voted for all the clauses of the draft which will assist us in arriving at our goal; I have abstained from voting only in regard to certain articles which are incompatible with our military system, for I considered that these articles did not offer us the security laid down in Article 8 of the Covenant. But I was content to abstain, without discussing the question, and leave it to the experts to decide how a comparison could be drawn between our forces and those of other countries which possess reserves and can provide ample armaments to ensure to us a degree

of national security, perhaps not equal to that of every other country, but, at any rate, comparatively acceptable.

I adopted this attitude because I recognised that this was not merely a technical question, but one of great political importance—so great, indeed, as to bring it outside the sphere of the Preparatory Commission. For this question might lead us into legal discussions on the provisions of treaties, and such discussions are not within our competence. I therefore feel that we should not approach this question of comparison, but refer it to the future Disarmament Conference. In support of that view, I would remind you that only yesterday the Committee which had drawn up the text of Article OA, dealing with organisation, encountered difficulties and decided to refer the most important part of that question to the future Conference. All the more, then, should we decide to leave the Conference to examine this Article EA, which deserves careful study, bearing in mind all its political aspects.

Finally, I would say that our aim is national security, as laid down in the Covenant of the League and a good understanding between all peoples.

**Munir Bey (Turkey).** — I agree with what the Bulgarian representative has just said, all the more so because there are some countries specially affected by this article who are not represented on the Preparatory Commission.

VOTE ON THE GERMAN PROPOSAL TO DISCUSS ARTICLE EA IN PLENARY COMMISSION.

**The President.** — We have listened with great interest to the speeches of the Bulgarian and Turkish representatives. But we have first to decide on the following preliminary question: Does the Commission, or does it not, desire to discuss Article EA in plenary meeting?

*The Commission decided by nineteen votes against one to discuss Article EA in plenary meeting.*

87. Discussion on Article EA.

*Observations  
and Reservations.*

The German delegation makes a general reservation with regard to Article EA, in view of the fact that the Draft Convention does not yet show whether certain fundamental conditions will be fulfilled; these conditions were formulated during the proceedings at the third session of the Preparatory Commission and, without them, Germany could not regard the Convention as a first step towards general disarmament. In addition, guarantees should be given that this first step will be followed, at suitable intervals, by other steps towards the progressive reduction of armaments.

*First Reading.*

*Article E A.*

The present Convention shall not affect the terms of previous Treaties, under which certain of the High Contracting Parties have agreed to limit their military, naval or air armaments, and have thus fixed in relation to one another their respective obligations and rights in this connection, the present Convention being within these limits inapplicable between the said Powers.

PROPOSAL BY THE BRITISH DELEGATION.

*" Article EA (First Reading).*

" Should read:

" " The present Convention shall not diminish the obligations of previous Treaties, under which certain of the High Contracting Parties have agreed to limit their military, naval or air armaments, and have thus fixed in relation to one another their respective obligations and rights in this connection. ' "

AMENDMENTS PROPOSED BY THE FRENCH DELEGATION TO THE PROPOSAL OF THE  
BRITISH DELEGATION.

*" Article EA.*

" The present Convention shall not *in any way* diminish the obligations of previous Treaties, under which certain of the High Contracting Parties have agreed to limit their

military, naval or air armaments, and have thus fixed in relation to one another their respective rights and obligations in this connection.

*"The following High Contracting Parties . . . signatory to the said Treaties, declare that the limits fixed for their armaments under the present Convention are accepted by them in relation to the obligations referred to in the preceding paragraph, the maintenance of such obligations being for them an essential condition for the observance of the present Convention."*

**The President.** — We now have two proposals to consider: first, the Bulgarian proposal, supported by the Turkish delegation, to refer consideration of this article to the Conference, and secondly, for the alteration of the text of the article, as adopted at first reading.

Does M. Morfoff desire to give the Commission any supplementary explanations in favour of his views?

**Lord Cecil (British Empire).** — I understood we were to have this discussion in order to enable Count Bernstorff to make a speech. I think we had better hear his speech.

**M. Massigli (France).** — As I am the author of an amendment which, in part, reproduces the British proposal, I desire to give some technical arguments in support of it.

Both the proposal and the amendment are so clear in themselves that I doubt whether any commentary is really necessary.

In the first place, I wish to make a correction of form, or rather of translation, in the British proposal; the words which we now propose "*ne restraint en rien*" are a better translation of the idea embodied in the English text.

As regards the paragraph we add to the British proposal, I wish to state briefly our reasons for submitting it.

We have just decided that the Permanent Court of International Justice may intervene in disputes arising on the interpretation or application of the Convention. Now the Court gives legal decisions; it decides according to texts; we therefore wish to ensure that the texts before it shall be perfectly clear. Indeed, even if the Hague Court were not going to be concerned, our duty would be the same; the Convention we are preparing is so important, it may involve such grave consequences for Governments, the obligations which it involves are so serious, that we are bound to do the utmost in our power to make its meaning perfectly clear.

When the Conference meets, a certain number of Powers, including France, will submit proposals in figures for the limitation of their armaments. These proposals will be calculated in relation to a given situation; they will correspond to a given degree of security. In determining this situation, this degree of security, the regime which results from the strict application of the military clauses of the Peace Treaties forms an essential factor.

The amendment which I submit to the Commission is solely intended to make the situation clear and, by forestalling any doubts in regard to this or that provision of the Convention, to obviate the effects which such doubts might produce. By this text, the Powers concerned define the conditions under which they accept the figures for limitation to be inserted, in regard to themselves, in the Convention. It is a reservation, if you will, but one of which the other signatory Powers will be cognisant in advance, and which will thus become, for those Powers who submit it, an essential condition of the obligation they accept.

I have nothing further to add.

**Count Bernstorff (Germany).** — If I am not mistaken, we have three proposals before us: a French proposal, a British proposal and a proposal by the Bulgarian and Turkish delegations.

If the Commission desire to accept the Bulgarian-Turkish proposal—which is to omit Article EA and leave it for discussion at the Conference—I should be prepared to accept that course. In that case, we could say in the report that this question was so essentially political in character that the Commission thought best to leave it to the Conference. I have no objection provided that the Conference meets in the near future.

I must, however, reply in a few words to Lord Cecil. I think that my desire to speak on this occasion was perfectly legitimate, since the article in question aims at excluding us permanently from the disarmament system. It is not surprising, therefore, that I should wish to state my Government's opinion.

Article EA refers to the treaties of Washington and London, regarding which I have nothing to say. It also refers to Peace Treaties in which certain obligations well known to you were undertaken towards us.

The Commission will remember that, in 1927, I made a general reservation in regard to this article. Since then, the removal from our Convention of certain fundamental provisions compelled me, in the spring of last year, to dissociate myself definitely from the programme of the majority. Events which have happened during the present session have abundantly convinced me that this formal declaration was justified. In the draft, in its present form, the idea of genuine disarmament, as regards land armaments, only survives in the title.

If the majority of our Commission would only realise this deplorable result of its five years' work, they would avoid placing this artificial work, through Article EA, in relationship with the earlier Treaties. It is true that, if the majority accept Article EA, their decision will only

affect countries who propose to sign the draft Convention. I am certainly not of that number: On the contrary, I shall take the opportunity offered by Article EA to vote against the draft Convention as a whole.

It may be that some delegates here are under the impression that my Government might be induced to accede to a Convention which, instead of leading to genuine disarmament, would merely serve as a cloak for the actual state of the world's land armaments, or—even worse—would make it possible to increase those armaments. That, in my opinion, would be tantamount to renewing the German signature to the Disarmament clauses of the Treaty of Versailles.

I beg you, Gentlemen, to renounce any such illusions.

As for the amendment which the French delegation has just submitted, I wish to make the following declaration: You are all acquainted with the conditions which the German Government considers essential if this Convention is to be regarded as discharging the obligations incurred by other nations towards disarmed Germany. For many years past the official representatives of Germany have lost no opportunity of repeating them. We consider that Germany cannot recognise anything as a first Disarmament Convention unless the solution which it provides is just and equitable, and pays regard to the security of all States. Only a few weeks ago, Dr. Curtius, the Reich Minister for Foreign Affairs, repeated these conditions here at Geneva, and I myself have always spoken in the same sense.

Accordingly, in estimating the value of the Disarmament Convention, Germany will have to consider whether it is calculated to realise, at length, the principles of parity of security. The draft which the majority of this Commission has drawn up during the past five years is very far from giving effect to that principle.

Lord Cecil (British Empire). — I have no desire to intervene in any controversial matter more than I can help. The big question as to parity raised by the German delegate seems to be a matter which we cannot very well discuss here. It is obvious that if parity, as he calls it, is to be attained, it can only be attained as the result of careful and anxious consideration, and it obviously seems to be a matter which will be discussed not in this Preparatory Commission but in a special Conference on the subject, if such a conference ever takes place. I did not rise to say so much as that, but for two other purposes; first, to protest very earnestly against the statement made by Count Bernstorff, that the proposed Convention will not really amount to any limitation or reduction of land armaments.

It is to me quite astounding that anyone who really has followed the proceedings of this Commission—any serious and responsible person not carried away by passion and prejudice—should have made such a statement as that. Let me remind the Commission, very shortly, what we have agreed to with regard to land armaments. We have agreed to a limitation of the total numbers; we have agreed to a separate limitation of the officers, non-commissioned officers and professional soldiers of every army. We have therefore agreed inferentially, and as a necessary consequence, to the limitation of those soldiers who are neither officers, non-commissioned officers nor professional soldiers in conscriptionist countries. I do not see how a limitation of numbers could well proceed farther than that. We have further agreed to a limitation, by budgetary limitation, of the total expenditure on armaments, including land armaments, and also specifically to limit the expenditure, in the more technical sense, on land armaments.

I am quite certain that it passes the wit of man to arm a force unless money is available for that purpose. If you limit the money you limit the arms, and in my judgment—a judgment I have constantly expressed—I do not believe that there is any other effective method by which you can limit the armaments of a land force. It is for that reason that I have always been so warm a supporter—certainly of recent times—of that particular method. It does seem to me that, in the face of these facts, which are incontrovertible, to say that we have done nothing which can result in the limitation of land armaments is to make a statement which is absolutely devoid of foundation.

The other thing I wanted to say was purely in regard to the technical aspect of this proposal. Count Bernstorff thinks only of one particular question—the limitation of land armaments. He should remember that there are other treaties in existence providing for the limitation of naval armaments and we, at any rate, being parties to those treaties, desire very strongly that nothing should be done to diminish their effect. Therefore I hope that for that reason, if for no other, we shall pass this article.

The French delegation has proposed an amendment to clear up what it conceives to be a doubt as to the effect of the article, and I do not gather that Count Bernstorff is opposed to that. Its object is to make it quite clear that, if there be an infringement—let me take it in the case of ourselves or any of the parties to these Treaties—although there is no likelihood of such a possibility—that if there be an infringement of the Washington Treaty, or the London Treaty, we desire that that should be treated as an infringement of whatever is agreed to under the general Treaty of Disarmament.

I am a little doubtful as to the actual phraseology which M. Massigli has proposed, and perhaps he will agree that the matter should be referred to the Drafting Committee for it to consider that point. The point I have a little doubt about is this. I may be wrong, but as I read his amendment, if there were quite a small infraction of one of those other Treaties—for instance the Washington

Treaty—if there were some relatively minor infraction, that would release the parties to those Treaties from the whole of their obligations under this Treaty. I am sure that is not what M. Massigli intends, but I am a little afraid that would be the result. I hope he will agree to refer it to the Drafting Committee, for the purpose of putting the limits which exist in those Treaties on the same footing as the limits which will be provided in this Treaty.

If that be the principle, I do not think that our legal advisers will have any difficulty in devising a text on the subject.

May I conclude by expressing my deep regret at the attitude which Count Bernstorff has been instructed to assume. I had hoped very much that, in this meeting, we should have had the active and practical co-operation of the German delegation in making as far as we could—and, granting the limits of practicability, which all must recognise at the present time—the best skeleton treaty for disarmament that is possible. I repeat, I had hoped very much that we should have had the constant co-operation of Count Bernstorff in that connection, and had suggestions made as to how this or that practical detail might be improved, and I am bound to admit that I do not think we have had very much assistance in that respect from him. I can only express my deep regret and my hope that this does not mean a fixed and determined policy on the part of the German Government.

**General de Marinis (Italy).** — Our Commission was instructed to prepare a draft Convention which would enable effect to be given to the obligations of Article 8 of the Covenant; these obligations are related to those previously mentioned, in regard to certain Powers, in the preamble of Part 5 of the Treaty of Peace.

The real question for us to consider, in my view, is whether our Convention fulfils those obligations? To reply to that question we would need to be in a position to estimate the true value and actual effects of our Convention; but hitherto we have only had before us a skeleton of that instrument; the vital part, which will enable us to appraise the extent of disarmament, is still lacking, because in this Commission we have not, and could not have, discussed the figures.

I therefore consider that the question now under debate should be left to the Conference. It cannot be decided here. I am so sure of that, that if this question is to be discussed I shall refrain from speaking; and if the Commission votes upon it I shall abstain.

**M. Massigli (France).** — Lord Cecil has perfectly understood me. We agree that the Drafting Committee should examine my amendment, so far as concerns its form. What I regard as essential is that the idea contained in it should appear in the Convention.

While fully appreciating General de Marinis' reasons for wishing us to refer a political discussion—which is certainly out of place here—to the Conference, I still think that the article in question—which is not new—must appear in our draft, because it constitutes an essential factor which the Governments require to know in order to work out the figures which they will propose for the Conference.

Count Bernstorff for his part has reminded us of his Government's arguments and has refrained from repeating them. For the same reasons I will not repeat or re-state the French arguments, which are well known to you, and which have often been stated here and elsewhere. I will only refer to one point. I was much interested to hear the German delegate just now use the word "security". I regard that as an acceptance of a conception which the French Government has always defended, and I note it with satisfaction.

**General Kasprzycki (Poland).** — I think that the Commission is inclined to refer this whole political question to the Conference. I do not oppose that course, but it is none the less necessary that we should declare our views, not with any desire to debate the political aspect of the question, but to define the starting-point of our work. We have adopted a doctrine—I refer to the recent resolution of the Assembly—which is the basis of all our work. I mean the doctrine of existing security, which is the starting-point of the disarmament obligations. Disarmament will be in relation to the security existing at the moment when the Convention is finally concluded.

Now, one of the most important factors of security is the military system of the countries disarmed in accordance with the Peace Treaties. That is the one stable element—so long as the obligations of those treaties are strictly maintained. The other factors of security are constantly evolving, and often in an opposite direction from what might be expected when precipitate demands for complete disarmament are being made.

The Polish delegation considers that the maintenance and the strict observation of the disarmament obligations incurred by certain Powers in the Peace Treaties of 1919 are prerequisite condition for the acceptance and maintenance in force of the present Convention by other Powers.

I cannot accept the quite unjustified estimate of our work which we have just heard. First, I would remind you—and here I agree with general de Marinis—that the draft Convention is merely a skeleton without figures.

But there is also another important aspect of this question. As an expert and as a soldier, I would point out that, during the present session, we have accepted methods which affect certain vital aspects of armaments. We have encroached on the sphere of national defence. And I would further emphasise the fact, of far-reaching importance, that this is the first time that the sphere of national defence, hitherto reserved for the sovereignty of States, has become the subject of international regulation.

For these reasons I unreservedly support the text of the article, as submitted by the British delegation, with the French amendment. As far as its wording is concerned we can refer it to the Drafting Committee in order that some trace of this debate, which is really the starting-point of our work, should, at any rate, remain in the text of our draft Convention.

**Dr. Markovitch (Yugoslavia).** — I agree with the French proposal and with the views of that delegation concerning the political and legal aspect of the Disarmament question, as it relates, on the one hand, to countries disarmed in virtue of the Peace Treaty, and, on the other hand, to Members of the League who have undertaken to disarm in virtue of Article 8 of the Covenant.

**M. Antoniadé (Roumania).** — After my Polish and Yugoslav colleagues, I desire also to express the view of my delegation regarding the necessity of inserting an article corresponding to the former Article EA at the beginning of Section V, I entirely agree with the British proposal, together with the addition (which we regard as essential) proposed by the French delegation.

**Count Bernstorff (Germany).** — I do not desire to prolong this debate, but in view of my very old relations with Lord Cecil, and that we have stood on so many platforms together and so often been of the same opinion, I always feel very sorry when he does not share my opinion and I have to differ from him. It is necessary for me to say a few words in this respect. Never in my life have I been carried away either by passion or prejudice on political questions.

I would only like to ask Lord Cecil a few questions. Is it void of foundation that the sea and air armaments are to be directly limited and the land armaments not? Is it void of foundation that budgetary limitation allows unlimited increase of armaments in stock from now on? Is it void of foundation that the central force of all the continental armies, trained reserves, is to be left out?

I was particularly sorry to hear Lord Cecil say that I had not worked sufficiently with the Committee. In that respect I would like to say that for four years I have been of the most diligent members of this Committee. In the beginning I have always worked on the same side as Lord Cecil. If I have given up working with the Commission now, it is because, to my great regret, I had to realise that in this Convention which are now finishing, the question of land armaments is to be sacrificed to the question of sea armaments. That is quite an impossible view for the representative of a country whose interests are eminently land interests, to take, and one who cannot possibly take any other point of view of disarmament. Land armaments are for us the chief part of the whole thing. That is why I have absolutely nothing against security; only if there is to be security there must be parity of security and security for all.

**M. Colban (Norway).** — I am somewhat embarrassed by the turn which the debate has taken. I thought that we were discussing the text of Article EA; and now we are engaged on a debate, in which I have no intention of joining, on a highly important political question. If I vote for the British proposal with the French amendment am I thereby defining my attitude on these political questions? I am not sure. It is the text of the British proposal together with the French amendment—as interpreted by Lord Cecil with the assent of the French delegate—which is to be put to the vote. But after the political discussion which has now taken place, it is difficult to know if one can vote for this text which, without this debate, might have been regarded as perfectly natural.

**M. Sato (Japan).** — I think M. Colban's observation is perfectly reasonable. To give him satisfaction I propose that the Commission should adopt the present text of the British proposal, with the French amendment, and to leave the political aspects to be debated by the Conference.

**Lord Cecil (British Empire).** — I hope we shall not have any political discussions of this kind anywhere. I think we ought to consider this, and I wish to thank M. Colban for calling us back to the real subject which we ought to be discussing—namely, the desirability of this as a matter of drafting of this Convention. To my mind, you have to say one thing or the other. Is this Convention to supersede other treaties or not? I think you must know it is not to supersede other treaties. That must be done by a definite proposal of that kind, which must be made in the usual and proper way. Here we have merely to say what is to be the relation between this Convention and other treaties. It is in that sense that the British delegation desired to have this matter discussed. It did not desire to raise any political question at all. The British amendments are only questions of drafting. I hope we shall accept that and the French amendment also, subject to revision by the Drafting Committee.

**The Hon. Hugh Gibson (United States of America).** — I rise to explain the vote of the American delegation. I propose to vote for the British amendment. I wish to make it clear that this vote will be on grounds having no connection with the question which has been under discussion. As the representative of a Power already definitely bound by two naval treaties, I am concerned that somewhere in our Convention it be clearly stated that our naval treaties remain a binding force.

VOTE ON THE BULGARIAN PROPOSAL.

**The President.** — What Mr. Colban said is perfectly correct and true, but we could not avoid a political discussion on this question. Fortunately it has been limited, and I think that now it is closed.

I put to the vote M. Morfoff's proposal, seconded by General de Marinis, for the omission of Article EA, as now worded. Mention will be made in the report of the discussion which has just taken place on that article.

*The Bulgarian proposal was rejected by twelve votes against to five for, with some abstentions.*

VOTE ON THE BRITISH PROPOSAL AS AMENDED BY THE FRENCH DELEGATION.

**The President.** — I now put to the vote the British proposal, as amended by the French delegation. It is understood that the drafting of the text is reserved.

*This proposal, as amended, was adopted by fourteen votes with some abstentions.*

REFERENCE OF THE BRITISH AND FRENCH TEXTS TO THE DRAFTING COMMITTEE.

**The President.** — I propose that we refer the British and French texts to the Drafting Committee.

*Agreed.*

88. Discussion on Chapter I. — Effectives (continuation): Article I (continuation).

*Observations  
and Reservations.*

This Article has not been discussed in connection with naval and air effectives.

The delegation of France declares that the clauses of this Article must apply in the same conditions to land, naval and air effectives.

*First Reading.*

In each Contracting State having the conscription system, the total period of service which the annual contingent is compelled to serve shall not exceed the figure accepted by each of the High Contracting Parties.

For each man the total period of service shall be the total number of days of active service and of days of service during the periods of instruction which he undergoes.

*Second Reading.*

(Discussion of the text adopted at first reading and of German proposal (document C.P.D.174(I)) adjourned.)

*Texts drawn up at First Reading.*

AMENDMENT PROPOSED BY THE GERMAN DELEGATION.

“In each Contracting State having the conscription system, the annual contingent and the total period of service which the annual contingent is compelled to serve shall not exceed the figure accepted by each of the High Contracting Parties.

“For each man, the total period of service shall be the total number of days of active service and of days of service during the periods of training which he undergoes. The period of active service shall be shown separately.

“No register shall be kept of persons whose military obligations are terminated.”

**The President.** — We must now vote on the second and third paragraphs of the above German proposal. I would, however, observe that the second paragraph of the German amendment is similar to the second paragraph of Article I adopted by the Commission on November 8th. I would ask Count Bernstorff to withdraw his proposal concerning the second paragraph; we can then vote on the last paragraph only of his amendment.

WITHDRAWAL OF THE GERMAN PROPOSAL.

**Count Bernstorff (Germany).** — I am informed that the two texts of the second paragraph referred to by the President are not on the same lines. As I said yesterday, I asked for a vote on my proposal because this question has now been formally settled. For my part, I have already said that, as the first paragraph of my proposal was rejected, I did not specially press for a vote on the other two paragraphs. In these circumstances, I have no reason to press my proposal, and I accordingly withdraw it.

**The President.** — The question is thus settled and no vote is required.

89. **Procedure: Discussion of Remaining Articles of Chapter V, Section V, and of Article AD: Reference of these Articles to a Sub-Committee.**

**The President.** — In order to leave the Drafting Committee time for its work, I propose, that the next plenary meeting should meet to-morrow afternoon.

**Lord Cecil (British Empire).** — I have no objection to that; but what has happened to the rest of Chapter V?

**The President.** — We will take that section at our next meeting.

**Lord Cecil (British Empire).** — We must be regular in our proceedings. Article EA refers simply to the interrelation between our Convention and other treaties. That is one point. Then follow the ordinary provisions—provisions contained in every Convention—dealing with ratification and the length of operation of the treaty. These are very important matters, and there are other matters, but they are quite separate from Article EA. If it be thought desirable to postpone those matters to another day I am quite content, but as we are going through the whole of this Convention in second reading I think it would be better to deal with each part of it, after which we can begin the third reading. We can say that there are some parts which require further consideration and therefore that we do not propose to deal with them immediately, but personally I think it would be better, in the circumstances, to adjourn now and take up the rest of Section V before we start a discussion on, for instance, the German proposal, which is an entirely separate matter.

**M. Holsti (Finland).** — I suggest that the remainder of Section V should be referred to M. Politis' Sub-Committee.

**The President.** — That would be an excellent method.

**M. Sato (Japan).** — I wish to point out that we have not yet discussed Article AD concerning air armaments. We had reserved that article till we had taken a decision on Article ZD; but, as a result of the amendment adopted yesterday, the latter article has now disappeared, and we do not know what is to become of the principle laid down in the former Article ZD. Whatever may be decided on that point, the question raised in Article AD subsists and must be discussed.

**The President.** — The Bureau had intended to propose that Article AD should be discussed at the end of Section V.

**Lord Cecil (British Empire).** — I would suggest that this article be referred to the Sub-Committee with the other articles, because there is an amendment to one of the articles in Chapter V (a French amendment, I think) which raises the very point originally raised in Article ZD. I should therefore think it would be better to consider it as part of Chapter V.

**M. Sato (Japan).** — I feel some doubt as to the proposal to send Article AD to the Sub-Committee which is to study the coming into force and the revision of the Convention. The main question raised by Article AD is not the revision of the Convention; it deals with a special point. We had reserved this question until we had decided on Article ZD, as it seemed easier to examine the two articles in conjunction; but now that Article ZD has disappeared—at any rate, in its present form—it seems logical that we should discuss Article AD.

**M. Massigli (France).** — I think M. Sato would be satisfied if we decided to discuss Article AD as soon as the Sub-Committee has reported on Section V.

**M. Politis (Greece).** — We must not be too formal in these matters. Article AD was reserved until we had decided on Article ZD. The latter article no longer exists, but the idea which it contained has been embodied by the French delegation in an amendment to Section V. We cannot therefore discuss Article AD until we have settled on the text of Section V.

To facilitate matters, I propose that we refer Article AD to the Sub-Committee on Section V; in that way the Commission will have a coherent text to discuss, and we may avoid long discussions. The Sub-Committee will be in a better position to see if there is any connection between the two texts. If there is not, M. Sato's point will be fully met, for Article AD will subsist intact and will be discussed by the Commission. On the other hand, if a connection does exist, the Sub-Committee will ascertain the fact and report accordingly.

**REFERENCE OF THE ARTICLES DISCUSSED ABOVE TO THE SUB-COMMITTEE PRESIDED OVER BY M. POLITIS.**

**The President.** — I propose that we refer all these articles to the Sub-Committee which will continue to sit under the able chairmanship of M. Politis and will be strengthened by Count Bernstorff and M. Westman.



Count Bernstorff (Germany). — I would prefer not to be a member of that Sub-Committee.  
*The Commission rose at 12.40 p.m.*

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EIGHTEENTH MEETING.

*Held on Friday, November 28th, 1930, at 3.30 p.m.*

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*President: M. LOUDON (Netherlands).*

90. Welcome to Dr. Beneš.

**The President.** — We have much pleasure to-day in welcoming in our midst one of the great friends and defenders of our cause, the Czechoslovak Minister for Foreign Affairs, M. Beneš. I welcome him in the name of the whole Commission. We are happy to see him with us. We know the work he has done up to the present as President of the Committee on Arbitration and Security.

He has been good enough to join us for the close of our labours, and I thank him for doing so. I say "the close"; that may astonish you; but it is a fact that we are approaching the close. I believe that, in a week from to-morrow, we shall be at the end of our task, because we have done particularly good work latterly. We have worked with method, with the desire not to create confusion, with the intention to adhere strictly to the established procedure. The method we have followed latterly of referring matters to sub-committees is the best way of working. I am sure we shall conclude well before the date we had had in mind, because we have worked with a will, because we knew that the work on which we are engaged is a great work, and because we have avoided playing to the gallery.

**Dr. Beneš (Czechoslovakia).** — I thank you for your kind words. I will only say that I regret immensely that I was not able to be present at the beginning of your labours, but have arrived only at the end. But it will be a happy end—of that I am sure.

91. Discussion on the German Proposal concerning Preparation for the General Disarmament Conference.

GERMAN PROPOSAL CONCERNING PREPARATION FOR THE GENERAL DISARMAMENT CONFERENCE  
BY FURNISHING DETAILED INFORMATION AS TO THE PRESENT STATE OF ARMAMENTS.

"As stated at the opening meeting of the second part of the sixth session of the Preparatory Commission for Disarmament, the task of the Commission is to prepare as thoroughly as possible for the future Disarmament Conference. It is for the Commission also, therefore, to place the Conference in a position to form from the outset an accurate idea of the present state of armaments of all States. It is not sufficient to submit to the Conference the text of a draft Convention indicating the methods by which the Commission proposes to limit and reduce armaments. To enable the Conference to apply a particular method, it must be furnished at the same time with accurate and complete information as to the present position of armaments.

"For example, if the London Conference were successful, that was largely due to the document which was submitted to it on the day the Conference opened, containing complete and minute details as to the position of all the navies in question. This document served as a basis for the work of the Naval Conference.

"In the case of the navies, there were sufficient official sources for drawing up this document. That is not the case with the other armaments. The *Armaments Year-Book* of the League of Nations cannot fill this gap, since it has not at its disposal sufficient official sources of information, and the information which it contains is still much too vague for the special purpose of the future Conference. It is therefore for the Preparatory Commission to prepare this indispensable information. With this object, the Preparatory Commission should ask all the Governments that are to be represented at the Conference to supply detailed information as to the present position of their armaments. In order to enable this information to be supplied from uniform standpoints, the Preparatory Commission should draw up model tables.

"The German delegate proposes that the above suggestion be discussed."

**The President.** — We are now about to consider, in the first place, the German proposal regarding preparation for the general Disarmament Conference by detailed notification of the present position of armaments.

At the end of this proposal it is stated that:

"With this object the Preparatory Commission should ask all the Governments that are to be represented at the Conference to supply detailed information as to the present

position of their armaments. In order to enable this information to be supplied from uniform standpoints, the Preparatory Commission should draw up model tables."

We have, therefore, first to decide whether we shall or shall not adopt the principle of this proposal.

**Count Bernstorff (Germany).** — I have nothing to add to what is contained in the document. It appears to me quite essential that a Conference which wishes to discuss disarmament should be informed as to existing armaments. I quoted the example of the London Naval Conference in this document. I said:

"If the London Conference was successful, that was largely due to the document which was submitted to it on the day the Conference opened, containing complete and minute details as to the position of all the navies in question. This document served as a basis for the work of the Naval Conference."

It seems to me that we ought to set about matters in the same way in the case of the Disarmament Conference. It is for this reason that I have made my proposal; but I have not submitted tables, because I thought it was not necessary to do so until the principle had been considered. It is on the principle that I now ask you to decide.

**M. Massigli (France).** — I welcome Count Bernstorff's proposal as embodying an idea which is very sound, though it may seem a trifle paradoxical, at this stage of our labours, that preparation should be necessary for the Conference.

It is certain that, when we submit a draft Convention to the Council and to the Governments, our task will be far from being at an end. There will still be meticulous work to be done if the Conference is to meet, if not with every chance, at any rate with a good chance, of success.

It will therefore be necessary to make very extensive enquiries of the Governments, and these enquiries will have to relate in part to the position of their armaments.

Count Bernstorff very rightly quotes the example of the London Naval Conference. What happened at London? The object of the Conference was known and clearly defined, and each Government came with its case ready within the limits of the programme. I think it will be extremely useful if each Government will again come with its case ready, within the limits which we are about to lay down. But, in the first place, I should not like the German proposal to be regarded as limitative, or the Governments to feel that all they have to do is to supply information and figures in accordance with the draft Convention. In the second place, I see serious difficulties in the way of the Preparatory Commission itself asking the Governments for information, because that is not the Commission's business at all. We have been appointed by the Council for a precise purpose. We have to answer a number of questions. I do not know whether we have answered them all; but, at any rate, we are answering by a draft Convention. We may, at the same time, draw the Council's attention to the fact that there are other useful enquiries to be made; but I do not think we are qualified to put questions to the Governments, and I am sure Count Bernstorff agrees.

All I understand, therefore, by Count Bernstorff's proposal, is that we are to draw attention in our report to the interest attaching to an enquiry of the Governments. How is that enquiry to be made? To what will it relate? I do not wish to limit or define it at the present moment. It will of course involve information and figures. Possibly it will include other elements, and I wonder to what extent we should take up a position on this point. I think we should do well to confine ourselves to drawing attention to the question.

**Count Bernstorff (Germany).** — I am very pleased to find myself in complete agreement with M. Massigli. The essential point, to my mind, is that this question should be put to all the Governments, and that there should be replies to it; but I have some doubt as to the Council, because this question concerns also Governments which are not Members of the League.

At any rate, I shall be glad if the Commission will take a decision on the principle involved in this question, and say whether at this stage such preparation is necessary.

I should prefer the Commission to express its opinion on this point here and now; but, if the majority think it would be better to inform the Council and let the matter go through the Council, I will defer, and we will express our wishes in the matter in our report.

**Lord Cecil (British Empire).** — I entirely agree with the proposal. Preparation of this kind is absolutely essential, but I do very much agree with M. Massigli that it is only part of a great many other things of the same kind that will have to be done before the Conference can hope to meet successfully. Undoubtedly the Council—because it is the Council that names the date of the Conference—will have to take measures, before the actual work of the Conference begins, in some way or another. It seems to me that the best thing we can do is to call attention in our report to this motion of the German delegation, and say that we recognise that preparation of that kind, and probably going much further than that, will be necessary; and that we hope the Council will take the matter into serious consideration. Our Rapporteur could probably draft a paragraph to that effect.

**M. Sato (Japan).** — As regards the principle involved, I have no difficulty in accepting the German proposal. As detailed information as possible is required for the Conference.

I would point out, however, that while it is quite true that in London we gave as full details as possible of our warships, those details were already known to some extent. We simply

confirmed or supplemented the information, in order that all the delegations there might have accurate data.

The position now is quite different and I am doubtful whether we can give such full details. According to the German proposal, the Commission, or the Council, would ask all the Governments to supply detailed information as to the position of their armaments. That is exactly the point that we are dealing with at present.

To take land armaments, for example, information would have to be given concerning effectives, a question that has already been settled, and concerning material, a question on which, on the contrary, we have not yet reached agreement, so that we cannot pass a resolution specifying the exact scope of the information which all the Governments will be required to supply.

In this Commission, we must first discuss the provisions to be made in the draft Convention for publicity. Even when that point is settled, however, we cannot yet tell whether all the Governments will or will not accept the draft Convention. That we shall only know when we come to the Conference. Such being the case, how could we ask the Governments to give information regarding land material, to mention no other point?

While I fully agree with the object of the German proposal, I wonder what the Governments' attitudes will be in the matter. They will certainly feel very much embarrassed if this proposal be adopted. They do not know themselves what the Conference may decide.

At the same time, I should be prepared to accept this proposal if it were amended so that all the Governments would be asked to supply the Conference with such information as they might feel able to give.

**General de Marinis (Italy).** — The German delegation's proposal should be thoroughly gone into. In framing any disarmament plan, we have to determine the basis, the starting-point for the whole of the work. I need not dwell upon this very obvious principle, which previous speakers have already mentioned.

Moreover, I agree with M. Massigli and Lord Cecil, who share Count Bernstorff's view. The report should mention that the Commission agreed that the information referred to in the German proposal should be supplied by the Governments concerned, the Council being asked to consider the best means of obtaining such information; the Council would have to say whether it is necessary to call upon the Permanent Advisory Commission or any other committee that it may decide to set up for this purpose, unless it feels itself competent to determine the manner in which such information should be supplied. In any case the report should mention the expediency, I might even say the necessity, of obtaining this information.

**The President.** — I would ask Count Bernstorff whether he agrees to M. Sato's proposed addition.

**Count Bernstorff (Germany).** — Naturally we can obtain only such information as the Governments may care to give. If the Council thinks that it should ask the Governments for information, it will have to declare itself satisfied with the information it receives: it cannot go beyond that. The essential point is that the Council should make this request to all the Governments represented at the Conference.

**Dr. Markovitch (Yugoslavia).** — If I have rightly understood the position, the suggestion is to refer the German delegation's proposal to the Council, which will decide whether it is expedient to address such a request to the contracting parties. Or is the suggestion that we should agree to the German delegate's proposal and call upon the Council to lay it before the Governments? I raise this point because in the latter case I should wish to submit the same reservation as the Japanese delegation, since we have not yet decided as regards publicity for material in reserve, and I think that we should be guilty of inconsistency if we decided against publicity for such material and, at the same time, asked for full information as to the present position of armaments.

**The President.** — We have now to decide whether the Commission is agreed on the principle embodied in the German proposal, and whether it is to be mentioned in our report, in order that the Council may consider the means of obtaining the information in question, in accordance with General de Marinis's suggestion.

**Lord Cecil (British Empire).** — I do not want a resolution passed as to the meaning of which we are not quite clear. I hope we shall say something of this kind in the report, though we cannot decide definitely before we have seen the terms of the report. I think we should recite the substance of the German proposal in the report and say that no doubt information of this description—and much else—will be necessary, and that we hope the Council will take steps to prepare for the Conference on these lines. I do not wish us to bind ourselves to saying that this particular information must be asked for from the Governments. It is part of the general preparation that will be necessary, and that is what I think Count Bernstorff has in mind.

**Count Bernstorff (Germany).** — I quite agree with Lord Cecil that this should be regarded as a suggestion.

**The President.** — We are all agreed, and there is no need for any further explanations.

92. Discussion on the Report<sup>1</sup> of the Sub-Committee of Military Experts appointed to examine Article IB (first reading text).

*Observations  
and Reservations.*

Owing to the various considerations brought forward by the Japanese delegation at the meeting of the Commission on April 21st, 1927, it formally opposes this proposal, and also the proposal of the German delegation opposite Article TA (Chapter II).

The Italian delegation agrees with the above remarks of the Japanese delegation.

*First Reading.*

(Netherlands Draft.)

Each of the High Contracting Parties shall prepare an annual statement of the number (weight) of arms and ammunition and implements of war in service and in reserve in its land, naval and air forces distributed between the following twelve headings and existing on the date of December 31st of the preceding year:

1. Rifles, muskets, carbines (number).
2. (a) Machine-guns, automatic rifles and machine-pistols of all calibres (number);  
(b) Mountings for machine-guns (number);  
(c) Interrupter gears (number).
3. Projectiles and ammunition for the arms enumerated in Nos. 1 and 2 above (number).
4. Gun-sighting apparatus including aerial gunsights and bomb-sights, and fire-control apparatus (number).
5. (a) Cannon, long or short, and howitzers, of a calibre less than 5.9 inches (15 cm.) (number);  
(b) Cannon, long or short, and howitzers, of a calibre of 5.9 inches (15 cm.) or above (number);  
(c) Mortars of all kinds (number);  
(d) Gun carriages (number), mountings (number) recuperators (number), accessories for mountings (weight).
6. Projectiles and ammunition for the arms enumerated in No. 5 above (number).
7. Apparatus for the discharge of bombs, torpedoes, depth charges and other kinds of projectiles (number).
8. (a) Grenades (number);  
(b) Bombs (number);  
(c) Land mines, submarine mines, fixed or floating, depth charges (number);  
(d) Torpedoes (number).
9. Appliances for use with the above arms and apparatus (number).
10. Bayonets (number).
11. Tanks and armoured cars (number).
12. Arms and ammunition not specified in the above enumeration (number and weight).

With a view to the exchange of information as provided for in the present Section, the statement laid down in the present provisions shall be forwarded to the Secretariat of the League of Nations before March 1st of the year following the year to which it refers.

**The President.** — I will now call upon M. Cobián, Chairman of the Sub-Committee of Military Experts, from whom we have received a report, and in case the delegates have not all had time to read that report, I would ask him to give us a summary of the results of the Sub-Committee's proceedings.

**M. Cobián (Spain).** — Everyone was agreed as to the difficulty and delicacy of the task which the Committee entrusted to the Committee of Experts, that task being to investigate one of the most thorny problems submitted for discussion in the Preparatory Commission. The experts embarked upon their task, as usual, with a full sense of their responsibility. They went thoroughly into the various questions, each maintaining his point of view firmly and without wavering.

Real convictions, however, are always based on definite facts and rational considerations, so that it is always possible, as regards certain ways and means, to find some common ground which will enable the Commission to come to a decision on these grave problems.

One question examined by the Sub-Committee was whether there was any great objection, from a technical or military standpoint, to agreeing to publicity for material in reserve, and at the same time for material in service.

As regards publicity for material in reserve, the Sub-Committee was divided: there was not actually a majority either for or against the proposal. You will find the arguments on either side better set forth in the report than I could reproduce them here.

<sup>1</sup> Note by the Secretariat. — See Annex 5.

With regard to publicity for material in service, the position was fortunately quite different, and I think I may say that, in principle, all the experts agreed that there was no objection to the proposal, though some of them regarded it as unnecessary and ineffective, and consequently saw no point in it.

A table was prepared,<sup>1</sup> however, for publicity for material in service, and this table, subject to the reservations to which I have just referred, was accepted by almost all the experts, some of them expressing the view that it should be applicable also to material in reserve.

Publicity as contemplated by the experts applies, it may be noted, only to land material, the Committee having been practically unanimous in its opinion that it was unnecessary to extend it to naval and air armaments, though two or three experts made explicit reservations on this subject.

I have the honour accordingly to submit to the Commission a table with the text of an article which I think I may claim expresses the views of the Committee of Experts as regards publicity for material in service. Various amendments to the table were also accepted. You will find them in the annex distributed with the report. If the Commission feels that a discussion and vote are necessary on the texts in the annex and on the table itself, we might first decide the question of material in service and then that of material in reserve, on which point the Sub-Committee was divided, so that we were unable to submit a draft resolution on the subject.

One expert, moreover, suggested that, instead of publicity in terms of numbers for material in service as proposed in the table, we should have publicity in terms of the value of such material. The Sub-Committee felt unable to adopt this suggestion, and has referred it to the Commission. The latter thus has to consider two questions: the Sub-Committee's solution embodied in the table relating to material in service and the Japanese expert's suggestion concerning publicity in terms of the value of the material in service on the one hand, and on the other hand the general question of publicity for material in reserve, a question to be considered on the basis of the table which the experts regarded as applicable. As regards publicity for material in reserve, the Commission will accordingly simply have to decide on the principle, since so far as its application is concerned, the same table forms the basis for discussion.

**M. Rutgers (Netherlands).** — The table appended to the report of the Sub-Committee appointed to study Article IB contains a note to the effect that the different headings of the table are to be applied without change to publicity for material in reserve. I wish to draw the Commission's attention to the fact that the Belgian delegation's expert proposed that this note should be omitted.

**M. Cobián (Spain).** — The Sub-Committee was practically unanimous in agreeing to publicity for material in service. It accordingly introduced the following clause before the table now submitted to you:

“Each of the High Contracting Parties shall prepare an annual statement under the headings given below, showing the number of weapons in service in its land forces and existing on the date of . . . of the preceding year.”

This is equivalent to saying that the table applies only to publicity for arms in service, but, as the report states, the three experts who drew up the table are of opinion that it can also be used for material in reserve. That was why it was decided to introduce a note after the words “shall prepare”. The Commission will therefore have to decide a question concerning which the Sub-Committee has not submitted any proposal. The Sub-Committee, being composed of experts, did not feel competent to take a decision on the question of principle. Its task was to examine the question, and the result of its examination is the table now submitted to you. At the same time, opinion having been practically unanimous as regards publicity for material in service, it is fair to say that the Sub-Committee suggests this table being approved for such material.

In my view, the Commission will first have to take a decision on this table in relation to publicity for material in service. It will then have to examine the suggestion submitted by one of the experts on the Sub-Committee, that direct publicity (publicity of numbers) should be replaced by publicity in terms of value. After adopting one or other of these methods, and after adopting or rejecting the table, in so far as it concerns publicity for material in service, the Commission will have to take a decision as to whether the table is or is not applicable to publicity for material in reserve. That represents the results of the Sub-Committee's work, and that, in my view, is what it remains for the Commission to do.

**The President.** — I think that, as M. Cobián proposes, the Commission must first decide on whether it accepts the table for material in service.

#### PROPOSAL BY THE BRITISH DELEGATION.

**Lord Cecil (British Empire).** — I do not think we really ought to decide this question without any discussion. I should have preferred somebody else to speak, somebody who is better qualified than myself, but as nobody is prepared to do so I must make a few observations.

I think the Commission is put in a very difficult position by this situation. Owing, perhaps, to unfortunate circumstances, I do not think this proposal of the Netherlands delegation has been properly considered by the Governments concerned. I do not think many of us had very precise instructions from our Governments in the matter—it is not the fault of the Netherlands

<sup>1</sup> Note by the Secretariat. — See Annex 5.

delegation, it is the fault, no doubt, of a number of people whom it is now impossible to distinguish, but I confess I find myself in a considerable difficulty about it. I must say, with the greatest respect to the Sub-Committee, I cannot see much point in publishing details of material in service; I do not think it gives much information of particular value to anybody, because obviously it can be increased at any moment, or decreased, by putting material into reserve or taking it out of reserve, and I do not see great advantage in such returns. On the other hand, it is evident to anyone who reads this report that a number of Governments are not prepared at this moment to agree to an annual return of weapons and other armaments in reserve. I ought, I think, to say quite frankly that after making enquiries, I have arrived at the conclusion that my own Government is—to put it mildly—extremely doubtful on the point, and therefore, it seems to me, this matter presents considerable difficulty. I should be very much against adopting a thoroughly inadequate list, such as the list applying only to articles in service, because that would be treated as a decision of the Commission representing all that was necessary, and would set up a false standard of the information which it was desirable to have, and it would do harm rather than good. I am speaking as one who desires as much publicity as possible, and therefore I doubt whether the adoption of a list of articles in service would really be of any advantage at all, and it might be of great disadvantage.

On the other hand, I think an attempt to adopt here, by a bare majority, a system which maybe a great number of Governments are not prepared to approve at the present moment, a system of establishing publicity for articles in reserve and so on, would probably only make it very difficult for the Governments afterwards perhaps to take a different and a more enlightened view.

I think the best thing we can do is to postpone the details of this table and leave it to be decided on by the Conference. After all, the principle on which we proceed right through our discussions is to avoid giving decisions on details. We have tried to lay down the general principles upon which disarmament ought to proceed, but we have almost always refused to go into details as to what exactly ought to be done. It seems to me that we might usefully point out that some table of the kind ought to be prepared, and that some interchange of information of this kind ought to be given. I would suggest that we could not do better than reaffirm, as applying to all the contracting parties, the general principles which now apply only to the members of the League of Nations. I would suggest that the best way out of the difficulty would be to recite in our report the substance of this report, set out this table and point out the considerable authority that was behind it and the various suggestions that were made; and put into our Convention an article to this effect:

“The High Contracting Parties undertake to interchange full and frank information as to the scale of their armaments according to Table . . . .”  
[the blank to be filled in by the Conference].

I do not pretend that that is a very satisfactory solution, but it is the only solution that occurs to me as likely to obtain any real measure of support on the Commission at the present time. I feel that it is better to advance even a very little way than only to make a pretended advance which we might afterwards have to withdraw.

#### BUDGETARY PUBLICITY: PROPOSAL BY THE FRENCH DELEGATION.

M. Massigli (France). — I must confess that I, too, feel very much perplexed by the Sub-Committee's report. When a mere layman like myself reads an experts' report, he approaches it with a desire to find new light, and even, perhaps, to find arguments at variance with those of his own experts. In a word, he wants to form a sound opinion. In this report, however, I have not discovered material which would enable me to form any opinion. I have found contradictory views—very interesting views, it is true, but I find it very difficult to draw any conclusion from them. The only conclusion to be derived from them was indicated by Lord Cecil—namely, that some measure of agreement had been arrived at (with a number of abstentions) as regards the possibility of publicity for material in service. But, like Lord Cecil, I must say that publicity for material in service seems to me of very doubtful value, since we may say that the amount of material in service is in strict correlation with the number of units, and there is nothing confidential about that.

What are we to do? I must confess that Lord Cecil's proposed solution—that we should wait—does not satisfy me any more than it satisfies him, for I am sure that he really wants something more. I wonder, then, if we could not succeed in finding some other solution.

I, personally, noted with great interest the Japanese expert's allusion to the possibility of publicity in terms of value. True, another expert, of acknowledged authority, immediately declared that such publicity was, if not impossible, at all events difficult of achievement. Is that really the case? This Commission was set up a long time ago, and we may be excused if we have lost sight to some extent of what has been done in the past. At one point, however, it did carry out an exhaustive enquiry into the question of publicity in terms of value, and there was an experts' report numbered, if I am not mistaken, document C.P.D.40.<sup>1</sup> That report contained some very interesting proposals. One delegation, however—I think it was the Italian delegation—regarded the headings proposed, of which there were seven, as too complicated.

<sup>1</sup> Note by the Secretariat. — Sub-Commission B, Report No. III.

Then the model statement, a somewhat summary statement, was prepared, which figures as document C.P.D.90<sup>1</sup> in our series of documents. I wonder whether we could not go back to the scheme originally traced by the budgetary experts. Could we not, I do not say revert to the headings that were proposed, but at all events re-examine the question, in order to arrive at an acceptable solution which would make it possible to obtain sufficiently detailed information? If a solution such as this were adopted, I would willingly support it, on the understanding that an article to this effect might be included in our draft, the final solution resting with the Governments when they have ascertained the position of the work.

Such a solution would, in my opinion, offer a further advantage, in that it would facilitate the work of the Commission presided over by Count Bernstorff, which is to meet shortly after the close of our session. I refer to the Special Commission on the Private Manufacture of Arms, etc., which, before it can complete its own task, is waiting for us to settle the problem of State manufacture. The Assembly has definitely instructed the Secretariat to convene that Commission at an early date after the close of our work and, if we do not reach some solution, the Commission on the Private Manufacture of Arms cannot get out of its present impasse. To sum up: If we adopt the principle of detailed publicity in terms of value and submit the question immediately to experts for examination, we might, within some measurable space of time, arrive at a positive solution which would also facilitate the work of the Commission on the Private Manufacture of Arms.

I desire accordingly to submit to this Commission a draft article to this effect. It is simply a provisional text, the final adoption of which would be contingent on the Governments' examination of the experts' conclusions. It would at all events indicate a desire on our part to achieve some progress. The formula which I now propose is very similar to that which we have already adopted for the limitation of material. It is as follows:

"Each of the High Contracting Parties shall communicate to the Secretary-General of the League of Nations a statement, drawn up in accordance with a standard model, showing by categories of materials the total actual expenditure in the course of the previous year on the upkeep, purchase and manufacture of war materials of the land armed forces.

It would provide further that the Governments would have to take a decision, after examining the report framed by the budgetary experts, who would be given an additional task, linked with the one already entrusted to them.

That is my suggestion, in order that we may find some common ground for an agreement representing a real advance.

M. Rutgers (Netherlands). — I wish to say a few words on Article IB inserted in the first reading draft at the request of the Netherlands delegation.

I think that this question is ripe for discussion; it has been before us now for some years, and we have been able to study it at full leisure. When the article was submitted to the Commission, the latter referred it to a Committee of Experts, whom it requested to examine the table. The real point is that there should be a table, and I think that Lord Cecil feels the same.

As regards the Committee of Experts' report, for our own enlightenment it may be said that the table was accepted by them, and that they had no objection to offer. What shall we be doing if we insert in our draft Convention a textual copy of the sixth paragraph of Article 8 of the Covenant, adding that a table is to be prepared? Who is responsible for preparing the table, if not this Commission? Will not the Council, when it has our report before it, be obliged to set up a Commission to prepare for the Disarmament Conference? There must be a table, then I think that we should be failing in our duty if we did not draw it up.

Moreover, there is no difference of opinion on this point; as the experts have raised no objection, the table may be said to have been accepted.

As regards the actual drafting, there is only a Belgian amendment, which the Committee of Experts does not seem to have discussed in detail, and this amendment, I think I may say, is not of capital importance, and does not affect any essential point.

I think, then, that we can take a decision.

I listened most attentively to Lord Cecil, and agreed with a number of the arguments which he adduced, but as regards the adoption of the table for material in service and in reserve, only one argument really matters, and that is that "the Governments will never agree to it".

Why not? Our Japanese colleague has explained why his Government would not agree to publicity, but his arguments were answered by Lord Cecil himself, when he referred to the sixth paragraph of Article 8 of the Covenant.

I think, therefore, that the Commission can, and should, decide now to include publicity for war material in our draft Convention, and should draw up a provisional table, since this is essentially in preparation for the Conference. Unless we do this, we shall not be preparing for the Conference, but shall be leaving that work to others.

I do not think I need, for the moment, dwell further on the sixth paragraph of Article 8 of the Covenant. It was discussed last week, and I fully agree with what Lord Cecil said then.

I simply wish now to say a word in regard to M. Massigli's suggestion that we should draw up a detailed table for annual expenditure.

On November 21st last, we accepted a proposal to the following effect:

"Each of the High Contracting Parties agrees to limit and, as far as possible, to reduce its total annual expenditure . . ."

<sup>1</sup> Note by the Secretariat. — Committee of Experts on Budgetary Questions (1927) Report, etc.

A Committee of Experts will frame the tables and model statements for publicity of expenditure and such expenditure must be shown in the model statements. That question we referred to the Committee of Experts, and it does not properly come within the scope of this discussion, since document C.P.D.40<sup>1</sup> relates, not to annual expenditure, but to the budgetary limitation of annual expenditure, a question we have already discussed. What we are discussing now is publicity for material, and what we have to decide is whether we are in favour of publicity for material in service, or for material in service and in reserve; but neither material in service nor material in reserve will be affected by the publication of the annual expenditure.

That was a separate question which M. Massigli raised, a question on which we are already in agreement, so that there is no need to discuss it.

Now, however, we are dealing with the question of publicity for existing material, and I feel that that is no mere detail, but a most essential point. We can hardly say that we are going to hold a Conference for the reduction of armaments, that existing armaments are of no importance, and that it is not necessary to ask for publicity. I hope the Commission will share my view, and will provide in our draft Convention for publicity for material in service and in reserve. I do not think we need accept as conclusive the argument that certain Governments would not agree to supply the information requested. That argument may sway the Conference, which can only adopt a Convention unanimously; but if we, who are preparing for the Conference, submit proposals which meet with the Commission's approval, we may—indeed we must—hope that those Governments which at present cannot accept them will change their opinion and accept them when it comes to the Conference.

M. Massigli (France). — I think my proposal differs considerably from what we have accepted up to now. We have limited the total actual expenditure for land material, and have also provided for publicity in this connection. What I suggest now is detailed publicity according to headings, which is not at all the same thing. It may not be ideal, of course, but, as M. Colban pointed out, the question of expenditure is important, even from the point of view of stocks, when one considers the expenditure on upkeep, renewal, etc. I see the Commission trying—without success—to find a solution, and I suggest a solution. You may not like it, but you cannot deny that it represents a very appreciable advance on the solutions already adopted.

M. Sato (Japan). — When explaining the work of the Sub-Committee, M. Cobián said, regarding publicity for material in service, that the Sub-Committee had been almost unanimous in accepting it, but he did not say that it had been completely unanimous. In point of fact, some of the experts, who are named in the Sub-Committee's report, did not even go into the table that is annexed; they did not consider it of any value. I wish to emphasise this fact. Further, the Japanese expert suggested to the Sub-Committee that there should be publicity in terms of the value of the material in service. His suggestion did not meet with much success. Now, however, in this Commission, he has just found an advocate of the system, for his idea has been taken up again by M. Massigli, to whom the Japanese delegation is very grateful.

A few days ago we decided on budgetary limitation for material in service. The idea of establishing some correlation between publicity for material in service and budgetary limitation of material is very interesting. If this suggestion be put to the vote, I shall certainly vote in its favour, for it is exactly what our expert proposed in the Sub-Committee.

I have to admit that this is not an ideal solution, and I am the first to regret it; but under present conditions some Governments experience great difficulty in going beyond a certain limit. I have pointed out on several occasions already that the Conference for which we are preparing will be the first to deal with the question of the limitation of land armaments, and that we must expect to find the different Governments at grips with tremendous difficulties. I do not know what the period of validity of the Convention will be. There will certainly have to be a second and even a third Conference for the limitation and reduction of armed forces. According to how the international political situation develops, it will perhaps be possible then to arrange more easily for more extensive publicity. That depends on how things develop; it is also a question of time.

Although the French proposal provides only for such limited publicity, this does represent some progress, and the Commission should be satisfied as things now stand. The future will reveal its value.

As regards material in reserve, I had occasion last Saturday to inform the Commission of my Government's opinion, I have just had it confirmed, and must therefore adhere to it. This means that I cannot accept the Netherlands proposal, and must therefore adhere to it. This means that I cannot accept the Netherlands proposal, but shall be obliged to vote against it, if it be put to the vote. It is proposed, however, that we should embody this suggestion in the text of the draft Convention, in the hope that several Governments may change their opinion when the Conference is convened. That is obviously a very faint hope, and a hope which may be said to be non-existent so far as the Japanese Government is concerned. If the proposal be adhered to, it will be very difficult, in the circumstances, to obtain unanimity.

General de Marinis (Italy). — I cannot recommend the system of publicity for material in reserve in the form of a statement in terms of value and cost of upkeep. So far as upkeep is concerned, it would be a minimum figure compared with the value of the material, and such information is practically useless. As regards value, this varies according to whether the material

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<sup>1</sup> Note by the Secretariat. — Sub-Commission B, Report No. III.



be bought or manufactured. The principle would be very much to the disadvantage of countries that do not manufacture their own arms, and would be of advantage only to countries that do manufacture arms. The cost price for a country that manufactures war material is quite different from the purchase price for a country that does not, and though you may have the same figure for two countries, one of which is a manufacturer while the other is obliged to buy its arms, that figure will not represent the same material; it will represent far more material for the country which manufactures its own arms than for the country which has to buy them. The principle, therefore, is quite unsound.

I fail to see, moreover, why we should try to find a roundabout way instead of a direct way, if we are aiming at publicity for material. Either we want it, in which case we ought to say so frankly; or else we do not want it, and if that be the case, there is no need to employ this second-hand method. If I am not mistaken, we are all in favour of publicity for material in service. The Commission could therefore accept this principle, which I, personally, do not regard as valueless—as I have heard suggested—since actually similar military units of land forces do not possess the same quantity of material in every country. It would be useful, then, to have such information. True, it can be obtained from official documents, or even from the *Armaments Year-Book* published by the League; but since we have a Permanent Disarmament Commission, it is natural that each Government should send that Commission such information on its own direct responsibility. So much for material in service.

With reference to material in reserve, I am rather surprised that there should be such difficulty as regards publicity. Apprehensions on the score of security are quite legitimate, but it would be a mistake to exaggerate them, or to imagine that big orders for material do not become common knowledge. It is very difficult to preserve secrecy concerning a country's orders for arms—for various reasons on which I need not dwell, connected more particularly with the present facilities for communication, the large number of hands employed in the manufacture of such material, and other points. There is no great secret about such things.

On the other hand, information on the subject of material in reserve might really do a great deal to calm public opinion, which is very uneasy about military preparations. Unless I am mistaken—and if I am you must forgive me—there is no one here who has not been assured by his Government that his country has reduced its armaments to the minimum necessary for defensive purposes. Those not represented in this Commission have taken the opportunity of saying the same in the Assembly. Countries which do not belong to the League of Nations have done the same in their Parliaments and through their Press. They have all felt able to assure the world that their armaments were reduced to the lowest possible minimum. Publicity would be the best means of proving such statements, and thus calming public opinion. I am under no illusions, however, for it seems obvious that the great majority of the Commission is not prepared to give any information concerning material in reserve. What is the use, then, of prolonging this discussion? The delegates have received instructions from their Governments; arguments and words will not change their attitude.

It would be wise, therefore, to take it as settled that the Commission accepts the principle of publicity for material in service, but that the majority is of opinion that information should not be given in regard to material in reserve. I think we can say this without even taking a vote; and, although I am in a minority, I feel that it is no use prolonging this discussion.

**Dr. Markovitch (Yugoslavia).** — I had no intention of joining in this discussion, because I thought that, after the military experts' report, we should not be reopening a debate that was virtually at an end. It was not I who reopened it. The Netherlands delegate put before us again the arguments which he had already submitted.

**M. Rutgers (Netherlands).** — I spoke third in the discussion.

**Dr. Markovitch (Yugoslavia).** — Yes, but you were the first to repeat the arguments you had already brought forward at the last meeting, and in a form which makes it necessary for me to submit certain reservations.

M. Rutgers thinks that the arguments urged by certain delegations against publicity for material in reserve are such that they ought to be submitted to the Conference, and not to the Preparatory Commission.

I do not quite see the meaning of that remark, but I would point out that we have quoted technical arguments which are of real weight and concern the requirements of national defence. We have stated that publicity for all material in reserve would directly affect a country's defence system, and would constitute a menace to certain countries already in an unfavourable position in that respect. I am not aware that this argument has been answered.

Further, M. Rutgers referred again to the argument based on Article 8 of the Covenant, which was very judiciously and objectively quoted by the Japanese delegate. That argument, which I entirely endorse, was answered by the British representative. Accordingly I regarded the debate on that point as closed. I should be sorry, however, that delegations which are opposed to publicity for material in reserve should appear to be trying to evade an express obligation under the Covenant of the League. That is by no means the case. I readily admit that Lord Cecil's argument applied in that particular case, but it is not decisive. I simply wish to make this reservation.

**M. Massigli (France).** — I had hoped that my proposal would meet with General de Marinis's approval. In 1927, when the question came up for discussion the Italian delegate expressed the view that the principle of detailed publicity for material was too far-reaching. My purpose then in suggesting the method which I recommended was to offer a compromise. I know quite well that, in 1927, the Italian delegate felt that publicity for material in reserve was out of the question,

and unreservedly agreed with the observations of the Japanese and French delegations, but to-day he has gone much further in the opposite direction, and my intermediate solution was proposed simply with a conciliatory object.

**General de Marinis (Italy).** — Besides being a delegate to the Preparatory Commission in 1930, it was my privilege to be a member of the Committee of Military Experts in 1926.

In reply to my friend and colleague M. Massigli, it is quite true that in the Committee of Experts I emphasised the technical difficulties attaching to publicity for material in reserve. I have not forgotten that at all; indeed I mentioned it in my statement just now. We must not forget, however, that there are such things as political considerations. This is not 1927, but 1930, and public opinion is urging us to do something positive and lasting in the matter of disarmament. That was why I stated that, despite my strictly technical preoccupations, I was prepared to defer to political needs and thought that we should go somewhat farther in the matter of publicity for armaments. My conclusions are, I think, quite compatible with the French delegate's proposal. I said that undoubtedly the majority of the Commission would not support the idea of publicity for material in reserve, that we must lose no time, and that we must duly note the wishes of the majority.

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — We have frequently heard suggestions during the discussions in this Commission—especially from the Japanese representative—that we ought to do something to conciliate public opinion, and make up to it for the absence of this or that effective measure of direct disarmament by promising to substitute for the latter a very wide measure of publicity.

The Soviet delegation's attitude towards publicity in all its various aspects is perfectly clear. We maintain that publicity cannot possibly take the place of effective measures for the limitation and reduction of armaments, and further that it may become a specious and fallacious substitute. It may be the means of creating illusions in the public mind. It may give the impression that the Commission has succeeded in achieving substantial agreements with a view to disarmament, whereas those agreements in point of fact would really serve no purpose.

The Soviet delegation did not take part in the examination of the questions relating to publicity. It is obliged, however, to take account of the trend of the principles which have been framed, establishing the obligations that States would agree to, with a view to exchanging information regarding the state of their armaments.

What do we find? On the one hand, the majority of the paragraphs drafted up to date are calculated rather to provide for the maintenance and sometimes even the increase of armaments than for their reduction; and again, we find several delegations trying to transform the discussion on publicity, and the decisions to be taken on the subject, into formulae legalising and sanctioning the principle of military secrecy.

Not only is publicity being substituted for the reduction of armaments, but an attempt is being made to make such publicity purely ephemeral.

The Soviet delegation adheres to its view that questions of publicity are of no importance until real disarmament becomes an accomplished fact. In view, however, of the present situation, the Soviet delegation supports the opinion of the experts, who have endeavoured to insist that publicity should be something more than a mere empty formula. I regret to note that even those delegations whose experts were more far-sighted are not pressing this point.

**The President.** — We now have to take a vote. We have before us several proposals, and I find myself faced by a difficulty. According to the established procedure, which I have always followed, members of the Commission should have any amendments before them before voting. This, however, is not the case as regards either the French or the British proposal; but I would suggest, as the discussion has taken so long, that we might for once make an exception, and vote without having the text.

If no one objects to this procedure, I shall propose that we vote first on Lord Cecil's proposal.

**Lord Cecil (British Empire).** — As regards procedure, I personally should greatly prefer to have M. Massigli's resolution put first. If it be carried, I should certainly not propose to proceed with my own.

#### VOTE ON THE FRENCH PROPOSAL.

**The President.** — I see no objection to Lord Cecil's suggestion, so we will now vote on the French proposal, which is as follows:

“ Each of the High Contracting Parties shall communicate to the Secretary-General of the League of Nations a return, in accordance with a model form, indicating, by categories of materials, the amount of the sums actually expended during the preceding year for the upkeep, purchase and manufacture of the war material of the land forces.

“ *Note.* — When giving an opinion on this article, the Governments will take into consideration the reports asked for from the Committee of Budgetary Experts in regard to the number and nature of the categories which should be established and in regard to the details of such publicity, having regard to the provisions of the annex concerning the limitation provided for in Article TA of the present Convention.”

**The Hon. Hugh Gibson (United States of America).** — I rise, not to explain my vote, but to ask for information. I should like to know whether the text of the amendment proposed

by the French delegation is supplementary to the proposal of the Sub-Committee, or whether its adoption will involve the suppression of that proposal.

**The President.** — The French amendment would mean, of course, that the Sub-Committee's proposals would be dropped.

*The French proposal was adopted by nine votes for to seven against, with some abstentions.*

**The President.** — That means that Lord Cecil's amendment and the Sub-Committee's proposals fall to the ground.

93. **Committee on Arbitration and Security: Results obtained at its Last Session: Procedure regarding Discussion thereof.**

**The President.** — I wish to direct your attention to the progress of the work of the Committee on Arbitration and Security (see document C.P.D. 201, <sup>1</sup> page 9, paragraph 14). The Committee met for its fourth session last March, and I referred in my opening speech to the important work which it had done and to the Assembly's resolutions on the subject.

I shall, I feel sure, be interpreting the Commission's opinion in expressing our high appreciation of the excellent results obtained by the Committee at its last session, under the chairmanship of M. Beneš, whom we are delighted to have with us now.

**Dr. Markovitch (Yugoslavia).** — The President has referred to the work of the Committee on Arbitration and Security, but I am not very clear why he alluded to it.

**The President.** — The fourteenth item on our agenda was the progress of the work of the Committee on Arbitration and Security.

**Dr. Markovitch (Yugoslavia).** — Does that mean that there is a document containing the results of the Committee's work? Shall we have to discuss that document?

**The President.** — We simply have to take formal note of the progress of the Committee's work.

**Dr. Markovitch (Yugoslavia).** — There appears to me to be some slight confusion, and my own idea was somewhat different. If we simply take formal note of the Committee's work, that automatically precludes any discussion. In my opinion, we should first discuss the results of the work and then take formal note of them. I would venture, in this connection, to remind you that, during the first part of our sixth session last year, I asked the President to include the progress of the work of the Committee on Arbitration and Security in the Commission's agenda, since the Committee was set up by the Preparatory Commission and the latter held that general and individual security, whether existent or non-existent, constituted one of the factors in the disarmament problem.

I thought that the Preparatory Commission would express itself one way or another, as regards the results of the Committee's work, in relation to the problem we were studying, and that we should arrive at all events at a theoretical conclusion, correlating the two questions. I asked you whether we should have to discuss the report.

I did not quite understand your reply, but have the impression that you mean that directly the report is distributed, we should take formal note of it.

If no one wishes to discuss the report, I will ask your permission to discuss it when we come to consider the Preamble, as the latter mentions the question of security.

**The President.** — The Committee on Arbitration and Security was set up by the Preparatory Commission on November 30th, 1927. The Commission took this decision in pursuance of a resolution adopted by the Assembly and by the Council in September 1927. The Council requested the Preparatory Commission to set up a Committee which would be placed at its disposal and whose duty it 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 Commission has just noted the results of that examination and expressed its appreciation. I do not see that there is any need to start a discussion. If, however, you wish to make a statement, you are, of course, perfectly free to do so.

**Dr. Markovitch (Yugoslavia).** — I am not prepared to make a statement at the moment, but shall content myself with referring to the question when we come to discuss the Preamble.

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<sup>1</sup> Note by the Secretariat. — See Annex 6.

**Lord Cecil (British Empire).** — I do not wish to prejudice the liberty of action of any of my colleagues, but I do earnestly hope that we are not going to add to our labours by starting a discussion on the security of the world. That would be an intolerable addition to our work at this time. I venture to propose we say nothing until we have finally concluded the discussion on which we are now engaged. Then if anybody desires to prolong the meetings, we can consider the matter at that moment.

**Dr. Markovitch (Yugoslavia).** — I must apologise for continuing this discussion. I did not mean to suggest that we should discuss all the work of the Committee on Arbitration and Security. I imagined, as I was also a member of the Preparatory Commission at the time, that we should examine the problem of security in relation to the problem of disarmament, and I thought that as we have results, however modest, from the Committee on Arbitration and Security, we should note them, not in a purely abstract fashion, but in relation to the particular problem with which we have to deal.

I asked permission to refer to this question of correlation when we come to discuss the Preamble. I did not bring up any further points, and can assure my colleagues that I have no intention of keeping them any longer here in Geneva. As the Preamble is on the agenda, I request that, when we discuss it, no objection be raised to our also discussing the question of the interdependence of these two problems.

**The President.** — I note M. Markovitch's statement that he does not necessarily wish to discuss the question at present.

#### 94. Committee of Budgetary Experts: Composition and Date of Meeting.

**The President.** — I desire now to refer to the Committee of Budgetary Experts.

On November 17th last, the Commission decided to request me, as President, to ask the Committee of Budgetary Experts to examine the means for applying the budgetary limitation of land war material.

On November 21st, the Commission decided that the Committee of Budgetary Experts should be requested to enquire similarly into the means of applying the principle of limitation of total expenditure on land, naval and air armaments.

Lastly, on November 25th, it was decided that the Committee of Budgetary Experts should also deal with the question of publicity for budgetary expenditure.

The Bureau was asked to reconstitute the Committee of Budgetary Experts. It was understood that the composition of the Committee should be as far as possible the same as it was originally, as regards both the number of members and their identity.

I am glad to be able to inform you that, after the necessary consultations, the Bureau has decided that the Committee shall be reconstituted as follows:

- M. BODART (Belgium), Director at the Cour des Comptes;
- Brigadier-General A. ELIAS (Czechoslovakia);
- Cemal HUSNU Bey (Turkey), Turkish Minister at Berne, Financial Expert;
- M. N. ITO (Japan), Deputy Director of the Japanese League of Nations Office, Member of the League of Nations Economic Committee;
- Dr. P. JACOBSSON (Sweden), Financial Expert, former Member of the Economic and Financial Section of the Secretariat;
- M. JÄRVINEN (Finland), Professor at the University of Helsingfors, former Minister of Finance;
- M. JACOMET (France), Contrôleur de 1<sup>re</sup> classe de l'Administration de l'Armée, Doctor of Economic and Financial Sciences;
- Brigadier-General Michael NENADOVITCH (Yugoslavia);
- Mr. PINSENT (Great Britain), British Treasury;
- M. WORBS (Germany), Privy Councillor at the Ministry of Finance;
- M. ZUGARO (Italy), Director General of Logistic Services at the Ministry of War.

The Preparatory Commission expressed the desire that the Committee should meet as soon as possible and conclude its work with all despatch, in order that the Governments might be informed in good time.

I have to announce that the Committee has been convened for December 11th at Geneva.

It is understood that the fresh question arising out of the adoption of the French amendment will be referred to the Committee.

*The Commission rose at 6.20 p.m.*

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NINETEENTH MEETING.

Held on Monday, December 1st, 1930, at 3.30 p.m.

President: M. LOUDON (Netherlands).

95. President's Thanks to the President of the Sub-Committee of Military Experts.

The President. — On re-reading the Minutes of last Friday's meeting, I noticed that I had been guilty of an omission. I forgot to thank M. Cobián, the Vice-President who assumed the ungrateful task of presiding over the Sub-Committee of Experts, for the very clear statement which he made and for the pains he took to obtain a successful result. On behalf of the Commission I desire to thank him.

96. Discussion on Chapter V. — Miscellaneous Provisions: Section V. — Ratification: Entry into Force: Denunciation.

TEXTS PROPOSED BY THE SUB-COMMITTEE APPOINTED TO EXAMINE ARTICLE EB, AND THE FOLLOWING ARTICLES.

Observations  
Reservations.

First Reading.

PROPOSAL BY THE  
BRITISH DELEGATION.

AMENDMENTS TO THE  
BRITISH DELEGATION'S  
PROPOSAL SUBMITTED  
BY THE FRENCH DELE-  
GATION. (Cont.)

TEXTS PROPOSED BY  
THE SUB-COMMITTEE  
APPOINTED TO CONSI-  
DER AND CO-ORDINATE  
ARTICLES EB *et seq*

Article EB.

The present Convention shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods. The instruments of ratification shall be deposited at Geneva.

It shall come into force for each Party whose instrument of ratification has been deposited as soon as the instruments of ratification have been deposited by [list of States to be drawn up by the Conference].

Article EC.

The High Contracting Parties agree to accept reservations which may be made by Estonia, Finland, Latvia, Poland, and Roumania at the moment of their signature of the present Convention, and which shall suspend, in respect of these States, the application of Articles . . . of the present Convention until the accession of Russia to the present Convention under

The Swedish  
delegation re-  
serves its opinion  
on the question  
of the second  
reading.

Article ii

(EB, first-reading text)

The present Convention shall be ratified by High Contracting Parties in accordance with their respective constitutional methods. The instruments of ratification shall be deposited at Geneva.

It shall come into force for each Party whose instrument of ratification has been deposited as soon as the instruments of ratification have been deposited by . . . (List to be drawn up by the Conference).

Should the present Convention not have come into force in accordance with the preceding paragraph by . . . , the High Contracting Parties shall be invited by the Secretary-General of the League of Nations to meet and consider the possibility of putting it into force. They undertake to participate in this consultation, which shall take place before . . .

After paragraph (1) of Article iv interpolate a paragraph (1a) in the following terms:

“ Further, and without prejudice to the provisions of Article ZB, Paragraph 3, the present Convention shall be revised,

- (a) If, as the result of a demand by one High Contracting Party, the Permanent Disarmament Commission recognises that the conditions, in which the engagements contained in the Convention were contracted, have undergone modifications justifying the revision of such engagements, by reason of technical changes or special circumstances such as an unforeseen development of civil aviation;
- (b) In any case, on the expiry of a

Article EB.

The present Convention shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods. The instruments of ratification shall be deposited at Geneva.

It shall come into force, for each Party whose instrument of ratification has been deposited, as soon as the instruments of ratification have been deposited by . . . (list to be drawn up by the Conference).

Should the present Convention not have come into force in accordance with the preceding paragraph by . . . the High Contracting Parties shall be invited by the Secretary-General of the League of Nations to meet and consider the possibility of putting it into force. They undertake to participate in this consultation, which shall take place before . . .

Observations  
and Reservations.  
(Continued).

First Reading  
(Cont.)

PROPOSAL BY THE  
BRITISH DELEGATION.  
(Cont.)

AMENDMENTS TO THE  
BRITISH DELEGATION'S  
PROPOSAL SUBMITTED  
BY THE FRENCH DELE-  
GATION. (Cont.)

TEXTS PROPOSED BY  
THE SUB-COMMITTEE  
APPOINTED TO CONSI-  
DER AND CO-ORDINATE  
ARTICLES EB *et seq*  
(Cont.)

the same conditions  
as the above-named  
Powers.

Article ED.

Each of the High Contracting Parties undertakes that, as soon as the Convention has come into force for it, it will begin the necessary measures for carrying the provisions of the Convention into effect.

Article EF.

Reservation by the British delegation, which considers that different periods ought to be prescribed for air and land armaments on the one hand, and naval armaments on the other hand.

Reservation by the French and Italian delegations regarding this question, requiring equal treatment for all three categories of armaments.

The present Convention shall remain in force for . . . years as from the exchange of ratifications.

In case none of the High Contracting Parties shall have given notice to terminate two years before the expiration of the said periods, the provisions of the Convention shall continue in force until the expiration of two years from the date on which such notice shall be given by one of the Parties.

If the Party by which such notice is given is among those to be mentioned in the last paragraph of Article EB above, all the High Contracting Parties shall, within one year of the date of the notice, meet in conference to consider the continuance of the provisions to be terminated. In the event of any such conference failing to come to an agreement, accepted by all the Parties other than the Party which has given the notice, as to the continuance of the provisions to be terminated, or as to the substitution of others, they will terminate on the expiration of the two years provided for in the notice.

Article iii

(ED, first-reading text)  
Each of the High Contracting Parties undertakes that, as soon as the Convention has come into force for it, it will begin the necessary measures for carrying the provisions of the Convention into effect.

Article iv

(EF, first-reading text)

(1) If, within six months from the expiry of a period of . . . years from the coming into force of the present Convention, requests to that effect are received by the Secretary-General of the League of Nations from not less than . . . Members of the League or other States Parties to the present Convention (including at least . . . of the States mentioned in Article ii) a conference shall be held for the purpose of revising the present Convention. The Conference shall meet at the seat of the League within . . . from the receipt by the Secretary-General of the . . . request.

(2) The present Convention shall remain in force in so far as it may not be revised as a result of the Conference referred to in the preceding paragraph and will in any case remain binding on any High Contracting Party who does not accept the said revision.

(3) The present Convention shall be open to further revision, in the conditions prescribed in paragraph (1) above, at the

period of ten years after the coming into force of the present Convention, if revision has not taken place during that period".

Article ED.

Each of the High Contracting Parties undertakes that, as soon as the Convention has come into force for itself, it will begin the necessary measures for carrying the provisions of the Convention into effect.

Article EF.

The present Convention shall in principle have a period of duration of  $x$  years, and shall remain in force after the expiration of that period unless it is amended, superseded or denounced under the conditions specified in the following articles.

Article EG.

Before the end of the period of  $x$  years provided for in the preceding article, and not less than  $y$  years after its entry into force, the present Convention shall be re-examined by the High Contracting Parties, which shall meet in Conference. The date of this meeting shall be fixed by the Council of the League of Nations, after taking cognisance of the opinion of the Permanent Disarmament Commission and of the intentions of the High Contracting Parties non-Members of the League of Nations.

The above-mentioned Conference may, if necessary, revise the present Convention and establish fresh provisions in substitution therefor, fixing their period of duration and laying down general rules regarding their examination and subsequent revision, if the latter be required.

servations  
Reservations.  
(continued).

*First Reading*  
(Cont.)

PROPOSAL BY THE  
BRITISH DELEGATION.  
(Cont.)

AMENDMENTS TO THE  
BRITISH DELEGATION'S  
PROPOSAL SUBMITTED  
BY THE FRENCH DELE-  
GATION. (Cont.)

TEXTS PROPOSED BY  
THE SUB-COMMITTEE  
APPOINTED TO CONSI-  
DER AND CO-ORDINATE  
ARTICLES EB *et seq*  
(Cont.)

If the High Contracting Parties, other than the Party which has given notice to terminate, agree upon the terms of other stipulations in substitution for those to be terminated, the latter shall continue in force for all Parties other than that which gave the notice until the coming into force of the new stipulations.

If the Party by which notice to terminate is given is not among those to be mentioned in the last paragraph of Article EB above, the Convention will remain in force for all High Contracting Parties other than that by which the notice was given.

Notices under this Article shall be given to the Secretary-General of the League of Nations and shall be deemed to have been given on the day on which the notice was received by him.

Paragraph (2) above will be applicable to any such further revision.

end of successive periods of seven years from its coming into force.

*Article EH.*

Before the end of the term indicated for the purpose in the preceding article, and not less than *x* years after the entry into force of the present Convention, the procedure for examination and revision laid down in that article may also be carried out at the request of a High Contracting Party, with the approval of the Permanent Disarmament Commission, if the conditions under which the engagements stipulated in the Convention were contracted have undergone, as the result of technical transformations or special circumstances, changes justifying a fresh examination, and, if necessary, the revision of such engagements.

*Article EJ.*

In the course of a conference held in the circumstances provided for in the two preceding articles, any High Contracting Party shall be entitled to notify its intention to denounce the present Convention.

Such denunciation shall take effect two years after date, but in no case before the expiration of the period mentioned in Article EF.

**The President.** — I would ask M. Politis, Chairman of the Sub-Committee appointed to study and co-ordinate Article EB and the following articles, to inform us of the results of that Sub-Committee's work.

**M. Politis (Greece).** — On Thursday last, after adopting Article EA in Section V, you decided to refer the following articles to a Sub-Committee. That Sub-Committee held two meetings on Friday last, and reached agreement on a series of texts which are shown above, and on which I will now briefly comment.

Article EB provides for the ratification and putting into force of the Convention. Its first two paragraphs are identical with those in Article EB of the first-reading text. The third paragraph is an addition proposed by the British delegation as shown above. It provides for the case of the full number of ratifications necessary for the coming into force of the Convention not having been received by a date to be fixed by the Conference. In that case, the Secretary-General of the League has to invite the Contracting Parties to meet and consider the possibility of putting the Convention

into force. This clause is based on the resolution passed by the last Assembly on the important problem of ratification, which it had referred to its First Committee for consideration. The terms of that resolution are before you in document C.P.D.232.<sup>1</sup> The wording of the third paragraph of the new Article EB is not exactly that of the Assembly resolution, but the Commission thought it unnecessary to go into details of drafting; that can be done by the Drafting Committee, which will compare the two texts and see whether our text can be improved by making it coincide more nearly with the Assembly resolution. The last sentence of this paragraph provides that the Contracting Parties shall undertake to participate in the consultation to which I have just referred, and which has to take place before a certain date to be fixed by the Conference. Such an undertaking is of so elementary a character, and follows so obviously on the preceding clause, that this third paragraph might have been dispensed with. We inserted it, however, for the sake of clearness and as an indication. The Conference may decide to detach this sentence and put it in an annexed Protocol, or in the Final Act of the Conference.

In the first-reading text, Article EB was followed by an Article EC, which had been adopted at the first reading and was designed to define the position of certain countries if the Convention were not accepted by all countries. The delegations of the States mentioned in that article explained to the Sub-Committee the importance which they attached to this text, and stated that they were quite unable to abandon it. Nevertheless, the Sub-Committee felt that there was no advantage in discussing that text here, for two reasons: First, because the text raises an essentially political question; and, secondly, because it also raises a problem of extreme complexity—that of the reservations which the signatory Powers will be allowed to make at the time of signing. Under what conditions may such reservations be made? How can they be combined with the reservations of the other contracting parties? How can they operate in conjunction with the Convention as a whole? All these are very complicated legal and technical questions, which we have neither the leisure, nor perhaps the capacity, to examine at this moment.

Your Sub-Committee accordingly proposes that you reserve these questions for the Conference, but, at the same time, make reference in the report to the text adopted at first reading and to the importance attached to it by certain delegations, adding the reasons why this text has not been read a second time.

The report should further mention the reservation which the Swedish delegation had already made on this subject at the first reading.

I now come to Article ED, which provides that the contracting parties shall take the necessary measures for carrying the provisions of the Convention into effect as soon as the latter has come into force. That again is a very simple and elementary idea, and might even possibly have not been mentioned. The Sub-Committee proposes, however, that you retain this text because it is of great moral importance. It shows that, though it is a matter of course that the contracting parties should take the necessary measures to carry the Convention into effect, it must be one of their first cares to do so. The report might, however, add that the Conference will have to decide whether this text is to be kept in the Convention itself, or placed in an annexed document or in the Final Act.

Article EF was the last text of this section drawn up at first reading. Its object was to indicate the duration of the Convention, the possibility of its revision, and the right of denunciation. It was, however, long, complicated, and distinctly obscure. It was no doubt for that reason that the British delegation felt that it should be replaced by the text proposed in their amendment, which appears above, to which the French delegation proposed certain additions also shown above. The Sub-Committee endeavoured to preserve the essential idea contained both in the first-reading text and in the various amendments referred to it, and to give this idea in the simplest and most concise form possible. It therefore proposes that you replace the former Article EF by four separate and partly new articles, appearing in the texts proposed by the Sub-Committee as EF, EG, EH and EJ.

The new Article EF determines the duration of the Convention. What is that duration to be? The Sub-Committee was unanimous in thinking that it could not be fixed at the present time; it will depend on the circumstances at the time of the conclusion of the Convention, and of those circumstances the Conference alone will be in a position to judge. All that we can do is to draw the Conference's attention to the guiding ideas. There is one that will occur to you at once—namely, that it will be necessary to fix a first period for the normal duration of the Convention, and that this period must be neither too short nor too long. The shortest limit will be determined by considerations of pure expediency; it might be, say, five years.

But the maximum duration, at least for countries belonging to the League, is to some extent imposed upon us by Article 8 of the Covenant, which provides that the first plans for reduction and limitation of armaments are to be subject to reconsideration and revision at least every ten years.

It is between these two limits that the Conference must choose. As regards the duration of the Convention we must therefore leave a blank, which the Conference will have to fill in, and simply say that the Convention will have a duration of  $x$  years. We shall explain in the report what is meant. That is the first idea.

The second is even more essential. It is that, at the end of the normal duration which will have been thus fixed by the Conference, our Convention will not necessarily cease to exist. The work which we are preparing is of a continuous nature. We are traversing a first stage on the road to disarmament, and this stage will be followed by many others in the future—their speed

<sup>1</sup> Note by the Secretariat. — See Annex 7.



and importance depending on the progress of security, or in other words on the increase of mutual confidence between nations. It would thus be inconceivable that, on the expiry of the period fixed as the normal duration of the Convention, nothing at all should remain. There will be, there must be, something remaining, and that minimum must be our Convention itself.

We must, of course, all hope that, on the expiry of the first period, it will be possible to take a further step to amplify this Convention, perhaps even to replace it by a new Convention providing for a wider and more extensive reduction of armaments. But if that should not prove possible, there must at any rate be no retrograde movement, and therefore it is necessary that our Convention should remain. That is the idea embodied in Article EF, which provides that the Convention shall in principle have a period of duration of  $x$  years, and adds that it shall remain in force after the expiration of that period except in so far as it is amended, superseded or denounced under the conditions specified in the following articles.

Before explaining the nature of the conditions specified in the following articles, I must point out, in order that it may be mentioned in our report, that the Sub-Committee considered the question of establishing concordance, as regards their respective durations, between our Convention and those already existing for the limitation and reduction of naval armaments. But as that is rather a complicated question, the Sub-Committee thought it would be better to leave it entirely to the Conference, which will therefore have to see how this necessary concordance can be, and should be, established.

I will now explain the nature of the conditions referred to in the texts I have just commented on.

Article EG deals with the procedure for the reconsideration and revision of the Convention. It lays down at what time, subject to what guarantees, and with what objects in view, the procedure in question may be followed.

As regards the time, you will see that there are two possible limits. The later limit must fall before the end of the normal duration of the Convention, in order to provide an opportunity, prior to the expiry of that period, of considering what is to be the future regime of armaments—*i.e.*, whether it is to be the same, or whether it is to be modified or amplified.

The earlier of the two limits must be at such a time after the coming into force of the Convention that useful lessons can have been gained from experience—say five years after. It is therefore between these two limits—I am only mentioning these figures as illustrations—somewhere between the sixth year and the tenth year, both inclusive, that the Conference can and should take place. It will accordingly be held then, and again we have indicated by  $x$  years and  $y$  years two blanks which must be filled in by the Conference.

What date between those two extreme limits will be chosen? We cannot foresee it, for it must be a question of expediency. If the Conference is to be successful, it must meet at the right time. When will that be? No one can prophesy. We shall require some suitable body to determine the moment, during the march of events; and the Sub-Committee thought that the most suitable body would be that which will have already convened the First Disarmament Conference—namely the Council of the League, and that the Council would decide after conferring with the Permanent Disarmament Commission and with the Governments of any contracting States not at that time Members of the League.

A Conference of the contracting parties, and in general of all States Members or non-Members of the League, must therefore necessarily be held a few years after the coming into force of the Convention and in any case before the expiry of its initial term; this Conference will be summoned by the Council at what it may regard as the most fitting time.

This Conference will consider the situation and see whether experience has revealed any gaps, defects or errors in the Convention; in the latter case it will endeavour to remedy them, either by a supplementary agreement or by a new Convention which would supersede the Convention we are now preparing. All will depend on the international situation and the inclinations of the Governments and peoples at the time. All we can do now is to make suggestions. The Sub-Committee proposes that you should say that the Conference shall proceed to a re-examination of the Convention, and to its subsequent revision if the latter be required. It further thinks it desirable to add, still as an indication, that, if the Conference results in a new Convention, it must fix the period of duration of the new Convention—just as we are doing for the present Convention—and lay down general rules regarding its re-examination and subsequent revision. So much for Article EG.

The following Article EH is designed to meet the objects which the French delegation had in view in proposing their addition, to the British amendment. This article provides that the procedure I have just explained under Article EG may, as an exceptional measure, be adopted even before the earlier term indicated.

I mentioned just now five years as an example. It is therefore before the expiry of that period and, at earliest,  $z$  years before the coming into force of the Convention—for instance, two or three years—that the procedure for examination and subsequent revision may be carried out, as an exceptional measure, if the conditions under which the engagements stipulated in the Convention were contracted have undergone, as the result of technical transformations or special circumstances, changes justifying a fresh examination and, if necessary, the revision of such engagements. For this purpose, a request must be made by a contracting party, and it must have been approved of—that is to say, held to be justifiable—by the Permanent Disarmament Commission.

This reference to “technical transformations or special circumstances” has specially in view unforeseen developments of civil aviation. The British, French and Japanese delegations stated

in the Sub-Committee that they attached particular importance to a mention of this interpretation in the Commission's report.

In this connection, the Sub-Committee had to consider Article AD, which appeared in Chapter II—Section III (Air Armaments) of the texts drawn up at first reading. You will remember that that text was adopted at first reading, but was reserved for later discussion; and on Thursday last it was decided that the Sub-Committee should consider, when studying the final clauses, whether this Article AD should be examined. It did examine it, and questioned whether, having regard to the new texts and the statements I have just referred to, there was any real necessity for keeping this text in the Convention.

The Sub-Committee concluded that there was not; it thought that this Article AD might be omitted from the Convention, and that we could content ourselves with referring in the report to the statements of different delegations to the effect that they proposed to bring the whole problem of civil aviation to the notice of the Conference.

I now come to Article EJ, which deals with the right of denunciation. In any multilateral Convention the exercise of this right is a delicate matter, and gives rise to many difficulties. In this case, it is—or would be—more particularly delicate, seeing that the solidarity and reciprocity of the undertakings given constitute the fundamental basis of the Convention. It would almost appear at first sight that the denunciation of a Convention such as this is inconceivable. On the other hand, we must remember that it would be very unwise to add to the difficulties in the way of agreement by asking States to assume indefinite obligations. We must therefore reserve a place, even in this Convention, for the right of denunciation; but it must be as limited as possible, and safeguards must be provided to prevent the exercise of this right causing any grave prejudice to the general interest.

In view of these considerations, the Sub-Committee proposes that you should lay down, in the first place, that the right of denunciation may only be exercised during, and at, one of the Conferences to be held in the circumstances I have just explained. One such Conference must necessarily take place before the expiry of the initial period of the Convention. It is there, and there only, that contracting parties will be at liberty to announce their desire to denounce the obligations they have assumed.

The Sub-Committee further proposes that you should lay down that a denunciation notified under the above conditions shall not take effect until two years after date, and in no case before the expiry of the normal period of duration of the Convention. In other words, if the Conference to which the denunciation is notified be held in the tenth year, the denunciation would only take effect in the twelfth year of the life of the Convention. If the Conference takes place in the sixth year, the denunciation would take effect, not in the eighth, but only in the tenth year. As the denunciation thus provided for would be made to the contracting parties assembled in conference, it would not produce any violent international disturbance. The resulting situation could be immediately considered by the other contracting parties, who would confer as to the best ways of defending their mutual interests.

Various questions will arise if a Government avails itself of this right of denunciation. These questions are so complicated and so technical that your Sub-Committee has not advised you to examine them; and, moreover, even the Disarmament Conference will have to consider whether it is really desirable to go far into the details of technical clauses of purely problematical interest, and to examine all the complications which may conceivably arise from a use of the right of denunciation.

The texts which the Sub-Committee has submitted to you, and which I have commented on, do not contain one clause which usually appears at the end of conventions, relating to the right of accession by third parties. The same reasons which I have just mentioned in regard to the details of denunciation led us to think it superfluous to refer to such accessions. A country could not subsequently become a contracting party to conventions such as ours except by submitting figures for the limitation and reduction of its armaments, and securing their acceptance by all the contracting Governments. Naturally, to attain this result, collective negotiations of a complicated kind would be necessary; and, in practice, they would be difficult, if not impossible. It will be sufficient to say in the report that these difficulties were considered, but the contingency appeared so hypothetical that it was not thought necessary to regulate the question by laying down any rules or preparing a clause for insertion in the Convention. The Sub-Committee has merely drawn the attention of the Commission, in its report, to its attitude in this matter.

Such, then, is the purport of the new texts which your Sub-Committee submits for your approval. It hopes that you will give them your complete approbation.

**The President.** — Before opening a discussion on the articles proposed by the Sub-Committee, I am sure that I express the views of the whole Commission in conveying to M. Politis not only our thanks for his transparently lucid statement, but also our admiration for all that he has accomplished. I think this is the third or fourth time that I have had to thank M. Politis on behalf of the Commission, and I do so from the bottom of my heart.

I propose that we take these articles one by one and if no one desires to speak we can vote on them immediately.

*Article EB.*

*Article EB was adopted unanimously.*

*Article EC (First-reading Text).*

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — I wish to speak on M. Politis' proposal in regard to Article EC, first-reading text. The Soviet delegation has learnt from the

Sub-Committee's report that Article EC, which was aimed directly at the Soviet Union, is not included in the draft Convention.

The Soviet delegation regards that as a matter of course, since the maintenance of this article, which was already quite inadmissible at the time of its adoption—that is, before the Union of Soviet Socialist Republics had begun to take part in the Commission's work—would become, to say the least of it, absurd, now that the Union of Soviet Socialist Republics is represented on the Commission.

Nevertheless, our delegation is amazed to find that the article in question has not entirely disappeared. M. Politis' reference to the right retained by certain delegations to submit this article to the Conference, and his allusion to a special reservation which they might make on this question, are evidence that in one way or another certain features of Article EC are still maintained. I am therefore obliged to demand that this point should be made absolutely clear. The Soviet delegation accordingly reserves its right to reply to the unexpressed ideas of any delegation whenever they find public expression before the Commission.

**The President.** — If no one desires to speak, we can now go on to Article ED.

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — Am I to understand your passing on to the next article to mean that the Commission decides to expunge this Article EC altogether, leaving no trace of it; or is M. Politis' proposal adopted by the Commission? M. Politis proposed that something should be mentioned in the report. We wish to know whether that proposal is or is not adopted.

**M. Politis** (Greece). — I should like to say a few words on the question of procedure with which M. Lounatcharsky is concerned.

You adopted a text at the first reading. You then appointed a Sub-Committee to consider what should be done with that text. The Sub-Committee considered that it should not be discussed at the present moment, and I explained just now, as objectively as I could, the reasons that led the Sub-Committee to propose that course.

The present situation is as follows: the Sub-Committee proposes that you should not retain the former text of Article EC in the draft Convention, but that you should say in the report that this text (stating its tenor) had been adopted at first reading; that you should add that certain delegations attached very great importance to it, indicating the reasons why it was not discussed at the second reading; and it will rest with the delegations concerned to bring this point up at the Conference.

When we come to examine the report, M. Lounatcharsky will have his opportunity of criticising what I have just said, for, at the present moment, my words do not constitute a text which the Commission is being asked to approve.

For the moment, I repeat, the Commission is considering a proposal that this text should not be included. Unless anyone desires its reinstatement, we can pass to the next article.

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — If I understand M. Politis rightly, when the report is submitted to the Commission I shall still have an opportunity of discussing this point.

**M. Politis** (Greece). — Certainly.

#### *Article ED.*

**The President.** — We now pass to Article ED, the text of which is exactly as before. I shall not call for a vote by a show of hands every time, but will merely ask whether there is any objection.

*Article ED was adopted.*

#### *Article EF.*

**M. Politis** (Greece). — I have been asked to make a slight drafting alteration to make the text read in the third line "except in so far as it is amended, superseded or denounced" instead of "unless it is amended, superseded or denounced". Some of my colleagues think that would be clearer; and, personally, I have no objection.

**M. Cobián** (Spain). — What I wish to say does not relate specially to this article, but only to the effect it may have on other articles of the Convention.

I warmly applaud the achievements of M. Politis' Sub-Committee, and I have no objection to offer to this article. I would, however, point out that when we accepted the earlier chapters of the Convention, it was on the assumption that a certain limited duration would be laid down in Chapter V. Now we have an indeterminate period. But, having regard to speeches we have heard, particularly as regards naval material, I think that declarations would be in order to safeguard the interests of certain countries, including Spain.

**Dr. Markovitch** (Yugoslavia). — I agree with the reservation which the Spanish delegate has just made.

Moreover, if M. Politis sees no objection, I would propose a slight alteration in the wording. Article EF reads:

"The present Convention shall in principle have a period of duration of  $x$  years."

I propose to omit the words "in principle". I think that it should be the exception for the Convention to last  $x$  years, and that, in principle, it should last longer. After deleting the words "in principle" we should put a full stop at the end of the first line, so that the text would read:

"The present Convention shall have a period of duration of  $x$  years. It shall continue in force after the expiration of that period, etc."

M. Politis (Greece). — I think the Drafting Committee might compare the present text with the purely drafting proposal of M. Markovitch. There are certainly logical reasons in favour of his view; but perhaps the Commission may have thought it expedient to have the words "in principle" in the text. The Drafting Committee can decide which wording is the best.

*Article EF was adopted.*

*Article EG.*

*Article EG was adopted.*

*Article EH.*

M. Massigli (France). — When we were discussing Article IE, I explained to the Commission the views of the French delegation on the matter of civil aviation. These views were based on considerations which had already been amply explained to the Commission, and which are connected with the progress of civil aviation, its continually increasing importance, and, speaking generally, the accelerated development of aeronautical science,

These considerations were the genesis of two of the first-reading articles: Article AD and Article ZD.

Article AD was concerned with a situation of fact; it indicated the conditions under which the parties to the Convention would be able to accept a limitation of their air armaments. Article ZD provided a procedure for revision, for reasons based on the development of aeronautics.

As regards Article AD, it appeared to us to register a fact without creating any legal obligation, and consequently there was no essential reason to retain it.

As regards Article ZD, the French delegation had replaced it by the amendment to which M. Politis referred just now, and which contained an explicit reference to civil aviation. However, being anxious to meet the objections of various delegations, we concluded that this explicit reference was not essential, provided that no doubt could subsist as to the real intention of the article, and that the situation should be made clear to everybody.

We are going—for that is really the main result—by means of our Convention, to bring the development of military aeronautics to a standstill. We are bringing it to a standstill before what I might call the "capital ship" of the air has been evolved. We shall therefore have none of these giant machines built specially for military objects, while, at the same time, civil aviation will continue its unrestrained march. And the time is at hand when we shall see great air liners, which may become auxiliary air cruisers and bombing machines.

That is the situation which the French delegation has in mind, and when we come to the Conference to fix the limits of our military air forces, those are the facts which will be before our eyes.

Article EH provides that revision of some, or all, of the clauses of the Convention may be demanded if the conditions should have undergone changes as the result of technical transformations or of special circumstances. This text gives us satisfaction in regard to the point which concerns us; we therefore accept it as at present worded, and we shall not press for an explicit reference to be made to civil aviation.

Lord Cecil (British Empire). — I only desire to say that I agree with what has fallen from M. Massigli. I think, with him, that, in this part of the world at any rate, it is possible that the development of aviation generally may embody the greatest threat to civilisation that we have yet had to face. In those circumstances, I do think that it is necessary to provide that, in case some great development of a dangerous character should take place, there should be such a power as is contained in this article, for asking for a further consideration of this question.

I am quite satisfied with the wording of Article EH as it is. I only desire to make it plain that, as far as the British delegation is concerned, they accept it because they think it really enables them to raise that question if it becomes necessary.

M. Sato (Japan). — I wish to make a statement in the same sense as M. Massigli and Lord Cecil on Article EH and the former Articles AD and ZD.

The opinion of the Japanese delegation, on the relations which may exist between civil and military aviation, is so well known that it is unnecessary for me to explain it in detail again, but we none the less maintain it unchanged. We have always considered that it was difficult to draw a hard and fast distinction between the two categories of aviation, and that, in consequence, the continual development of civil aviation in a given country may constitute a danger to other countries. That factor must therefore be borne in mind when determining the figure for the limitation of air armaments. For that reason, we attached great importance to the retention of Articles AD and ZD, as they stood, in the draft Convention. However, in view of the difficulty which some delegations found in accepting these provisions, we gave way in a spirit of accommodation, and accepted the new Article EH of Section V in place of the former Article ZD. While accepting the new article, the Japanese delegation nevertheless desires, in agreement with the other delegations who take the same standpoint, to make an explicit reservation to the effect

that Article EH, in its present wording, is to be understood to cover, and to refer more particularly to the case of, the unforeseen development of civil aviation in other countries.

As regards Article AD, we have agreed, in the same spirit, to its omission from the present draft Convention, but it is understood that, when we have to submit figures to the Conference for the limitation of air armaments, these figures will be computed and examined with reference to the development of civil aviation in other countries at that time. I would ask the President to cause the above reservations to be mentioned in the Commission's report to the Council.

**The President.** — M. Sato's wishes will be met, and his reservation will be mentioned in the report.

**Count Bernstorff (Germany).** — The question of civil aviation has been transferred from the draft Convention to the report. I have no objection; but I would ask the Rapporteurs to take note of the following reservation submitted by the German delegation:

“ The German delegation considers that the development of a means of peaceful communication must in no case be regarded as a starting-point for armaments, especially since no account has been taken of such vital and purely military standards as war material in reserve or in store, trained reserves, etc., or other important means of communication such as merchant ships, which are even allowed to be fitted with installations for carrying armament.”

**General Kasprzycki (Poland).** — Attention has been drawn by a very full discussion to the development of civil aviation. I do not wish to repeat what has been said. We are nearly all agreed that a large commercial aeroplane is a far more effective bombing machine now than seven years ago. This development is still continuing, and, for that reason, I protest against the parallel which Count Bernstorff seeks to establish between these bombing machines and merchant ships.

On behalf of the Polish delegation I associate myself with the statements made by the French, British and Japanese delegates. I would request the President to take note of my statement, in order that it may be embodied in the report.

**The President.** — This statement will be embodied in the report.

Due note will be taken of the statements which have just been made, and the article can now be regarded as adopted.

*Article EH was adopted.*

*Article EJ.*

*Article EJ was adopted.*

#### 97. Preamble: Drawing up of the Preamble left to the Conference.

##### STATEMENT BY THE DELEGATE OF YUGOSLAVIA REGARDING THE CONNECTION BETWEEN THE GENERAL PROBLEM OF SECURITY AND THAT OF DISARMAMENT.

**The President.** — In accordance with the decision we came to at the beginning of our proceedings, we ought now to discuss the Preamble of the preliminary draft Convention. I propose, however, that we do not do so at present, as it would be premature; for you will agree that the Preamble should be an expression of what is contained in the Convention, and that must depend entirely on what the Conference decides. We had therefore better leave the Conference to draw up the Preamble.

**Dr. Markovitch (Yugoslavia).** — The question of the Preamble is of secondary importance. We can quite well leave its drafting to the Conference. Nevertheless, the text of the draft Preamble we were going to discuss contained an essential principle, establishing a logical and indissoluble connection between the general problem of security and that of disarmament. While accepting the President's proposal, I desire to make it clear that we do not wish in any way to diminish the important and capital value of this principle.

I had asked to be allowed to raise this question when the Preamble came up for discussion. I now ask to raise it at the conclusion of our proceedings, for I agree with what the President has proposed.

**M. Beneš (Czechoslovakia).** — I support the President's proposal. It would be superfluous to add further arguments to those he has given us. The best plan will certainly be to leave the question to the Conference.

*Agreed.*

#### 98. Discussion on the Texts adopted at Second Reading and of the Amendments thereto.

**The President.** — Documents C.P.D.280 and C.P.D.280(a)<sup>1</sup> contain the texts adopted at second reading, and also the exceptional amendments proposed to some of these articles. When

<sup>1</sup> Note by the Secretariat. — See Annexes 8 and 9.

we have examined them, the discussion on the Convention itself must be regarded as closed. We shall then only have a final reading of the whole Convention to review the purely formal changes made by the Drafting Committee.

We shall first examine the amendments proposed to Chapter I. Before dealing with the Soviet delegation's amendments to this chapter, I would ask the Commission, and that delegation, whether they would not accept the following very wise suggestion at the beginning of the Drafting Committee's report (document C.P.D.287):<sup>1</sup>

"To avoid too frequent repetition, in the course of the Convention, of the same formula dealing with the limitation and, as far as possible, the reduction of the various kinds of armaments, the Committee, in accordance with precedent, proposes that the principle of this limitation and reduction should be laid down once and for all at the beginning of the draft in a (new) Article 1, while the object of the remainder of the provisions will be to define the conditions of application of this general principle."

This suggestion is particularly appropriate because the Soviet amendment is repeated later on in regard to budgetary expenditure.

I would further remark that I asked delegates to preface their amendments with a statement of reasons. I regret to say that only the Soviet and American delegations have complied with that request, which was particularly important because such statements of reasons facilitate or even obviate discussion.

#### 99. Discussion on Chapter I. — Effectives (Second-reading Text) : Article A.

The High Contracting Parties agree to limit the effectives in service in the land, sea and air armed forces, or formations organised on a military basis, to the effectives determined in the tables enumerated below and annexed to the present Convention.

##### 1. Land Armaments:

Table I. — Maximum armed forces stationed in the home country.

Table II. — Maximum armed forces stationed overseas. (optional)

Table III. — Maximum of the total armed forces of the High Contracting Parties.

Table IV. — Maximum of the forces belonging to formations organised on a military basis stationed in the home country.

Table V. — Maximum of the forces belonging to formations organised on a military basis stationed overseas.

##### 2. Naval Armaments:

Table I. — Maximum armed forces.

Table II. — Maximum forces belonging to formations organised on a military basis.

##### 3. Air Armaments:

Table I. — Maximum armed forces stationed in the home country. (optional)

Table II. — Maximum armed forces stationed overseas. (optional)

Table III. — Maximum of the total armed forces of the High Contracting Parties.

#### I. AMENDMENTS BY THE DELEGATION OF THE UNION OF SOVIET SOCIALIST REPUBLICS.

##### *First Amendment.*

Add after the words "to limit", the words: "and to reduce".

##### *Reasons.*

1. The term "limit" is ambiguous. "Limiting" may mean not merely reducing armaments but also maintaining them at the existing level and even increasing them above that level.

2. A convention which legalises the great armaments now existing, or their increase, would be of no value.

3. On the proposal of the U.S.S.R. delegation, the Preparatory Commission consented to insert in the chapters of the Convention concerning naval armaments and budgetary expenditure, the obligation not merely to limit but also reduce these armaments.

##### *Second Amendment.*

Add a second paragraph:

"The High Contracting Parties agree to limit and reduce the trained reserves of their land, sea and air forces respectively to the figures determined in the said tables."

##### *Reasons.*

In view of the great military value of trained reserves, a disarmament convention which neither limits nor reduces this important element of the armed forces would be seriously defective.

#### 2. PROPOSAL BY THE FRENCH DELEGATION.

After the words "formation organised on a military basis", add "in time of peace".

<sup>1</sup> Note by the Secretariat. — See Annex 10.

3. Air Armaments (*continued*):

Table IV. — Maximum of the forces belonging to formations organised on a military basis stationed in the home country.

Table V. — Maximum of the forces belonging to formations organised on a military basis stationed overseas.

FIRST AMENDMENT PROPOSED BY THE SOVIET DELEGATION.

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — The Drafting Committee has proposed a new text for the first article of Chapter I of the Convention. We note it with satisfaction. It is unnecessary for me to remind you that the word "reduction" has been indefatigably advocated by the Soviet delegation. We should, however, desire a modification of the text now submitted. The weakening of the text which results from the words "*autant que possible*" should, in our view, be avoided. We are guided by two fundamental considerations. In conversation with members of various delegations, we have observed—and many lawyers agree with us that these words are capable of various interpretations. Some people translate them in English by "as much", which means "*le plus possible*"—*i.e.*, a maximum reduction within the limits of what is objectively possible—others regard them as a sort of opportunist limitation of reduction in general. Moreover, without translating these words into other languages, it seems clear that the form of the French proposal "*et, autant que possible, de réduire*" really means "to reduce as little as possible".

Our second point is of a less grammatical character. We hope that the British delegate will now support the idea of reduction with more energy than in the past. We note that the *Sunday Times*, of November 30th last, publishes a speech by Mr. Henderson, the British Secretary of State for Foreign Affairs, at Cardiff. Here is a short summary of this speech.

Mr. Henderson said that the Treaty must result, not only in a limitation, but in a reduction of armaments, and that that would be the only way of fulfilling the obligations of the Treaty of Versailles and assuring the future of the League.

Such a statement from the British Foreign Secretary should impel the Commission to make this question absolutely clear, and not to leave any ambiguities whatsoever in the texts we propose to the Conference.

**Lord Cecil** (British Empire). — I should like to say a word in reply to M. Lounatcharsky, who has put forward certain suggestions as to how I should fulfil my duty.

I am extremely glad that he has been reading Mr. Henderson's speech. I read it with great pleasure, because I observe that he warmly supports everything we have done in this Commission, and I trust that M. Lounatcharsky, in his enthusiasm for Mr. Henderson's leadership will henceforth give his warm support to all our proceedings.

With regard to the particular change he desires to make, I observe that, in the reasons he gives, he approves of what we did with reference to naval armaments and budgetary expenditure. In those cases, we used exactly the words which he proposes to use here, and therefore I think we cannot do better than accept M. Lounatcharsky's written advice and reject his oral advice.

**The President.** — Do you press for the adoption of your text, M. Lounatcharsky?

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — Yes.

VOTE ON THE SOVIET DELEGATION'S FIRST AMENDMENT.

**The President.** — I ask you to vote on the Soviet delegation's first amendment to Article A of Chapter I to add, after the words "to limit", the words: "and to reduce".

*One vote was given for this amendment, and it was rejected.*

SECOND AMENDMENT PROPOSED BY THE SOVIET DELEGATION.

**The President.** — The Soviet delegation has a second amendment to Article A—namely, to add a second paragraph worded as follows:

"The High Contracting Parties agree to limit and reduce the trained reserves of their land, sea and air forces respectively to the figures determined in the said tables."

As this amendment was accompanied by a statement of reasons, no discussion will, I think, be necessary.

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — Allow me, nevertheless, to make a short statement.

The Soviet delegation strongly advocates a reconsideration of the question of trained reserves.

I would ask the Commission to reflect seriously on the fact that the absence of any provision for reducing trained reserves deprives the draft Convention of any value it might possess. What the Soviet delegation has at heart is far less a purely formal reduction of effectives with the colours than a really efficacious measure to arrest preparations for war. We desire to see measures capable of reducing those destructive forces which could be launched upon the field of battle. In a word, what we are concerned with is the total armed forces of every country, not merely those that appear on parade in peace time, but those that a Government can let loose in time of war. The whole character of the Convention is altered according as a reduction of trained reserves is, or is not, provided; and I will not conceal from you that the attitude of the Soviet delegation towards the Convention will depend on the decisions of the Commission in regard to this grave problem.

**Count Bernstorff (Germany).** — I have expressed my opinion on this question so frequently during the past five years that I will not now repeat what I have said. As I know that the majority of the Commission will not change their view, I will content myself with asking that a reservation may appear in the report concerning this question, which we have always regarded as one of the utmost gravity.

**Lord Cecil (British Empire).** — I am sorry to detain the Commission over this question which has been discussed so often that it is difficult to find anything new to say about it. I am a little perturbed by the speech of M. Lounatcharsky, to whose speeches I always listen with attention. M. Lounatcharsky said he did not think it mattered how many soldiers were with the colours; what mattered most was how many could be launched into war. I agree, of course, but how are you going to limit trained reserves except by limiting the soldiers with the colours? There is no other way that I know of. Once they are through the army they become trained reserves, and you can only limit them by limiting the number of men called to the colours, and therefore, it is a question in the end of limiting those called to the colours.

As I am speaking, I should like to say three or four words more. The British delegation from the outset has always wished it were possible to abolish conscription. They urged it in the early days of this Commission, but they found so strong an opinion on the other side that it was not possible to go on urging that point. Any Convention, therefore, will have to be made on the basis of certain countries maintaining conscription. Then there was the question of limiting the soldiers conscripted and here they found very strong opinion—not confined to nations with large forces—but spreading amongst all nations with a democratic constitution. If you are to have conscription, you must have conscription that weighs equally on all classes of the population, and therefore it did not seem possible, by limiting annual contingents or abolishing conscription, to get limitation of the armed forces of a country. We were therefore thrown back on the other plan—namely, that of limiting the number of men with the colours at a particular time. Of course, the extent to which that is done depends on the Conference; if, however, it be done adequately it will automatically limit the trained reserves in the only way in which they can be limited.

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — If the Commission is prepared to reopen a discussion on this question, the Soviet delegation will submit a practical scheme which Lord Cecil might be able to support, more or less. As the German delegation has always supported this view, it will no doubt also be ready to make practical and useful proposals.

I would remind Lord Cecil that, in the British Government's White Book, Sir Austen Chamberlain is quoted as speaking explicitly in favour of the limitation of trained reserves and as regarding the question as of the highest importance.

#### PROPOSAL BY THE POLISH DELEGATION IN REGARD TO AN INTERPRETATION OF THE EXPRESSION "ARMED FORCES".

**General Kasprzycki (Poland).** — I would ask the Commission to give an interpretation, in the report, of the technical terms employed in this article. The interpretation might read as follows: For the purposes of Article A, the armed forces further include all effectives receiving compulsory military training (except preparatory training), no matter at what place or in what manner such training may be given".

I have already pointed out, about a fortnight ago, that there are many types of conscript army, and that our Convention, being very concise, cannot provide for all existing situations. I, therefore, think it is necessary to give this interpretation.

**The President.** — We will discuss that proposal when we come to the report.



VOTE ON THE SOVIET DELEGATION'S SECOND AMENDMENT.

**The President.** — I will now put the second Soviet amendment to the vote.  
*One vote was given for this amendment and it was rejected.*

PROPOSAL BY THE FRENCH DELEGATION.

**The President.** — I will now put to the vote the French proposal: After "formations organised on a military basis", add "in time of peace".

**M. Massigli (France).** — I did not give any reasons for this proposal, which merely aims at greater clearness.

VOTE ON THE FRENCH PROPOSAL.

*The French proposal was adopted by nineteen votes.*

100. Discussion on Chapter I. — Effectives (Second-reading Text): Article C.

By "formations organised on a military basis" shall be understood police forces of all kinds, gendarmerie, Customs officials, forest guards, which, whatever their legal purpose, can be used without mobilisation, by reason of their staff of officers, establishment, training, armament, equipment, as well as any organisation complying with the above condition.

1. AMENDMENT PROPOSED BY THE BRITISH DELEGATION.

After the word "used", insert the words "for military purposes".

2. PROPOSAL BY THE FRENCH DELEGATION.

After the words "formations organised on a military basis", add "in time of peace".

AMENDMENT PROPOSED BY THE BRITISH DELEGATION.

**Lord Cecil (British Empire).** — This is merely a suggestion for the Drafting Committee and I do not think I need trouble the Commission about it.

*The British amendment was referred to the Drafting Committee.*

PROPOSAL BY THE FRENCH DELEGATION.

**The President.** — We must also decide on the French proposal to add after the words "formations organised on a military basis" the words "in time of peace".

*This proposal was adopted.*

DECLARATION BY THE JAPANESE DELEGATE IN REGARD TO "FORMATIONS" ORGANISED ON A MILITARY BASIS.

**M. Sato (Japan).** — Our Commission has already considered the question of formations organised on a military basis. Now we have adopted, at third reading, Article A, by which the contracting parties agree to limit the effectives of the above-mentioned formations, in service in the land, sea and air forces, in accordance with the tables annexed to the Convention. Article C gives a definition of "formations organised on a military basis"; but it is very probable that these formations will have different characteristics, and be differently composed, in different countries. They will therefore vary considerably according to the countries in which they are organised. In these circumstances, it seems clear that the general Disarmament Conference will be obliged to examine each case to determine whether an organisation of this kind, in a given contracting country, comes under the definition in Article C and must on that account be limited as provided in Article A. The Conference alone can have all the necessary details regarding the various formations organised on a military basis. It is only with the help of these details that it will be possible to come to a reasoned decision as to whether any individual organisation is, or is not, to be covered by the limitation. For these reasons, the Japanese delegation considers that, in accepting the present wording of Articles A and C, each delegation still retains its right to examine any given case in detail at the General Conference. I think, therefore, that everyone will agree that my Government, and all other Governments concerned, may reserve their right, at the General Conference, to make a detailed examination of any individual case, in order to deal with it in the best way, with full knowledge of the facts.

**The President.** — I would ask the Rapporteur to take due note of M. Sato's statement.

101. Chapter I. — Effectives (Second-reading Text): Article I.

The President. — The next amendment was that proposed to Article I by the German delegation; but, as you will remember, the latter withdrew it at an earlier meeting.

102. Discussion on Chapter II. — Material: Section I. — Land Armaments (Second-reading Text): Article TA.

Each of the High Contracting Parties agrees to limit its annual expenditure on the upkeep, purchase and manufacture of war material for land armaments in accordance with the figures and the conditions laid down in Annex No. . . . to the present Convention.

Note. — In pronouncing on this article, the Governments will take into account at the Conference the report requested from the Committee of Budgetary Experts, which will have been forwarded to them in order to permit of the drawing up of Annex No. . . . The Preparatory Commission, by sixteen votes to three and six abstentions, adopted the principle of limitation by expenditure. It also discussed the following resolution:

“The Preparatory Commission is of opinion that the principle of direct limitation should be applied to land war material.”

When this resolution was put to the vote, there were nine votes in favour, nine against and seven abstentions.

Lastly, it examined the principle of a combination of the two methods, in favour of which nine members of the Commission voted, eleven voted against, with five abstentions.

M. Colban (Norway). — I have a remark to make on the wording of the report in connection with Article TA. Will the Bureau be good enough to ask the Rapporteur to mention in his report that certain delegates considered that a combination of the direct method and the indirect budgetary method of limitation had not been discussed?

The President. — I will ask the Rapporteurs to take note of M. Colban’s statement also.

103. Discussion on Chapter II. — Material: Section III. — Air Armaments (Second-reading Text): Article AA.

Each of the High Contracting Parties undertakes to limit the air material in service in accordance with the figures laid down in the following tables.

Table A. — The maximum number and total horse-power of aeroplanes and maximum number, total horse-power and total volume of dirigibles in service in their armed forces.

Note: Any of the High Contracting Parties who so desire may annex to Table A the following tables for limitations similar to those in Table A:

Table A (1). — Aeroplanes and dirigibles in commission in the armed forces stationed in the home country.

Table A (2). — Aeroplanes and dirigibles in commission in the armed forces stationed overseas.

Table A (3). — Aeroplanes and dirigibles in aircraft-carriers.

Table B. — The maximum number and total horse-power of aeroplanes and maximum number, total horse-power and total volume of dirigibles in service in their formations organised on a military basis.

The limitation shall apply to aeroplanes and dirigibles capable of use in war employed in

I. AMENDMENT SUBMITTED BY THE CANADIAN DELEGATION.

Delete references to “total horse-power”. Tables A and B should read as follows:

“Table A. — The maximum number of aeroplanes and maximum number and total volume of dirigibles in service in their armed forces.

“Table B. — The maximum number of aeroplanes and maximum number and total volume of dirigibles in service in their formations organised on a military basis.

2. AMENDMENT SUBMITTED BY THE BRITISH DELEGATION.

At end of last paragraph, after the words “organised on a military basis”, add “and to Government-owned complete machines in reserve”.

3. AMENDMENT SUBMITTED BY THE DELEGATION OF THE UNION OF SOVIET SOCIALIST REPUBLICS.

After the words “to limit” add the words “and reduce”.

commission in the land, sea and air forces, or in the formations organised on a military basis.

*Note:* Any of the High Contracting Parties who so desire may annex to Table B the following tables for limitations similar to those in Table B:

Table B (1). — Aeroplanes and dirigibles in commission in the formations organised on a military basis stationed in the home country.

Table B (2). — Aeroplanes and dirigibles in commission in the formations organised on a military basis in overseas territories.

*Reasons.*

1. The term "limit" is ambiguous. "Limitation" may mean not merely reducing armaments but also maintaining them at the existing level and even increasing them above that level.

2. A convention which legalises the great armaments now existing, or their increase, would be of no value.

3. On the proposal of the U.S.S.R. delegation, the Preparatory Commission consented to insert in the chapters of the Convention concerning naval armaments and budgetary expenditure the obligation not merely to limit, but also to reduce these armaments.

AMENDMENT SUBMITTED BY THE CANADIAN DELEGATION.

**Dr. Riddell (Canada).** — I regret that the Canadian delegation did not submit reasons for this amendment. Had we known that reasons were going to be published, we would have done so.

I would like to explain that the purpose of our amendment to Article AA, Chapter II, Section III, is to delete all references to horse-power. The amendment is based on grounds of impracticability.

I am informed by technical advisers that a limitation in terms of total horse-power cannot be made either simple, definite, or effective, and is therefore not a practical proposition. Moreover—and this seems a very grave objection indeed—it is not possible to formulate a horse-power definition which would not be liable to quite simple and easy evasion in a variety of ways.

To make the case as clear as possible I shall have to enumerate to the Commission some of the technical arguments—I trust they will not be too technical—against limitation by total horse-power.

(a) The horse-power of a given aviation engine is dependent upon a number of varying factors, such as the number of revolutions per minute of the crankshaft—the type and quality of fuel used—the altitude at which the engine is to be employed—the reliability or "expectation of useful life" of the engine—the degree of "supercharging" to be applied, etc.

(b) The horse-power of an aviation engine can be "calculated" from a quantitative characteristic such as the "cubic capacity" of the engine, but only when arbitrary assumptions are made as to the various factors which I have just mentioned. The "calculated horse-power" of an engine consequently bears no relation to the actual power output. For example, it is possible to increase the horse-power of an engine by 100 per cent as a result of "supercharging".

(c) The horse-power of an engine at ground level—though normally greater than at an altitude—bears no fixed relation to its horse-power at an altitude. It can happen, and in the case of certain supercharged engines it does happen, that the horse-power at 10,000 feet is actually greater than at ground level.

(d) A formula to determine the horse-power of the ordinary type of petrol-driven aviation engine, such as is commonly used to-day, would not be suitable for application to engines of a different type such, for example, as the "two-stroke", or Diesel design. The possible evolution of a turbine type engine would also necessitate another set of rules and formulæ.

(e) The definite determination of the horse-power of any engine can only be arrived at through actual tests carried out under expert supervision and under "standard" conditions. The horse-power will vary if any of the standard conditions are varied.

(f) No horse-power assessment—whether "calculated" or determined by tests—can be either definite, or even satisfactory, as a basis of comparison.

Even if one be not a technical expert in air matters, it is evident from the above that limitation by horse-power, if not impossible, seems at least impracticable, and also extremely easy to evade.

If someone should ask: "What limitation will there be for military aircraft?", the reply is: "Direct limitation", and also budgetary limitation as proposed by the British delegation. A combination of these two limitations would be more satisfactory than limitation by horse-power, which seems to be impracticable, and the figures of which will not correspond to realities. It is possible that direct limitation alone would be insufficient, but combined with budgetary limitation it would afford very effective guarantees; moreover, total horse-power would be limited indirectly by budgetary limitation because there is a direct relation between the cost of aircraft and horse-power.

The Canadian delegation, although willing to support in principle every form of limitation, is not in favour of a limitation which would be so complicated as to be almost certainly unworkable and which could be evaded with the greatest ease. Such limitation would prove ineffective, and for these reasons we propose the deletion of all references to horse-power in Article AA.

**M. Cobián (Spain).** — I regret that I must definitely and categorically oppose the Canadian delegation's amendment. I will not follow Dr. Riddell in the long, highly technical and very lucid statement he has just made, because I consider that this question is outside the terms of reference of the Commission. I would merely remind you that the question of the basis on which armaments should be limited has been discussed at great length, since the year 1920, by the Permanent Advisory Commission. Since that date, the discussion has been continued, and the technical experts of my country have always maintained that no effective limitation of air armaments was possible by the numerical method alone.

Dr. Riddell has spoken of direct limitation; but I do not think that is the same as numerical limitation. It is the limitation we have used for naval armaments; and that did not consist in limiting the numbers, but the tonnage of vessels.

The same applies to air armaments: you might have a certain number of machines possessing less offensive capacity than a much smaller number of machines of far greater horse-power.

The Spanish representatives in the technical Committees accepted, as a compromise, the method we adopted at second reading. It is a combination of numbers and horse-power. You cannot abolish one of these two factors.

Dr. Riddell has invoked technical opinion to show that it is very difficult to calculate the horse-power of aircraft engines. I am under the impression, however, that the horse-power always is calculated when an engine is built or sold; and, as a member of the Preparatory Commission—not under-estimating the technical difficulties, but relying on the results of the technical discussions held by the various organs of the League—I am bound to say that, if we lay down that, in limiting air armaments, the number of machines must alone be considered, people who had only seen or heard of large machines might consider our decision sound; but people acquainted with others, smaller or greater, would make comparisons between little two-seater machines and these air liners of the future that we heard of just now, and would not endorse our opinion. They would say that one of these two arguments was unsound, and that either we wished to avoid limitation, or we had taken a line that could not lead to an effective limitation of air armaments.

As these air armaments are of such importance for the future, I think that, with an eye to the judgment of public opinion, we should hesitate to accept a limitation which would not be genuine, and a principle which would be both inequitable and unfair.

**M. Massigli (France).** — I support what M. Cobián has said, and ask Dr. Riddell not to press his amendment.

I have the greatest respect for technical opinion, and should be much impressed by the technical arguments—though they are somewhat above my comprehension—that Dr. Riddell has offered, were I not aware that, just as international agreements have been reached for the definition of tonnage, so rules have been established for fixing the horse-power of engines. These rules have been worked out by the C.I.N.A., and you will find them quoted by M. Paul-Boncour on page 139 of the Minutes of the third session (1927).<sup>1</sup> They may be incomplete, but they can be improved and amplified if need be; in any case, the fact that they exist shows that there is no insuperable difficulty in computing the horse-power of engines.

Consider the situation if we adopted the course suggested by the Canadian delegation. The limitation of aggregate horse-power necessarily results in limiting the power of an air fleet; for the only way to increase the power of individual machines will be to reduce their number and in any case it will be impossible to exceed a certain limit.

If we adhere to this rule, it is clear that in some degree we shall eliminate competition in air armaments, and we should also prevent the creation of powerful types of aircraft specially designed for military use, for bombardment, or fighting at great distances from their base. We shall—it cannot be too often repeated—be limiting the aggressive power of military aircraft. But if we adopted the course suggested by our colleague, we should dangerously diminish the value of that result. No doubt, you may combine the limitation of machines by number with the limitation of expenditure; but the result would not be the same. The problem for air armaments is the same as for naval armaments: if you only limit numbers, you arrive at the result that a capital ship is to be regarded as having the same value as a torpedo-boat; yet no one here would maintain such a proposition. I therefore ask Dr. Riddell not to lay too much stress upon technical difficulties which are, after all, not insurmountable. Better rules could no doubt be devised, but the objections which M. Cobián has pointed out are so great that the Canadian delegation will, I trust, not press its suggestion.

**M. Morfoff (Bulgaria).** — At the present time efforts are being made to improve engines by reducing the fuel consumption necessary to produce the minimum horse-power. Efforts are also being made to reduce the number of calories required to obtain a given amount of power. It is not always possible to raise the same weight, or to attain the same speed, by utilising the same number of horse-power. The method of manufacture itself plays a very large part in determining the power of the engine. Nevertheless, the resulting inequalities do not prevent us from concluding that engines with equal consumption give approximately equal results.

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<sup>1</sup> Note by the Secretariat. — Document C.310.M.109.1927.IX.

**Count Bernstorff (Germany).** — The Commission will remember that, a year ago, I proposed the complete prohibition of bombing from the air; this shows that I am anxious to go as far as possible in the way of reducing air material.

All I desire now is to say a few words in support of M. Cobián and M. Massigli. If we eliminated the criterion of aggregate horse-power, we should lose a very useful standard for the reduction of air material, and Governments would be given an opportunity of developing aviation on more offensive lines. That is precisely what we wish to prevent. I could not, therefore, vote for a proposal which would result in further weakening the means adopted by the Commission to achieve disarmament.

**Lord Cecil (British Empire).** — The British Government has instructed me to support the Canadian amendment. The matter is evidently an extremely technical and difficult one and I do not pretend to be able to say anything which, on the technical side, will be of value to the Commission. All I can say is that the expert advisers to the British Government are very clear that a limitation by horse-power will not only be ineffective, but misleading. They think the only result will be that some machines will be hit in one way and some in another; they think, therefore, that it would be a bad and misleading test. As to whether they are right or whether the other gentlemen are right, I am not in a position to express an opinion. I merely state what is the opinion of the British Government, founded on expert advice they have received.

There is another aspect of which I should like to remind the Commission: that undoubtedly it is an exceedingly difficult thing to test—or to control—this. You may have your rule against horse-power, but it is a very difficult thing to control. I do not know how you could control it, except by sending people to measure the exact size of each cylinder of the actual machine, and to measure whatever else you do measure in such a case. That seems to me a serious objection to this method of limitation. But I must add in perfect frankness that I agree most heartily with what was said—namely, that the difficulty of limiting aircraft is so great, and it is repellent to me to abandon any system that anyone thinks may be of use in that direction. I can only say that responsible advice given to the British Government was to the effect that this will not help in the desired direction, and, for that reason, I am bound to support the Canadian amendment.

**Dr. Riddell (Canada).** — In raising this question, I raised it on the ground of impracticability. But now, from the statements that have been made, I note that two speakers have agreed with me as to the impracticability of it and three have acknowledged that there are some difficulties with regard to ascertaining horse-power, but think that those difficulties are not insuperable. M. Massigli asked me not to press this amendment, but I am sure that he would not expect me to withdraw it before hearing the views of more delegates. I do not know whether I should call for volunteers at this late hour, but I should be very grateful to have, if possible, the opinions of other delegations as a guide to what course I should pursue in the ultimate disposal of this amendment.

**M. Sato (Japan).** — Dr. Riddell will no doubt remember that our delegation has always favoured the limitation of horse-power, for the reasons which have just been referred to by M. Cobián and M. Massigli.

Of course, we are now considering air forces only from a defensive and not from an offensive standpoint. As far as concerns defence, it seems manifest that the best method of limiting air forces is to limit aggregate horse-power. For any country relying on its air force for defence, that is the most satisfactory method, and the one which gives the greatest sense of security, since the country would then be much less exposed to external attack. That is one of the reasons which my delegation has always advanced in favour of limitation by horse-power.

As M. Cobián has said, we accepted in a spirit of conciliation the proposal made by other delegations for a limitation by the number of aeroplanes. We have thus combined two methods of limitation.

At the present moment the Japanese delegation would find it difficult, with all the goodwill in the world, to accept Dr. Riddell's proposal, which only aims at limiting the number of machines.

**The Hon. Hugh Gibson (United States of America).** — After the moving appeal by Dr. Riddell I could not be so hard-hearted as to refuse to prolong the debate. I confess I do not know enough about the subject to offer a personal view with regard to limitation by horse-power, but the technical advisers of the American delegation feel that the proposal of the Canadian delegation is very well founded, and that limitation by horse-power is not a sound and scientific method of limitation. However, if any considerable number of delegations feel that this method can be made more practical and more effective, the American delegation has no objection to seeing the text stand, and go forward to the Conference to see what can be done towards making that method more effective.

**M. Pólitis (Greece).** — I also wish to respond to Dr. Riddell's appeal, so as to be the third delegate whose explanations may enlighten him.

I am rather astonished to find that, at the present stage of our work, so grave an objection is discovered against the system adopted at first reading by a very large majority—if I am not mistaken—after very long and highly technical study, which did not reveal any of the objections now brought forward.

It is possible that these objections exist; but it is certain that if you abolish the second standard of limitation specified in this article, if you take numbers only into account, you will not—as the previous speakers have said—really obtain any genuine limitation of military machines. That is not the result we desire; we do not wish to lay down a limitation which would not be genuine.

Accordingly, unless other reasons are adduced, it seems sounder to maintain the text as it is. We could ask the technical experts at the Conference to re-examine the question and see how the system might be improved. In any case, it seems essential to retain, in addition to limitation by numbers, the system of limitation by horse-power, that is by offensive capacity. For that reason I also should be very glad if Dr. Riddell would withdraw his amendment.

**M. Rutgers (Netherlands).** — I also wish to respond to Dr. Riddell's appeal.

I remember once, when I was in England studying the effects of an English law, an English Member of Parliament said to me: "We are quite satisfied if a law produces fair, or approximately fair, results in most cases." I think we also should be content with that result. We are not engaged on scientific work, to use Mr. Gibson's term. We are not trying to achieve accuracy under laboratory conditions. We do not suppose that all the calculations required by our Convention will be absolutely precise, and that there will not be discrepancies of one or two per cent. What we desire, are practical results. If we go only by the number of aeroplanes, the practical results will be inconsiderable. For these reasons, I cannot endorse Dr. Riddell's amendment.

**Dr. Riddell (Canada).** — I am deeply grateful to those who responded to my appeal. I think the proposal that was made by Mr. Gibson would meet the wishes of the Canadian delegation, in that the experts at the Conference would reconsider the whole question of limitation by horse-power. I understood M. Politis' proposal was much the same.

**The President.** — Does Dr. Riddell maintain his amendment?

**Dr. Riddell (Canada).** — In the light of the opinions expressed by Mr. Gibson and M. Politis, which seem to meet with the general approval of the Commission, I do not wish to press my amendment to a vote. I understand that the experts of the Conference will re-examine the problem.

*The Canadian amendment was withdrawn.*

#### AMENDMENT SUBMITTED BY THE BRITISH DELEGATION.

**The President.** — The British amendment is to add at the end of the last paragraph, after the words "organised on a military basis", the words: "and to Government-owned complete machines in reserve".

**Lord Cecil (British Empire).** — As the amendment is a perfectly obvious one, I do not think I need trouble the Commission at any length. The question is whether we ought to try to limit machines in reserve as well as those actually in use. Of course, it is understood that the machines contemplated are military machines and not Government-owned machines for some civilian purpose.

#### AMENDMENT TO THE BRITISH AMENDMENT, PROPOSED BY THE UNITED STATES DELEGATION.

**The Hon. Hugh Gibson (United States of America).** — In order to make Lord Cecil's point clear, I should like to ask whether he would object to adding "military" after "Government-owned".

**Lord Cecil (British Empire).** — I think that word will have to be added, and indeed, on carefully considering this amendment, I think there will have to be a good many drafting changes, to make it complete. As long as the principle is accepted that can be done by the Drafting Committee.

**General de Marinis (Italy).** — I support the British proposal.

**M. Massigli (France).** — I am very conservative in regard to texts adopted at the second reading. I fear that, in this particular case, Lord Cecil's proposal may lead us into difficulties. One of them has just been solved by the addition of the word "military"; but there are others which may be anticipated.

What is the definition of "complete machines"? Does that mean an aeroplane ready to fly, with its war equipment, machine-guns, bomb-throwers, etc, or an aeroplane ready to fly without its war equipment? In the latter case it would be very easy to make an aeroplane incomplete. You have only to take off the propeller or a wheel, or any part of the machine. That is a difficulty we met at the first reading, and I think Lord Cecil noticed it too.

We shall also encounter the insoluble problem of limiting spare parts. I say "insoluble", because the majority of these parts—especially parts of the engine—are interchangeable between civil and military machines.

I cannot help doubting whether this proposal offers advantages, from the point of view of our Convention, commensurate with so many complications. I am convinced that it does not. At the present time most, if not all, armies are endeavouring to keep their reserve of aeroplanes as low as possible, because aviation is undergoing continual changes, and the money locked up in these reserve machines is usually wasted. In most armies, at the present time, these reserves are cut down to what is required for renewing machines in service, having regard to the normal scale of wear and tear and "crashes" in a given period.

I think that if we adopt this proposal we shall become involved in considerable complications without any very useful result. I therefore hope that the Commission will adhere to the second-reading text.

**Count Bernstorff (Germany).** — I wish to ask for some explanations regarding the British amendment. It speaks of "complete machines in reserve". Does that mean assembled machines, and is it intended to disregard machines which are not assembled, and machines in store? Personally, of course, I prefer that the amendment should go as far as possible.

**Lord Cecil (British Empire).** — I am told that the accepted meaning of the term "complete machine" is an aircraft complete with body, wings, engine, propeller, landing chassis, and ready to fly. What arms you put on it do not matter; a complete machine is one that is ready to fly, and that is the sense in which my amendment should be read.

I fully agree with M. Massigli that even this strengthening of the attempt to limit aircraft by enumeration will leave that method of limitation extremely incomplete, because of the question of spare parts. That is obviously so; whatever you do you will find it very difficult to limit by enumeration so as to have a real and effective check, and as I say, I am very uncertain about the value of limitation by horse-power. I think it is much the gravest difficulty we have to face—this limitation of aircraft. I shall put forward a proposal a little later on which I think is the only one that will be of any real value, but I will not argue it at this moment. In the meantime, I cannot help thinking that, if you are to have a limitation by enumeration at all, it is really illogical and indefensible to say that you are only going to limit those machines which are actually in service at the moment. You surely ought to add to that those which are in reserve, and can be put into service at any moment. I do not think this is a very important point, but, for what it is worth, I consider it desirable to add machines in reserve as well.

**General Kasprzycki (Poland).** — This amendment is designed to limit complete machines in reserve. In my view, the absence of machinery for supervision in our system of limitation makes it impossible to distinguish between complete machines in reserve and other reserve material consisting of spare parts. The result will be that the figures for the limitation of material will be far less exact.

As regards the whole question of material in reserve and its partial or complete limitation, I will not repeat the arguments already used in Sub-Committee A, and at previous sessions of our Commission. I would only draw the attention of the Commission to an aspect of this question which specially concerns aviation. It is a point of primary importance for countries possessing only small war industries. Material in reserve plays a vital rôle in supplying the first-line units. We know how extensive are the losses in aircraft, and we may be sure that material in reserve will never be regarded as mobilisation material for new units. In that case, an air service which possessed no war industry would never be able to replace its losses, and would cease to exist after a few weeks. On the contrary, material in reserve possesses only a secondary attraction for countries having a low war-potential.

On behalf of my delegation I am therefore compelled to oppose the limitation of material in reserve, owing to the unequal treatment which would result, as between countries having war industries of small capacity and countries otherwise situated.

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — I should just like to remind the Commission that the Soviet delegation has already made a proposal in the sense indicated by Count Bernstorff, but going much further.

**Count Bernstorff (Germany).** — I understand that the present proposal relates only to complete machines, and I would point out that it is only necessary to remove a part of an aeroplane to make it no longer a complete machine. It would thus be possible to assemble machines from material in store, and the latter material could thus be rapidly transferred to material in service without being subjected to any limitation. I therefore consider that the proposal does not go far enough, and I cannot vote in favour of it.

#### VOTE ON THE BRITISH AMENDMENT.

*The amendment was adopted by nine votes for to eight against.*

WITHDRAWAL OF THE AMENDMENT SUBMITTED BY THE SOVIET DELEGATION.

**The President.** — We still have the Soviet amendment. Does M. Lounatcharsky maintain it?

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — As the Commission has already voted on this question in a more general form, I withdraw my proposal.

*The Commission rose at 7 p.m.*

TWENTIETH MEETING.

*Held on Tuesday, December 2nd, 1930, at 10 a.m.*

*President:* M. LOUDON (Netherlands).

104. **Communication by the President regarding the Texts drawn up by the Drafting Committee.**

**The President.** — Our Drafting Committee has revised the text of the Convention which we submitted to it, but only as regards the form. It does not think that it has altered the substance of the articles in any way. However, if any delegates are at all doubtful on this point I would ask them to inform the Bureau as soon as possible, stating their views. The texts will be distributed tomorrow, Wednesday, and any observations or alterations which the delegates may desire to submit should reach the Bureau by Thursday afternoon at the latest.

105. **Discussion of the Texts adopted at Second Reading and of the Amendments thereto (continuation): Discussion on Chapter II. — Material: Section III. — Air Armaments (Second-reading Text): Article AE.**

1. The High Contracting Parties shall refrain from prescribing the embodiment of military features in the build of civil aviation material so that this material may be constructed for purely civil purposes, more particularly with a view to providing the greatest possible measure of security and the most economic return. No preparations shall be made in civil aircraft in time of peace for the installation of warlike armaments for the purpose of converting such aircraft into military aircraft.

2. The High Contracting Parties undertake not to require of civil aviation undertakings that they should employ personnel specially trained for military purposes.

They undertake to authorise only as a provisional and temporary measure the seconding of personnel to, and the employment of military aviation material in, civil aviation undertakings.

3. The High Contracting Parties undertake not to subsidise, directly or indirectly, air lines principally established for military purposes, instead of being established for economic administrative or social purposes.

4. The High Contracting Parties undertake to encourage as far as possible the conclusion of economic agreements between civil aviation undertakings in the different countries.

I. AMENDMENT PRESENTED BY THE CANADIAN DELEGATION.

Delete the following sub-paragraph of paragraph 2: "They undertake . . . civil aviation undertakings" and substitute the following text:

"Personnel seconded to, and military material employed in, civil aviation, whether Government or commercial, shall be counted in the agreed quota."

2. AMENDMENT SUBMITTED BY THE BRITISH DELEGATION.

Add at end of the article "and to confer together to this end".

3. PROPOSAL BY THE BRITISH DELEGATION.

Insert a new article as follows:

"Each of the High Contracting Parties agrees to limit its annual expenditure on the maintenance, purchase and manufacture of war material, for air armaments, to the figures and under the conditions defined in Annex No. . . . to the present Convention."

AMENDMENT PRESENTED BY THE CANADIAN DELEGATION.

**Dr. Riddell** (Canada). — Mr. President, the proposal of the Canadian delegation is to substitute, in Article AE, for the second sub-paragraph of paragraph 2, which now reads:

"They undertake to authorise only as a provisional and temporary measure the seconding of personnel to, and the employment of military aviation material in, civil aviation undertakings",



the following text:

“ Personnel seconded to, and military material employed in, civil aviation, whether Government or commercial, shall be counted in the agreed quota. ”

Our amendment is intended to remove any ambiguity in the present text. The text as it now reads would permit the seconding of personnel to, and the employment of military aviation material in, civil aviation undertakings, without, however, laying down that such seconded personnel and material should be counted in the quota which has been allotted to a State.

It is true that this authorisation is given only as a provisional and temporary measure, whatever that may mean. It might mean for five months or for five years, and it might be for 5 or 95 per cent of the air force and material.

Under the Canadian proposal all seconded aviation personnel and material must be counted in the agreed quota, that is, within the quota allotted to each State by the Disarmament Conference. I need not remind you that this quota, will have been approved as fair and reasonable by all the other contracting parties at the Conference.

Furthermore, the present text, as laid down in the second reading, introduces an entirely new principle, for it aims to abolish the use of personnel and material for civilian purposes. No such principle is proposed in Chapters I and II in connection with land and naval armaments. In fact, as regards military aviation, this new principle is contrary to general practice in most, if not in all, air forces. In most countries, the seconding of personnel and material to employment in civil aviation activities has always been looked upon as necessary and legitimate.

This is especially true in countries of vast distances, like Canada. In Canada, during the last few years, aviation has made tremendous progress. Parts of our country, which were months distant from the centres of population, have now been brought within easy reach. As regards communications and transportation, my country has been a country of the greatest contrasts: Across the southern part of Canada we have splendidly equipped transcontinental railway systems, fleets of luxurious steamships plying on the Great Lakes, magnificent interprovincial highways, rural mail deliveries, and widespread use of the telegraph, the telephone and the radio. But to the north, before the advent of the aeroplane, the means of communication had changed little, if at all, since the time when the first fur-traders penetrated into the interior of the country in the sixteenth century. Travel was confined to the canoe in summer and to the dog-team in winter. The coming of the aeroplane has changed all this; aeroplanes now penetrate into the remotest districts of our country. They have proved invaluable, not only in bringing lonely outposts in touch with the world by regular mail services but also in carrying supplies to mining camps in the far north. Photographic surveys and prospecting for minerals are now carried on on a large scale by aeroplane, and the patrolling of vast forest areas for fire detection is also dependent upon the aeroplane.

I should like to read an Ottawa message to Reuter's Trade Service, which I received the other day. It says:

“ When the present flying season is completed, the air department of the Ontario Forestry Branch will have established a new record of over 14,000 flying hours for the year. The highest previous total was in 1929, with 11,600 flying hours. One of the main duties of the airmen is patrolling the northern wooded regions in search of incipient forest fires, and carrying men and equipment to fight the flames when an outbreak is discovered. The air service has already proved of incalculable value in preserving Canadian forests. ”

In addition, relief work for the sick and the rescue of missing parties in the remotest hinterlands have become the regular task of the aeroplane.

We believe that, in view of the difficult and trying work done by aircraft in Canada, seconding of personnel and machines is necessary in the interests of economy, efficiency, organisation and discipline. In fact, this immensely valuable work of aircraft in Canada has been made possible by close co-operation between military and civil aviation and it is not reasonable to suppose that Canada would readily consent to the prohibition of the use of military personnel and aviation material in a work so essential to the well-being of her people and the development of her territory.

I have much pleasure, therefore, Mr. President, in moving this amendment and I trust the Commission will find no difficulty in accepting it.

**The Hon. Hugh Gibson** (United States of America). — I am very happy to advocate the adoption of the Canadian amendment, as it seems to the American delegation to be entirely sound, and preferable to the language of our original text.

**Count Bernstorff** (Germany). — I desire to support Dr. Riddell's proposal, as I support anything that may tend to reduce the military value of civil aircraft.

AMENDMENT TO THE CANADIAN AMENDMENT PROPOSED BY THE SWEDISH DELEGATION.

**M. Westman (Sweden).** — I should be rather sorry to see the second section of paragraph 2 cut out. I wonder if it would not be possible to retain paragraph 2 and to *add* the sentence suggested by the Canadian delegation. We should thus still be laying stress on the provisional and temporary character of the measure in question, while stating that personnel seconded and military material will be included in the figures fixed by the Treaty under consideration.

**Lord Cecil (British Empire).** — I do not quite understand the point of M. Westman's anxiety. I should have thought that anything which converted military officers into civilians was a good thing. If we could do that wholesale, we should have solved the whole question of disarmament.

**General de Marinis (Italy).** — The Italian delegation supports the Canadian delegation's proposal.

**M. Westman (Sweden).** — I feel that if we accept the Canadian amendment we shall be creating the impression that this is, so to speak, a normal situation.

**Lord Cecil (British Empire).** — Why not ?

**M. Westman (Sweden).** — Then the military forces would be increased by putting military personnel into civil aviation.

**Lord Cecil (British Empire).** — They could not increase under the Canadian proposal. You would gain nothing by transferring your military officers to civilian employment. They would still count as military officers. The only point is that they would be trained or employed for civilian purposes and not for military purposes.

I quite agree that unless you included the military personnel, when employed in civilian purposes, in your military contingent, you would be in a difficulty, but as long as you do that it seems to me that you cannot possibly do any harm and might do some good.

**M. Massigli (France).** — I was prepared to vote for Dr. Riddell's amendment, but I think there is something in M. Westman's point. The Swedish delegate fears that if we confine ourselves to laying down the principle contained in the Canadian amendment, military personnel will be maintained on credits voted for civil purposes. In this way, the principle of limitation of expenditure will to some extent be evaded. I personally should be quite ready to accept the Canadian amendment with the addition proposed by M. Westman.

**Dr. Riddell (Canada).** — At the basis of our amendment lies the quota. We take it for granted that, at the Conference, States will agree upon a quota which will be fixed definitely, and which will be fair and reasonable or it would not have been accepted.

We maintain that you are not increasing a nation's military strength by employing these forces in civilian work.

I am not a military expert, but I should think that if you wanted to train military forces you would keep them at military work, rather than use them as rescue parties in the north, for carrying supplies and so on. I should think that if they were trained in bombing all the time, or in shooting, they would be more efficient in the military way.

Our purpose is not in any way to increase the military efficiency of a nation's air forces, neither is it to try to maintain more aeroplanes, because all seconded machines would be counted in our allotment.

With regard to the question of expense, it seems to me that if you fix the quota you have met the objection raised by M. Westman. We do not want to transfer our forces in order to avoid the expense of keeping them. It is because we find them necessary for civilian work. The Canadian delegation could not accept the amendment of M. Westman.

SUGGESTION BY THE BELGIAN DELEGATION.

**M. Bourquin (Belgium).** — I think that the amendment proposed by the Canadian delegation makes a very useful addition to the text adopted at the first reading. This amendment states that personnel seconded to civil aviation will be included in the total strength, and that is a principle which did not appear in the original text. I think, therefore, that on this point the Canadian proposal gives us full satisfaction. Nevertheless, although it adds something, it also takes away something from the text.

What, indeed, is the essential object of Article AE, which we are discussing, and to which the Canadian proposal is an amendment ? The object of this article is not to provide for limitation, but to prevent, so far as possible, contact between civil and military aviation. What arouses our apprehensions, or the apprehensions of a number of us, in respect of civil aviation, is that in addition to its civil value it may also prove of military value.

We know quite well that it is impossible to take comprehensive and absolutely effective precautions in this matter, but in Article EA we desired to avoid, so far as possible, close inter-connection between the two air forces.

The text which is to be replaced by the Canadian amendment said that when personnel or material belonging to military aviation, is used in civil aviation, this can only be done as a temporary measure. It was not thought possible absolutely to prohibit the use of military personnel or material in civil aviation, but we desired to lay down that, when such use could not be prevented, it should be of a purely temporary character. This is the point omitted in the Canadian amendment and I think M. Westman was anxious that this temporary character should be maintained in respect of the use of military elements in civil aviation.

I admit that the text previously adopted on this matter is extremely elastic: " they undertake to authorise only as a provisional and temporary measure . . ." The meaning is clear, but, from the point of view of legal accuracy, it is obviously somewhat loose.

I wonder, therefore, whether we could not adopt the Canadian amendment, substitute the text which Dr. Riddell has proposed for the original one, and insert in the report a note to the effect that perhaps for all of us it is desirable that the use, if any, of military personnel and material in civil aviation should be of a purely temporary character.

In practice, what we have in the present text is only a recommendation; from the legal point of view it is not precise enough; no time-limit is laid down for this provisional use. It is therefore extremely elastic. We could easily put this text in the report, while not losing sight of the possibilities which cause us concern.

This is the suggestion that I take the liberty of making, and I hope it may be accepted by the Canadian delegation—namely, that we should accept the Canadian amendment and put the second part of paragraph 2 into the report as the expression of a concern which we all share.

**Lord Cecil (British Empire).** — Although I am not very fond of the device proposed by the Belgian delegate, I have no objection to it. I think the only point which has been raised is the point of M. Massigli. I think it is very essential that, in transferring military officers to civilian employment and keeping them in the quota of your military officers, as ought to be done, you ought also to keep them as being paid out of the defence budget; and I think my friend Dr. Riddell will be quite content to add words to his amendment making clear that point. The words, " and shall continue to be paid out of the estimate from which they were previously paid " might be added. If that point were made, I do not see any conceivable injury from the point of view of defence, and it is quite evident that, from the point of view of Canada and similar countries, it may be of really essential importance to be able to improve machines and officers for this work, which is only in a sense semi-civilian, because it involves very great dangers and difficulties.

#### SUGGESTION BY THE NORWEGIAN DELEGATION.

**M. Colban (Norway).** — I support M. Westman's proposal. You cannot say that training in civil aviation has no value for military purposes. It has frequently been stated that aviation is still in its infancy. It is difficult to distinguish between civil and military aviation. A distinction is about to be established but it is not yet sufficiently clear. You cannot say that a pilot, or an officer who passes the whole of the year on civil aircraft, does not increase his efficiency for military purposes. I think it would be difficult to ignore the principle recommended a few years ago by the de Brouckère Committee, which asked that a distinction should be made between civil and military aviation.

I have no objection to the idea contained in the Canadian proposal, if it be added to the former text. But if Dr. Riddell cannot accept the combination of the two texts, we might consider the possibility of a reservation by the Canadian delegation based on the quite special conditions of their country, the importance of which I fully recognise. [I think it is extremely difficult to endeavour, in our draft Convention, to apply exactly the same solution to all countries participating in the Disarmament Conference.

All the other delegations have allowed the text of Article AE to pass without comment. A new text has just been submitted which is based on the quite exceptional situation of Canada. We are asked to change the former attitude of the Commission. I think the best procedure would be to modify M. Bourquin's proposal slightly, to keep the former text, and to make mention in the report of the position which has been explained to us, particularly as regards Canada. As, however, M. Bourquin has not made any formal proposal, for the moment I will merely support M. Westman's motion.

**The President.** — Can Dr. Riddell accept M. Colban's suggestion ?

**Dr. Riddell (Canada).** — The proposal of the Belgian delegate would meet the views of the Canadian delegation. I accept it gladly. The suggestion has also been made to me that we might have two texts, one for overseas and one for European countries, the object in view being to meet a particular situation which arises outside Europe.

**M. Westman (Sweden).** — The essential point, so far as I am concerned, is to prevent civil aviation from being militarised. For the reasons set forth by M. Colban, I fear that, if we delete the second paragraph, this danger will exist. Before withdrawing my proposal, however, I should like to hear the views of some more members of the Commission.

SUGGESTION BY THE FRENCH DELEGATION.

**M. Massigli (France).** — The case with which we are dealing is a difficult one, for we have quite different hypotheses in mind. I can accept M. Bourquin's proposal, but I can also agree with the apprehensions expressed by M. Westman and M. Colban, for they seem, to me to be perfectly justified. Lord Cecil's statement took these apprehensions into account, but met them only in part.

Could we not follow the course suggested by M. Bourquin, but reverse it? We could adopt the Canadian text at the same time as the original text, and insert in the report certain explanations showing that in certain particular cases such a solution might have disadvantages, and that this is a point on which the Conference might perhaps consider the possibility of a different regime for different countries. It seems to me that such a solution would take account of the very natural anxiety of Dr. Riddell, and at the same time meet the equally natural apprehensions of M. Westman and M. Colban.

**M. Rutgers (Netherlands).** — I should be very sorry if the second paragraph were omitted. On the other hand, I fully realise the weight of the Canadian delegation's objections to the present text. At the time of the first reading, certain objections were made to the use of the words "provisional and temporary". We might perhaps meet the Canadian delegation's wishes by including some explanations in the report. I think, however, that it would be better to retain the sentence it was proposed to delete, adding the Canadian amendment.

**The President.** — Does Dr. Riddell accept this solution, on the understanding that a reservation will be inserted in the report?

**Dr. Riddell (Canada).** — We have two things in mind: in the first place, we believe that personnel and material, no matter how it is used, should come within the quota; in the second place, we believe that it is exceedingly unfair to prevent an overseas country, in a peculiar geographical position, from using, as it sees fit, military personnel and material for civilian purposes. The present text says that seconding is authorised as a provisional and temporary measure. What does that mean? Probably that some countries would second personnel and machines for a month, and that others, if they wished to, might stretch such seconding to a period of five years. We cannot say for how long we shall require this right of seconding without any restrictions; perhaps not indefinitely; but we have a big country to develop, and the work may take a long time.

Our amendment strengthens the general text very materially, because all seconded personnel and machines would be included in the quota allotted. On the other hand, it does leave it optional for a country to detach its military personnel and machines to protect its forests, to rescue its citizens, and for use in similar fields of human endeavour. Seconding is customary at present in most aviation services, and we do not see any great objection to its continuing.

I could accept the proposal of the Belgian delegate, or I could accept a proposal aiming at the insertion of two texts, one of which would apply to those continents—including countries like ours—which feel that unrestricted seconding is essential to their welfare; at the Disarmament Conference it could then be decided which group of countries would be included in one category and which in the other.

**M. Bourquin (Belgium).** — I am glad to see that Dr. Riddell is prepared to accept my proposal. I asked that the Canadian amendment be adopted—that is to say, that the Canadian text be substituted for the second sub-paragraph of paragraph 2 of Article AE and that we explain in the report that the Commission recommended that, if military personnel were seconded to civil aviation, such seconding should have a strictly provisional and temporary character. I do not think that, by putting this text into the report, we should weaken its purpose, since, as I said just now, the legal character of this text is open to question. It indicates a tendency, but it does not lay down definite rules or fix any limits. Therefore, as Dr. Riddell said, the interpretation of this text is to some extent left to each individual State.

I think that the Commission will see its way to accepting my proposal.

**The President.** — The British delegation has made a proposal concerning expenditure. If I understand rightly, it should be added to the Canadian text.

**Lord Cecil (British Empire).** — That was my proposal. At the same time we shall have to refer these questions to a special Committee of Budgetary Experts, and the exact way in which this will have to be settled must be left to them. But you could not undertake to allow any country to keep military machines in civil aviation work unless their cost was paid for out of military budgets, otherwise an ill-disposed country might transfer such machines to purposes of civil aviation and not make any return with regard to budgetary expenditure for them. I think, therefore, some such arrangement is vital; some step in this direction should be taken. I should be ready to leave the form to the Committee of Budgetary Experts, and I would submit a formal amendment later on.

**The President.** — I will put the Canadian amendment to the vote.

**Dr. Markovitch (Yugoslavia).** — I propose that we vote on the two parts of the Canadian amendment separately, for, in fact, it covers two different points: (1) the deletion of the second paragraph of Section 2; and (2) the substitution for that paragraph of another text which deals with a different problem. May I therefore ask the President to put to the vote, first, the Canadian proposal that we should add to our text the following sentence:

“ Personnel seconded to, and military material employed in, civil aviation, whether Government or commercial, shall be counted in the agreed quota.”

and, secondly, the deletion of the second paragraph. On the first question I think we are all agreed, but I do not think that this is the case with regard to the second question.

**The President.** — I think that Dr. Riddell should give his views on this point, for he has already given us to understand that he regards the two texts as incompatible. Is he prepared to accept M. Markovitch's proposal?

**Dr. Riddell (Canada).** — I wish to take this opportunity of thanking the Commission for the measure of support that our proposal has received. It seems to me, after listening to all the speeches, that by far the best solution is that contained in the proposal of the Belgian delegate, and I would like to see that proposal voted on in the form in which it has been explained by the Belgian delegate.

I wish to make it clear that I cannot accept the proposal of M. Markovitch.

**The President.** — I shall, then, put the Canadian proposal to the vote, on the understanding that the Commission's recommendation, to the effect that the seconding and the employment mentioned in the second paragraph shall have a provisional character, will be inserted in the report.

**M. Bourquin (Belgium).** — I should like to explain more clearly what I think should be mentioned in the report. We could say that, at the first reading, a certain text was adopted, and that, at the second reading, we had to take account of the position of Canada and perhaps of certain other countries, a position which appeared to be hardly compatible with so strict a rule. In these circumstances, the Commission, while still of opinion that it was most desirable that seconding should be of a temporary and provisional character, nevertheless drew the attention of the Conference to situations such as that of Canada.

We are thus more or less following the course indicated a few minutes ago by M. Colban, and leaving the Conference free to adopt either two systems or a single system. We are merely laying before the Conference the *de facto* situation which we have found.

I presume that this would fully satisfy Dr. Riddell.

**Dr. Markovitch (Yugoslavia).** — I think this is a new proposal. If I understood M. Bourquin rightly, he proposes that we keep the old text, adopt the Canadian amendment, and indicate in the report that the views of the Commission were not unanimous.

**M. Bourquin (Belgium).** — I apologise for not having made my meaning sufficiently clear. My idea would be to adopt the Canadian text, and say in the report that, although we deleted the second sub-paragraph of paragraph 2, that did not mean that we gave up the idea, but that we omitted this sub-paragraph because we found that we had before us a *de facto* situation which would have to be considered by the Conference. We should substitute the Canadian text for the text which was adopted at first reading, and we should explain in the report that we do not give up the original text, but that its application might encounter certain difficulties such as those pointed out by Dr. Riddell.

**Dr. Markovitch (Yugoslavia).** — I make no objection to this procedure, or to the Canadian proposal, but I would point out that it is extremely difficult to vote at the same time on a definite text and on the interpretation of that text in a report which we have not yet before us. I therefore suggest that we merely vote on the Canadian text.

**M. Colban (Norway).** — I maintain my view—that is to say, that if the Commission were unanimous both at the first and at the second readings with regard to a certain text, it does not seem to me to be reasonable to replace that text by a new text, and to say that the new text was inserted on account of the exceptional situation of certain countries. The text which should appear in the draft Convention should reflect the views of the Commission as a whole, and the exceptions should be mentioned in the report. That seems to me logical, so that, to my great regret, I cannot vote for the Canadian proposal, although I quite agree that Canada should be regarded as an exceptional case on account of the special conditions described by the Canadian representative.

**The President.** — Is M. Colban making a formal proposal, or is he merely explaining his vote?

**M. Colban (Norway).** — Like M. Markovitch, I propose that we vote on the deletion of the former text, and that, whether that deletion be agreed on or rejected, we then vote on the Canadian text, and that, in any case, we explain the position in the report.

PROPOSAL BY THE BRITISH DELEGATION FOR A SHORT ADJOURNMENT  
OF THE CANADIAN AMENDMENT.

**Lord Cecil (British Empire).** — I am a little afraid of what we are going to do now, because it seems to me we might easily arrive at a decision which is not really one that the majority of the Commission wish to adopt. Although notice was given of this amendment, it has apparently come as a surprise to the minds of some of our members, and, as M. Colban has explained, they have apparently great reluctance to make a change at the last minute in a text which has been adopted. On the other hand, I do not honestly think that M. Markovitch's ingenious suggestion meets the case at all. The whole point is whether countries in the position of Canada, and some others, are to be forbidden, as a principle, from using their military machines and their military officers for civilian purposes. Really the question of adding the next thing is quite a different proposition altogether. That is put in as an alternative to the main proposition, which is the prohibition or not of this practice. Personally, my own judgment is that there is no harm whatever in the Canadian amendment as it stands, and if I had to vote I should vote for the amendment. On the other hand, I do not want to have a decision of this Commission which will not really be in accordance with our desires—which I take to be these, that we quite recognise that there are cases, such as that of Canada, where some provision of this kind ought to be made, in order to enable such countries to develop reasonably and properly. I believe there is practical unanimity on that point. There is also practical unanimity that, in such a case, all the machines and all the personnel so used ought to be included in the military quota, whether of machines or of personnel. There is not, apparently, quite the same unanimity over the proposition which I ventured to make, that not only ought the numbers to be included but also the expense. It seems to me personally that that should be so, but whether it is so or not is a relatively minor matter, because the machines would have to be paid for by the military authority, the machines being military machines handed over to civil aviation. The real question is whether it is desirable, or not, to make that the general principle in the case of countries of a more settled and elaborate character than Canada, and some others.

On that point, there is a considerable difference of opinion, and I venture to suggest that this matter might be adjourned for a short time—I do not mean until to-morrow, necessarily—in order that we may try to find whether we cannot arrive at a text which we can generally agree upon—either by making some indication that a particular regime is to be allowed in certain countries, or in some other way. I cannot help thinking that, with the assistance of M. Politis, we should be able to reach a conclusion without much difficulty. I suggest therefore that there should be a short adjournment of this question—not of the whole business of course—and that Dr. Riddell and anybody else who likes to should consult with M. Politis and see if they cannot arrive at an agreement.

**M. Rutgers (Netherlands).** — I do not care how we vote, whether we vote in two parts or in one—the result will be the same. To say in the report that we retained the text in spite of certain objections put forward, or that we omitted it although it contained much that was of value, amounts to the same thing. It does not therefore matter whether we vote in one way or another, and I think that the Commission might do well to follow the President's suggestion, instead of debating on this point.

**Dr. Markovitch (Yugoslavia).** — The question has been discussed at great length, but it has still to be made clear. I only referred to procedure, and I entirely share the British delegate's point of view so far as the problem is concerned. Nevertheless, I fully appreciate the special reasons put forward by the delegate of Canada.

Like the delegate of Norway, I merely deprecated the extension of the special case of Canada to other countries where the position is quite different. I desired to add these explanations to my remarks concerning procedure, in order to make it clear that I have no objection to the adoption of the Canadian proposal in respect of special cases such as that of Canada.

I feel I must make a reservation with regard to the statement of the Netherlands delegate, who says the procedure is of no importance. There are cases when this is so, but, in this instance, I do not agree with M. Rutgers.

**The President.** — I think that we can now close the discussion, and that I can put to the vote, first, the deletion—that is to say, the first part of the Canadian amendment.

**Lord Cecil (British Empire).** — It is a perfectly well understood procedure that if anybody moves the adjournment of a particular question that is put first before any substantial questions. I have moved the adjournment of this question, and I ask for my point to be put.

ADJOURNMENT OF THE DISCUSSION : APPOINTMENT OF A SMALL COMMITTEE TO REVISE THE TEXT.

**The President.** — I should have thought it simpler to proceed immediately to the vote, but the proposal for adjournment having been made, I am obliged to take account of it. It is not even necessary to put it to the vote, since we all agree that, as suggested by Lord Cecil, a committee should meet, with M. Politis as Chairman, to revise this text and enable us to vote on it later.

This small committee might consist of M. Politis, Dr. Riddell, M. Bourquin and M. Colban, and meet this afternoon at 4 o'clock.

*Agreed.*

AMENDMENT SUBMITTED BY THE BRITISH DELEGATION.

**Lord Cecil (British Empire).** — The purpose of this amendment is very obvious, and I need not detain the Commission more than a few moments.

We have already agreed on the second reading that "The High Contracting Parties undertake to encourage as far as possible the conclusion of economic agreements between civil aviation undertakings in the different countries". The proposal I make is to add "and to confer together to this end". If anybody objects I shall not press it. It is merely to lay a little more emphasis on the agreement we have already come to.

**The President.** — I think there will be no objection to this amendment.

*This amendment was adopted.*

106. Discussion on Chapter II. — Material : Section III. — Air Armaments (Second-reading Text).

PROPOSAL BY THE BRITISH DELEGATION TO INSERT A NEW ARTICLE.

**The President.** — The British delegation proposes that we insert a new article to read as follows:

"Each of the High Contracting Parties agrees to limit its annual expenditure on the maintenance, purchase and manufacture of war material, for air armaments, to the figures and under the conditions defined in Annex No. . . . to the present Convention."

**Lord Cecil (British Empire).** — This proposal is to extend what we have already done in regard to land and naval armaments to air armaments also, and I should like to say a word or two on the special importance of this amendment with regard to air armaments.

We are agreed, or at least there are a good many of us who believe, that the limitation by horse-power is going to be one very difficult to apply and, as we think, not very satisfactory in its result. The limitation as to numbers of aircraft seems to me to be even more difficult to apply. It is perfectly true that you can limit numbers of aircraft, but it is also true that none of us, or very few of us, think it will be possible to limit the spare parts. It is evident that if you do not limit the spare parts you enable practically any number of spare parts to be accumulated and the business of putting the spare parts together is the work of a few hours and would probably enable people to have ready, or almost ready, any number of aeroplanes at any moment. It is also clear that since you can only limit complete machines—that is the decision so far in this Commission—you have merely got to leave out a certain portion of the machine and it is not a complete machine and does not come within the quota. In other words, I am afraid that in this case, and as I think, in a good many cases, the attempt to limit by direct limitation is one which is not satisfactory and not complete in any way. The question is: How can we make it more satisfactory and more complete? There is only one way, and that is to limit the amount of money that can be spent on this particular arm. That, no doubt, is a very satisfactory limitation, assuming that it can be enforced, and I think it is not necessary for me to argue that it can be enforced, because we have decided in two or three cases already that in the great majority of countries it can be enforced.

That is the whole case. I believe that each one of us is of opinion that the limitation of the air arm is at least as important as the limitation of the land arm or the sea arm, and, that being so, it seems to me that we must limit it in this way. It is certainly much more difficult because of the difficulties involved in many countries by the existence of civil aviation.

Under those circumstances, I think we are bound to take every step that we can to limit the air arm. This seems to me to be a very desirable and efficacious way of doing so, and I think the majority of the Commission will support this amendment.

**M. Sato (Japan).** — I have some difficulty in accepting the British proposal. The reason is very simple. We hold that once you have a direct limitation in respect of material, budgetary limitation is superfluous. I have upheld this point of view so far as concerns naval material, and, although I was beaten when this question came to the vote, I feel that I should continue to uphold it with regard to the limitation of air material.

The second reason, which is perhaps even more important for certain countries, is the following: in many countries, my own included, air forces are still in process of formation. We are far from having completed this process; we are continuing to organise our air forces, and it is therefore extremely difficult for us to foresee what expenditure will be necessary for the purchase and upkeep of material, and, naturally, very difficult to limit such expenditure beforehand.

I think that this is not only the case in my country, but that other States are in the same position. For this reason, it is very difficult for me to support the British proposal.

**M. Cobián (Spain).** — I have some doubts with regard to the bearing of this proposal in relation to Article DA—text drawn up at second reading—which I think we have adopted. This Article DA, on budgetary expenditure, provides for limitation of the total annual expenditure for land and air forces as follows:

“ The relevant figure and the conditions governing such limitation or reduction, in particular as regards the possibility of a distinct limitation of land, naval and air expenditure, are stated in Annex No. . . . to the present Convention.”

I think that the proposal of the British delegation duplicates Article DA. I am sure Lord Cecil did not propose it with that intention, and that is why I would ask him to be so good as to explain the bearing of his proposal in relation to Article DA.

**Lord Cecil (British Empire).** — I am very much obliged to M. Cobián for asking me this question. The point is, I think, quite a simple one. In Article DA, we propose to limit the total expenditure on land, air and sea forces, and it is still doubtful whether that will be split up into separate expenditure for land, air and sea forces. That total expenditure includes personnel and everything. In addition to that, in the case of land and sea forces, we have provided for special limitation of the money spent on material, and I venture to say that if it be justified in the case of land forces, I think it is equally applicable to the case of air forces, because the progress of military science makes the mechanisation of these forces more and more important. Therefore, it is very essential we should limit the material specifically, although we have the additional limitation by numbers of effectives. That is a real limitation because you cannot keep an effective in pieces and put it together at the last minute. There is no possibility of evading the total; but you do not specifically limit the material and it is for the purpose of limiting the material that this amendment is designed.

**M. Cobián (Spain).** — May I thank Lord Cecil for the explanations that he has just given me? In these circumstances, if there be any question of making a limitation on budgetary lines, it would, as I have already frequently explained to the Commission, be extremely difficult for my Government to accept such a limitation. We are, indeed, of opinion that there is nothing more deceptive than the value of air material as expressed in currency.

I much regret that I cannot accept this proposal, in view of the quite special conditions obtaining in my country in regard to the cost price of material.

**M. Massigli (France).**— When the question of the limitation of expenditure on naval material was discussed, I raised an objection of principle. That objection holds good in this case also, but there are further practical difficulties to which I would like to draw Lord Cecil's attention.

There are some to which I would only make a passing allusion: I presume that we are agreed on the definition of the words “ war material ”, and that we are only referring to the aircraft whose numbers and total power we have defined; I presume also that some committee or other has defined what is to be understood by war material, implements of war on board, etc. Taking such agreement for granted, I should like to draw the attention of the Commission to one special point.

Lord Cecil desires, for quite comprehensible reasons, to prevent the development of air armaments, which are in continuous evolution, and to fix a barrier to their expansion. We may arrive at that result by limiting total military expenditure. On the other hand, it will be very difficult for the various Governments to give even approximate figures in regard to air material. There is a constant technical evolution going on, and, not only with the object of increasing the destructive powers of aircraft, but also in the direction of changes in aeronautical construction which affect both civil and military aircraft. For instance, it has become a general practice to replace wood by metal in aeroplanes, with a view to increasing the safety of pilots, a consideration which applies with equal force to military and to civil aircraft. This simple change, however, results in an increase of about fifty per cent in the cost price of aircraft. That is the difficulty.

If you adopt a fairly elastic limitation, such as the general limitation of expenditure, the countries will make their own arrangements; they will economise under other heads, and will be able to reduce to a minimum the difficulties resulting from the unknown quantity represented by technical development; but if you introduce specific limitations, you will encourage them to keep a margin.

I have therefore considerable doubts as to the possibility of adopting the course that has been indicated and I shall not vote in favour of this proposal.

**Lord Cecil (British Empire).** — I am very sorry to trouble the Commission, but I must say a word in reply to M. Massigli.

Surely his arguments are the strongest possible arguments in favour of the proposal I made. What we are after, is, if we can, to limit and reduce armaments as far as possible, but to limit them is the essential thing. What M. Massigli says is that there is great difficulty in limiting aircraft; because they are continually being improved. I know it. It is not only in material, it is not only in substituting one material for another that improvement is taking place, it is progressing in all sorts of directions. It is just for that reason that air armaments ought to be limited, otherwise we shall have inevitable competition between the different air forces of the world.

There is another reason which seems to me special to the French position. I believe France has no separately-organised air force, it is a part of their land forces. In consequence, France's



air armaments will be limited, because France has accepted a limitation of land effectives and material.

At any rate it is evident that there will be a complication. In some respects, mechanical development might be limited; the development of tanks is at least as rapid as the development of aeroplanes. It is going on continuously. The development since the war has been enormous—at any rate, in my country—as everybody knows. Development is going on continually, yet it never was suggested that for that reason we were not to have budgetary limitation of land armaments. The same thing, I think, applies to the air.

After all, we propose to make this Convention extremely supple and elastic in the clauses which M. Massigli and I have been discussing in the Sub-Committee presided over by M. Politis. We have made all sorts of provisions that, if anything unexpected occurs, there is to be further reconsideration of the position, and so on. The Convention is only to last for a limited period, and is then to be renewed. All these things can be taken into consideration by those who are making their estimates of all the expenses which are required.

I do not see myself that we get rid of the difficulty that there will be a tendency, no doubt, to provide for margins, but that is so whatever form of limitation be adopted, whether specific, budgetary, general, or whether it be confined to one particular arm. There is a general limitation of expenditure. Undoubtedly, those who prepare the budgets will take into consideration all the margins they think necessary. That will be one of the things we shall have to thresh out at the Conference, and we will have to try and reduce those margins as much as possible. I hope we shall reduce them considerably. Whatever we do about that—that is a matter for the Conference and not for this Commission—I earnestly hope we shall not abandon this chance—the only real chance we have, as I see it—of providing an effective limitation of the air arm. If we do not do this, I venture to say that all we have done so far in the limitation of the air arm is of absolutely no effect. It might have a moral affect, but it would have no direct nor practical effect at all. For those reasons, I do earnestly hope we shall adopt the principle of budgetary limitation of the air arm, even if of no other arm.

**M. Massigli (France).** — In the first place, I wish to state that in France the air force is a separate organisation from the army; consequently, this disposes of one of the objections raised by Lord Cecil.

I should like to add that I do not think it is true to say that we have done nothing to limit military aviation when we have limited the number and aggregate horse-power or machines. It does not seem to me correct to compare aeroplanes with tanks. Tanks are constructed for purely military purposes; that is not the case with aeroplanes, the principles of construction being the same whatever the type of machine. The object of certain expenditure is to increase the safety of the pilot, the stability of the machine, etc., and such expenditure is not primarily of a military character. In any case, since we have agreed to the total limitation of expenditure on national defence, we shall avoid the dangers which Lord Cecil fears may arise. Moreover, the limitation of the number and aggregate horse-power of machines will afford effective guarantees. Consequently, although I have the same desires at heart as Lord Cecil, I shall vote in favour of the maintenance of the present system, because I am sincerely convinced that this will not leave the door open to any dangerous development of military aviation.

**The Hon. Hugh Gibson (United States of America).** — Mr. President, when the British proposal is put to the vote, the American delegation will abstain from voting. I think it is no longer considered confidential in this Commission that the American delegation does not favour the method of budgetary limitation. Perhaps, therefore, it would seem the natural course for us to vote against the proposal. However, although a considerable majority of the Commission has declared itself in favour of the principle of budgetary limitation, the present debate has brought out the existence of considerable difficulties, even among that clear majority, in the application of their principle.

I am anxious that the attitude of the American delegation should not constitute a further obstacle to agreement and I shall therefore refrain from voting when the British proposal is put to the vote.

**M. Sato (Japan).** — In this connection the Commission should take into account the special question of the relations between civil and military aviation. There is no limitation of civil aviation as regards technical development; on the contrary, the general tendency each year is to increase expenditure on civil aviation. Any limitation of this expenditure is inconceivable.

This being the case, it would be difficult to accept any limitation of expenditure on the purchase and upkeep of material for military aviation. Considerable freedom of action should be allowed, so as to provide for all contingencies.

It is therefore impossible for me to agree to any limitation of expenditure on air material. This is not in any way inconsistent with my attitude as regards the limitation of the aggregate budget. I did not vote in favour of the limitation of air budgets, and I voted against the limitation of naval budgets. As regards the limitation of the aggregate budget, however, the examination of the possibility of the separate limitation of the land, naval and air budgets has been entrusted to a Committee of Budgetary Experts. This separate limitation of budgets has not yet been adopted by the Commission, and therefore the question is still open.

**Dr. Markovitch (Yugoslavia).** — I would like to remind the Commission of the doubts I expressed during the discussion of the article providing for the separate limitation of expenditure on each category of armaments. I said that Yugoslavia was in a somewhat difficult position, owing to the fact that we have no separate services for the air and land forces. In the circumstances it is

difficult to separate the various credits allotted to the three categories of armament. I must therefore make the same reservation as before, and if the British proposal be put to the vote, I shall have to vote against it. If it be accepted, I would point out that the study of the practical application of the methods of limitation upon which we are now voting has been entrusted to a Committee of Budgetary Experts. If the British amendment be adopted, I propose that the question of its execution and application be referred to that Committee.

#### VOTE ON THE BRITISH PROPOSAL.

*The British proposal was rejected by six votes to five.*

**Lord Cecil (British Empire).** — I am afraid this is the first decision of this Commission which I find very difficult to accept, and I must ask that a very express reserve be put into the report and that the numbers voting be stated, and also the number of abstentions. I do not know whether you took the number of abstentions; perhaps they should be taken expressly by a second vote.

**The President.** — As Lord Cecil desires it, we will calculate the number of abstentions by deducting the number voting from the total number of delegations.

#### REQUEST BY THE BRITISH DELEGATION FOR A VOTE BY ROLL-CALL.

**Lord Cecil (British Empire).** — I do not want to be troublesome about this, but we attach great importance to it, and as the voting was unsatisfactory—only eleven members voted—it might be better to take a second vote by roll-call.

**The President.** — I agree to that, if there be no objection on the part of the delegates.

**M. Cobián (Spain).** — I have frequently ventured to point out to the Commission the unsatisfactory character of votes, which show no positive results, and always leave a certain ambiguity. It is the duty of each delegate to vote on every proposal submitted to him. We must make our opinions quite clear so that the public may know what they are.

As regards the vote which has just been taken, I have already said that, to my great regret, I was unable to accept the British proposal. I abstained for the same reasons as Mr. Gibson—after stating the views of my Government. In conclusion, I would repeat that, in my opinion, these votes are of no value.

#### VOTE BY ROLL-CALL.

*The following five delegations voted in favour of the British proposal:*

Canada	Norway
British Empire	Netherlands
Irish Free State	

*Six delegations voted against the British proposal:*

France	Roumania
Japan	Turkey
Poland	Yugoslavia

*Thirteen delegations abstained:*

Belgium	Germany	Sweden
Bulgaria	Greece	United States of America
China	Italy	Union of Soviet Socialist Republics
Czechoslovakia	Spain	Venezuela
Finland		

**M. Politis (Greece).** — I wish to explain my vote. I abstained, not because I am opposed to the principle, but because I do not understand this proposal. I think that a more suitable place for it would be in Article DA, to which it might perhaps be added, but, in any case, I cannot form an opinion until I know whether the budgetary experts are in favour of it.

**M. Cobián (Spain).** — My reasons for abstaining are already known to you, and I would add that I do not think it reasonable that we should have to re-vote on a question which has already been voted upon.

**M. Westman (Sweden).** — I abstained for the same reasons as M. Politis, and also because we have as yet no definition of the term "war material".

**M. Beneš (Czechoslovakia).** — My delegation abstained for the same reasons as those indicated by M. Politis.

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — The Soviet delegation abstained from voting because it does not think that the British proposal would have sufficient effect. Our

delegation submitted a proposal for the direct limitation and reduction of war material, supplemented by budgetary limitation and reduction by categories, and that proposal goes much farther and is much more effective.

**M. Rutgers (Netherlands).** — I have always been opposed to budgetary limitation as a substitute for direct limitation, but in the present case I am in favour of the British proposal.

**The President.** — The British proposal has thus been rejected by six votes to five, with thirteen abstentions. M. Cobián complained just now that the Commission had been obliged to vote twice. I am pleased to note that this second vote has served to clear up the position.

**107. Discussion on Chapter IV. — Chemical Arms (Second-Reading Text).**

The High Contracting Parties undertake, subject to reciprocity, to abstain from the use in war of asphyxiating, poisonous or similar gases, and of all analogous liquids, substances or processes.

They undertake unreservedly to abstain from the use of all bacteriological methods of warfare.

**PROPOSAL BY THE GERMAN DELEGATION.**

**" CHAPTER IV. — PROHIBITIONS.**

**" SECTION I. — CHEMICAL ARMS.**

. . . . .

**" SECTION II. — LAND ARMAMENTS.**

**" The High Contracting Parties agree forthwith to prohibit the employment:**

**" 1. Outside fortified works, fortresses and field works of artillery of a calibre above:**

**" (a) In the case of guns: 77 mm.;**

**" (b) In the case of howitzers: 105 mm.;**

**" 2. In fortified works, fortresses and field works of artillery of a calibre above:**

**" (a) In the case of guns: 150 mm.**

**" (b) In the case of howitzers: 210 mm.;**

**" 3. Mortars and trench-mortars of every kind of a calibre above 150 mm.;**

**" 4. Tanks of every kind.**

**" They undertake to destroy all the war material, including spare parts, the employment of which is prohibited by the above paragraph. Furthermore, within . . . months as from the coming into force of the present Convention, each State shall notify the Secretary-General of the League of Nations of the number of individual units destroyed. The Secretary-General shall communicate this information to the other States signatories.**

**" The High Contracting Parties also agree to prohibit the manufacture and importation of the said war material."**

**The President.** — We now come to Chapter IV, in regard to which we have a German proposal to discuss. This is, first to replace the heading "Chemical Arms" by the heading "Prohibitions", and secondly to divide this chapter into two sections, the first dealing with chemical arms and consisting of the text already adopted, and the second with land armaments; this would consist of the new text which the delegations have before them.

**Count Bernstorff (Germany).** — I stated at yesterday's discussion that, at our session in the spring of 1929, <sup>1</sup> I had proposed that the dropping of bombs by aircraft should be prohibited, because I regarded that as an essentially offensive method of warfare.

During that session, the question of prohibitions was discussed very fully, and I then said that I intended to make a similar proposal later in regard to offensive land armaments.

When I made this proposal a fortnight ago, I hoped that it would compensate for the exclusion of land material from reduction, which was then decided upon by the Commission.

<sup>1</sup> *Note by the Secretariat* — See document C.195.M.74.1929.IX; Minutes of the sixth session (First Part), page 51.

This question has been discussed during the present session, and I should like to quote what was said on that occasion by M. Westman. He said: "A suggestion made in 1927 in this Commission might be taken as a starting-point. Would it not be possible—while accepting the budgetary method—to limit directly, at any rate, certain categories of arms—namely, those which are easiest to supervise and are also the most important from the point of view of their attacking power—namely, tanks and heavy guns?"

I merely quote this part of his speech as an example, to show that this question was fully discussed by us a fortnight ago.

I have also been greatly impressed by the profound uneasiness which prevails at present throughout the world, and more particularly in Europe. Efforts have been made to remove this uneasiness by means of various pacts—in particular the Pact of Paris—prohibiting offensive warfare. But these pacts, including the Pact of Paris, have not made as much impression on the public as they ought to have done, because they have not, at all events up to the present, been followed by their logical consequence—disarmament. To prohibit offensive warfare and at the same time pile up offensive arms is a manifest contradiction, and is not a proceeding calculated to inspire the peoples with confidence. For that reason, I say that we should destroy offensive armaments. We shall thus impress the public imagination, and provide a sense of tranquillity which has hitherto been lacking.

**M. Politis (Greece).** — I should like to explain the vote which I shall give when the time comes for the Commission to pronounce upon this proposal.

I shall vote against this amendment. It contains two parts: the second part refers to direct limitation and is thus contrary to the principle adopted in the part of the Convention which we have already examined—namely, in Article TA. If it were desired to maintain this principle, it should have appeared in Article TA, and I do not think the Commission showed any desire to accept the direct limitation of land material.

The first part prohibits the use of certain devices in time of war. I cannot accept that either, not because I do not desire the exclusion of the most inhuman methods of warfare in the event of war, but because I do not believe they would be excluded. If ever we have the misfortune to be involved in another war, I do not think that prohibitions imposed on belligerents by law will be respected any more than they were last time—indeed even less than last time.

In these circumstances, it is better to be frank, and not to give the peoples of the world the illusion that war will not in future be as terrible as it has been in the past, if, I repeat, we should ever be so unhappy as to find ourselves again engaged in war. The more world public opinion is convinced that war is bound to be a terrible thing, which will utterly destroy civilisation, the more it will bring its influence to bear upon the Governments to render the preventive means, which the League is engaged in strengthening, truly effective.

I am profoundly convinced that we can prevent the outbreak of war, but if we are unsuccessful and war does break out again, it would be vain to hope that any limit could be set to it.

**Count Bernstorff (Germany).** — The last thing I desire is to prolong the life of this Commission, which is nearing the end of its labours. This question has been exhaustively discussed on several occasions. I am familiar with the point of view of M. Politis, which he has already explained. I would merely remind him that there is a contradiction in what he said, and it is a contradiction which I certainly did not expect from him. Why should we prohibit chemical arms, if we say that it is impossible to prohibit certain other arms? If it be possible to prohibit chemical arms, I do not see why it should be more difficult to prohibit tanks, which can certainly be seen more easily than gases.

**M. Politis (Greece).** — The contradiction to which Count Bernstorff has just referred should not be imputed to me. When, during our previous sessions, we were discussing the advisability of inserting this prohibition in Chapter IV, I was also of opinion that this prohibition was outside the scope of the Convention which we were engaged in drawing up, because that Convention deals with the reduction of armaments, whereas this chapter is on a totally different plane, and is concerned with what is to be done in time of war. These are two entirely different things, and I was then, and still am, of opinion that this article, which is the only article in Chapter IV, should not be inserted in the Convention. If it be desired to deal with this question, a separate Convention should be drawn up, as was done in 1925, but even in that case I still maintain my point of view—namely, that we are making a promise to the peoples which may prove to be illusory, and that our true policy is to prevent war and not to make it less inhumane.

#### VOTE ON THE GERMAN PROPOSAL.

**The President.** — We will now vote on the German proposal.

*The German proposal was rejected by ten votes against to two for, and twelve abstentions.*

**M. Morfoff (Bulgaria).** — I abstained from voting on this amendment because the insecurity of my country will not be lessened by a reduction in the calibre of guns. Like M. Politis, I think that we should concentrate on measures to prevent war.

MEMORANDUM BY THE BRITISH DELEGATION.

“ The French and English texts of the first paragraph of this Chapter, as agreed to at the second reading, are as follows:

“ ‘ Les Hautes Parties contractantes s’interdisent, sous conditions de réciprocité, l’emploi à la guerre de gaz asphyxiants, toxiques ou similaires, ainsi que de tous liquides, matières ou procédés analogues.’

“ ‘ The High Contracting Parties undertake, subject to reciprocity, to abstain from the use in war of asphyxiating, poisonous or similar gases, and of all analogous liquids, substances or processes.’

“ It may be recalled that, during the first part of the sixth session, certain delegations assumed that the intention was to prohibit the use of all chemical methods of warfare of every kind. On the other hand, there are some indications that this view is not shared by all States. It is at least possible that this difference in interpretation owes its origin to a serious ambiguity in the Geneva Gas Protocol of 1925, as well as in all Treaties and Conventions regulating gas warfare signed since the war. In the Geneva Protocol of June 1925, though the relevant portion of the French text is identical with that of the article quoted above, in the English text the French word ‘ similaires ’ is translated by ‘ other ’.

“ Basing itself on this English text, the British Government have taken the view that the use in war of ‘ other ’ gases, including lachrymatory gases, was prohibited. They also considered that the intention was to incorporate the same prohibition in the present Convention.

“ From every point of view it is highly desirable that a uniform construction should prevail as to whether or not the use of lachrymatory gases is considered to be contrary to the Geneva Protocol of 1925 and/or to Chapter IV of the Draft Convention.

“ The British delegation proposes, therefore, to invite an expression of opinion on this point from all the States represented on this Commission. ”

NOTE BY THE FRENCH DELEGATION REGARDING THE BRITISH MEMORANDUM.

“ I. All the texts at present in force or proposed in regard to the prohibition of the use *in war* of asphyxiating, poisonous or similar gases are identical. In the French delegation’s opinion, they apply to all gases employed with a view to toxic action on the human organism, whether the effects of such action are a more or less temporary irritation of certain mucous membranes or whether they cause serious or even fatal lesions.

“ II. The French military regulations, which refer to the undertaking not to use gas for warfare (*gaz de combat*) subject to reciprocity, classify such gases as suffocating, blistering, *irritant* and poisonous gases in general, and define irritant gases as those causing *tears*, sneezing, etc.

“ III. The French Government therefore considers that the use of lachrymatory gases is covered by the prohibition arising out of the Geneva Protocol of 1925 or Chapter IV of the draft Convention.

“ The fact that, for the maintenance of internal order, the police, when dealing with offenders against the law, sometimes use various appliances discharging irritant gases cannot, in the French delegation’s opinion, be adduced in a discussion on this point, since the Protocol or Convention in question relates only to the use of poisonous or similar gases *in war*. ”

Lord Cecil (British Empire). — This is not really a matter for me to make a speech about. The point is stated quite clearly. There is a little difference between the English and French text of the Geneva Protocol of 1925, and there seems to be a certain difference in the practice of countries as to whether the prohibition extends or does not extend to those gases which are not dangerous to health. The French delegation have been good enough to circulate a statement in which they say that their practice is the same as ours in forbidding the use of all gases; but I do not know whether that is the case with other people, and my Government is anxious, if possible, to clear up the situation in that respect.

I have made my appeal here, and it is for each Government to say whether they feel able and disposed to make any reply to this appeal on the subject.

The President. — The French delegation has already replied in writing, and Lord Cecil would like to know whether the other delegations can also state their views.

M. Antoniadé (Roumania). — My delegation was among those that proposed this prohibition, and I am therefore entirely in agreement with the construction which Lord Cecil has placed upon this article, which has also been explicitly confirmed in the note now submitted by the French delegation.

Dr. Markovitch (Yugoslavia). — The Yugoslav delegation also urged the desirability of inserting in the Convention on the Limitation of Armaments an article dealing with the use of chemical arms. We fully agree with the interpretation given by the British delegation.

M. Fierlinger (Czechoslovakia). — I entirely associate myself with the declarations which we have just heard, for the simple reason that it would be very difficult in warfare to make a clear distinction between gases which are lethal and gases which are not lethal.

PROPOSAL BY THE UNITED STATES DELEGATION.

**The Hon. Hugh Gibson** (United States of America). — I had hoped that it would not be necessary for me to make a statement on this subject, as I confess that I am not in a position to offer a sound and valuable opinion on the problem raised by the British delegation. However, as so many delegations have expressed their views on this subject, I feel there are certain considerations that should be laid before the commission.

The American delegation has examined with great interest and sympathy the memorandum on chemical warfare circulated by the British delegation. A very interesting and important problem is raised by this memorandum and one which it is essential to settle if we are to have the sort of clear-cut and straightforward international agreement on gas warfare which alone can be observed.

If, in the interpretation of the Gas Protocol, there is a broad border-line of doubtful cases, States, which endeavour to execute faithfully their treaty obligations, risk incurring the reproach of violation, if other States have a different conception of the scope of our agreement. I am particularly glad that the British delegation has brought this question forward now, and has asked for an expression of opinion from other delegations on the question of interpretation. This seems to me a distinctly useful step and I welcome the opportunity to lay certain considerations before the Commission, together with a suggestion as to how the whole problem may best be handled.

I confess that, after such study as I have been able to give to the matter, I find it extremely difficult to offer a useful opinion as to what sort of gas can be considered as falling within the scope of the text agreed to on second reading. This entire subject is so technical that I should like to lay before the Commission some of the problems involved in any decision, which, to my mind, show that any definite solution of this problem is beyond the technical competence of this body.

The primary question involved is as to the use of lachrymatory gases. While lachrymatory gases may serve some useful military purpose, for instance as harassing agencies, it is doubtless well-known to all my colleagues that the greatest use of lachrymatory gas is found, not in military service, but in police work either for controlling mobs, in which use it is certainly far more humane and probably more effective than the use of machine guns, sabres, or even truncheons, or it serves the purpose of effecting the capture of a barricaded criminal without bloodshed or loss of life.

Aside from this particular civil use of lachrymatory gas, the British document raises another far more interesting question of greater technical difficulty and wider ramifications. This question involves the use of smoke, which has a widely-accepted technical use for tactical screening purposes.

Smokes can either be chemical or mechanical in their nature and run the gamut from petroleum smoke, mechanical in character—inasmuch as it consists of particles of soot suspended in air—down the line to toxic smokes which are extremely lethal in character. In all probability, the most widely-used smoke for military screening purposes is white phosphorus, which has no chemical gas qualities, but which is a hideous and cruel agent if used against personnel before it has reached the stage of being a true smoke. Between white phosphorus and the true toxic smoke there exists an infinite number of gradations, most of which have well recognised chemical properties, and some of which are lethal in character. Logically, a statement as to the poisonous or non-poisonous or the lethal or non-lethal qualities, of smokes and gases, which might come under the terms of the text adopted of Chapter IV at second reading, would require prolonged study by technical experts with specialised knowledge of the subject, supported by expert specialised medical knowledge as to the properties and probable physical and pathological effects of these various agencies in normal and abnormal concentrations. I have sought to outline briefly some of the difficult problems with which the Commission might be faced, if we were to embark upon a general discussion of this subject now—difficulties which I fear we are quite unprepared to discuss without the backing of adequate technical knowledge. The problem before us is essentially one of doing away with agencies which cause unnecessary suffering, and it is important, if our prohibition of these inhumane agencies is to be all-inclusive and applicable, that we have definite knowledge of these various agencies and their effects, and of the ramification of any decisions we may take. On the other hand we seek a maximum prohibition of inhumane agencies, but, at the same time, we should not be led to bring into disrepute the employment of agencies which not only are free from the reproach of causing unnecessary suffering, but which achieve definite military or civil purposes by means in themselves more humane than those in use before their adoption. I think there would be considerable hesitation on the part of many Governments to bind themselves to refrain from the use in war, against an enemy, of agencies which they have adopted for peace-time use against their own population, agencies adopted on the ground that, while causing temporary inconvenience, they cause no real suffering or permanent disability, and are thereby more clearly humane than the use of weapons to which they were formerly obliged to resort to in times of emergency.

I have set forth the views of the American delegation on this subject at some length in order to lead up to a definite proposal. I think we are all in agreement as to the end in view. I hope the Commission will agree with me as to the difficulty, if not the impossibility, of our reaching a thoroughly sound agreement at this time, and of the need for mature scientific study.

I therefore venture to suggest that the British memorandum be noted in our report, that the importance of this subject be duly stressed, and that the various Governments represented at the Disarmament Conference be requested to give this entire subject careful study and consideration, with a view to arriving at that Conference equipped with adequate knowledge of the problem in all its aspects, in the hope that we may reach the sort of agreement we all desire.

**M. Sato (Japan).** — My Government agrees with the British interpretation.

**M. Cobián (Spain).** — I agree with the British delegation's interpretation, because I think that the text approved at the second reading is so clear that it cannot give rise to any objections. It provides that the use in warfare of any kind of gas is prohibited—doubtless because it is very difficult to distinguish between lethal and non-lethal gases.

I entirely agree with M. Politis that it would be very dangerous to try to make war less inhumane, but I would add that we must not do anything which represents a refinement of cruelty. In my opinion, nothing is more opposed to all idea of civilisation than that scientific knowledge should be used to devise methods of destruction.

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — In 1929, the Soviet delegation proposed not only the renunciation of the use of gases in warfare, but also of their preparation in peace-time; this proposal, however, was rejected by the majority of the Commission.

We interpret this paragraph to mean that the use of all gases, including irritant gases, is prohibited.

As regards the text proposed by the French delegation, the Soviet delegation is of opinion that it is not for the Preparatory Commission to legalise the use of these gases by police forces, and it accordingly regards the third paragraph as unacceptable, particularly as one speaker referred to the use of gases by police forces for the purpose of controlling mobs.

**M. Massigli (France).** — As the French delegation has expressed its views in writing, I need not repeat that it is in agreement with the British delegation. However, we have just heard some very interesting statements, and Mr. Gibson has touched the core of the problem. A significant silence was also observed by certain delegations, which shows that they are not at present in a position to state their views on the matter.

I therefore approve Mr. Gibson's proposal to mention the British memorandum in the report, so that it may be submitted to the Conference.

As regards the remark made by M. Lounatcharsky, I would merely point out that I have never asked this Commission to interpret the 1925 Protocol in any way, still less to unify the police regulations of the various countries. I can assure him that if this question arose, I should leave it to him to make proposals.

**Dr. Woo Kaiseng (China).** — The Chinese delegation is entirely in sympathy with the British delegation's memorandum. It also agrees with the views of Mr. Gibson, the United States delegate, and considers that chemical warfare should be prohibited, and that these questions should be carefully examined. It is also of opinion that the manufacture of all gases, both asphyxiating and poisonous, should be prohibited, or at all events, limited.

**General de Marinis (Italy).** — As regards Chapter IV, the Italian delegation interprets the 1925 Protocol, to mean that "other gases" include lachrymatory gases—that is to say that, subject to reciprocity, the use of lachrymatory gases is prohibited.

I gladly associate myself with Mr. Gibson's proposal to refer the examination of this question and the final decision to the Conference.

**Dr. Riddell (Canada).** — Mr. President, I wish to thank the British delegation for giving us an opportunity of discussing this very important question. We are in entire sympathy with the interpretation given in the British memorandum. We also welcome the proposal of the United States delegation that all the delegations should come to the Disarmament Conference with as full and complete information on this subject as possible.

**Munir Bey (Turkey).** — In reply to the British delegation, I desire to state that we also consider the use of lachrymatory gases prohibited by the Protocol. I should like to add, after hearing the statements made by previous speakers, that none of them seems to be opposed to the use of lachrymatory gases being prohibited. As certain Governments which signed the Protocol are not represented here, it is advisable that the result of this interpretation should be brought to the knowledge of those Governments, so that this Protocol may be interpreted in a uniform manner.

**The President.** — I hope Lord Cecil is satisfied with the replies he has obtained. Judging from the discussion, I take it that Mr. Gibson's proposal, which is supported by M. Massigli, is approved by the Commission. The Governments are accordingly requested to study this question so that it may be settled at the Conference.

**Lord Cecil (British Empire).** — I should like to say a word of thanks to my colleagues for the fullness with which many of them have replied to the question the British Government laid before them. I need not say that everything they have said will be brought to the notice of my Government and they will be as grateful as I am.

I entirely adhere to the suggestion of Mr. Gibson, and I venture to hope that those Governments whose delegations have not been able to reply on this occasion will convey especially to their Governments, and bring to their attention, all that has passed on the present occasion.

With regard to what M. Lounatcharsky and M. Woo Kaiseng said about the desirability of preventing the manufacture of these gases, I am in entire agreement with them, but they, too,

will agree with me that the technical difficulties of prohibition are very great, owing to the course of science in matters which are quite removed from the manufacture of poisonous gases, but I quite agree that it is of little use to forbid the use of gases in times of war unless you can prevent their manufacture, and the preparation of their manufacture, in times of peace. The matter should be carefully studied, but it does not arise at this juncture.

**The President.** — We can regard the discussion as closed.

I would draw your attention to one very important point—namely, that it is essential that the reservations made in regard to the various points of the report should be formulated in very precise terms. I would therefore ask you to send them in this form to the Bureau, which will transmit them to the Rapporteurs.

*The Commission rose at 1.20 p. m.*

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## TWENTY-FIRST MEETING.

*Held on Tuesday, December 2nd, 1930 at 5 p.m.*

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*President:* M. LOUDON (Netherlands).

### 108. Discussion of the Texts adopted at Second Reading and of the Amendments thereto (continuation).

#### DISCUSSION ON CHAPTER V. — MISCELLANEOUS PROVISIONS (SECOND READING TEXTS).

##### SECTION I. — ORGANISATION.

###### *New Article OA.*

There shall be set up at the seat of the League of Nations a Permanent Disarmament Commission with the duty of following the execution of the present Convention. It shall consist of  $x$  [Figure to be fixed by the Conference] members appointed respectively by the Governments of the following High Contracting Parties... [list to be drawn up by the Conference].

Members of the Commission shall not represent their Governments. They shall be appointed for  $x$  years, but shall be re-eligible. During their term of office, they may be replaced only on death or in the case of voluntary resignation or serious and permanent illness.

They may be assisted by technical experts.

###### *Article OB.*

The Commission shall meet for the first time, on being summoned by the Secretary-General of the League of Nations, within three months from the entry into force of the present Convention, to elect a provisional President and Vice-President.

Thereafter it shall meet annually in ordinary Session on the date fixed in its Rules of Procedure.

It may also, if summoned by its President, meet in extraordinary session in the cases provided for in the present Convention and whenever an application to that effect is made by a High Contracting Party.

###### *Article OC.*

The Commission shall have full power to lay down its own Rules of Procedure on the basis of the provisions of the present Convention.

###### *Article OD.*

The Commission may only transact business if at least two-thirds of its members are present.

###### *Article OE.*

Any High Contracting Party not having a member of its nationality on the Commission shall be entitled to send a member appointed for the purpose to sit at any meetings of the Commission during which a question specially affecting the interest of that Party is considered.

###### *Article OF.*

Each member of the Commission shall have only one vote.

All decisions of the Commission shall be adopted by a majority of the votes of the members present at the meeting.

In the cases provided for in Articles . . . (cases of complaint and cases of threats to national security) the votes of members appointed by the Parties concerned in the discussion shall not be counted in determining the majority.

A minority report may be drawn up.



*Article OG.*

Each member of the Commission shall be entitled on his own responsibility to have any person heard or consulted who is in a position to throw any light on the question which is being examined by the Commission.

*Article OH.*

Each member of the Commission shall be entitled to demand that, in any report by the Commission, account shall be taken of the opinions or suggestions put forward by him, if necessary in the form of a separate report.

*Article OI.*

All reports by the Commission shall, under conditions specified in each case in the present Convention, or in the Rules of Procedure of the Commission, be communicated to all the High Contracting Parties and to the Council of the League of Nations and shall be published.

**The President.** — There is no amendment to Section I.

SECTION II. — EXCHANGE OF INFORMATION.

*Article IA.*

**Text proposed by the Drafting Committee.**

As regards effectives, the exchange of information shall cover the average daily number of effectives reached during the budgetary year in the land, sea or air armed forces, or formations organised on a military basis, of each of the High Contracting Parties.

For this purpose, each of the High Contracting Parties will forward to the Secretary-General of the League of Nations within . . . months after the end of the budgetary year, the necessary figures to enable the tables—of which models are attached to this article—to be drawn up in the case of such High Contracting Parties (the headings of the columns in the tables will show the information which is required in consequence of the decisions of the Commission). Each Party shall attach to this statement an explanatory note showing the elements on which the figures supplied by him are based and stating in particular for each category of effectives (recruits, militiamen, reservists, territorials, etc.), the number of these effectives and the number of days, service they have performed.

The tables referred to in the preceding paragraph shall be finally drawn up and published by the Secretary-General not later than . . . in each year.

*Article IA (1).*

Each of the High Contracting Parties shall forward to the Secretariat of the League of Nations within three months of the end of the budgetary year an annual statement showing the number of youths having compulsorily received preparatory military training during the previous year.

*Article IA (2).*

Each of the High Contracting Parties shall prepare annually:

- (1) A table indicating the land forces stationed in each of its overseas territories;
- (2) A table indicating the land forces organised on a military basis existing in each of its overseas territories.

*Article IZ.*

**Text proposed by the Drafting Committee.**

The High Contracting Parties having conscription system shall forward to the Secretary-General of the League of Nations at the end of each year the following information in regard to their land, naval and air forces respectively:

- (1) The total number of days' active service required of the annual contingent;
- (2) The total duration (in days) of periods of training not included in the active service.

*Article IB.*

[The text will appear in document C.P.D./280(a).]<sup>1</sup>

*Article IC.*

Suppressed—a similar article having been inserted in the Chapter "Naval Material".

<sup>1</sup> Note by the Secretariat. — See Annex 9.

*Article IG.*

Each of the High Contracting Parties shall communicate to the Secretariat of the League of Nations the name and the tonnage of any vessel constructed in accordance with Article NH (Chapter II). With regard to existing vessels of this type, this communication shall be made within two months after ratification of the present Convention. With regard to vessels to be constructed, the communication shall be made on the date of completion.

AMENDMENT PROPOSED BY THE AMERICAN DELEGATION.

*Article IG.*

"Insert after the first sentence of Article IG the following words:

" . . . except merchant vessels completed prior to 1921 which were designed for a speed of less than 12 knots'.

"In the second sentence of Article IG, alter the words 'two months' to read 'x months'."

*Motives:*

"The American delegation, following the session of November 24th, telegraphed its Government to enquire what part of the information required by Article IG, as at present drafted, is available from any governmental agency. The American Government has replied that it is in a position to name the merchant ships which have heretofore had their decks stiffened for the purpose of mounting guns, but that no information is available as to whether or not the strengthening features have been removed in the case of merchant ships sold to private interests. The information necessary to comply with Article IG as drafted could therefore be obtained only by means of an actual inspection for this purpose of all such vessels as were once so fitted but are now under private ownership. Such inspection could require a considerable period of time.

"The American delegation questions whether the value to be gained from information of this character as regards older vessels of low speed, which could be of no real offensive value as armed vessels, is worth the administrative effort to obtain it. The American delegation believes, however, that if vessels completed prior to 1921 and designed for a speed of less than twelve knots were eliminated, it would seem that the purpose of the article could be complied with and that from an administrative point of view it would be entirely acceptable.

**The President.** — The American delegation has submitted an amendment to Article IG.

**The Hon. Hugh Gibson** (United States of America). — There is nothing I wish to add in regard to the motion, but I understand that the Drafting Committee has found a number of problems in regard to the question raised by the American amendment, and I should be very happy to withdraw this amendment on the understanding that it will be considered by the Drafting Committee.

**The President.** — We will therefore not deal with this amendment for the moment.

*Article ID.*

Each of the High Contracting Parties shall prepare an annual statement showing the maximum figures attained during the year in respect of the number and total horse-power or aircraft, and the number, total horse-power and total volume of dirigibles in commission as laid down in Article AA of Chapter II, Section III, Air Armaments.

This statement shall be forwarded to the Secretary-General of the League of Nations within three months after the close of the budgetary year.

*Article IE.*

In order to ensure publicity in the matter of civil aviation, each of the High Contracting Parties shall prepare an annual statement showing the total number of civil aeroplanes and dirigibles registered in the territory under jurisdiction of each of the High Contracting Parties.

AMENDMENT TO ARTICLE IE SUBMITTED BY THE BRITISH DELEGATION.

**The President.**—The first Amendment to Article IE is submitted by the British delegation. It is to add as the end of the article, the words ". . . together with the expenditure by Government or local authorities".

**Lord Cecil (British Empire).** — This is a very simple amendment. It is, of course, only a question of publicity. There is no intention of restricting the expenditure by Governments or local authorities on civil aviation, but we do think that it might be a matter of very considerable importance to know what it is that is being spent. There is no question of prying into secrets, because all these things are published in a properly-managed country. There are accounts published by local authorities and by the Government. It is only a question of having them collected from public sources; and the British Government thinks that, in certain events, which I do not desire to specify, it might be a very important thing to know how much a Government was spending on encouraging a particular kind of aircraft. For that reason, I ask that these words should be inserted.

**The Hon. Hugh Gibson (United States of America).** — I have some difficulty in accepting the amendment. I find no difficulty so far as Federal Government expenditure is concerned. With regard to expenditure by local authorities, quite a different problem is raised. I do not believe that we have such information available. It may very well be that some of this information is published but I do not know whether it would correspond to what the Convention would require.

**Lord Cecil (British Empire).** — I am sure I do not want to put the American delegation into any difficulty in this matter, but would they mind its being inserted provisionally in the Convention? If when the Conference meets, it proves to be an impracticable suggestion, it can always be taken out. I think the principle is rather a good one, if they do not mind it being put in.

**The Hon. Hugh Gibson (United States of America).** — I have a little difficulty in accepting the proposition of Lord Cecil. In order that the American position may be fully understood, I would suggest that it should be noted in the report.

**The President.** — *I shall regard the British amendment as adopted with this reservation.*

#### AMENDMENT SUBMITTED BY THE POLISH DELEGATION.

**The President.** — The Polish delegation has also submitted an amendment to Article IE, to add, after the words: “. . . showing the total number”, the words: “and total horse-power . . .”, the remainder of the text being left as it stands.

**General Kasprzycki (Poland).** — The principle of publicity in the matter of civil aviation has already been adopted by the Commission as regards the total number of civil aircraft.

We are of opinion that publicity covering the number alone is not sufficient. Let me give an example. A hundred touring or sporting aeroplanes with 60 h.p. engines are not of the same value as a hundred heavy-transport aeroplanes with 1,000 h.p. engines. If the number alone be given, it conveys nothing. If, on the other hand, the total horse-power be mentioned, you can see at once exactly what the position is. In the specific case stated, we must compare, not the total numbers, but the total horse-power of 6,000 for the hundred touring aeroplanes with the 100,000 horse-power for the hundred large aeroplanes. It is the horse-power, and not merely the number, that indicates the real value of the aircraft.

The objection that it will be difficult to produce figures fails, because we have already accepted a similar rule for the limitation of military aircraft. Moreover, publicity in regard to horse-power already exists to a large extent for civil aviation. I am referring to the work done, for instance, by the Veritas Bureau. I would add that the horse-power of a civil aeroplane can easily be ascertained from the registration records, which are regularly kept in various countries.

If publicity covered the number alone, a small touring aeroplane would be treated as equal to an aeroplane capable of carrying a load of several tons. Publicity of that kind cannot be regarded as satisfactory.

We are of opinion that it is possible, and absolutely necessary if our Convention is to be clearly and easily workable, to introduce the element of horse-power, which is an essential factor and more significant than the number.

These, then, are the reasons for our amendment.

**General Dumitresco (Roumania).** — The Roumanian delegation supports the Polish proposal.

**The Hon. Hugh Gibson (United States of America).** — We do not in any way wish to raise an obstacle to the Polish amendment, but we should like to have a note, similar to that I have just spoken of, made in the report, especially as I do not think we are in a position to give information on the subject of horse-power of civil aviation.

**M. Massigli (France).** — I desire to support the Polish proposal. I recognise that it may be difficult to apply it in certain countries; but in most cases, the registration records specify not only the make and type of the aeroplane, but also the horse-power. It is thus possible to make a rough estimate of the aggregate horse-power of a country's civil aircraft without a whole set of elaborate calculations.

**The President.** — The reservation of the United States delegation will be mentioned in the report.

*The Polish amendment was adopted.*

*Article IH (former DA\* and DB\*).*

Each of the High Contracting Parties shall communicate to the Secretary-General of the League of Nations, in a model form, a statement showing the actual total amount expended on land, sea and air forces, during the preceding financial year.

It shall at the same time communicate to the Secretary-General a statement showing the amount actually expended during the preceding financial year on the upkeep, purchase, and manufacture of war material as defined in Article TA of Chapter II of the present Convention.

This communication shall be made not later than . . . month after the close of the financial year.

*Article IF.*

The Permanent Disarmament Commission shall receive all the information supplied by the High Contracting Parties to the Secretary-General of the League in pursuance of their international obligations in this regard.

Each year, the Commission shall make at least one report on the information submitted to it and on any other information that may reach it from an authorised source and that it may consider worth attention, showing the situation as regards the fulfilment of the present Convention.

All reports shall be communicated forthwith to all the High Contracting Parties and to the Council of the League, and shall be published on the date fixed in the Rules of Procedure of the Commission.

*No amendments having been submitted to the above Articles—other than Article IG and Article IE—they were adopted.*

SECTION IV. — PROCEDURE REGARDING COMPLAINTS AND REVISION.

*Article ZA.*

The High Contracting Parties recognise that any violation of the provisions of this Convention is a matter of concern to all the Parties.

*Article ZB.*

If, during the term of the present Convention, a High Contracting Party is of opinion that another Party to the Convention is maintaining armaments in excess of the figures agreed upon, or is in any way violating or endeavouring to violate the provisions of the present Convention, such Party may lay the matter, through the Secretary-General of the League, before the Permanent Disarmament Commission.

The Commission, after hearing a representative of the High Contracting Party whose action is questioned, should such Party so desire, and the representative of any other Party which may be specially concerned in the matter and which asks to be heard shall present a report thereon as soon as possible to the High Contracting Parties and to the Council of the League. The report and any proceedings thereon shall be published as soon as possible.

The High Contracting Parties shall *promptly advise as to* the conclusions of the Report.

If the High Contracting Parties directly concerned are Members of the League of Nations, the Council of the League shall exercise the rights devolving upon it in such circumstances in virtue of the Covenant of the League of Nations with a view to ensuring the observance of the Convention and to safeguarding the peace of nations.

*Statement by the United States Delegate.*

**The President.** — As regards Section IV, there is no amendment, but Mr. Gibson wishes to make a statement.

**The Hon. Hugh Gibson** (United States of America). — You will remember that when M. Politis made his first report on the work of the Sub-Committee which sat under his chairmanship, his report included a note to the effect that the American delegation had expressed some doubts as to the provisions on "Complaints" in Chapter V, and had indicated its desire to study the subject further. I now take pleasure in saying that we have satisfied ourselves that the text as provided affords a satisfactory basis for our discussions at the coming Conference, and that there will therefore be no need to include in the report any reference to the attitude of the American delegation.

**The President.** — The Commission notes Mr. Gibson's statement with satisfaction.

DISCUSSION ON CHAPTER II. — MATERIAL: SECTION III. — AIR ARMAMENTS  
(SECOND-READING TEXTS) (continuation).

*Article AE.*

AMENDMENT PROPOSED BY THE CANADIAN DELEGATION (continuation from No. 105).

*Report of the Sub-Committee examining this Matter.*

**M. Politis** (Greece). — The Sub-Committee which you appointed this morning has just held a meeting and has tried to find a compromise between the different points of view. Unfortunately it was not successful.

It had been suggested that the text adopted at first and second reading should be left as it stands with some indication that exceptions might be allowed, but this proposal did not satisfy the Canadian delegation.

It was next proposed to omit the article adopted at first and second reading, and to state in the report, as proposed by M. Bourquin this morning, that the Commission draws the attention of the Conference to the desire, expressed by a large number of delegations, that the utilisation of military elements in civil aviation should not be permanent, but should only be a temporary and provisional measure. That solution also was not acceptable to the majority of the Sub-Committee.

The third proposal was to embody neither the old text nor the Canadian amendment in the Convention, but to explain the situation in the report, giving the two texts side by side for the Conference to choose from, and stating the arguments in favour of each.

After rejecting all these solutions, the Sub-Committee reached the conclusion that the best way to give the Conference a true picture of our proceedings would be to take a vote. As the Canadian proposal really consists of two parts—first a negative part in which it is proposed to omit the old text, and secondly a positive proposal to insert a paragraph to the effect that personnel seconded to, and military material employed in, civil aviation undertakings should be included in the figures—the Commission should vote on these two points separately; first, whether the old text should be deleted and, secondly, whether the addition proposed by the Canadian delegation should be adopted.

In any case, whatever you decide, your report will explain the sense of the vote. If you decide to delete the former text, there will be a statement in the report on the lines indicated by M. Bourquin this morning, explaining to the Conference that it was desired that the utilisation of military personnel and material in civil aviation should only be a provisional measure. If, on the other hand, you decide to keep that text, the report will state that the Commission has noted the apprehensions of certain delegations with sympathy, and suggests that the Conference should take steps to give them satisfaction.

We ask you, therefore, to give a clear vote on these two questions, so that the Conference may know what is the exact position.

**Dr. Riddell (Canada).** — The Commission is indebted to M. Politis for this very clear report of the different proposals made in the Sub-Committee, but he has omitted to mention my strong opposition to his proposal with regard to the method of voting on the respective propositions. I found myself, in the Sub-Committee, in the happy position of being able to support at least two of the proposals made: one by M. Bourquin, and the other by M. Colban. I did not wish, however, at this stage to accept the first solution referred to by M. Politis, because it seemed to me, from the Minutes of the discussion, that at no time had the Commission offered any objection to an exception being made for Canada; I therefore took it for granted that the Commission was unanimous on this point, which had not been controverted.

This morning I stated that I should be glad to support the proposal of M. Bourquin, and I should also be very pleased to support the proposal of M. Colban. The proposal of M. Colban would be to send both the present texts—the second sub-paragraph 2 of Article AE, and the Canadian proposals—to the Conference, and the Conference would have before it two proposals upon which to deliberate. That seems to me to be a very satisfactory compromise, and, as I have said, the Canadian delegation would be glad to accept it, as there is a certain amount of opposition to M. Bourquin's proposal, which, of course, would be preferable from our standpoint. As a compromise solution, I should like to have M. Colban's proposal accepted.

If, however, the amendment goes to a vote, it seems only fair that our amendment should be submitted first and that the Commission should be given the opportunity of voting for or against our text. Should it be rejected, then the Commission might vote on the present text.

**M. Politis (Greece).** — Dr. Riddell has been good enough to congratulate me on the clearness of my report, but I am afraid he has no reason to thank me, because I thought that we had reached an agreement, at any rate as regards the procedure. After what he has said, however, it appears that there is no such agreement, or in any case there is no longer unanimity.

In the Sub-Committee, in order to avoid any misunderstanding, I summed up the discussion and asked my colleagues whether they agreed to the four points I have just mentioned, and they said they did. I sincerely thought, therefore, that I was representing the unanimous views of the Sub-Committee on these four points. Dr. Riddell has now reopened the whole of the Sub-Committee's discussion. It is true that M. Bourquin proposed a solution which was not accepted by M. Colban, and that M. Colban made a proposal which was not accepted by M. Bourquin. It was therefore impossible to agree upon either of these proposals, which were approved by Dr. Riddell. We then agreed to propose to you a certain procedure in regard to the vote, and to recognise that two separate questions are involved.

One question was settled in the text adopted at the two previous readings—namely, the principle that the employment of military material and personnel in civil aviation cannot be of a permanent character. That is the first idea.

The second idea, which is a new one, is that put forward by the Canadian delegation—namely, that military personnel and material employed in civil aviation should be included in the figures inserted in the Convention.

As these are two separate proposals, you will have to vote on them separately if you wish the position to be clear. As regards the first, you have already voted twice in favour of its adoption. You are now asked to go back on your decision. The first point to be decided is whether you agree to delete the text in question. When that has been decided, you will have

to pronounce upon the second point, which is submitted for the first time—namely, whether military personnel and material employed in civil aviation should be included in the figures inserted in the Convention. I think that is the clearest and simplest way to proceed.

VOTE ON THE DELETION OF THE SECOND SUB-PARAGRAPH OF PARAGRAPH 2 OF ARTICLE AE.

**The President.** — I thank M. Politis for his lucid statement, and I think the best thing we can do now is first to vote on the deletion of the second sub-paragraph of paragraph 2 of Article AE.

**Dr. Riddell (Canada).** — I regret exceedingly that there should have been a misunderstanding as to what took place in the Sub-Committee, but the picture I gave was the picture as I saw it at the close of the meeting. I regret very much that M. Politis should have thought I was in agreement with what he has just proposed.

**The President.** — We will now vote on the deletion of this sub-paragraph, as I proposed this morning.

*The deletion was rejected by five votes for to twelve against.*

VOTE ON THE ADDITION TO PARAGRAPH 2 OF ARTICLE AE OF THE TEXT PROPOSED  
BY THE CANADIAN DELEGATION.

**The President.** — We will now vote on the addition proposed by the Canadian delegation.

*This addition was adopted by nineteen votes for with some abstentions.*

**The President.** — This addition will thus form a new paragraph of Article AE.

There remains the question of the budget out of which military airmen will be paid, and military aircraft employed in civil aviation will be kept in repair.

**Lord Cecil (British Empire).** — I did not move that ultimately; I left it to be gone into again in connection with the later amendment.

We certainly hold very much to the kind of phrases which M. Politis employed as to the necessary result of whatever decision we came to.

**The President.** — It will be inserted in the report.

109. Chapter II. — Material: Section II. — Naval Armaments: Texts drawn up by  
the Commission on November 20th, 1930. <sup>1</sup>

TABLE III.

*Statement by the British Delegate: Consequent Statements by the Delegates of Sweden, Italy, Netherlands, Finland, Norway, Yugoslavia, Spain, United States of America, Greece, France, Roumania, Turkey, Poland, China.*

**Lord Cecil (British Empire).** — The Commission will remember that when we were discussing Table III we arrived at the drawing up of three rules in a certain order. I then said that I was prepared to vote for them, but I must consult my Government on the points, since they were novel points on which I had no direct instructions.

I am glad to be able to inform the Commission that I am now authorised to accept the three proposed rules in Table III of the Naval Clauses. In doing so I should like to make it clear that I regard the first rule as governing the other two—I understand that was why it was put first; that is to say, that though Rules 2 and 3 establish certain important principles, yet their application must, in the last resort, depend to some extent upon the considerations set out in Rule I.

It is, of course, understood that in saying this I am dealing solely with the question of transfer and not suggesting that any limit can be put on the right of any Power to ask the Disarmament Conference for any class of ship as part of its navy.

**M. Westman (Sweden).** — It is with great satisfaction that the Swedish delegation has learnt from Lord Cecil's statement that the British Government approves the text of Table III.

In this connection I should like to state that the Swedish delegation could not accept any interpretation which would weaken the safeguards obtained by Powers possessing fleets of small tonnage, as a result of the insertion in Table III of the three principles, in return for their acceptance of a great number of rules extracted from the Treaties of Washington and London.

**General de Marinis (Italy).** — I should also like to define the sense and scope which the Italian delegation gives to the text we are now engaged in examining. I will content myself with a simple statement.

Like the British delegation, we consider that the basic criterion for transfers should be that which was enunciated in principle No. 1. When this principle has to be applied in practice, we

<sup>1</sup> Note by the Secretariat. — See Annex II.

would make no difficulty in according complete freedom of transfer from the class of submarines to that of light surface vessels, that is to say, destroyers and small cruisers.

On the other hand, I desire to state that we shall oppose transfers in the opposite direction, that is to say, from the class of light surface vessels to that of submarines.

**M. Rutgers** (Netherlands). — I do not think it was the intention of the previous speakers to induce the Commission to adopt their views, but perhaps it is desirable for me to state the views of the Netherlands delegation.

I regard the first rule as being as general as possible, because it leaves the Conference to consider all the circumstances; the second rule applies to a particular case, and gives a perfectly clear and definite solution for that case. I think that if this clear and definite rule is made subordinate to the general rule, which is somewhat obscure, we shall alter its significance.

For that reason, I desire to make every reservation in regard to the interpretations to which we have just listened.

**Rear-Admiral von Schoultz** (Finland). — With reference to the Swedish statement, I consider that the three rules ought to be interpreted as of equal force, and that none of them should be allowed precedence over the others.

**M. Colban** (Norway). — We are not trying to draw up any declaration by the Commission. The British delegate said that he was prepared to take into account the special situation of very small navies; it is obvious that my country, which has a particularly small fleet and will only ask for very low figures, will claim at the Conference the greatest freedom in the matter of transfer.

**Dr. Markovitch** (Yugoslavia). — My impression is that we are not now discussing Table III, but are being given an opportunity to express our views solely in regard to the British delegation's statement. In this matter I entirely agree with the Swedish delegate.

**M. Cobián** (Spain). — In regard to Lord Cecil's statement I should have had nothing to say, for I cannot fail to recognise that when we settled this question, which was of some importance, in the Sub-Committee, we accepted, as a compromise, a number of principles which we should certainly not have accepted otherwise. Lord Cecil displayed a most conciliatory spirit, and said that he personally saw no objection to the proposal, but that, in any case, he would have to consult his Government. He did so, and he now brings us the good news that the British Government accepts this solution, and had I intended to speak, it would have been merely to express my satisfaction.

Unfortunately, I am compelled to say a few words in view of the unexpected statement which we have just heard from my friend General de Marinis. As you are all aware, this text was adopted by the Sub-Committee without any reservation or objection on the part of any delegation. It was recognised as a compromise, and it is for that reason that I am unable to agree to any alteration now, especially as it implies that at the Conference there will be a great naval Power which will oppose the legitimate claims of numerous, though smaller, other Powers.

**The Hon. Hugh Gibson** (United States of America). — I had not anticipated speaking again, as there have been so many declarations of the points of view of the various delegations. There is, however, one point I should like to bring up.

I assume that it is already amply covered by the provisions of Article EA concerning the maintenance of stipulations of existing treaties, which we passed the other day; but I should merely like to say that, in accepting the three points of Table III which are drawn up as the compromise text, I assume that the application of the inverse ratio was not intended to apply to Powers which are signatories of the Washington and London Treaties.

**M. Politis** (Greece). — I should like to say, on behalf of my Government, that I desire to associate myself with the statements made by the Norwegian and Swedish delegates, and wish this statement to be embodied in the report.

**M. Massigli** (France). — I had not intended to speak, because I also thought that we should simply have to take note of the reservation made a few days ago by Lord Cecil. However, since the naval Powers have expressed their views, I think it my duty to indicate briefly the attitude of the French delegation.

The French delegation took the initiative in proposing a system of transfers, because it considered that this system was sufficiently flexible to safeguard the interests of fleets of small tonnage. We desire that this debate should end now on an optimistic note. We feel sure that, notwithstanding these reservations, the proposed formulæ will provide the Conference with a means of safeguarding the legitimate interests of those fleets which we are convinced that no one here desires to oppose.

**General de Marinis** (Italy). — I had not expected that my statement would have troubled M. Cobián so much. In any case, I should like to point out that there is no contradiction between what I said before and my present statement. The second paragraph of Table III provides that:

“ Powers whose total tonnage does not exceed 100,000 tons will have full freedom of transfer as regards surface ships.”

But, we are obviously not concerned at the moment with surface ships, but with submarines. We have agreed to transfers from the submarine class to that of surface vessels, but not *vice versa*.

I should like to reassure M. Cobián, and to express the same hope as M. Massigli. I entirely agree with the French delegate, and am convinced that the Conference will find a means of satisfying everybody.

**General Dumitresco (Roumania).** — The Roumanian delegation is in agreement with the Swedish delegation's statement.

**Munir Bey (Turkey).** — The Turkish delegation also associates itself with the Swedish statement.

**M. Cobián (Spain).** — I thank General de Marinis for his explanation, but I must say that what is written is written. I am also grateful to M. Massigli, and I think that, if the Conference reaches agreement, it will be after each has defended his legitimate rights on a basis of equity, justice, and the compromises we have arrived at here.

**General Kasprzycki (Poland).** — The British representative's statement has given us the greatest satisfaction, and has removed any doubts as to the value of the compromise between the two conflicting points of view.

I wish to state that we regard the three principles in Table III as an indivisible whole, from which no part could well be taken away without weakening the effect of the other parts.

I also desire to support what was said by the Swedish delegate.

**Dr. Woo Kaiseng (China).** — The Chinese delegation agrees with the view stated by the Norwegian delegate. In view, however, of the special position of China and the length of her coastline, the question requires very careful examination, and we have not yet been able to form a very definite opinion. We shall wait until the Conference to define our attitude.

**The President.** — After the very interesting and, I think I may say, reassuring statements we have just heard, we can regard the discussion as closed.

#### 110. Date of summoning the First Disarmament Conference: Proposal by Count Bernstorff.

##### TEXT OF THE GERMAN PROPOSAL.

“ Whereas the Council of the League of Nations at its meeting on December 8th, 1926, having regard to the resolution adopted by the Assembly on September 24th, 1926, relating to the work of the Preparatory Commission for the Disarmament Conference, forwarded the said resolution to the Preparatory Commission and requested it to submit proposals with regard to the date at which it would be possible to convene the Conference, due allowance being made for the probable progress of its work;

“ And whereas the report of the Third Committee to the Assembly of the League of Nations mentioned the Committee's desire that a Conference for the reduction and limitation of armaments should be convened in 1931, and whereas, after taking note of this report, the Assembly at its meeting on September 30th, 1930, expressed the conviction that, during its session next November, the Preparatory Commission would be able to finish the drawing up of a preliminary draft Convention, and would thus enable the Council to convene, as soon as possible, the General Conference for the Reduction and Limitation of Armaments;

“ The German delegate has the honour to submit the following resolution for the approval of the Preparatory Commission :

“ ‘ The Preparatory Commission for the Disarmament Conference, having completed its work, suggests that the Council of the League of Nations should, in conformity with the general desire that a general Conference for the Reduction and Limitation of Armaments be summoned at the earliest possible date, convene the said Conference for Monday, November 2nd, 1931. ’ ”

**Count Bernstorff (Germany).** — I assume that all my colleagues have read my proposal, and I have therefore very little to say about it.

The Council instructed us to propose a date. The Third Committee of the Assembly expressed the desire that that date should be in 1931. These two desires taken in conjunction led me to propose November 1931 for the Conference.

I must apologise for one mistake in my proposal: I suggested November 2nd, the first Monday in the month, but that day is a festival of the Catholic Church, and I shall therefore propose Thursday, November 5th, instead.

If the Council decides in January to convene the Conference for November 5th, we shall have ten months in which to prepare for the Conference. If ten months are not enough, then probably ten years would not be enough either. I think ten months gives us ample time, and that is why I have proposed that date.

**Dr. Woo Kaiseng (China).** — The Chinese delegation desires to state that it is in sympathy with the German delegation's suggestion that the General Conference for the Reduction and Limitation of Armaments should be convened at the earliest possible date.



**General de Marinis (Italy).** — I support the German proposal. For the last three years we have been saying that the Conference should be held as soon as possible, and it seems useless to repeat that once again without indicating a date. We should therefore suggest a date to the Council.

Moreover, as Count Bernstorff says, ten months are enough for the preparations for the Conference. A few months more would not help us; if the preparations are possible at all, we ought to be able to complete them in ten months.

**Lord Cecil (British Empire).** — I entirely sympathise with the desire of the German delegation that the Conference should meet at as early a date as possible, and I dare say they are right, but I do not know that November 5th will be the earliest date possible. It might possibly and conceivably be earlier; it might possibly and conceivably be later. But it seems to me rather presumptuous for this Commission to try and do what the Council really has to do. The Council has to summon this Conference and must, I think, fix its date.

I do not see how we can put ourselves in the way of the Council in that respect. I think what we might do is to beg the Council to fix a date definitely, and not say it shall take place as soon as possible. I think that by January next, when it has had the opportunity of considering our report and suggestions, and of considering the necessary arrangements for the proper convening of the Conference, the date ought to be fixed.

I think the German delegation is right. By January, the Council ought to be in a position to fix a date, and I think we should suggest that the Council ought to do so. But I hesitate to go further than that. I think it would be rash for us to try and do what is, after all, the Council's business. Here, I fortify myself by reading the careful wording of the resolution of the Assembly, which affects my Government as a Member of the League, and that resolution does not suggest that we should fix the date, but merely "submit proposals with regard to the date". Those words were very carefully chosen, I doubt not, and we should propose that the Council in January should fix the date for the Conference. I agree with the German delegation that after January there should be no doubt as to when the Conference will take place.

**M. Massigli (France).** — I share Lord Cecil's doubts.

I am quite aware that a question was put to us in 1926, but its wording and the circumstances in which it was propounded, clearly showed its object. The Council wished to know when we should have completed our work. In reply we are sending it a report and a draft Convention. Should we go further? Ought we to add to this report a suggestion in regard to the date for the Disarmament Conference? I do not think we ought. It is not proper to shift responsibilities, and fixing the date of the Conference is a responsibility. If the Council considers that eight, ten or fifteen months are required for the preparations for the Conference, that is a matter for it to decide, in the light of the political considerations of which it is then aware. It is not for us to take the Council's place. It is true that public opinion is awaiting the summoning of the Conference with impatience, but I do not think that a month or two will make much difference from that point of view. It is our duty to explain to the public the unfortunate effects—as shown by experience—of convening a Conference without adequate preparation. If we explain this clearly, the public will understand that we cannot take this responsibility in the Council's stead. The Council will meet in two months' time, and can then fix a date. As Lord Cecil says, we can even make a recommendation to that effect, but I do not think that we should go any further than that.

**M. Beneš (Czechoslovakia).** — I quite agree with the German delegation that the Conference ought to meet at the earliest possible moment, but, at the same time, I agree with Lord Cecil as regards the fixing of the date.

In previous discussions, both in the Assembly and in the different Committees, this question has always assumed great political importance. It was sometimes imagined that the Conference was being postponed, or that an attempt was being made to postpone it; but now we have reached a far more advanced stage. We are approaching the end of our labours—everybody knows it and can see it—and the last step we have to take is to make the final preparations. Political considerations no longer enter into it; everyone desires the Conference to meet as soon as possible. All that remains—and in my opinion it is a matter for the Council—is to decide how long the preparations will take. This question will have to be settled by the States Members of the Council, with whom in accordance with the Covenant and all our past decisions, the responsibility rests, as M. Massigli has pointed out. It is not for the Preparatory Commission, which was assigned a perfectly definite task, to take this responsibility.

Public opinion will be perfectly satisfied if we explain our views, especially as it is a matter of common knowledge that the Conference will meet at the end of next year or early in 1932. The difference in the dates is so small that, both for reasons of tact and on political grounds, we should leave the decision to the Council.

**M. Politis (Greece).** — I entirely agree with what M. Beneš has said, and merely wish to make a few additional remarks. Since most of the delegates who have spoken belong to countries represented on the Council, they will have an opportunity of urging the reasons for the selection of any particular date during the Council's discussions.

I think it is desirable that you should also learn the point of view of countries not represented on the Council, and they have their opportunity of stating their views here. It is essential—I cannot repeat this too often—that the Conference should be successful, because if it should fail, this would be the greatest disaster since the war; and, in fixing the date of such an important

Conference, the Council will have to take into account weighty political considerations, and will also assume an enormous responsibility. It is not for me to examine the political conditions in favour of any particular date. What I should like to say—and this is the point of view, I think, of most Governments which are not represented on the Council, and especially of small States—is that as this Conference is to be an exceptionally long one, lasting a great many months, the delegations will have to consist of many different elements—political, military and technical. Small countries have not a large choice of such personnel, and they will have to settle the difficult question of whom they will immobilise at the seat of the Conference for many months.

They will thus need time not only to reflect—for it is not solely a matter of reflection—but also to arrange their affairs. They will have to transfer diplomatists from their posts, and arrange for their replacement while they are away; they will have to detach naval and military staff officers and send them as experts to the Conference, and these officers also will have to be replaced. These questions cannot be settled in a few weeks, or even a few months. Governments must be given ample time to make their preparations.

Moreover, there is another consideration of a technical nature. We have called the instrument which is the outcome of our labours a “Draft Convention”, but it is not really a draft Convention; it is only a skeleton. A draft Convention usually means a document which is complete and ready for signature; but the instrument which we have drafted is something very much less than that, and I might even go so far as to say that we have not inserted the essential element of the future Convention—namely, the figures. It will take a considerable time for each country to determine, with due regard to what has been done here, the logical and practical figures which can be proposed to the Conference with a reasonable chance of acceptance. Countries like my own, which have not very large services at their disposal, will require a very long time to go into these matters and come to the Conference adequately prepared, and it is absolutely essential to the success of the Conference that they should come adequately prepared.

For these reasons, although we are all agreed that this Conference should meet as soon as possible, I feel that we must not, now that we know that it is going to be held very shortly, display too much impatience over a matter of two or three months.

**Count Bernstorff (Germany).** — I wish to make a final appeal to the Commission. I have always endeavoured to understand the scruples of my colleagues, and I have tried to do so in regard to the question with which we are dealing; but I really cannot understand how they can feel any scruples about proposing a date to the Council, when the Council itself transmitted to us an Assembly resolution, asking us to make proposals with regard to the date when it will be possible to convene the Conference. For my part, I should feel considerable scruples in not proposing a date when the Council has asked us to do so. It would be discourteous on our part not to comply with the Council's request.

In the second place—and this is a question to which I have frequently referred in this Commission—I really think that we do not display sufficient sympathy with or understanding of public feeling.

I assure you that world public opinion cannot tolerate any further repetition of the expression “as soon as possible”. Those words have been repeated so often without result that they no longer have any meaning, and are no longer accepted. I earnestly advise you at the last moment not to repeat them once more.

**Dr. Markovitch (Yugoslavia).** — I think the German representative has every reason to be satisfied, because, in point of fact, our work is completed, and it will be possible for the Disarmament Conference to be summoned in the near future. I quite understand Count Bernstorff's arguments and scruples, but I think that the British delegation's proposal is more in accordance with the real desires of the German delegate than the German proposal itself. If, when we submit our report to the Council, we ask it to convene the Conference, that is beyond question within our province, and our request will carry more weight than a decision which is really outside our sphere, and which might be regarded as inspired by a desire for popular applause, rather than as the result of ripe reflection. For this reason, I earnestly beg the German delegate not to insist on a formal vote, but to accept the British proposal.

**M. Morfoff (Bulgaria).** — The Bulgarian delegation also desires the Conference to be held as quickly as possible: it considers that the only way to emerge from this uncertainty is to fix a definite date, and as no other date has been proposed, we shall vote in favour of November 5th.

**M. Sato (Japan).** — I thought it would be unnecessary for me to speak; but, since Count Bernstorff has pressed his proposal, I am constrained to define the attitude of the Japanese delegation.

In the first place, Count Bernstorff refers to the Council resolution dated December 8th, 1926, transmitting to the Preparatory Commission a resolution adopted by the Assembly of that year. But when the Assembly decided to ask the Preparatory Commission to make a proposal in regard to the date of the Conference, the circumstances were very different from what they are to-day. M. Massigli has already alluded to those circumstances. In 1926, the Preparatory Commission had only just been set up, and no one had any idea when it would be able to complete its task. Consequently, the Assembly, anxious that the Conference should be convened as soon as possible, requested the Preparatory Commission to make a proposal on the matter.

The latest resolution adopted by the Assembly is that of September 1930. This resolution contains two recommendations. The first is that the present session of the Preparatory Commission should be its last. That desire has been fulfilled, since our task is practically completed. The second recommendation is that the Conference should be convened as soon as possible. It is true that in the Third Committee's report an approximate date was indicated for the Conference, the desire being expressed that it should be convened during 1931. As, however, our work is nearly concluded, our present task is to submit a report to the Council, and it will be for the Council to fix the date of the Conference in accordance with the resolution adopted by the last Assembly.

In saying this, I am by no means seeking reasons for postponing the date of the Conference. I can assure Count Bernstorff that my Government will instruct its representative on the Council to accept the earliest possible date, provided always that due regard be paid to the somewhat peculiar position of countries which, like my own, are remote from Europe. You must remember the time it takes for documents to reach Japan, and a long time must also be allowed for the passage of the Japanese delegates and experts. If, however, these special circumstances are taken into consideration, my Government will accept the earliest possible date, provided it be fixed by the Council.

**Lord Cecil (British Empire).** — I am very sorry to trouble the Commission again, but I really cannot allow Count Bernstorff's observations to pass, because this is not the first time he has tried to occupy the position of being the only person who is really in favour of disarmament, a claim which I am utterly unable to square with the conduct he has pursued during the sessions of this Commission. He says we ought to have regard to public opinion. Certainly we ought to have regard to public opinion, but equally certainly we ought not to allow our decisions to be guided simply by what we think will be most popular.

We are engaged on a task of infinite importance and complexity. We have to try and bring about a Conference for the disarmament of the world, a Conference which is absolutely unique in its character. We should be utterly unworthy of the positions we hold in this Commission if we allowed ourselves to be diverted from that immensely important and responsible duty by any question as to what would, or would not, be popular. I am astounded that anyone should think that was an argument we ought to consider for a moment. Let me just remind the Commission of how we stand. It is not for us to fix the date of the Conference. That is admitted. We cannot do it. The Council of the League is the body that is going to call the Conference, and therefore the only body which can fix the date is the Council of the League. The only question is whether we shall suggest a particular date or say to the Council that we hope that, at their next meeting, they will definitely fix a date. That is the only issue. To my mind it is perfectly evident, if we take our business seriously, that the proper course is to say to the Council: "We think the time has now arrived at which you can fix a date, and we wish you to fix a date at your next meeting, but you must be the judge of what that date ought to be". That seems to me to be perfectly clear.

The German delegation suggests November 5th. Why? They have given no particular reason why it should be November 5th, or any other date. They have had no information from the Secretariat as to what would be a suitable date. They do not know what would be possible. They have made no enquiry from other Governments as to what would suit them. They have made no enquiry at all, but merely fixed that date because it will be popular. That is the only argument which has been given in favour of the suggestion.

I venture to hope we shall adhere to what is the business-like and proper course, and say to the Council: "We think the time has now arrived when it is possible to fix a date, and we hope you will fix it"; but it is for the Council after taking all the circumstances into consideration, to say what is the best date for the Conference, and it is for them therefore to fix the date. Any suggestion we make would be neither suitable nor useful.

**Count Bernstorff (Germany).** — I do not see any reason why this question of the date of the Conference should be treated with so much heat. I have endeavoured to avoid doing so myself. I do not think my argument in regard to public opinion is so very extraordinary, because it can be truly said that if public opinion were not demanding disarmament, the Governments would not be demanding it either. That, I think, is beyond dispute.

Moreover, as a special argument I said that the Council had asked us to propose a date. I propose, therefore, that we should suggest a date to the Council, and I think we have a right to do so.

When I suggested November, it was not without having made enquiries. Indeed, I have been very carefully into the question. It was quite clear that the Conference could not be convened before the Assembly. We are all agree on that. Nor could it be summoned immediately afterwards—that is to say, in October. That is why I proposed November, as the first possible month after the Assembly. I think that is a very simple proposal, and one which could quite well be discussed calmly.

**The President.** — After hearing the opinion of almost all the delegations, I would ask Count Bernstorff whether he would agree as a compromise to an alteration in the wording of his proposal. We might say:

" . . . suggests to the Council . . . that the Conference should be convened at the earliest date which the Council considers expedient."

This would reflect the views of the great majority of the Commission.

**Count Bernstorff (Germany).** — We have always said that our votes were given simply as an indication, and I do not see why we should not indicate the Commission's opinion in regard to the date. After all, this would be of great interest to the Council. Why then should we not give an opinion on this point as we have done on others? Is the Commission in favour of a definite proposal or not?

**M. Beneš (Czechoslovakia).** — I should like to reply to what Count Bernstorff has just said. I have special reasons for thinking that it is difficult to fix a precise date. In the first place, I could not conscientiously vote in favour of November 5th, because I am absolutely convinced that two or three months more will be needed for the preparations, and therefore I might be disavowed by the Council. I do not like being disavowed at any time, and I should not like to be in this case above all. Secondly, supposing we adopt November 5th and the Council next January fixes a later date, the Preparatory Commission will appear to have been in a great hurry to show public opinion that we wish to disarm quickly, while the Council, which includes the Foreign Ministers of the great Powers, who are responsible for their policy, will appear to be less eager. I hesitate to place those Ministers in such a position, and that is the real reason why I should prefer not to fix a date. I think we should state that we wish the date to be fixed by the Council, so that we may not be disavowed and may avoid giving the impression that we are in a greater hurry than the Foreign Ministers of the great Powers.

I should like to add that I entirely agree with Count Bernstorff that we should avoid the expression "as soon as possible".

**The President.** — Count Bernstorff wishes his proposal to be put to the vote; but it is understood that even if the majority of the Commission opposes it, that will not mean that the Commission is against the date of November 5th. It will simply mean that it does not wish to take any responsibility for fixing a date, and that that responsibility rests solely with the Council.

**M. Cobián (Spain).** — According to the statements which have just been made, there appears to be a certain conflict between our desire to fix a date and the powers of the Commission. No one opposes Count Bernstorff's motion in principle, but the Commission is nearly unanimous in feeling that it cannot fix a date. I therefore propose that we should first vote on the question whether the Commission considers that it can fix a date.

#### AMENDMENT PUT FORWARD BY THE BRITISH DELEGATION.

**Lord Cecil (British Empire).** — I venture to think it would be better to put Count Bernstorff's motion, which has been moved quite regularly, unless somebody moves an amendment to it.

I should be quite prepared to move as an amendment that we ask the Council at its next meeting to fix a date for the Conference.

**The President.** — As this is an amendment to Count Bernstorff's proposal, we must vote on the amendment first.

**Lord Cecil (British Empire).** — The exact terms of the amendment I move are as follows:

"The Preparatory Commission for the Disarmament Conference, having completed its work, requests the Council of the League at its next meeting to fix the date for the meeting of that Conference."

**Count Bernstorff (Germany).** — When are we going to vote on the date? If the date is not voted on, I will move an amendment to the amendment and propose November 5th.

**Lord Cecil (British Empire).** — Count Bernstorff has proposed that we should suggest to the Council that they fix the date at November 5th and as an amendment to that I suggest that we should ask the Council to fix the date. If the Commission adopts my amendment it is quite plain they will not be in favour of Count Bernstorff's proposal. The question is whether we should ask the Council to fix a date or suggest that they should fix it at November 5th.

**Count Bernstorff (Germany).** — In every Parliament in the world it is the practice to vote first on the proposal which goes furthest, and my proposal goes furthest because it fixes the date.

**Lord Cecil (British Empire).** — I am afraid Count Bernstorff is not sufficiently informed. In the assemblies which I have had the honour to attend in my own country, the amendment which I have moved would certainly be put before the resolution, and if the amendment is rejected you then put the resolution. That is the ordinary practice in my country; I do not know what it may be in other countries.

#### VOTE ON THE BRITISH AMENDMENT.

**The President.** — I will now put Lord Cecil's proposal to the vote.  
*This amendment was adopted by seventeen votes.*

**Count Bernstorff (Germany).** — I do not oppose Lord Cecil's proposal, but I should like to see agreement as to the date.

**The President.** — Then you abstain, I understand.

GERMAN AMENDMENT TO THE BRITISH AMENDMENT.

**Count Bernstorff (Germany).** — In order to make the position perfectly clear, it is necessary that I should now move an amendment to this amendment, fixing the date of November 5th.

VOTE ON THE GERMAN AMENDMENT.

**The President.** — Count Bernstorff therefore proposes to add the words “. . . this date to be November 5th, 1931”.

*This amendment was rejected by nineteen votes to four.*

*The Commission rose at 7.30 p.m.*

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TWENTY-SECOND MEETING.

*Held on Friday, December 5th, 1930, at 10 a.m.*

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*President:* M. LOUDON (Netherlands).

III. Text drafted by the Drafting Committee (document C.P.D.292<sup>1</sup>): Procedure: Where Reservations to the Texts should appear.

**The President.** — You have all had the draft Convention as remodelled and corrected by the Drafting Committee. You have no doubt studied it, and will certainly agree with me that the Drafting Committee has accomplished an immense task, and that the Commission has every reason to tender its heartiest thanks to M. Westman, M. Jean Paul-Boncour and Sir Henry Malkin, who have done work that will be of the greatest value to us. Their draft is a most admirable summary of what the Commission has done.

**M. Westman (Sweden), Chairman of the Drafting Committee.** — Some days ago the Drafting Committee distributed a short preliminary notice<sup>2</sup> with regard to the first part of its text (Personnel). The Committee then stated that its proposals, though implying a number of changes in form, did not affect the substance of the draft, but were merely designed to simplify and clarify the provisions. I am bound, however, to add that, in the course of its work, the Committee has found it necessary, on one or two points, to make proposals which affect the substance of the draft: but it is anxious to draw the Commission's attention expressly to the few cases where this has been done. I shall have occasion to point out the articles where these changes have been made, when our draft comes up for discussion.

I am also anxious to make it clear that the Drafting Committee has confined itself to making proposals for the drafting of the text of the Convention, without taking into account the reservations that have been made. It was not for the Drafting Committee to append these reservations, and it would have been undesirable to do so until all the reservations were in the hands of the Bureau.

Lastly, I want to call attention to a change of form affecting the actual headings of the draft. The annexes to the naval clauses taken from the London Naval Treaty contained “sections” which were liable to confusion with the sections of the various chapters. To avoid such confusion, the sections of the chapters have been called “chapters”, and the chapters have been called “parts”.

**The Hon. Hugh Gibson (United States of America).** — I note that the general American reservation on Part III of the Treaty (Budgetary Expenditure) has been dropped from the text of the Convention and relegated to the report, together with all other reservations. You will remember that in our meeting of November 21st last, I drew particular attention to this subject and said:

“Inasmuch as so much of the general discussion of this subject has centred round the position of the American Government, I fear that, if the single text, without any accompanying commentary, were to go forward to the various Governments for study between now and the General Disarmament Conference, they might fail to find in that text a clear picture of the situation as brought out in the debate. Further, a re-statement of the American position at the Conference might come as a surprise to those delegations which did not participate

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<sup>1</sup> Note by the Secretariat. — See Annex 12.

<sup>2</sup> Note by the Secretariat. — Document C.P.D.287; see Annex 10.

in our debates here, and which, by reading the single text, might think there was no diversity of views about budgetary limitation, and no problem such as that brought up here now. In order, therefore, that an entirely straightforward presentation of the situation may be found in our text, I desire that a reservation in the following language be stated in Chapter III:

“ The American delegation makes a general reservation on the subject of budgetary limitation, and draws attention to its declaration of November 11th, 1930, fifth meeting, sixth session, second part. ”

No objection was raised to my specific request that the reservation be printed in the language I submitted, and I feel obliged to bring the matter up again and ask that our reservation be printed with the text of Part III of the Convention as we had understood would be done.

**M. Westman** (Sweden), Chairman of the Drafting Committee. — The Drafting Committee thought the reservations should not be inserted in the text, but that reference should be made to the report. As to this, it is of course for the Commission to decide.

**The Hon. Hugh Gibson** (United States of America). — Provided there are very clear cross-references in the draft Convention to the portions of the report which contain the reservations, I find no difficulty.

**Lord Cecil** (British Empire). — I have not the least wish to make any objection to anything the American delegation may think necessary from their point of view. At the same time I hope they will realise that this puts some of us into a little difficulty, because other people have reservations which they regard as of great importance. If we fill these texts with reservations, it may look as if we had done nothing at all. I was wondering whether it would be possible to have some general note at the beginning, to say that reservations are not included, and that references to the report are given to show what reservations had been made regarding particular articles. Otherwise, I am a little afraid the general result might be to give a rather discouraging impression, because it is obvious that, in a Commission of this kind, there must be differences of opinion about almost every important question. We can only do our best. Perhaps the American delegation could consider my suggestion.

**The Hon. Hugh Gibson** (United States of America). — I do not believe there is any real, practical difficulty. So far as I understand it, Lord Cecil's concern is that the text shall not be obscured by an accumulation of reservations in it. I should think M. Westman's suggestion that references be made in the texts to the reservations, which would be found in a separate document, might cover that fully. If that be not satisfactory, consideration might be given to the idea of printing after our text, in the same document, an entire list of reservations, so that they might be found conveniently. I would be willing to fall in with either procedure.

**Lord Cecil** (British Empire). — I should be quite content if M. Westman would be good enough to insert opposite each article of this Convention a reference to the part of the report which deals with that article. That would be sufficient for me.

**The President**. — I think we are all agreed on this point. We might now proceed to take the draft Convention, part by part.

112. **Text drafted by the Drafting Committee (document C.P.D.292<sup>1</sup>): Examination and Discussion.**

**DRAFT CONVENTION.**

*Article 1* (new).

The High Contracting Parties agree to limit and, so far as possible, to reduce their respective armaments as provided in the present Convention.

**PART I. — PERSONNEL**

**CHAPTER A. — EFFECTIVES.**

*Article 2* (former Articles A and H).

The average daily effectives in the land, sea and air armed forces and formations organised on a military basis of each of the High Contracting Parties shall not exceed, in each of the categories of effectives defined in the tables annexed to this chapter, the figure laid down for such party in the corresponding column of the said tables.

<sup>1</sup> Note by the Secretariat — See Annex 12.

*Article 3 (former Article E).*

The average daily effectives are reckoned by dividing the total number of day's duty performed in each year by the number of days in such year.

*The above articles were adopted.*

*Article 4 (former Articles C and D).*

By formations organised on a military basis shall be understood police forces of all kinds, gendarmerie, Customs officials, forest guards, which, whatever their legal purpose, are in time of peace, by reason of their staff of officers, establishment, training, armament, equipment, capable of being employed for military purposes without measures of mobilisation, as well as any organisation complying with the above condition.

By mobilisation, within the meaning of the present article, shall be understood all the measures for the purpose of providing the whole or part of the various corps, services and units with the personnel and material required to pass from a peace-time footing to a war-time footing.

Lord Cecil (British Empire). — This is just a mere matter of drafting. In the English text in line 2 of Article 4, after the words "Customs officials", the word "or" should be inserted. Again, in line 3, after the word "armament", the word "or" is necessary to make it read properly.

I might add that personally I do not understand the meaning of the last ten words in this first paragraph.

M. Rutgers (Netherlands). — If I remember rightly, the word "et" appeared in the French text and the word "or" in the English text in the enumeration in the first paragraph of this article. It was decided, after some discussion, to omit these two words. That solved the difficulty, but left the text more or less unintelligible. I cannot say now which of the two words is preferable.

M. Massigli (France). — I can confirm what M. Rutgers has just said. The wording adopted was intended to show that this article did not mean that all the conditions must be fulfilled before the formations in question could be taken into account. It was sufficient if one or other of those conditions were fulfilled. The Conference will have to settle in each case what formations are to be taken into consideration.

Lord Cecil (British Empire). — I am quite content whether the word "or" is omitted or not. It is more a matter of style than of sense. But with reference to the last ten words of the first paragraph I must ask what they mean. I do not understand them. I have read the text a dozen times and cannot make out the meaning of the words "as well as any organisation". If you say "any other organisation" it has a meaning.

The President. — In the French text the word "autre" is used. The word "other" should be inserted in the English text before the word "organisation".

*Article 4 was adopted.*

Tables annexed to Chapter A of Part I.

TABLES OF THE AVERAGE DAILY EFFECTIVES WHICH ARE NOT TO BE EXCEEDED IN THE LAND ARMED FORCES.

Table I. — Land Armed Forces stationed in the Home Country.			Table II (optional). — Land Armed Forces stationed Overseas.			Table III. — Total Land Armed Forces.			
High Contracting Parties	a Total effectives, including the effectives specified in columns b and c	b Officers (Article H. 1)	c Other soldiers who have completed more than $x^1$ months of service (Article H. 2)	a Total effectives, including the effectives specified in columns b and c	b Officers (Article H. 1)	c Other soldiers who have completed more than $x^1$ months of service (Article H. 2)	a Total effectives, including the effectives specified in columns b and c	b Officers (Article H. 1)	c Other soldiers who have completed more than $x^1$ months of service (Article H. 2)
A.									
B.									
C.									
D.									
...									

<sup>1</sup> Note. — This figure will be determined by the duration of the period of service which is in force in the conscript army of any High Contracting Party at the time of the signature of the Convention.

TABLES OF THE AVERAGE DAILY EFFECTIVES WHICH ARE NOT TO BE EXCEEDED IN THE LAND FORMATIONS ORGANISED ON A MILITARY BASIS.

Table IV. — Formations organised on a Military Basis stationed in the Home Country				Table V. — Formations organised on a Military Basis stationed Overseas.		
High Contracting Parties	a	b	c	a	b	c
	Total effectives, including the effectives specified in columns b and c	Officers or officials ranking as officers (Article H. 1)	Other soldiers or officials who have completed more than $x^1$ months of service (Article H. 2)	Total effectives including the effectives specified in columns b and c	Officers or officials ranking as officers (Article H. 1)	Other soldiers or officials who have completed more than $x^1$ months of service (Article H. 2)
A.						
B.						
C.						
D.						
·						
·						

TABLES OF THE AVERAGE DAILY EFFECTIVES WHICH ARE NOT TO BE EXCEEDED IN THE SEA ARMED FORCES.

Table VI. — Sea Armed Forces.		Table VII. — Sea Formations organised on a Military Basis.	
High Contracting Parties	Total effectives (officers, petty officers and men) (Article H. 4)	Total effectives (officers, petty officers and men and officials of every grade (Article H. 4))	
A.			
B.			
C.			
D.			
·			
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TABLE OF THE AVERAGE DAILY EFFECTIVES WHICH ARE NOT TO BE EXCEEDED IN THE AIR ARMED FORCES. \*

Table VIII (Optional). — Air Armed Forces stationed in the Home Country.			Table IX (Optional). — Air Armed Forces stationed Overseas		Table X. — Total Air Armed Forces	
High Contracting Parties	a	b	a	b	a	b
	Total effectives, including the effectives specified in column b	Effectives who have completed more than $x^1$ months of service (officers, non-commissioned officers and men) (Article H. 6)	Total effectives, including the effectives specified in column b	Effectives who have completed more than $x^1$ months of service (officers, non-commissioned officers and men) (Article H. 6)	Total effectives, including the effectives specified in column b	Effectives who have completed more than $x^1$ months of service (officers, non-commissioned officers and men) (Article H. 6)
A.						
B.						
C.						
D.						
·						
·						

<sup>1</sup> Note. — This figure will be determined by the duration of the longest period of service which is in force in the conscript army of any High Contracting Party at the time of the signature of the Convention.

\* Note by the Drafting Committee. — When drawing up the column headings of Tables VIII to XII, annexed to Part I, and of the Model Tables VI to XII, annexed to Article 29, the Drafting Committee assumed that the Commission had decided to fix the figure  $x$  at a period of service equal to the longest period of service completed in any of the armies of the High Contracting Parties by effectives recruited by conscription. In the event of this assumption being erroneous, should the figure  $x$  be different in the case of land, sea and air forces?



TABLES OF THE AVERAGE DAILY EFFECTIVES WHICH ARE NOT TO BE EXCEEDED IN THE AIR FORMATIONS ORGANISED ON A MILITARY BASIS.

Table XI. — Air Formations organised on a Military Basis stationed in the Home Country			Table XII. — Air Formations organised on a Military Basis stationed Overseas.	
High Contracting Parties	a	b	a	b
	Total effectives, including the effectives specified in column b	Effectives or officials who have completed more than $x^1$ months of service (officers, non-commissioned officers, men and officials of every grade) (Article H. 6)	Total effectives, including the effectives specified in column b	Effectives or officials who have completed more than $x^1$ months of service (officers, non-commissioned officers, men and officials of every grade) (Article H. 6)
A.				
B.				
C.				
D.				
.				
.				

**General de Marinis (Italy).** — I have some remarks to make on the addition which the Drafting Committee has made to the Tables of the Average Daily Effectives which are not to be exceeded in Land Formations organised on a Military Basis. The words “ or officials ” have been added in columns *b* and *c*.

There was never any mention of this addition in our discussions. The Drafting Committee merely states that it has thought well to make the addition, without giving any other reasons.

For my part, however, I am very glad to accept these additions, which I think are altogether justified. There can be no doubt that officials who replace officers, non-commissioned officers or men should be taken into account.

I may say that I have always given much consideration to this question of civilian personnel permanently attached to formations organised on a military basis and serving with the armies. I have again and again been tempted to raise the question in the Commission, but have always refrained, in order not to add to our labours or to make difficulties. Now that the question is raised at the last moment, I am compelled to deal with it.

It is quite obvious that the civilian personnel attached to formations organised on a military basis will have to be taken into account; and, *a fortiori*, the civilian personnel attached to the armed forces themselves will have to be taken into account.

There are armies which include civilian staff permanently attached to certain services in very large numbers, even up to tens of thousands of men. This civilian personnel releases a corresponding number of officers, non-commissioned officers and men. Consequently, the addition should also be made in the Tables of the Average Daily Effectives which are not to be exceeded in the Land Armed Forces in the Home Country and Overseas: in column *b* the words “ or officials ” should be inserted after the word “ Officers ”, and in column *c* the words “ or officials, employees or similar agents ” should be inserted after the words “ other effectives ”.

If we accept this addition in the second series of tables, there is no reason why we should not accept it in the first series. It is a very important question, to which I draw the Commission’s attention. Take the case of two armies of 100,000 men. The first army has 30,000 civilian employees permanently attached, who take the place of non-commissioned officers and men in the services required for the maintenance of the fighting units. This army consequently has the whole of its 100,000 men available for fighting purposes. The second army, which has no permanently-attached civilian personnel, will not have 100,000 men available for fighting purposes, since it is compelled to detach a part of them for services in the rear of the armies and the like, which, in the first army are left to the civilian personnel. I think, therefore, the addition I propose is absolutely essential.

**M. Massigli (France).** — I also noticed the Drafting Committee’s proposal, but I understood it in a different sense from General de Marinis. To my thinking, the proposed addition to Table IV does not raise the very large question brought up by the Italian delegate.

As I understood it, the idea in the mind of the Drafting Committee in using the forms “ officers or officials ranking as officers ” in column *b* and “ other soldiers or officials who have completed . . . ” in column *c*, was the following: There are among the formations organised on a military basis enumerated in Article 4 (Customs officials, forest guards, etc.) formations which do not use the military terms. In my own country, for example, the waterway and forest officers are treated on a similar footing to soldiers, but are called “ *Gardes généraux* ” or “ *Inspecteurs* ” of waterways and forests.

I understood this Table to mean that it was desired to cover the personnel equivalent to officers, just as in Table I, when the word “ officers ” is used, I naturally assume that all armies will include in the table the personnel equivalent to military officers of, for example, the intendance, the medical corps, etc. Am I right in thinking this was the idea in the minds of the Drafting

<sup>1</sup> Note. — This figure will be determined by the duration of the longest period of service which is in force in the conscript army of any High Contracting Party at the time of the signature of the Convention.

Committee? I feel sure the latter never meant to cover all the civilian personnel employed in military administrative services. That idea would lead to absurdities; the tables would have to include, for example, typists!

I should like, therefore, to know exactly what is the object of the wording proposed, and whether I understand it aright.

**General de Marinis (Italy).** — Though I attach great importance to this question, I should never have raised it; but, once it has been brought before the Commission, it must be settled.

I think that if we do not include in Table I the civilian personnel permanently attached to the army services, the reduction we are proposing to make will be entirely illusory, since the civilian personnel in question performs exactly the same services as the officers, non-commissioned officers and men discharging the same functions in other armies.

The civilian personnel in certain armies is so numerous as to exceed the total effectives of other armies. Allow me to say that not to take this civilian personnel into account would be monstrous.

If the Commission cannot see its way to accede to my request, I shall put in a formal reservation.

**Lord Cecil (British Empire).** — I hope we shall be rather careful about this discussion. I thought it was very well understood that we were only going to discuss questions of drafting, and I trust that we are not going to be launched into questions of substance.

It seems to me that General de Marinis has a perfect right to say that these words which are inserted in Table IV are an addition, and ought not to be inserted as a matter of drafting. If he takes that view, personally I should agree with him that they ought to come out, because they have never been before the Commission at all. I think we can do that, but do not think we can alter now, in substance, Table I, otherwise we shall be launching on a precedent of discussion which may be very serious. As far as I am personally concerned, I had always understood the expressions "officers" and "soldiers" in Table I to mean all those who were doing the duty of officers and soldiers. If there be any doubt about it, the Conference will no doubt have to make it quite plain as to who is to be included and who is not to be included. But I certainly understood that anyone doing the work of an officer was an officer for the purposes of these tables.

I think personally that the best course would be, in the circumstances, to strike out all the references to these words in all the tables so that the matter may be left entirely free when we come to the Conference.

**M. Westman (Sweden), Chairman of the Drafting Committee.** — In several cases, one of which is the old Article H, there is reference to "armed forces" in the general sense—that is to say, as an expression embracing both armed forces proper and armed forces organised on a military basis. Moreover, provision was made in the texts for a special note relating to "officers". In interpreting those texts, the Drafting Committee was forced to recognise that there are not necessarily any "soldiers" or "officers" in the forces organised on a military basis. It was for that reason that the Committee agreed to add the words "officials" or "officials ranking as officers", as the case may be. The text the Committee proposes involves no substantial change.

The second question raised by General de Marinis is a new one, and the Commission will have to decide the point.

**M. Rutgers (Netherlands).** — I have no objection to the insertion of the word "officials", which I do not think makes any difference at all. The officials of formations organised on a military basis—that is to say officials capable of being employed (as Article 4 says) for military purposes without measures of mobilisation—in other words, without the necessity of providing them with arms—are armed officials. That being so, it seems to me the question is not of much importance, and is really a question of wording.

**General de Marinis (Italy).** — Lord Cecil has just proposed to omit the word "officials". I consider this question so serious that the attention of the Conference should be drawn to it. I accordingly maintain my reservation with regard to Table I.

**The Hon. Hugh Gibson (United States of America).** — Under column *c* of Tables I, II and III, the words "other soldiers" are used, but I think it would be more elegant to say "other effectives".

**Lord Cecil (British Empire).** — These tables, it will be seen, refer to Articles H.1 and H.2, but this will have to be modified in the final text so as to refer to the relevant articles.

**General de Marinis (Italy).** — I do not understand why the Drafting Committee has departed from the terms which had the sanction of three or four sessions of our Commission. We have always said "Maximum Land Armed Forces stationed in the Home Country", and so on. It seems to me the general heading "Tables of the Average Daily Effectives which are not to be exceeded in the Land Armed Forces" should be left as it stands, while in the case of the headings of the first two tables we should, in each case, revert to the form we have always employed, beginning "Maximum Land Armed Forces . . ." In Table III, we should say "Maximum of the Total Land Armed Forces".

**M. Westman** (Sweden), Chairman of the Drafting Committee. — We chose this form to bring the headings into conformity with the actual text of Article 2; but, if General de Marinis prefers the change he has proposed, I have no objection.

*The Italian proposal was adopted.*

*Tables I, II and III as amended, were adopted.*

*Tables IV and V.*

*Tables IV and V were adopted.*

*Table VI.*

**Count Bernstorff** (Germany). — This table uses the term "*hommes d'équipage*"; but on page 21, in connection with publicity, it is said "total effectives, including effectives specified separately in this Table". There is no question there of "*hommes d'équipage*". Is this expression meant to cover all naval effectives, including coast-defence effectives and men embarked on board a ship or on the point of being embarked?

May I, Mr. President, return for one moment to Article 4. I am anxious to state that I regard the interpretation given to Article 4 on May 1st, 1929, as still being the interpretation given to it by the Commission.

**M. Massigli** (France). — Count Bernstorff's observation is quite right. It only affects the French text. It will meet the case if the word "*équipage*" be omitted.

*Table VI, as amended, was adopted.*

*Table VII.*

**Count Bernstorff** (Germany). — Here again the word "*équipage*" should be omitted.

*Table VII, as amended, was adopted.*

*Tables VIII and IX.*

**M. Westman** (Sweden), Chairman of the Drafting Committee. — I draw the Commission's attention to the first footnote under Tables XI and XII, and wish to say that the figures of the tables should be corrected. Instead of ". . . of Tables VIII to XII", the text should read: ". . . of Tables I to V and VIII to XII . . ."

The question before the Drafting Committee was whether the longest period of service is to be uniform for the three arms: in other words, whether a single figure (*x*) should be given, or three different figures for land, sea and air forces respectively. This problem has never been settled by the Commission, but in cannot avoid reaching a decision now.

**General de Marinis** (Italy). — If I am not mistaken, it is for the Governments to decide whether they wish to give three figures, two figures, or only one figure.

**The President.** — That is so.

**M. Fierlinger** (Czechoslovakia). — I do not think there is any option in the matter. I think there should be only one figure.

**The President.** — Does the Commission agree to Table VIII as it stands?

**M. Sato** (Japan). — I should like to know how the Commission interprets the expression "*x* months". M. Fierlinger has made a suggestion. Does the Commission agree to it? This expression is too elastic, and there should be an exact interpretation of it for the Conference.

**The President.** — The interpretation is given in the footnote.

**Lord Cecil** (British Empire). — But that is no interpretation—it is a question.

That does not resolve the question put in the first part of the note. The first part says that when you say "the longest period of service completed in any of the armies", you mean the longest period of service in the land arm or the air arm as the case may be. Whichever way you decide that is to be the longest period of service.

You have to decide primarily whether in Tables VIII, IX and X you are going to put in the longest period of service in the air arm, or the longest period of service in either the land or the air arm, whichever is the longest. In order to carry out the wishes of the Commission, you must put in the longest period of service in that arm.

The point is to have some kind of record of those who are serving as professional soldiers; or airmen, or those who are serving merely in discharge of their duties under the conscription laws. I should have thought the thing did not admit of argument, but evidently I am wrong. The note was made contrary to our wishes, we did not insert that particular provision in reference to the sea at all.

M. Fierlinger (Czechoslovakia). — The division into three classes is not of much importance, and I think we might adopt a uniform figure for land, sea and air forces. The period of service in certain arms is long enough to compare with the period of service in the navies.

I have no objection to Lord Cecil's proposal. I will only observe that it cannot be of much importance to fix a separate figure for each arm, and that it would be better, in my view, to have uniformity in the matter.

M. Westman (Sweden), Chairman of the Drafting Committee. — If there are to be three figures, we shall have to say "x" for the land forces, "y" for the naval forces, and "z" for the air forces.

Lord Cecil (British Empire). — The only difficulty is it does not apply to the naval forces.

M. Westman (Sweden), Chairman of the Drafting Committee. — Quite so, but we must settle the system now, because the question will come up again in the passage dealing with the exchange of information.

*Tables VIII and IX were adopted.*

*Tables X, XI and XII.*

*Tables X, XI and XII were adopted.*

CHAPTER B. — PERIOD OF SERVICE.

*Article 5 (new).*

The provisions of this chapter apply only to effectives recruited by conscription.

*Article 5(a) (former Article I).*

For each of the High Contracting Parties concerned, the maximum total periods of service to which the effectives recruited by conscription are liable in the land, sea or air armed forces or formations organised on a military basis respectively, shall not exceed the figures laid down for such party in the table annexed to this chapter.

*Article 6 (former Article I).*

For each man, the total period of service is the total number of days comprised in the different periods of service which he is liable under the national law to perform.

*Article 7 (former Article XB).*

As an exception, each of the High Contracting Parties concerned may exceed the limits which he has accepted by the table annexed to this chapter in so far as, owing to a falling-off in the number of births, such an increase may be necessary to enable the maximum total number of effectives fixed in his case by the tables annexed to Chapter A of this part.

*Article 8 (former Articles I and XB).*

In any case, the total period of service shall not exceed . . . months.

Table annexed to Chapter B of Part I.

High Contracting Parties	Maximum total period of service to which the effectives recruited by conscription are liable in the armed forces or formations organised on a military basis		
	Land	Sea	Air
A.			
B.			
C.			
D.			
.			
.			
.			

M. Westman (Sweden), Chairman of the Drafting Committee. — Up to now, the text of the draft Convention has referred to "the contracting State having the conscription system". In the new article, 5 (a), proposed by the Drafting Committee, however, this expression has been replaced by "effectives recruited by conscription". The reason is that, side by side with conscription, some countries have effectives recruited by the voluntary system, to which limitation and publicity as for conscripted armies do not apply (Article 5(a) and table).

Our object in adding the new article (Article 5) was to settle this question once for all and prevent confusion.

The President. — For greater despatch, I will ask whether there are any observations on the chapter as a whole.

Lord Cecil (British Empire). — In Article 7—just as a mere matter of drafting—in the English text the words "to be attained" ought to be added at the end—this would make it intelligible. It dropped out in the translation.

The Commission will remember that there was a discussion in which the Belgian and French delegates and myself took part in regard to whether notice should be given to the contracting parties and to the Permanent Disarmament Commission if any action should be taken under this article. First, I suggested that the Permanent Disarmament Commission should decide on the matter. There were objections and we decided it should be done by notice as follows:

“ Provided that any High Contracting Party proposing to exceed such limits shall immediately notify the nature and extent of his proposed action to the other High Contracting Parties and to the Permanent Disarmament Commission through the Secretary-General of the League, together with reasons for it.”

That is a shortened version of what is stated in the derogations clause; I thought the form simpler, but the substance is much the same.

**M. Massigli (France).** — I agree with the sense of Lord Cecil's proposal. If I am not mistaken, it means that when a country has decided through the legislative channels—for it rests with parliament to decide—on extending the period of service for the reasons given in the article we are considering, it will inform the other contracting parties and the Permanent Disarmament Commission.

I wonder if it would not be possible to say the same thing more simply and clearly. Could not M. Bourquin, who drafted the article, suggest a form of wording which takes account of this consideration?

**Lord Cecil (British Empire).** — I should have thought there was no difficulty about this, because, as M. Massigli pointed out the other day, in point of fact it could only be done by legislation, and therefore it would be necessary to send the proposed legislation to these various authorities. I think there ought to be something in the nature of a statement of the reasons, so that it would be known why they desired it. Doubtless, the legislation would give these reasons. I am content to have the drafting seen to by the Drafting Committee; the substance is all I ask the Commission to adopt.

**M. Bourquin (Belgium).** — I think we are in agreement as to the substance of the matter, and that it is a mere question of wording. I do not feel, therefore, that we should now discuss these points of detail, since the form will certainly not affect the substance, as to which all are agreed.

**The President.** — M. Massigli, Lord Cecil and M. Bourquin will agree on a form of words. The article is consequently adopted subject to the incorporation of the new wording.

*Article 7 was adopted subject to rewording.*

#### *Article 6.*

**The President.** — I must now go back to Article 6, on which General Kasprzycki wishes to speak.

**General Kasprzycki (Poland).** — The new wording of Article 6 differs from the former wording. The new wording is as follows:

“ For each man, the total period of service is the total number of days comprised in the different periods of service which he is liable under the national law to perform.”

The original wording was:

“ . . . the total period of service shall be the total number of days of active service and of days of service during the periods of instruction which he undergoes.”

I think a new idea has been inadvertently introduced to which a certain importance attaches in the technical sense. The idea of active service and periods of instruction, which we discussed in the Experts Committee and which is reproduced in the successive texts of our draft, is replaced by a different conception—namely, that of the total number of days comprised in the different periods of service. That means that we are eliminating from the Convention the conception of active service, and I think that is not the view which has found expression in the Commission hitherto. I think it might be possible to revert to the former wording with a slight amendment, keeping the words: “ . . . the total number of days of active service and of days of service during the periods of instruction . . .”, instead of substituting the new wording proposed. By “ active service ” is meant, not only the periods of training with the colours, but the period fixed by law during which the man is under special obligations and may be called up at any moment to serve with his unit for a period the total length of which must not exceed that fixed by law.

This conception is important, and I for one cannot agree to the proposed change.

**M. Westman (Sweden), Chairman of the Drafting Committee.** — Article 6 is one of those which were discussed at the greatest length in the Drafting Committee, and, in the course of our discussion, we learned from our military experts that the expression “ active service ” lent itself to different interpretation. It appears, for example, that in England “ active service ” means

war service, and I believe the same is true of Switzerland. Moreover, there are countries, such as Sweden, where there is no such thing as active service—in the strict sense of the term. It was to avoid this expression “active service” that the military experts have proposed, and the Drafting Committee recommends, a change in the text.

**General Kasprzycki (Poland).** — I am very sorry the military experts cannot agree on a definition of active service. I seem to remember that, in the course of long discussions which took place some three or four years ago, the military experts accepted this text, which has subsequently been reproduced many times in our documents.

I think M. Westman's remark is well founded up to a point, and I feel that, if the conception of active service leads to confusion, some agreement must be reached for an accurate definition of the term. I propose therefore to get the military experts together again to arrive at a definition. I would suggest the following, without proposing that it should be adopted here and now, since it requires study by the experts :

“Duration of active service: The period during which the man is permanently at the disposal of the military authorities (whether serving with his unit or on furlough or at home), the military authorities retaining the power to call him up at any moment, without measures of mobilisation, for an indefinite period.”

This eliminates the idea of war. I am astonished that there should be any difficulty in admitting that the effective period of service in peace time can be understood otherwise. I accordingly suggest we should round off our work by a definition, and adhere to the text previously accepted.

**The President.** — As the question has been discussed already at such length, and as all appear to be in agreement as to the essential point, I think the simplest solution is to make mention in the report of the objections that have been raised, and it will then be possible to come to an agreement at the Conference.

**General Kasprzycki (Poland).** — If the Commission so decides, I have no objection.

*Article 6 was adopted.*

*Articles 5, 5(a) and 8 and the Table annexed to Chapter B of Part I were adopted.*

## PART II. — MATERIAL.

### CHAPTER A. — LAND ARMAMENTS.

#### *Article 9 (former Article TA).*

(Provisional text, pending the drafting of the Annex.)

The annual expenditure of each High Contracting Party on the upkeep, purchase and manufacture of war material for land armaments shall be limited to the figures laid down for such Party, and in accordance with the conditions prescribed, in the annex to this article.

*Note.* — In pronouncing on this article, the Governments will take into account at the conference the report requested from the Committee of Budgetary Experts, which will have been forwarded to them in order to permit of the drawing up of the annex to this article.

The Preparatory Commission, by sixteen votes to three and six abstentions, adopted the principle of limitation by expenditure. It also discussed the following resolution:

“The Preparatory Commission is of opinion that the principle of direct limitation should be applied to land war material.”

When this resolution was put to the vote, there were nine votes in favour, nine against and seven abstentions.

Lastly, it examined the principle of a combination of the two methods. Nine members of the Commission voted in favour of this principle; eleven voted against and five abstained.

**M. Cobián (Spain).** — I am uncertain whether the Drafting Committee means to retain the note which appears after this article where it stands, instead of putting it at the bottom of the page.

The first paragraph of this note might be put at the bottom of the page, all the rest being left to appear in the report, where its natural place is. We should risk giving rise to confusion if we stated the conditions in which this vote took place, whereas it is normal to do so in the report.

**The Hon. Hugh Gibson (United States of America).** — I am sorry not to be able to agree with my friend M. Cobián, but the text of the note as it now stands was the result of more than an hour of very patient discussion in the Commission. It was the result of mutual concessions, and presents a picture which we consider it is important to have in the text.

I have no objection to its going at the bottom of the page, but I should be obliged to offer definite objections to suppressing any part of it. I think we should be making a great mistake to relegate all our reservations to a separate document, and though I have been willing to fall in with the general view, I think it would give an entirely inaccurate and misleading impression as to the value of our text.

**M. Cobián (Spain).** — If this note mentioned Mr. Gibson's reservation, I should have had nothing to say; but it does not do so. I think, therefore, we should append the reservation of the United States delegation or give a reference to the report. This note states that there were so

many votes on one side, so many on the other, and some abstentions, but does not mention the United States delegation. I have no personal interest in the matter; but I should like to see the position more clearly stated.

I suggest we should give a reference to the report for the United States reservation. In the report, the conditions under which the vote took place would be stated. But we must avoid establishing a precedent in the case of this article which might be inconvenient in the case of other articles.

**The Hon. Hugh Gibson** (United States of America). — M. Cobián has made an appeal to me, and I find myself in the peculiar position of being more conciliatory than he asks me to be. He asks me to be content with a reference to our reservation. I did not make a reservation, and have merely tried to prevent the necessity for a reservation by asking that the text should be put in the form of a note. Therefore, I am offering more than he asks me to give.

**Lord Cecil** (British Empire). — I hope M. Cobián will not insist on his proposal. After all, the purpose of this drafting is merely to reproduce the decisions of the Commission. Rightly or wrongly, we arrived very definitely at the decision that this note should appear in the Convention, and I hope we shall adhere to that. I think it would be better to put it at the bottom of the page, but otherwise I think we cannot do better than be very strict in our determination not to re-open any of the questions we have discussed, at least in substance.

**The President.** — Very well then, the note can stand at the foot of the page.

*Agreed.*

*Article 9 was adopted.*

#### CHAPTER B. — NAVAL ARMAMENTS.

(*Note.* — Such figures and dates as appear in this Chapter are only given as an indication; most of them correspond to the figures and dates laid down in the Treaties of Washington and London.)

##### *Article 10* (former Article A).

Throughout the duration of the present Convention, the global tonnage of the vessels of war of each of the High Contracting Parties, other than the vessels exempt from limitation under Annex I to this Chapter and the special vessels enumerated in Annex II, shall not exceed the figure laid down for such Party in Table I annexed to this Chapter.

##### *Article 11* (former Article B).

Table II annexed to this Chapter shows, by tonnage per category, the way in which each High Contracting Party intends to distribute during the period of application of the present Convention the global tonnage which is limited in the case of such Party to the figure laid down in Table I.

##### *Article 12* (former Article C).

Within the limits of the global tonnage fixed for such Party in Table I, and failing any stricter conditions resulting from special conventions to which it is or may become a party, each of the High Contracting Parties may modify the distribution shown for it in Table II, subject to the following conditions:

(1) The tonnages by category shown for each High Contracting Party in Table II shall in no case be the object of increase beyond the figures shown for it in Table III annexed to this Chapter.

(2) Before the laying-down of the ship or ships for the construction of which the transferred tonnage has been assigned, due notice must be given to all the other High Contracting Parties of the amount of tonnage transferred, the length of such notice being that laid down for each of the High Contracting Parties in Table III.

##### *Article 13* (former Article D).

No capital ship shall exceed 35,000 tons (35,560 metric tons) standard displacement or carry a gun exceeding 16 inches (406 mm.) in calibre.

##### *Article 14* (former Article E).

No aircraft carrier shall exceed 27,000 tons (27,432 metric tons) standard displacement or carry a gun with a calibre in excess of 8 inches (203 mm.).

No aircraft carrier of 10,000 tons (10,160 metric tons) or less standard displacement shall carry a gun exceeding 6.1 inches (155 mm.) in calibre.

If the armament carried includes guns exceeding 6.1 inches (155 mm.) in calibre, the total number of guns carried, except anti-aircraft guns and guns not exceeding 5.1 inches (130 mm.), shall not exceed ten. If, alternatively, the armament contains no guns exceeding 6.1 inches (155 mm.) in calibre, the number of guns is not limited. In either case, the number of anti-aircraft guns and of guns not exceeding 5.1 inches (130 mm.) in calibre, is not limited.

*Article 15* (former Article F).

No submarine shall exceed 2,000 tons (2,032 metric tons) standard displacement or carry a gun exceeding 5.1 inches (130 mm.) in calibre.

*Article 16* (former Article G).

No vessel of war exceeding the limitations as to displacement or armament prescribed by the present Convention shall be acquired by, or constructed by, for or within the jurisdiction of any of the High Contracting Parties.

*Article 17* (former Article H).

In regard to the replacement of the vessels of war limited by the present Convention, the High Contracting Parties will comply with the rules set out in Annex IV to this Chapter.

*Article 18* (former Article J).

No preparation shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6.1 inches (155 mm.) in calibre.

*Article 19* (former Article K).

In the event of a High Contracting Party's being engaged in war, such Party shall not use as a vessel of war any vessel of war which may be under construction within its jurisdiction for any other Power, or which may have been constructed within its jurisdiction for another Power and not delivered.

*Article 20* (former Article L).

Each of the High Contracting Parties undertakes not to dispose, by gift, sale, or any mode of transfer, of any vessel of war in such a manner that such vessel may become a vessel of war in the navy of any foreign Power.

*Article 21* (former Article M).

Any vessels of war which have to be disposed of as being surplus to the tonnage figures allowed by the present Convention shall be disposed of in accordance with the rules set out in Annex V to this Chapter.

*Article 22* (former Article N).

Existing ships of various types, which, prior to April 1st, 1930, have been used as stationary training establishments or hulks, may be retained in a non-seagoing condition.

*Article 23* (former Article O).

(Provisional text pending the drafting of the Annex.)

The annual expenditure of each High Contracting Party on the upkeep, purchase and manufacture of war material for naval armaments shall be limited to the figures laid down for such Party, and in accordance with the conditions prescribed, in Annex . . .

\* \* \*

*Note.* — The two following articles appear in Part III of the London Naval Treaty, and are quoted as examples of supplementary restrictions which certain High Contracting Parties may be prepared to accept:

*Article . . .*

"Not more than 25 per cent of the allowed total tonnage in the cruiser category may be fitted with a landing-on platform or deck for aircraft."

*Article . . .*

"In the destroyer category, not more than 16 per cent of the allowed total tonnage shall be employed in vessels of over 1,500 tons (1,523 metric tons) standard displacement."

\* \* \*

**The President.** — I propose to discuss only articles on which explanations have to be given or objections raised.

*Article 10.*

**M. Westman** (Sweden), Chairman of the Drafting Committee. — I would draw attention to the fact that Article 10 begins with the words: "Throughout the duration of the present Convention".

This phrase was suggested by M. Massigli to meet certain difficulties raised by M. Cobián. From the legal point of view, it may possibly lead to some misunderstanding if the phrase be retained, because this is the only article which allows to the self-evident fact that the provisions of the present Treaty hold good for the duration of the Convention.

I draw attention to the fact without suggesting any change. In order not to endanger the compromise at which we have arrived on the subject of Article 10, it will perhaps be sufficient to give an explanation in the report, stating the reasons for the addition of the phrase.



M. Cobián (Spain). — I am opposed to the amendment which the Drafting Committee has made in a text of its own drafting!

I may at once correct M. Westman's statement that the phrase in question appears only in this article. Without going any further, I find, in Article 11, the words: "during the period of application of the present Convention".

M. Westman has also stated that this phrase was inserted after lengthy discussion. It was adopted on the proposal of M. Massigli. But M. Westman has forgotten that M. Massigli waived his amendment, but afterwards brought it forward again, and by a very close vote (M. Westman voting on the same side as myself) we managed to agree on this form. In these circumstances, I cannot agree to the omission of this phrase.

M. Westman (Sweden), Chairman of the Drafting Committee. — I do not propose to strike out the phrase; I only suggested that one should give an explanation in the report.

*Article 10 was adopted on the understanding that an explanation—as proposed by M. Westman—would appear in the report.*

The Hon. Hugh Gibson (United States of America). — I wish merely to make an observation on the translation of the note at the head of the chapter. It says the figures are given as an "indication". I think that is probably a literal translation of the French. Probably what we should have is the word "illustration", inasmuch as "indication" implies some form of "recommendation".

*Agreed.*

#### *Article 12.*

M. Westman (Sweden), Chairman of the Drafting Committee. — I would draw attention to the fact that, in the paragraph numbered (2), which is in the following terms:

"(2) Before the laying-down of the ship or ships for the construction of which the transferred tonnage has been assigned, due notice must be given to all the High Contracting Parties of the amount of tonnage transferred, the length of such notice being that laid down for each of the High Contracting Parties in Table III."

nothing is said about notifying the Secretary-General. We have simply followed the Commission's decision, without attempting to alter this article; but some addition in regard to this point is perhaps required.

Lord Cecil (British Empire). — That means that it must be given to the contracting parties and the Secretary-General, and the Permanent Disarmament Commission.

*Agreed.*

*Article 12 thus amended was adopted.*

*Articles 13 to 22 were adopted.*

#### *Article 23 (former Article O).*

M. Westman (Sweden), Chairman of the Drafting Committee. — When this article was accepted, the matter of the former Article DA (now Article 28), with regard to general budgetary limitation—in which it was stated that the question of the possibility of a distinct limitation of the expenditure on land, sea and air forces would be submitted to a Committee of Experts for examination—was still unsettled. But the other day the Commission would not agree to the insertion of an article on the lines of Article 23 referring to air material, and a number of delegations were against its adoption on formal grounds, arguing that, while in principle they were in favour of the article, they could hardly undertake to limit expenditure on material while at the same time referring the possibility of a separate budgetary limitation of expenditure on land, sea and air forces to the experts.

I remember very well, however, that Lord Cecil drew attention to the fact that there was no material inconsistency between the two decisions, and that it was possible after all to proceed immediately with the discussion of the question of budgetary limitation of material, while leaving it to the Committee of Experts to consider the wider problem of the possibility of limiting expenditure on *material* and on *personnel* in the various budgets separately for the different forms of armament (land, naval and air).

I would call the Commission's attention to this question.

Lord Cecil (British Empire). — I hope the Commission will stick to its rule of procedure and not make any alteration of substance in the Convention as we have settled it. M. Westman has stated a part of what has happened; he forgot for the moment to remind the Commission that we have already passed an article dealing with land armaments in exactly this form, in spite of the fact that we propose to have a general limitation of expenditure under the latter part. As the Commission knows, I deeply regret the failure to carry out that policy with regard to the air, but I do not propose to argue that now. It would be very improper for me to do so. I propose to insert a reserve on the point in the report, and I hope that the Conference will be able—perhaps with the help and advice of the Committee of Experts—to take a more progressive view than the Commission was able to take in this matter. I hope we shall make no alteration in this case, because it is a question of substance and not of form.

*The Commission decided to retain Article 23.*

M. Westman (Sweden), Chairman of the Drafting Committee. — Is a note to be added to this article stating that the Committee of Experts is also going to deal with the question ?

Lord Cecil (British Empire). — I do not know whether it ought to come in here. That will be a matter for consideration. I contemplated that exactly the same procedure would take place with regard to this article as with regard to the land article.

*Agreed.*

Tables I, II and III appended to Chapter B of Part II.<sup>1</sup>

Annex I to Chapter B of Part II.

Annex II to Chapter B of Part II.

Annex III to Chapter B of Part II.

Annex IV to Chapter B of Part II.

*No observations being made, these Tables and Annexes were adopted.*

Annex V to Chapter B of Part II.<sup>1</sup>

M. Sato (Japan). — When we come to discuss the general clauses, I shall return to the subject of previous treaties to which reference is made on page 13, section III, in the following terms:

“(b) . . . “Moreover, the High Contracting Parties who are signatories of the Washington Treaty retain the rights which they possess in this respect under the same Treaty”.

*This Annex was adopted, subject to M. Sato's reservation.*

CHAPTER C. — AIR ARMAMENTS.

*Article 24 (former Article AA).*

The number and total horse-power of the aeroplanes, capable of use in war, in commission and in immediate reserve in the land, sea and air armed forces of each of the High Contracting Parties shall not exceed the figures laid down for such Party in the corresponding columns of Table I annexed to this Chapter.

The number and total horse-power of the aeroplanes, capable of use in war, in commission and in immediate reserve in the land, sea and air formations organised on a military basis of each of the High Contracting Parties shall not exceed the figures laid down for such Party in the corresponding columns of Table II annexed to this Chapter.

*Article 25 (former Article AA).*

The number, total horse-power and total volume of dirigibles, capable of use in war, in commission in the land, sea and air armed forces of each of the High Contracting Parties shall not exceed the figures laid down for such Party in the corresponding columns of Table III annexed to this Chapter.

The number, total horse-power and total volume of dirigibles capable of use in war, in commission in the land, sea and air formations organised on a military basis of each of the High Contracting Parties shall not exceed the figures laid down for such Party in the corresponding columns of Table IV annexed to this Chapter.

*Article 26 (former Article AC).*

Horse-power shall be measured according to the following rules . . . [these rules will be established by the Conference].

The volume of dirigibles shall be expressed in cubic metres.

Lord Cecil (British Empire). — The point I wish to raise is one which some may think a matter of substance; if that be so, I shall not insist. Article 26 says that “horse-power shall be measured according to the following rules . . . [these rules will be established by the Conference]”. It will be a very difficult matter for any party to make a statement as to the horse-power unless they know the rules by which they are to be governed. Could we not say there should be a Commission of Experts to draw up rules for measuring horse-power before the Conference meets? We might suggest this to the Council and the Council could act on it or not as it liked.

The President. — We might either add a note at the foot of the page or make mention of the matter in the report.

*Agreed.*

*Article 27 (former Article AE).*

I. The High Contracting Parties shall refrain from prescribing the embodiment of military features in the construction of civil aviation material, so that this material may be

<sup>1</sup> Note by the Secretariat. — The Tables and Annexes are shown in document C.P.D. 292; see Annex 12.

constructed for purely civil purposes, more particularly with a view to providing the greatest possible measure of security and the most economic return. No preparations shall be made in civil aircraft in time of peace for the installation of warlike armaments for the purpose of converting such aircraft into military aircraft.

2. The High Contracting Parties undertake not to require civil aviation enterprises to employ personnel specially trained for military purposes. They undertake to authorise only as a provisional and temporary measure the seconding of personnel to, and the employment of military aviation material in, civil aviation undertakings. Any such personnel or military material which may thus be employed in civil aviation of whatever nature shall be included in the limitation applicable to the High Contracting Party concerned in virtue of Part I, or Articles 24 and 25, of the present Convention, as the case may be.

3. The High Contracting Parties undertake not to subsidise, directly or indirectly, air lines principally established for military purposes instead of being established for economic, administrative or social purposes.

4. The High Contracting Parties undertake to encourage as far as possible the conclusion of economic agreements between civil aviation undertakings in the different countries and to confer together to this end.

Tables annexed to Chapter C (former Article AA) of Part II.

Table I. Aeroplanes of the Land, Sea and Air Armed Forces.							Table II. — Aeroplanes of the Land, Sea and Air Formations organised on a Military Basis.							
High Contracting Parties	<sup>a</sup> Total aeroplanes of the armed forces (former Table A)		<sup>b</sup> (Optional) Aeroplanes stationed in the home country (former Table A (1))		<sup>c</sup> (Optional) Aeroplanes stationed overseas (former Table A (2))		<sup>d</sup> (Optional) Aeroplanes in aircraft carriers (former Table A (3))		<sup>a</sup> Total aeroplanes of the forces organised on a military basis (former Table B)		<sup>b</sup> (Optional) Aeroplanes stationed in the home country (former Table B (1))		<sup>c</sup> (Optional) Aeroplanes stationed overseas (former Table B (2))	
	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power
A. B. C. D. ...														

  

Table III. Dirigibles of the Land, Sea and Air Forces.							Table IV. — Dirigibles of the Land, Sea and Air Formations organised on a Military Basis.														
High Contracting Parties	<sup>a</sup> Total dirigibles of the armed forces (former Table A)			<sup>b</sup> (Optional) Dirigibles stationed in the home country (former Table A (1))			<sup>c</sup> (Optional) Dirigibles stationed overseas (former Table A (2))			<sup>d</sup> (Optional) Dirigibles in aircraft carriers (former Table A (3))			<sup>a</sup> Total dirigibles of the formations organised on a military basis (former Table B)			<sup>b</sup> (Optional) Dirigibles stationed in the home country (former Table B (1))			<sup>c</sup> (Optional) Dirigibles stationed overseas (former Table B (2))		
	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume
A. B. C. D. ...																					

Chapter C, with the tables annexed, was adopted.

**PART III. — BUDGETARY EXPENDITURE.**

*Article 28 (former Article DA).*

(Provisional text pending the drafting of the Annex.)

The total annual expenditure of each of the High Contracting Parties on his land, sea and air forces and formations organised on a military basis, shall be limited to the figure laid down for such Party, and in accordance with the conditions prescribed in Annex.....

*Note.* — In pronouncing on this Article, and in particularly as regards the possibility of a distinct limitation of the expenditure on land, sea and air forces, the Governments will take into account at the Conference the report

requested from the Committee of Budgetary Experts, which will have been forwarded to them in order to permit of the drawing up of Annex...

*Note by the Drafting Committee.* — The Preparatory Commission adopted on second reading the following text for Article DA:

“ Each of the High Contracting Parties agrees to limit and, as far as possible, to reduce its total annual expenditure on land, air and sea forces. The relevant figure and the conditions governing such limitation or reduction, in particular as regards the possibility of a distinct limitation of land, naval and air expenditure, are stated in Annex No. ... to the present Convention. ”

*Note.* — In pronouncing on this Article, the Governments will take into account at the Conference the report requested from the Committee of Budgetary Experts, which will have been forwarded to them in order to permit of the drawing-up of Annex No. ...

Inasmuch as this text leaves certain questions to be settled in the Annex, which has not yet been drafted, the Drafting Committee has confined itself to reproducing provisionally the text which it proposed, in somewhat similar conditions, for Articles 9 (TA) and 23 (O), and has inserted in the note accompanying the article the reference to the possibility of a distinct limitation of the expenditure of the land, sea and air forces.

**M. Rutgers** (Netherlands). — I imagine the attention of the Committee of Experts will be drawn to the discussions we have had on the subject of limitation of budgetary expenditure and the various possibilities of evading the obligation not to exceed the maximum expenditure figures, and to the necessity for bringing into the reckoning the expenditure which is not included in the war or navy budgets.

**M. Cobián** (Spain). — I should like to ask the Drafting Committee for an explanation as to which is the exact text of Article 28.

**M. Westman** (Sweden), Chairman of the Drafting Committee. — It is the first text, with the first note. The note will be put at the bottom of the page. The note by the Drafting Committee will be omitted.

**Lord Cecil** (British Empire). — As a matter of English it ought not to be “ *pending* the drafting of the Annex ”, but “ *subject* to the drafting of the Annex ”. We shall never meet again, I hope, after a few days; therefore we must settle what we are going to do, and merely say that what we do is subject to any change made by the Conference as a result of the Annex.

*Article 28 was adopted.*

#### PART IV. — EXCHANGE OF INFORMATION.

##### *Article 29* (former Articles IA and IA (2)).

For each category of effectives defined in the model tables annexed to this Article, the exchange of information each year shall apply to the average daily number of effectives reached during the preceding year in the land, sea and air armed forces and formations organised on a military basis of each of the High Contracting Parties.

For this purpose, each of the High Contracting Parties will forward to the Secretary-General of the League of Nations, within ..... months after the end of each year, the necessary information to enable the said tables to be drawn up in the case of such Party. Each Party shall attach to this statement an explanatory note showing the elements on which the figures supplied are based, and stating, in particular, for each sort of effectives (recruits, militiamen, reservists, territorials, etc.) the number of these effectives and the number of days' service they have performed.

The said tables shall be finally drawn up and published with the explanatory note referred to above by the Secretary-General not later than ..... in each year.

**M. Rutgers** (Netherlands). — I should like to make a remark on this part in general, and to remind the Commission of the proposal with regard to direct publicity in respect of material. This proposal was set on one side by an amendment which is found in another part of the preliminary draft, but it was not put direct to the vote. Although I am still not sure there would not be a majority of the Commission in favour of such a proposal, I am not bringing it up again. I only wish to express the hope that the report will mention this proposal and state that it was not put directly to the vote.

**The President.** — That will be done.

**General de Marinis** (Italy). — In the last paragraph it says: “ The said tables shall be finally drawn up and published with the explanatory note referred to above by the Secretary-General . . . ”. I think it would be preferable to say: “ The said tables shall be finally drawn up by the Permanent Disarmament Commission and published by the Secretary-General ”.

**M. Massigli** (France). — I do not consider the point to be of much importance; but I am inclined to think that if we adopt General de Marinis' proposal, we shall be compelled to make changes in Part VI. I am not aware that we have proposed to entrust functions of this kind to the Permanent Disarmament Commission. Article 48 says: “ The Permanent Disarmament Commission shall receive all the information supplied by the High Contracting Parties to the

Secretary-General of the League in pursuance of their international obligations in this regard". Provision is therefore made in this article for the Commission to receive information. If we lay down that it is to draw up the actual tables, that will mean that it will have to receive this information "in bulk"—if I may so express myself—and do the preliminary work itself. On the other hand, if we keep the present text, the Secretariat will be able to classify the information and so help the Commission.

**General de Marinis (Italy).** — I think the compiling of the tables is a matter rather for the Permanent Commission. I should have no objection to our confining ourselves to stating that the tables are to be published by the Secretary-General. My objection applies mainly to those countries which are not Members of the League of Nations. The point is of no importance for my own country, since it is a Member of the League.

**Lord Cecil (British Empire).** — I think General de Marinis is right. The words "drawn up and" are superfluous and misleading. The tables are published with the explanatory note and then it is the duty of the Permanent Disarmament Commission to make and publish a report every year; it is not the duty of the Secretary-General to draw up these tables.

**M. Politis (Greece).** — It should be stated who is to draw up the tables. At the same time there should be some system for classifying the information received, and I think General de Marinis' remark is very reasonable. It seems to me that the Commission, which is to examine the information supplied from the various quarters, and to observe the execution of the Convention, should determine the system of classification—in other words, the tables.

In reply to M. Massigli, I would say that it will be sufficient to alter Article 40. Article 40 says: "The Commission shall meet for the first time . . . to elect a provisional President and Vice-President and to draw up its Rules of Procedure." It would be sufficient to say: ". . . to elect a provisional President and Vice-President, to draw up the tables referred to in Article 29, and to establish its Rules of Procedure".

**M. Massigli (France).** — I repeat that I do not attach much importance to this point; but I do not see that M. Politis' amendment can solve the difficulty. The first paragraph of Article 40 refers to the first meeting of the Commission. But there will be no question in this case of evolving model tables; the models are already in the draft Convention, and they will have to be filled in, and that will have to be done every year. We might put in somewhere a provision to the effect that the Commission is to draw up the tables; but, in any case, the provision should be a separate one.

**Lord Cecil (British Empire).** — I do think personally that the words "drawn up and" in the last line but one are unnecessary. We should have to alter the earlier part of the article also if we make any change. It provides that the contracting parties are to forward to the Secretary-General of the League of Nations certain information, which is "the necessary information to enable the said tables to be drawn up in the case of such party". Then it says, in the last paragraph: "The said tables shall be finally drawn up and published". I should have thought that we might leave out those words "drawn up and", as it is quite clearly the duty of the Permanent Disarmament Commission, under Article 48, to consider all this information, to point out what ought to be done about it, to make any observations it likes upon it and to receive it all. This is merely a mechanical duty to put into a form—which no doubt will be settled, if there is any difficulty about it, by the Permanent Commission—the information received. That is all that drawing up and publishing means here. It means nothing more elaborate than that, and I should have thought we could have left that as it is and made the explanation, if necessary, in the report—but I should have thought it was quite clear.

**M. Westman (Sweden), Chairman of the Drafting Committee.** — The interpretation given by M. Massigli and Lord Cecil is undoubtedly the right one. I think that it is the word "finally" which has caused all the misunderstanding, and that might be omitted, leaving, the text to state simply that "the said tables shall be drawn up and published . . ."

**Lord Cecil (British Empire).** — I agree.

**The President.** — I put to the vote the proposal to omit the word "finally".

*Agreed.*

*Article 29 thus modified was adopted.*

#### Model Tables annexed to Article 29 (Part IV).<sup>1</sup>

##### *Tables I to V.*

**General de Marinis (Italy).** — In column *d* of Tables I to V there has been a change in the wording which alters the meaning of the column.

In the text first proposed by the Drafting Committee the wording was:

" . . . soldiers whose period of actual service with the colours has exceeded the legal period of service, but is less than  $x$  years (information to be supplied only by the High Contracting Parties having the conscription system)".

<sup>1</sup> Note by the Secretariat. — These Tables are shown in document C.P.D. 292; see Annex 12.

The passage in brackets has been replaced by the wording: “ (information to be supplied only for effectives recruited by conscription) ”.

This completely changes the meaning. I will give an example.

We want the conscript armies to give us the information in column *d*. Take the case of a conscript army with one-year service, the maximum period of service in which (here indicated as *x*) is three years. We want to know what men in this army do more than one year's and less than three years' service. Now these men fall into two classes. First, there are the soldiers called up by conscription who, after serving for one year, ask to be allowed to re-enlist for one or two further years. Secondly, there is another class, which is the larger—namely, the men who enlist voluntarily and, though not called up by conscription, apply to serve for, say, two or three years. Provision should be made here to cover this class, and the old text did so. For this reason, I ask for the restoration of the text originally adopted.

**M. Westman** (Sweden), Chairman of the Drafting Committee. — The heading in question was adopted after hearing the views of the military experts, and the safe idea was to make the text clearer. But on reflection I think General de Marinis' observation, if I understand it aright, is altogether justified, and I suggest that we reinsert the original text and say: “ (information to be supplied only by the High Contracting Parties having the conscription system) ”.

*This proposal was adopted.*

*Table II.*

**M. Sato** (Japan). — In Table II, publicity becomes compulsory, whereas it is optional in the chapter on limitation. It also becomes compulsory for air effectives in Tables VIII to XII.

I do not remember the Commission expressing a final view on this point. There was a document put in by the Bureau<sup>1</sup> in which it stated that “ the tables . . . are optional as regards the limitation of effectives, but compulsory as regards publicity ”. But this document was never formally discussed. The discussion was so confused that the Commission left this question without passing any resolution.

It seems to me there is an inconsistency here. In the case of air material, Table I of the tables annexed to Chapter C (former Article AA) of Part II, regarding aeroplanes of land, sea and air armed forces states, in columns *b*, *c*, and *d* that it is optional; and the same is the case in columns *b*, *c* and *d* of Table I of the Model Tables annexed to Article 35 (former Article ID). There is consistency, therefore, as between limitation and publicity in the case of air material, but not in the case of air effectives.

It seems to me, therefore, that the Commission has not come to any decision on this question of publicity, which is optional in one case and compulsory in the other. I have no objection of principle in the matter. If the Commission is for compulsory publicity in regard to effectives, the limitation of which is optional, I shall bow to its decision. But I think there should be a formal decision of the Commission in the matter.

**M. Westman** (Sweden), Chairman of the Drafting Committee. — We had the same doubts in the Drafting Committee on this point as M. Sato. We referred to the Minutes, and found that there was a decision of the Commission on the point.

**M. Sato** (Japan). — M. Westman reminds me that there was a formal decision in regard to effectives. I have no difficulty, therefore, in accepting the text proposed. But was there also a formal decision in regard to air material? Limitation and publicity are, I understand, optional.

**M. Westman** (Sweden), Chairman of the Drafting Committee. — We found nothing in regard to air material.

**General de Marinis** (Italy). — In the note under tables IV and V there is a printer's error. The note says: “ Ce chiffre sera déterminé par la durée de service la plus longue en vigueur dans les années de conscription . . . ” It should read: “ . . . dans les armées de conscription . . . ”<sup>2</sup>

I should like the table shown under Tables IV and V and headed “ Annex to Tables II and V ” to be drawn up in the same form as the other tables, with columns *a*, *b*, *c*, *d*, *e*.

**M. Westman** (Sweden), Chairman of the Drafting Committee. — This will be done.

**M. Massigli** (France). — It is understood that in Tables IV and V, column *d*, the same change will be made as desired by General de Marinis in the case of Tables I, II and III.

**M. Fierlinger** (Czechoslovakia). — Perhaps it would be more logical to say in column *c* “ other effectives who have completed *x* months of service or more ”. In the following column, we find “ less than *x* months ” and that might lead to misinterpretation and possibly to the temptation to eliminate those effectives who serve exactly *x* months.

<sup>1</sup> Note by the Secretariat. — See thirteenth meeting, No. 67.

<sup>2</sup> The English text is not affected.

**The President.** — The Commission is in agreement to omit the words “ more than  $x$  months of service ” in column *c*, of Table I, and to replace them by the words “ at least  $x$  months of service ”. The same change will be made in the other tables.

*Tables I to V, thus amended, were adopted.*

*Table VI.*

**The President.** — In the second line of the “ Note by the Drafting Committee ”; under Table VI, it says: “. . . in any of the armies . . .”. The words “ or navies ” should be added.

**M. Westman** (Sweden), Chairman of the Drafting Committee. — The note is to be omitted  
*Table VI was adopted.*

*Tables VII, VIII and IX.*

*Tables VII, VIII and IX were adopted.*

*Table X.*

**Lord Cecil** (British Empire). — According to the decision we have arrived at the note should be changed to “. . . the longest period of service which is in force in the conscript air force . . .”

*Agreed.*

*Table X was adopted.*

*Tables XI and XII.*

*Tables XI and XII were adopted.*

**The President.** — It is understood that the note at the foot of these last two tables is to be altered.

*Article 30 (former Article IA (1)).*

If any youths have compulsorily received, during any year, preparatory military training within the jurisdiction of any High Contracting Party, such Party shall communicate to the Secretary-General of the League of Nations, at the end of such year, the number of youths who have received such instruction.

The above information shall be published by the Secretary-General not later than . . . . . in each year.

**M. Sato** (Japan). — In the first paragraph, it is said “. . . at the end of such year . . .”. It is not possible to supply information just at the end of the year, for that is when the figures are being drawn up. There should be some interval allowed.

**M. Westman** (Sweden), Chairman of the Drafting Committee. — Very true. Perhaps it would be possible to take the expression which we find in Article 35: “. . . within . . . months after the end of each year ” ?

*Article 30 was adopted with the above amendment.*

*Article 31 (former Article IZ).*

The High Contracting Parties concerned shall forward to the Secretary-General of the League of Nations at the end of each year the following information as to the provisions of their law relating to the effectives recruited by conscription in their land, sea and air forces and formations organised on a military basis respectively:

- (1) The total number of days comprised in the first period of service;
- (2) The total duration in days of the ensuing periods.

The above information shall be published by the Secretary-General not later than . . . . . in each year.

**M. Massigli** (France). — The question is rather different in the case of this article. The facts in this case are determined by legislative enactments, and the information can be supplied within twenty-four hours. There is no need for an interval of any length. We can therefore leave the words: “ At the end of each year ”.

*Article 31 was adopted.*

*Article 32 (former Articles DB\* and IB).*

Each of the High Contracting Parties shall, within . . . . . months from the end of each budgetary year, communicate to the Secretary-General of the League of Nations a statement, drawn up in accordance with a standard model, showing by categories of materials the total actual expenditure in the course of the said year on the upkeep, purchase and manufacture of war materials of the land armed forces and formations organised on a military basis of such Party.

The information contained in this statement shall be published by the Secretary-General not later than . . . . . in each year.

*Note.* — In giving an opinion on this Article, the Governments will take into account the report requested from the Committee of Budgetary Experts regarding the number and nature of the categories to be laid down and the methods of publicity thus adopted in connection with the provisions of the annex regarding limitation referred to in Article 9 of the present Convention.

**Lord Cecil (British Empire).** — In line 5 of the first paragraph of Article 32 I suppose we ought to put in the words “land and sea armed forces”. We have made the same decision about each of them.

*Agreed.*

*Article 32, thus modified, was adopted.*

*Article 33 (former Article I of document C.P.D. 260).<sup>1</sup>*

Within one month after the date of laying down and the date of completion respectively of each vessel of war, other than the vessels exempt from limitation under Annex I to Chapter B of Part II, laid down or completed by or for them or within their jurisdiction after the coming into force of the present Convention, the High Contracting Parties shall communicate to the Secretary-General of the League of Nations the information detailed below:

(a) The date of laying down the keel and the following particulars:

- Classification of the vessel and for whom built (if not for the High Contracting Party);
- Standard displacement in tons and metric tons;
- Principal dimensions—namely, length of water-line, extreme beam at or below water-line;
- Mean draught at standard displacement;
- Calibre of the largest gun.

(b) The date of completion, together with the foregoing particulars relating to the vessel at that date.

The above information shall be immediately communicated by the Secretary-General to all the High Contracting Parties and shall be published by the Secretary-General not later than . . . . . in each year.

*Article 33 was adopted.*

*Article 34 (former Article IG).*

There shall be communicated to the Secretary-General of the League of Nations the name and tonnage of any vessel (except vessels completed prior to 1921 which were designed for a speed of less than 12 knots) whose decks have been stiffened as authorised in Article 18 of the present Convention.

As regards vessels whose decks have already been stiffened this communication shall be made by the High Contracting Party whose flag the vessel flies within  $x$  months from the coming into force of the present Convention for such High Contracting Party.

As regards other vessels whose decks are stiffened in future, the said communication shall be made by the High Contracting Party within whose jurisdiction the stiffening has been effected, as soon as the stiffening has been completed.

The above information shall be published by the Secretary-General not later than . . . . . in each year.

**M. Westman (Sweden), Chairman of the Drafting Committee.** — The Drafting Committee had difficulty in finding a wording for this article, because it seemed difficult to settle which contracting party should give the information in the case, first, of vessels whose decks are already stiffened at the time of the coming in force of the Convention, and secondly of vessels whose decks are stiffened subsequent to the coming in force of the Convention. The text of the former Article IG did not specify which Power was to be under obligation to supply the information. That is another problem the Commission has still to settle.

**Lord Cecil (British Empire).** — It has never been decided by the Commission.

**General de Marinis (Italy).** — We might put in the third paragraph of this article: “by the High Contracting Party whose flag the vessel flies”.

**The President.** — There are no brackets in the English text. The same form will be used in the third paragraph as in the second paragraph.

*Agreed.*

**Lord Cecil (British Empire).** — This was agreed to. I am a little puzzled by this article. It appears to me to have been very much changed from what it was when we passed it and to go a great deal further now. It requires information of *all* vessels which have been stiffened. I have not instructions about that. Of course we can give information about any vessels that have been stiffened by the Government, but if they have been stiffened by private individuals I do not know that we have any means of knowing about that. I understood it was only to

<sup>1</sup> *Note by the Secretariat.* — See Annex II.



be information regarding the vessels which were stiffened by the Government. That is Article 18 of the present Convention, which permits Governments to stiffen the decks of certain vessels, if they wish, in order to carry guns. It is quite right that that information should be given, but to ask them to give information as to *all* vessels whose decks have been strengthened is a different matter. I do not think in my own country there exists any possible means by which one could know this. We have no right to look at vessels except to ascertain whether they are seaworthy.

**The Hon. Hugh Gibson** (United States of America). — I do not think there is any disagreement as to the essential purpose of this article, but I confess that, after further study, I find there still remain certain ambiguities which can undoubtedly be readily cleared up between now and the General Conference. As an example of the sort of ambiguity I refer to, it is stated:

“As regards vessels whose decks have already been stiffened, this communication shall be made by the High Contracting Party whose flag the vessel flies.”

I venture to point out the difficulty of carrying out this obligation which might arise in the case of a citizen of one country purchasing, for private use, a vessel of which the decks had been stiffened, from a citizen of another country. In that case the citizen of the first country might not be in a position to furnish the information necessary to carry out the obligations under the Convention.

There are a number of other possible complications, but I do not think there are any really serious difficulties involved. Study between now and the General Conference will result in the formulation of a perfectly clear text which will achieve our purpose. I therefore suggest we can readily adopt this text, with the understanding that we will all study the formulation of a better text between now and the Conference.

**Lord Cecil** (British Empire). — All the same—if Mr. Gibson will allow me—I think it will be as well to make this text as good as we can. I suggest adding this wording:

“As regards vessels whose decks have already been stiffened, this communication shall be made by the High Contracting Party *who has carried out, or caused to be carried out, the stiffening.*”

That is the only thing they can really speak to; they cannot speak to what has been done by other people, at least in my country.

In the next paragraph you would have to make a similar alteration. Perhaps it would be sufficient to say: “By the *said* High Contracting Party”. We should have to look into that.

**The President.** — I observe that Mr. Gibson agrees.

**M. Rutgers** (Netherlands). — I think there is a serious objection to this modification. I do not imagine there can be many cases of private persons having vessels built with stiffened decks without the knowledge of their Governments. I think such very rare cases—if there be any such cases at all—might be left out of account.

For my part, I should prefer to make no change in this article; otherwise we shall be embarking on a discussion of substance. This is no longer a question of drafting. If cases are really discovered of vessels whose decks are stiffened without the Government concerned knowing anything about it, the Conference can be informed, and can alter the article accordingly.

**Lord Cecil** (British Empire). — I am discussing the substance because this article was never settled by the Commission at all. It is an entirely novel suggestion and not authorised, in my judgment, by any decision at which the Commission arrived. The Commission only arrived at a decision that, where Governments had authorised stiffening, they were to make a return on the subject. I should protest very strongly against altering that in any respect. I tried to establish a draft which took into account only what we discussed. I cannot agree with M. Rutgers, and I think he is going beyond our duty. We have to discuss what we decided and how we shall express that decision. We decided that Governments which caused decks to be stiffened had to give a return of what they had done. That is all you can ask Governments to do, and we should put nothing else in the article.

**M. Westman** (Sweden), Chairman of the Drafting Committee. — Lord Cecil's interpretation of the decision taken by the Commission is hardly correct. The old Article IG is in the following terms:

“Each of the High Contracting Parties shall communicate to the Secretariat of the League of Nations the name and the tonnage of any vessel constructed in accordance with Article NH . . . .”

It does not deal merely with vessels constructed by the Governments. The text is of general application.

It was because of the inadequacy of Article IG that the Drafting Committee thought fit to suggest the solution before you.

**Lord Cecil** (British Empire). — This still does not answer the question. It depends on what ships were constructed in accordance with the other article. As I read the other article, it refers only to Government action. It is not, however, of very great importance.

**M. Rutgers (Netherlands).** — That is not my reading of the article.

**Lord Cecil (British Empire).** — It seems to me we should settle this point one way or another. It is not a matter of great importance, but when you put a duty on Governments it must be only a duty which they can carry out. They have no means and no right to interfere with what private individuals do with their ships. As a matter of fact I believe that a considerable number of ships built now are built with decks sufficiently strong to carry 6-inch guns, not with any view to their being used as part of the armed forces of the country, but merely to defend themselves against submarine attack. I am told, but I do not know, that it is merely a measure of protection for the ship, and is quite a common practice. I do not know how the Governments can ascertain if that be so or not without inspecting the building of a ship. I should have thought all you can ask here is to see that the Government preparations for war are limited. That is the whole basis of our Convention. I do not think this is a very important matter, but we should proceed on some kind of principle if we discuss what private individuals are doing which may, or may not, increase the strength of a country when it goes to war. Then we should require returns about transport, and other things not used perhaps in war. I am content to say that everything the Government has done or caused to be done in this matter should be returned, but it does not seem right to go further than that.

**The Hon. Hugh Gibson (United States of America).** — I am in the happy position of being able to fall in with almost any possible solution; but I confess, among them all, the one that appeals to me most is the amendment offered by Lord Cecil, because it seems to me to be very simple and sound and, if we adopt it, we shall know exactly where we are. I, therefore, suggest that you put that amendment to the vote, as I should like to have the privilege of voting for it.

**M. Rutgers (Netherlands).** — Article 18 says:

“ No preparation shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war . . . .”

I do not believe private individuals can do such things without the knowledge of their Governments. It is not possible to convert a merchant-ship into a vessel of war without the Government's having a hand in it. Article 18 comprises an undertaking by the Governments not to make any preparation for the installation of armaments for the purpose of converting merchant-ships into vessels of war. There will be no difficulty for the Government in fulfilling this undertaking: they assume much more far-reaching obligations in connection with the supervision of private enterprise—for example, in the case of the International Labour Office. This obligation can be assumed by the Governments, not only in cases in which they grant subsidies, but generally and without exception.

**M. Sato (Japan).** — I agree with M. Rutgers in respect of his interpretation and comments; but I have a few words to add. Article 18, which M. Rutgers has just quoted, is the old Article NH, which is taken from the Washington Treaty. After the conclusion of that Treaty, there was never any question of such an interpretation as has been given by Lord Cecil. My country, as a party to the Washington Treaty, could not accept any novel interpretation of any one of the articles adopted at Washington. The only possible thing to do would be to keep the present text and submit it to the Conference, as Mr. Gibson has proposed. At the Conference each country will state its interpretation, and we shall see whether there are circumstances which preclude the supply of full information by certain countries. The Conference will consider each particular case and the solution required.

As, however, the Drafting Committee's present text has given rise to much discussion, I propose we adopt the original second-reading text.

**Lord Cecil (British Empire).** — Rather than prolong the debate I should be quite content to accept that, or any other decision. It is a most important matter. I think it would be better, as a matter of principle, to take the last suggestion of M. Sato, because I think that is free from the objection of allowing the Drafting Committee to legislate for us.

**The President.** — The former Article IG will therefore take the place of Article 34.  
*Agreed.*

**Lord Cecil (British Empire).** — It should be stated in the report that certain delegates pointed out that it would be very doubtful how far they would be able to comply with such an article.

#### *Article 35 (former Article ID).*

For each of the categories of aircraft defined in the model tables annexed to this Article, the exchange of information shall apply to the maximum figures attained in each year in respect of the number and total horse-power, and for dirigibles the total volume, by the aircraft referred to in Articles 24 and 25 of the present Convention.

For this purpose, each of the High Contracting Parties will forward to the Secretary-General of the League of Nations within . . . . . months after the end of each year the necessary information to enable the said tables to be drawn up in the case of such Party.

The tables referred to in the preceding paragraph shall be finally drawn up and published by the Secretary-General not later than . . . . . in each year.

**The President.** — In the third paragraph of this article the word “ finally ” must be omitted.

*Article 35, thus amended, was adopted.*

*The Commission rose at 1.20 p.m.*

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TWENTY-THIRD MEETING.

*Held on Friday, December 5th, 1930, at 5 p.m.*

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*President:* M. LOUDON (Netherlands).

**113. Texts drafted by the Drafting Committee (document C.P.D.292<sup>1</sup>): Examination and Discussion (continuation).**

**Model Tables annexed to Article 35 (former Article ID).**

*These Model Tables I, II, III and IV were adopted.*

*Article 36 (former Article IE).*

In order to ensure publicity as regards civil aviation, each of the High Contracting Parties shall indicate at the end of each year (to the Secretary-General of the League of Nations) the number and total horse-power of civil aeroplanes and dirigibles registered within the jurisdiction of such Party. Each Party shall also indicate the amounts expended on civil aviation by the Government and by local authorities.

(The above information shall be published by the Secretary-General not later than...  
..... in each year).

**M. Westman (Sweden), Chairman of the Drafting Committee.** — To bring the text of this article into conformity with the decision reached this morning, it will be necessary to modify the second line to some extent and draft it as follows: “. . . shall indicate within  $x$  months after the end of each year . . .” It will also be necessary to delete the brackets round the words “ to the Secretary-General of the League of Nations ”.

*Thus amended, the article was adopted.*

*Article 37 (former Articles DA\* and IH).*

Each of the High Contracting Parties shall communicate to the Secretary-General of the League of Nations within..... months of the end of each budgetary year a statement drawn up in accordance with the standard model (annexed to this Article) showing the total amounts actually expended in the course of the said year on the land, sea and air armaments of such Party.

The information supplied in this statement shall be published by the Secretary-General not later than..... in each year.

*Note by the Drafting Committee.* — It is for the Preparatory Commission to decide whether the standard model referred to in the first paragraph of the proposed article should be the model statement in document C.P.D.90 or whether further study by experts is necessary: in that case, a note to that effect shall be inserted after this Article as has been done for Articles 9 (TA) and 32 IB.

**M. Westman (Sweden), Chairman of the Drafting Committee.** — I should like to draw the Commission's attention to the Drafting Committee's note at the foot of this article, which states that it is for the Preparatory Commission to decide whether the standard model referred to in the first paragraph of the article should be the model statement in document C.P.D.90, or whether further study by experts is necessary.

**M. Sato (Japan).** — When this article was discussed by the Commission, I proposed that the question should be referred to the Committee of Budgetary Experts, whose powers should be extended. I am under the impression that the Commission agreed.

**General de Marinis (Italy).** — I agree with this suggestion.

**M. Westman (Sweden), Chairman of the Drafting Committee.** — A note will therefore be made to this article, substantially the same as the note to Article 32.

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<sup>1</sup> *Note by the the Secretariat.* — See Annex 12.

Lord Cecil (British Empire). — I suppose we shall have to consider the actual wording of the reference to the experts when we have finished this.

*Article 37 was adopted with this reservation.*

PART V (former Chapter IV). — CHEMICAL ARMS.

*Article 38.*

The High Contracting Parties undertake, subject to reciprocity, to abstain from the use in war of asphyxiating, poisonous or similar gases, and of all analogous liquids, substances or processes.

They undertake unreservedly to abstain from the use of all bacteriological methods of warfare.

PROPOSAL BY THE POLISH DELEGATION REGARDING A CONVENTION FOR AFFORDING INTERNATIONAL AID TO ANY COUNTRY CHEMICALLY OR BACTERIOLOGICALLY ATTACKED.

General Kasprzycki (Poland). — I have no desire to re-open the discussion on this grave problem, but before our work comes to an end I wish to place before you the point of view of my delegation. Our concern, I may say, is shared by a number of other delegations.

I should like first of all to remind the Commission of the origin of Part V (Chemical Arms). We urged at the outset that a special chapter dealing with the prohibition of the use of asphyxiating, poisonous or similar gases and also of bacteriological weapons in war should be embodied in the Convention; and our object was to establish fresh guarantees in this regard and, in particular, to make an advance upon the Protocol of June 17th, 1925.

The conditions under which we have been working, however, have not enabled us for the time being to achieve this aim.

The texts which we have succeeded in drawing up in Part V (Chemical Arms) do not represent any essential change in the present situation.

Further, I recognise that the scope of the Convention, the aim of which is the limitation and reduction of armaments, does not easily lend itself to provisions of this nature. We agree, therefore, not to insist that this very important problem be dealt with in the draft Convention; but I will take this opportunity of explaining briefly to you our point of view in the matter.

Having regard to the notable development of science in the sphere of chemistry and bacteriology, and considering the enormous growth of the chemical industry in particular, the temptation to use one of the most formidable weapons in a future war would be too strong to be removed merely by a prohibitory measure. With regard to this I should like to quote to you the remarks made by the Greek delegate in his excellent speech of December 2nd last : <sup>1</sup>

“ If ever we have the misfortune to be involved in another war ”, said M. Politis, “ I do not think that prohibitions imposed on belligerents by law will be respected any more than they were last time—indeed, even less than last time ”.

This is very true, and therefore the prohibition should be supplemented by measures increasing its practical force, which would make its violation, if not impossible, at least more difficult, and would introduce serious dangers for the aggressor.

I would take this opportunity of emphasising that we have in no way abandoned our original point of view. We are of opinion that only collective reprisals could afford us adequate safeguards. They are the only means which might act as an adequate deterrent to induce the aggressor to abandon once for all the idea of using a weapon of this nature against an adversary.

I am, however, perfectly aware of the position in practice. The discussions in our Commission last year showed that, for the moment, the majority were unable to agree to definite pledges with regard to punitive action.

We are therefore at present forced to be satisfied with less, and we are ready to limit ourselves to the lowest possible minimum. What we do not desire is to remain inactive in the face of the possibilities outlined by M. Politis, and in the past by M. de Brouckère, which must be plain to us all.

But there is one thing which, it appears to us, might be done immediately without the risk of encountering serious opposition: an undertaking on the part of all States to give their support to a country which has been attacked by chemical or bacteriological weapons.

As we have admitted that for the moment we do not see how, either materially or morally, such an attack may be rendered impossible, we ought at least to agree to give our support to any possible victim.

Primarily, States should assure to any country, which has been the victim of a chemical or bacteriological attack, rapid and efficient sanitary and medical assistance. Further, they should undertake to give the country the support of the scientific resources at their command, in order to devise suitable means of defence and ways of nullifying these weapons. These resources should be put at the disposal of the people who are threatened, or who have been already attacked, as quickly as possible and in sufficient quantity.

<sup>1</sup> Note by the Secretariat. — Twentieth Meeting, No. 107.

I was anxious to explain to the Commission, before our work is finished, the point of view which we shall shortly propose for examination outside this Commission.

Regarding this, I should like to make a statement. I am happy to be able to say that our view is shared by certain delegations with whom I have been able to discuss the subject—I refer to the Belgian, Finnish, Roumanian and Yugoslav delegations. I have not had time to discuss the matter with other delegations, but I am sure that many of them share this view.

I would ask the President to be kind enough to insert the following declaration in the report:

“ Though recognising the moral value of international instruments forbidding the use in warfare of chemical and bacteriological methods in war, we nevertheless feel that it is necessary to make provision, in addition to these instruments, for practical preventive and executory measures. These measures should be such as to render chemical or bacteriological attack, if not impossible, at any rate difficult, and should limit the chances of success and efficacy of such attack. They should also constitute a fresh guarantee that no violation of the undertakings solemnly signed could be committed without involving very unpleasant consequences for the guilty State.

“ In this connexion, therefore, it would be desirable to consider the possibility of concluding a Convention for affording international aid on as liberal a scale as possible to any country chemically or bacteriologically attacked. As such aid would be essentially of a humanitarian nature (sanitary, scientific, etc.), it should meet with general approval.

“ This problem might be studied in due course by the League of Nations ”.

**The President.** — The observations made by General Kasprzycki will be mentioned in the report.

**M. Fierlinger (Czechoslovakia).** — The suggestion made by the Polish delegation is most interesting, and I therefore support it; but I must add that our delegation has not had the time to study it, and I think that the Polish proposal requires very thorough examination from the technical point of view and from that of international law. The body which inherits the unfinished task of the Committee on Arbitration and Security might place this question on its programme.

My Government will always support any effort to establish punitive measures to ensure respect for treaties, particularly in the case of a treaty having the moral importance of the Convention regarding Asphyxiating Gases. It is, I think, no secret that my Government favours a system of international guarantees, even if, owing to the insurmountable difficulties it encounters, such a system can only be achieved by stages.

But, as the Polish delegate has just said, the question at issue is not one of punitive measures, but rather, in my opinion, of an investigation which might fall within the sphere of the International Red Cross. Here we touch upon the general rules regarding the laws of war . . .

**The President.** — You may continue to speak, but, strictly speaking, this has nothing to do with the Drafting Committee's text.

**M. Fierlinger (Czechoslovakia).** — . . . but, as General Kasprzycki has explained his ideas on the matter, I would remind the Commission that attempts were made to codify the laws of war before the recent war, and that, last year, the International Red Cross called a conference to study the rights and duties of belligerents. The measures contemplated by the Polish delegation might come within the scope of such work, and I think it would be better to mention them in our report.

**M. Massigli (France).** — The French delegation understands the concern which the Polish delegation feels on this point. It fully realises the importance of the question, and would be glad to see it considered, and mention of it will be made in the report.

**Mr. Lester (Irish Free State).** — I just want to make a remark on this subject. There was some discussion on the interpretation of this article on December 2nd last, following the circulation of a memorandum by the British Government, and, on that occasion, several delegations made declarations. I have only to say that the Government of the Irish Free State accepts entirely the interpretation of the article as given in the memorandum of the British delegation.

*Article 38 was adopted.*

## PART VI. — MISCELLANEOUS PROVISIONS.

### CHAPTER A. — PERMANENT DISARMAMENT COMMISSION.

#### *Article 39 (Former Article OA).*

There shall be set up at the seat of the League of Nations a Permanent Disarmament Commission with the duty of following the execution of the present Convention. It shall consist of  $x$  (figure to be fixed by the Conference) members appointed respectively by the Governments of . . . . . (list to be drawn up by the Conference),

Members of the Commission shall not represent their Governments. They shall be appointed for  $x$  years, but shall be re-eligible. During their term of office, they may be replaced only on death or in the case of voluntary resignation or serious and permanent illness.

They may be assisted by technical experts.

*Article 40 (Article OB).*

The Commission shall meet for the first time, on being summoned by the Secretary-General of the League of Nations, within three months from the entry into force of the present Convention, to elect a provisional President and Vice-President and to draw up its Rules of Procedure.

Thereafter it shall meet annually in ordinary session on the date fixed in its Rules of Procedure.

It may also, if summoned by its President, meet in extraordinary session in the cases provided for in the present Convention and whenever an application to that effect is made by a High Contracting Party.

*Article 41 (Article OC).*

The Commission shall have full power to lay down its own Rules of Procedure on the basis of the provisions of the present Convention.

*Article 42 (Article OD).*

The Commission may only transact business if at least two-thirds of its members are present.

*Article 43 (Article OE).*

Any High Contracting Party not having a member of its nationality on the Commission shall be entitled to send a member appointed for the purpose to sit at any meetings of the Commission during which a question specially affecting the interests of that Party is considered.

*Article 44 (Article OF).*

Each member of the Commission shall have only one vote.

All decisions of the Commission shall be taken by a majority of the votes of the members present at the meeting.

In the cases provided for in Articles 49 and 51 the votes of members appointed by the Parties concerned in the discussion shall not be counted in determining the majority.

A minority report may be drawn up.

*Article 45 (Article OG).*

Each member of the Commission shall be entitled on his own responsibility to have any person heard or consulted who is in a position to throw any light on the question which is being examined by the Commission.

*Article 46 (Article OH).*

Each member of the Commission shall be entitled to require that, in any report by the Commission, account shall be taken of the opinions or suggestions put forward by him, if necessary in the form of a separate report.

*Article 47 (Article OI).*

All reports by the Commission shall, under conditions specified in each case in the present Convention, or in the Rules of Procedure of the Commission, be communicated to all the High Contracting Parties and to the Council of the League of Nations, and shall be published.

*Articles 39 to 47 were adopted.*

*Article 48 (Article IF).*

The Permanent Disarmament Commission shall receive all the information supplied by the High Contracting Parties to the Secretary-General of the League in pursuance of their international obligations in this regard.

Each year, the Commission shall make at least one report on the information submitted to it and on any other information that may reach it from a responsible source and that it may consider worth attention, showing the situation as regards the fulfilment of the present Convention.

This report shall be communicated forthwith to all the High Contracting Parties and to the Council of the League and shall be published on the date fixed in the Rules of Procedure of the Commission.

M. Politis (Greece). — I should like to ask why the Drafting Committee has thought it better to transfer this text. I still believe, until it is otherwise shown, that it will be better to place it at the end of the part regarding exchange of information—that is to say, after Article 37. I suppose that the reason for the transference is that the Permanent Disarmament Commission is mentioned for the first time in this chapter. But this no longer holds good since this morning, as the Permanent Disarmament Commission is already mentioned in Articles 7 and 12. I therefore ask whether there is any plausible reason for interfering with the logical order of the articles.

**M. Westman** (Sweden), Chairman of the Drafting Committee. — The reason was that indicated by **M. Politis**. It has now lost much of its force, and if **M. Politis** wishes, and the Commission so decides, Article 48 can perhaps be placed among the other provisions regarding information.

**M. Politis** (Greece). — I should like to propose that the reference “referred to in such and such an Article” (Article 39) should be placed in Articles 7 and 12, where the Permanent Disarmament Commission is alluded to.

**Lord Cecil** (British Empire). — I am a little in doubt whether the whole of this article should go to the Exchange of Information part, because the second and third paragraphs deal with the annual report that the Commission is to make, and that is—or ought to be—one of its principal duties; the drafting of an annual report containing all the information that reaches it showing the general situation of disarmament. I should have thought that the ideal plan might have been to put the first paragraph of Article 48 at the end of the Exchange of Information part—that is, the paragraph saying that the Permanent Disarmament Commission shall receive all the information supplied by the contracting parties—and then keep the other two paragraphs where they are now. I merely suggest that to **M. Politis** and to the Commission, because I am afraid of putting into the Exchange of Information part what would be, as I see it, if this plan goes through, the most vivid and important part of the work of the Commission.

**M. Politis** (Greece). — Rather than divide Article 48 thus, I would prefer to maintain it as it is; for otherwise the drafting of the second paragraph, dealing with the information above mentioned, would have to be modified.

**M. Bourquin** (Belgium). — I desire to support the last solution indicated by **M. Politis**. I think it better to leave the article as it is. In any case, in the part containing Article 37, the obligations of the contracting parties are mentioned. They are obliged to send information, while, in Article 48, the use to be made by the Commission of this information is dealt with. These are two distinct ideas, and I think it would be better to include the use made of the information in the chapter regarding the Commission's powers.

*Article 48 was adopted.*

#### CHAPTER B. — DEROGATIONS.

##### *Article 49 (Article XA).*

If, during the term of the present Convention, a change of circumstances constitutes, in the opinion of any High Contracting Party, a menace to its national security, such High Contracting Party may suspend temporarily, in so far as concerns itself, from any provision or provisions of the present Convention, other than those expressly designed to apply in the event of war, provided:

(a) That such Contracting Party shall immediately notify the other Contracting Parties and at the same time the Permanent Disarmament Commission, through the Secretary-General of the League of Nations, of such temporary suspension, and of the extent thereof.

(b) That simultaneously with the said notification, the Contracting Party shall communicate to the other Contracting Parties and at the same time to the Permanent Disarmament Commission, through the Secretary-General, a full explanation of the change of circumstances referred to above.

Thereupon the other High Contracting Parties shall promptly advise as to the situation thus presented.

When the reasons for such temporary suspension have ceased to exist, the said High Contracting Party shall reduce its armaments to the level agreed upon in the Convention, and shall make immediate notification to the other Contracting Parties.

**Lord Cecil** (British Empire). — In the English, the word “from” in the third line ought to be struck out. You do not “suspend from” any provision; you “suspend” any provision.

*The word “from” was deleted from the English text.*

*Article 49, thus modified, was adopted.*

#### CHAPTER C. — PROCEDURE REGARDING COMPLAINTS.

##### *Article 50 (Article ZA).*

The High Contracting Parties recognise that any violation of the provisions of the present Convention is a matter of concern to all the Parties.

##### *Article 51 (Article ZB).*

If, during the term of the present Convention, a High Contracting Party is of opinion that another Party to the Convention is maintaining armaments in excess of the figures agreed upon

or is in any way violating or endeavouring to violate the provisions of the present Convention, such Party may lay the matter, through the Secretary-General of the League of Nations, before the Permanent Disarmament Commission.

The Commission, after hearing a representative of the High Contracting Party whose action is questioned, should such Party so desire, and the representative of any other Party which may be specially concerned in the matter and which asks to be heard, shall as soon as possible present a report thereon to the High Contracting Parties and to the Council of the League. The report and any proceedings thereon shall be published as soon as possible.

The High Contracting Parties shall promptly advise as to the conclusions of the Report.

If the High Contracting Parties directly concerned are Members of the League of Nations, the Council shall exercise the rights devolving upon it in such circumstances in virtue of the Covenant, with a view to ensuring the observance of the present Convention and to safeguarding the peace of nations.

*Articles 50 and 51 were adopted.*

#### CHAPTER D. — FINAL PROVISIONS.

*Note by the Drafting Committee.* — The Drafting Committee has inserted in this chapter, with a few formal alterations, the provisions drawn up on November 29th by the Sub-Committee presided over by M. Politis and adopted in plenary session on December 1st.

The Committee desire to point out that a certain number of formal provisions (such, for instance, as those relating to the signature of the Convention) which usually figure in treaties signed at Geneva, have not been inserted in this section. The text of any such provisions should in any case be settled by the Conference.

**The President.** — The above note has been inserted in front of Article 52 by the Drafting Committee.

**M. Westman (Sweden), Chairman of the Drafting Committee.** — This note is to be omitted from the text of the Convention.

**The President.** — Certainly. It will be mentioned in the report.

#### *Article 52 (Article EA).*

The present Convention shall not in any way diminish the obligations of previous treaties under which certain of the High Contracting Parties have agreed to limit their land, sea or air armaments, and have thus fixed in relation to one another their respective rights and obligations in this connection.

The following High Contracting Parties . . . signatory to the said treaties declare that the limits fixed for their armaments under the present Convention are accepted by them in relation to the obligations referred to in the preceding paragraph, the maintenance of such obligations being for them an essential condition for the observance of the present Convention.

**M. Sato (Japan).** — I would like to draw the attention of the Committee to the drafting of Article 52, which deals with obligations arising from previous treaties. According to the present reading of Article 52, which is the same as that of the British amendment, the article reads as follows:

“ The present Convention shall not in any way diminish the obligations of previous treaties under which certain of the High Contracting Parties have agreed to limit their armaments . . . ”

But, in the opinion of the Japanese delegation, not only obligations arising from previous treaties are to be considered inviolate; there are also in these treaties acquired rights which should be dealt with on the same basis, as, for example, in the Treaty of London:

Article 7, paragraphs 2 and 3;  
Article 16, paragraphs 3 and 4;  
Article 18;  
Article 20.

Provisions of a similar nature appear in the Washington Treaty. In order not to invalidate the above-mentioned provisions in these two treaties, it is the opinion of the Japanese delegation that the present drafting of Article 52 should be modified, and should read as follows:

“ The present Convention shall not affect the provisions of previous treaties under which . . . ”

I had an opportunity the other day of expressing my opinion on this object to the Sub-Committee presided over by M. Politis, and he appeared to have received my observations favourably, in that it was agreed to transmit them to the Drafting Committee. No doubt it is owing to a technical error that the Drafting Committee has not been informed of what took place in the Sub-Committee. I therefore venture to draw the attention of the Commission to



the consideration of the amendment proposed by the Japanese delegation. If this amendment be adopted, the last sub-paragraph of paragraph (b), Section III (Vessels to be converted to Target Use) in Annex V to Chapter B of Part II, in document C.P.D.292<sup>1</sup> should be deleted being superfluous.

M. Massigli (France). — I beg M. Sato to excuse a misunderstanding for which I am partly responsible. I may have forgotten to have the article altered by the Drafting Committee in the manner indicated by him; in any case, his amendment is perfectly justified.

The Hon. Hugh Gibson (United States of America). — The proposal of the Japanese delegation seems to us so entirely reasonable and sound that no arguments are needed to emphasise its value. I merely wish to say, therefore, that I support M. Sato's suggestion.

Lord Cecil (British Empire). — The only thing I wish to ask is whether, in the last paragraph of this Article 52, you will not need to make a similar alteration of the words "obligations" to read "provisions".

The President. — Article 52 will read as follows:

"The present Convention shall not affect the provisions of previous treaties . . ."

and, in the second paragraph, the word "provisions" will replace the word "obligations".

Also, the last sub-paragraph of paragraph (b), Section III (Vessels to be converted to Target Use) in Annex V to Chapter B of Part II in document C.P.D.292, will be omitted.

*Article 52, thus amended, was adopted.*

*Article 53 (document C.P.D.282).<sup>2</sup>*

If a dispute arises between two or more of the High Contracting Parties concerning the interpretation or application of the provisions of the present Convention, and cannot be settled either directly between the Parties or by some other method of friendly settlement, the Parties will, at the request of any one of them, submit such dispute to the decision of the Permanent Court of International Justice or to an arbitral tribunal chosen by them.

Dr. Markovitch (Yugoslavia). — When we discussed the Belgian proposal, I found myself in some doubt as to the word "application", and I suggested its deletion, as I thought that it would be sufficient to refer to the interpretation of the provisions of the present Convention. However, after carefully considering the arguments put forward by Lord Cecil, I changed my opinion and did not submit any fresh amendment; I did not propose any change in the text to the Drafting Committee. I shall therefore vote for Article 53, understood in the sense explained by Lord Cecil.

The President. — M. Markovitch's observation will be mentioned in the report.

*Article 53 was adopted.*

*Article 54 (Article EB).*

The present Convention shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods. The instruments of ratification shall be deposited with the Secretary-General of the League of Nations.

The present Convention shall come into force, for each Party whose instrument of ratification has been deposited, as soon as the instruments of ratification have been deposited by . . . (list to be drawn up by the Conference).

(Should the present Convention not have come into force in accordance with the preceding paragraph by . . . the High Contracting Parties shall be invited by the Secretary-General of the League of Nations to meet and consider the possibility of putting it into force. They undertake to participate in this consultation, which shall take place before . . .)

*Note by the Drafting Committee.* — It will be for the Conference to decide whether this paragraph and any supplementary provisions which may be necessary would not be better placed in a protocol of signature (see document C.P.D.232).<sup>3</sup>

*Article 54 was adopted.*

*Article 55 (Article ED).*

Each of the High Contracting Parties will begin the necessary measures for carrying the provisions of the present Convention into effect as soon as it has come into force for such Party.

M. Rutgers (Netherlands). — The Drafting Committee has greatly improved this article. It was stated originally that, as soon as the Convention entered into force, each of the contracting parties "will begin (*entreprenra*) the necessary measures", etc.

<sup>1</sup> *Note by the Secretariat.* — See Annex 12.

<sup>2</sup> *Note by the Secretariat.* — Belgian proposal; see seventeenth meeting, No. 85.

<sup>3</sup> *Note by the Secretariat.* — See Annex 7.

The Committee has said: “. . . will take (*prendrait*) the necessary measures”. “*Entreprendre*” means “to begin”; “*prendre*” means “to accomplish”. I shall be satisfied if the word “begin” is altered in the English text.

Lord Cecil (British Empire). — I see no difficulty and am ready to accept this modification.  
*Article 55, thus modified, was adopted.*

*Article 56 (Article EF).*

Subject to the provisions of Articles 57 and 58, the present Convention shall remain in force for . . . years. It shall remain in force after the expiration of that period except in so far as it may be amended, superseded or denounced under the conditions specified in the following articles.

M. Westman (Sweden), Chairman of the Drafting Committee. — It was stated in Article EF:

“The present Convention shall in principle have a period of duration of . . . .”

The words “in principle” have been replaced by: “subject to the provisions of Articles 57 and 58 . . . .”

*Article 56 was adopted.*

*Article 57 (Article EG).*

Before the end of the period of  $x$  years provided for in the preceding article, and not less than  $y$  years after its entry into force, the present Convention shall be re-examined by the High Contracting Parties meeting in Conference. The date of this meeting shall be fixed by the Council of the League of Nations, after taking cognisance of the opinion of the Permanent Disarmament Commission and of the intentions of the High Contracting Parties non-members of the League of Nations.

The above-mentioned Conference may, if necessary, revise the present Convention and establish fresh provisions in substitution therefor, fixing their period of duration and laying down general rules regarding their examination and subsequent revision, if the latter is required.

*Article 57 was adopted.*

*Article 58 (Article EH).*

Before the end of the period of  $y$  years provided for in the preceding article, but not less than  $z$  years after the entry into force of the present Convention, the procedure for examination and revision laid down in that article may also be carried out at the request of a High Contracting Party, with the concurrence of the Permanent Disarmament Commission, if the conditions under which the engagements stipulated in the Convention were contracted have undergone, as the result of technical transformations or special circumstances, changes justifying a fresh examination and, if necessary, the revision of such engagements.

The Hon. Hugh Gibson (United States of America). — The American delegation is in full accord as to the purpose of Article 58, which is obviously to offer the possibility of examination and revision of the Convention, and, at the same time, to prevent the possibility of this right being used for light and frivolous motives. We have given a good deal of thought to this question; we recognise its extreme delicacy, and we are not convinced that this is the best possible method of achieving the double purpose in view. It may be that more mature thought on the part of the Governments coming to the general Conference will result in the discovery of a method which will be more effective and give us more general satisfaction. For that reason, I am not offering any amendments or suggestions; I merely wish to indicate the desirability of giving the Governments an opportunity of considering this question between now and the general Conference.

*Article 58 was adopted.*

*Article 59 (Article EJ).*

In the course of a conference held in the circumstances provided for in the two preceding articles, any High Contracting Party shall be entitled to notify its intention to denounce the present Convention.

Such denunciation shall take effect two years after its date, but in no case before the expiration of the period of  $x$  years mentioned in Article 56.

*Article 59 was adopted.*

The President. — The draft Convention drawn up by the Drafting Committee has been adopted in its entirety, and I wish again to thank the members of the Drafting Committee in the name of the whole Commission.

MODEL TABLES ANNEXED TO ARTICLE 29 (PART IV): PROPOSAL BY THE ITALIAN DELEGATION.

M. Westman (Sweden), Chairman of the Drafting Committee. — In regard to the Model Tables annexed to Article 29 (Part IV), General de Marinis made certain suggestions about the annex to Tables II and V at the foot of Tables IV and V. This refers to the information to be given regarding the distribution of effectives according to oversea territories. According to the Minutes, General de Marinis proposed that the same procedure should be adopted for this annex as for the main tables—that is to say, that it should be divided into columns *a*, *b*, *c* and *d*. I do

not know whether the Commission is in agreement with this proposal or not. The Minutes do not seem altogether clear on the point.

**General de Marinis (Italy).** — My proposal was adopted without comment, and therefore I withdrew my reservation. M. Cobián told me that the Commission had adopted my proposal and that my reservation was no longer necessary.

**M. Massigli (France).** — If the Commission accepts this proposal, I would like to point out that when, on November 24th last, General de Marinis submitted the amendment, which is now to be discussed, I opposed it on the ground that it would lead to very considerable complications. As the Commission disagreed with me by five adverse votes, with thirteen abstentions, and the text was adopted, I made a reservation. I am convinced that insurmountable difficulties will be encountered. You ask that not only the total figure, but also the details of effectives (soldiers having served for a period of  $x$  months, soldiers having served for a period of less than  $x$  months, etc.), taking transfers into consideration, should be published for every oversea territory. Taking the case of my own country, it would therefore be necessary to provide a table for the Ivory Coast, another for French Guinea, a third for the French Sudan, a fourth for Chad, and so on. This would be absolutely impossible, unless an army of assessors were employed in these territories. Further, a considerable number of civilian officials would have to be employed in ink-slinging all day long for the League of Nations. It could, of course, be done; but I think that the only result would be to lead the Governments to simplify their oversea organisations, as far as possible to establish very large territorial areas, and a result diametrically opposed to the one that we are aiming at would thus be reached.

**The President.** — M. Massigli does not agree, but he does not oppose the amendment.

**M. Massigli (France).** — I make a formal reservation.

#### 114. Procedure: Vote on Draft Convention alone or on Draft Convention and Report together.

**Dr. Markovitch (Yugoslavia).** — I should like to raise a point of procedure. We have adopted the draft Convention article by article. We shall probably discuss the report part by part. Will there be a formal vote or some sort of decision regarding the Convention in its entirety, or will there be a vote bearing on the draft Convention and the report together?

**Lord Cecil (British Empire).** — I was wondering whether it really would be worth while to press this enquiry. The report and the Minutes will show what has happened in regard to each passage in the report and each passage in the draft Convention. I think that, if we try to have a division on the general question, one of two things is bound to happen. Either you will have a certain number of delegates who will say that, because they do not agree with this or that particular point, they cannot vote for the adoption of the report, which will give a very false impression; or everybody will say that, rather than have no report and no Convention, they accept this. In neither case will you really convey any clear idea of what is in the minds of the delegates. I really hope that we shall not have a division on the report or the Convention as a whole, because I think the result, whatever it is, may be misleading to the public. After all, we shall have given them, with great detail, our opinions on every conceivable section of this report and this Convention, and I do not think we could clarify the matter by having a division or a vote on the thing as a whole. That is my first impression on the point raised by M. Markovitch.

**Dr. Markovitch (Yugoslavia).** — I made no proposal with regard to the vote. I simply asked a question. I thought that we should have the opportunity of making statements now on certain points that we have not discussed.

**The President.** — The text of the draft Convention has been adopted, and each delegation can make any statement it wishes when the report is discussed.

**Dr. Markovitch (Yugoslavia).** — In my opinion, the statements should not be limited. Shall I be allowed to make one both on the Convention and on the report?

**The President.** — Certainly.

**Count Bernstorff (Germany).** — I have not the least intention of beginning a further discussion. I do not ask for a vote on the draft Convention. What I had to say appears in the reservations that I made, but I should like to know clearly whether the majority has formally adopted the text of the draft Convention or not.

**The President.** — This document has been adopted, and the reservations have been noted.

#### 115. Draft Report: First Part (document C.P.D.294, see Annex 13): Discussion.

**The President.** — We can now begin the discussion of the first part of the report, which we will consider page by page.

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — I should like to know whether we shall be allowed to make statements on the Convention and the report as a whole.

**The President.** — After discussion of the report, when each delegation has been able to judge in what manner its observations have been taken into consideration, we shall hear the statements.

*Page 1.*

*Page 1 was adopted.*

*Page 2.*

**M. Massigli (France).** — In the second paragraph of page 2, an allusion is made to an important document, the questionnaire which has been the basis of our work. Unfortunately, no analysis of it is given. I therefore request that the questionnaire be attached to the report, as it is an essential element in our work.

**M. Cobián (Spain), Rapporteur.** — I agree that we should attach this questionnaire, and also the one which was distributed to Sub-Committees A and B.

*Page 2 was adopted.*

*Page 3.*

*Page 3 was adopted.*

*Page 4.*

**M. Massigli (France).** — Would it not be expedient to attach to our report, or at least to give a summary of, the first report made by our Commission to the Council in May 1926? This document, which has been forgotten to some extent, is important.

**The President.** — The document will be attached to the report. It is understood, moreover, that reference will always be made in the body of the report to the attached documents.

*Page 4 was adopted.*

*Page 5.*

*Page 5 was adopted.*

*Page 6.*

*Page 6 was adopted.*

*Page 7.*

**Count Bernstorff (Germany).** — I propose that the sixth paragraph of page 7 should be drafted as follows:

“ The Preparatory Commission therefore met again on November 6th last and was able to satisfy the wishes of the Assembly mentioned above.”

This text appears to me more acceptable to everybody.

**M. Cobián (Spain), Rapporteur.** — There is a slight difference. We thought we were interpreting the feelings of the majority of the Commission in drafting our text. I see no difficulty in changing it if the Commission so desires.

I will take this opportunity of proposing to add at the end of the paragraph the words: “ with the co-operation of the twenty-five States represented, including Norway and the Irish Free State, who were represented for the first time on the Commission ”.

**Lord Cecil (British Empire).** — I just wanted to suggest that it is a good thing to leave out adjectives, and, if it will satisfy my friend Count Bernstorff, I should like to propose the following wording: “ and was able to bring its task to a conclusion”. We could then leave it to others to judge whether the task was a delicate one and whether its conclusion was successful.

*Page 7, with Lord Cecil's amendment and M. Cobián's addition, was adopted.*

*Page 8.*

*Page 8 was adopted.*

*Page 9.*

**Count Bernstorff (Germany).** — I should like to request that an addition be made to the last paragraph on page 9, which is of some importance. I think the Rapporteurs will agree to this.

This paragraph states:

“ The following year (1928), when the Committee had started its work, the ninth Assembly adopted a new resolution. After recalling that ‘ a close connection exists between international security and the reduction and limitation of armaments’, it declared . . . ”

It appears to me particularly important to state also that the Assembly considered that:

“ . . . the present conditions of security set up by the Covenant of the League of Nations, by the treaties of peace, and, in particular, by the reductions in the armaments of certain countries under these treaties, and also by the Locarno Agreements, would allow of the conclusion at the present time of a first General Convention for the Reduction and Limitation of Armaments.”

The declaration made by the Assembly in 1928 that the present degree of security was sufficient for the drawing-up of an initial convention on disarmament has not been dealt with in the report. It is of such importance that it would be expedient to insert it.

**M. Bourquin** (Belgium), Rapporteur. — We entirely agree that this addition should be made. *Page 9 was adopted, with the addition requested by Count Bernstorff.*

*Page 10.*

**Dr. Markovitch** (Yugoslavia). — The first nine pages of the report contain an analysis of our work, and also of the work of the Committee on Arbitration and Security, but on page 10 an opinion of the Preparatory Commission appears in the second paragraph. I consider that the formula used is not complete, and I propose that, at the end of the first sentence, after the words "and the Assembly", the words: "and by States Members of the League of Nations" should be added. I would also ask that, after this phrase, another sentence be inserted in this form:

"It is the duty of the Disarmament Conference to examine and weigh up these data. Here, we confine ourselves to a simple statement of the results achieved."

These additions appear to me to be entirely logical, because the Disarmament Conference itself should weigh up the data contained in the work to which we allude.

**M. Bourquin** (Belgium), Rapporteur. — In the main, I agree with M. Markovitch. It is apparent that it is the task of the Conference to consider all the data, including those resulting from the work of the Committee on Arbitration and Security. If this be not expressly mentioned, it is because it appeared to us to be self-evident, but we are quite ready to make this addition to the report.

**Lord Cecil** (British Empire). — I wonder whether it is desirable for us to attempt to define what will be the duty of the Conference. I should have thought that our business was simply to present them with the results of our now very prolonged deliberations—primarily, of course, our draft Convention and, secondly, any other information we have. I should have thought it unnecessary—or perhaps even presumptuous—for us to dictate to the Conference whether they are to consider this or that particular part of those results. I do not press the matter if M. Markovitch attaches importance to it, but personally I should rather have left it in the shape in which the Rapporteurs have drawn it, which seems to us the right shape in which to present our deliberations.

**Dr. Markovitch** (Yugoslavia). — I would also ask Lord Cecil not to press the matter. There is no question of dictating a line of conduct to the Conference. The only point is to make it clear that the Preparatory Commission has not weighed up the data resulting from the work, but that the results are referred to the Conference. I strongly urge that this amendment be adopted.

**Count Bernstorff** (Germany). — I agree with Lord Cecil. In my opinion, we have no power to tell the Conference to consider the question of security. This investigation has already been made, and I think that the League's work on the matter is quite adequate.

**Lord Cecil** (British Empire). — We have got to such a very fine distinction in words that I do not personally attach any importance to whether we tell the Conference to read our report or not to read it—which is really the issue now, as I understand it.

**Dr. Markovitch** (Yugoslavia). — I do not wish to prolong the discussion, but in my view, this is an all-important question. I am diminishing the importance of my proposal by saying that it concerns the report and not the draft Convention. We simply say in the report that the Commission has deemed it neither useful nor expedient to weigh up the data resulting from the work of the Committee on Arbitration and Security, and that we leave this task to the Conference itself.

**Lord Cecil** (British Empire). — I have no objection, and I do not wish to prolong the discussion either, and it does not seem to me of any importance.

**M. Massigli** (France). — This is the essential fact. What we wish to know is whether the papers communicated to the Council and the Governments, preparatory to the Conference, will or will not include the material and investigations referred to in this paragraph. This seems obvious, I think, for the material and investigations provide in part the replies to certain questions asked by the Council. If you agree to this, it appears easy to me to find a formula which will give satisfaction to all. M. Markovitch's last proposal appears to me a good one.

**M. Bourquin** (Belgium), Rapporteur. — We agree to say that the Conference will have to consider the work done, but it is not our place to say that it must attach any weight to that work.

*Page 10 was adopted.*

*Page 11.*

*Page 11 was adopted.*

**The President.** — If the Rapporteurs agree, we shall meet to-morrow at five o'clock to examine the chapter on effectives, the text of which will be distributed to-morrow morning.

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — Sir, the vote on the draft Convention as a whole has not taken place, and I should like to avoid any misunderstanding. It is understood that the Soviet delegation has only noted the adoption of the text of the draft Convention by the majority of the Commission, and is not included in that majority.

*The Commission rose at 6.45 p.m.*

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TWENTY-FOURTH MEETING.

*Held on Saturday, December 6th, 1930, at 5 p.m.*

*President: M. LOUDON (Netherlands).*

116. Terms of Reference of the Committee of Experts on Budgetary Questions.

**The President.** — During its present session, the Preparatory Commission has discussed and adopted the following resolution to instruct the Committee of Budgetary Experts to enquire into the means by which the budgetary limitation of land material could be carried out.

CHAPTER II. — MATERIALS.

*Resolution adopted by the Commission on November 17th and 21st, 1930.*

" I. With a view to limiting land material by limiting expenditure on its purchase, manufacture and upkeep, the Preparatory Commission requests its President to instruct the Committee of Budgetary Experts to enquire into the means by which such limitation could be carried out, paying special attention to:

" (a) The necessity of limiting all the expenditure in question;

" (b) The variety of ways in which budgets are presented and discussed in different countries;

" (c) The adjustment of the proposed method of limitation to possible fluctuations in the purchasing power of different countries, especially with regard to the cost of war material;

" (d) The conditions in which credits for one financial year might be carried over to the following year or years.

" II. In order that the Governments may be able, before the Conference meets, to come to a decision on this point, the experts' report should be transmitted to them in good time by the Secretary-General of the League of Nations.

" III. The Committee of Experts should be asked to make a similar enquiry in connection with the limitation of the aggregate annual expenditure of every country on its land, naval and air forces, and to make a report which will also be transmitted to Governments."

In this resolution, the only question is that of the budgetary limitation of land material and that of the limitation of the aggregate annual expenditure of every country on its land, naval and air forces.

When it adopted the former Article O, now Article 23, the Commission also decided that the limitation of the annual expenditure of each High Contracting Party on the upkeep, purchase and manufacture of war material for naval armaments should be made the subject of a similar enquiry.

Further, according to Article 32 (former Articles DB\* and IB), a similar enquiry must be made by the Committee regarding the statement to be drawn up in accordance with a standard model, showing by categories of material the total actual expenditure on the upkeep, purchase and expenditure of war material for the land and sea armed forces and formations organised on a military basis of each contracting party.

Lastly, I would remind you that when Article 37 was finally adopted, it was decided to append thereto a note similar to the note to Article 32, reading as follows:

" In giving an opinion on this article, the Governments will take into account the report requested from the Committee of Budgetary Experts with a view to drawing up a standard form for publicity in connection with the provisions of the annex regarding limitation referred to in Article 28 of the present Convention."

The Committee's terms of reference are thus defined as follows:

" I. The Committee of Budgetary Experts is instructed to enquire into the means of carrying out the limitation of expenditure on the purchase, manufacture and upkeep of war material for land armaments (Article 9), paying special attention to:

" (a) The necessity of limiting all the expenditure in question;

" (b) The variety of ways in which budgets are presented and discussed in different countries;

" (c) The adjustment of the proposed method of limitation to possible fluctuations in the purchasing power of different currencies, especially with regard to the cost of war materials;

" (d) The conditions in which credits for one financial year might be carried over to the following year or years.

“ II. A similar enquiry should be made in connection with the limitation of expenditure on the upkeep, purchase and manufacture of war material for naval armaments (Article 23) and the limitation of the total annual expenditure on the land, sea and air forces and formations organised on a military basis (Article 28).

“ As regards the last-named limitation, an enquiry should be made in particular into the possibility of a separate limitation of the expenditure on land, sea and air forces.

“ III. The Committee of Budgetary Experts will further have to investigate the methods of publicity (Articles 32 and 37) in connection with the proposed measures regarding limitation.

“ It will be necessary in particular to determine the number and nature of the categories to be provided for publicity in connection with expenditure on the upkeep, purchase and manufacture of war material for land and sea forces and formations organised on a military basis (Article 32).

“ The terms of reference of the Committee of Budgetary Experts will therefore be enlarged in the sense which I have just outlined.

“ If the Commission thinks fit, it will of course be able to give further detailed instructions to the Committee of Experts.”

**M. Rutgers (Netherlands).** — I agree, but I think that when reference was made, at the beginning of the instructions to the Committee, to the necessity of limiting the total expenditure, and in particular the expenditure on war material and naval armaments, the object was to draw attention to the opportunities that would offer of evading the obligations in regard to limitation and publicity; I therefore trust that the Minutes recording the discussions on this subject will be made available to the experts.

**The President.** — I can reassure M. Rutgers at once. What he wishes will be done; in fact it has already been done. The Minutes referring to these questions were sent to the Committee of Budgetary Experts about a week ago.

**M. Massigli (France).** — I also agree, but I would like one point cleared up. The last report of the Committee of Budgetary Experts (document C.P.D.90) has never been approved by our Commission. I therefore assume that the questions it deals with are included in the Experts' very wide terms of reference, and that the Conference itself will have to decide finally on the problem as a whole.

**The President.** — Yes, the Conference will have to decide on the entire question.

#### 117. Procedure for Concluding the Commission's Work.

**The President.** — Several members of the Commission have expressed a desire to leave Geneva on Monday evening. We will therefore continue the examination of the draft report this afternoon. But the Secretariat and the Rapporteurs need more time than had been thought, and the next meeting cannot take place till 5 o'clock on Monday. We will consider the part of the draft report relating to Part II, Chapter B, and Parts III and IV, Chapter C. The remainder of the report can be discussed on Tuesday.

The Commission will doubtless not think it necessary to go through the report a second time in its printed form.

**The Hon. Hugh Gibson (United States of America).** — I should just like to raise one question. I assume that arrangements will be made for us to receive the text of the draft Convention itself either in printed form or at least as a roneoed document.

**The President.** — Time will nevertheless have to be allowed for the translation of the references to the report.

**Lord Cecil (British Empire).** — I was going to make an offer as far as I am concerned. I do not know whether the English-speaking members of the Commission will agree. I think it will be amply sufficient if we have a French version only distributed as the final version, and we need not have a meeting unless some member of the Commission is dissatisfied with the final French version and asks for a meeting. If, therefore, the final document were distributed on Tuesday evening, that would do.

**The President.** — The references to the report are very important.

**The Hon. Hugh Gibson (United States of America).** — I understand the difficulty is the actual numbering of the pages. We might leave the numbers blank.

**The President.** — That will make the work immensely easier.

#### 118. French Delegation's Reservation<sup>1</sup> on a Proposal by the Italian Delegation regarding the Exchange of Information.

**M. Massigli (France).** — With regard to one of the tables appended to Article 29, the Commission will remember that I was, to my regret, not in agreement with General de Marinis. At the meeting yesterday afternoon, it was stated that the Italian delegate's proposal had been

<sup>1</sup> Note by the Secretariat. — See twenty-third meeting, No. 113.

adopted that morning. Referring to the Minutes of the twenty-second meeting, I note that General de Marinis did indeed make a proposal. I must frankly confess that, in the confusion reigning at the time, I did not hear it. I should like to point out, for purposes of record, that if I had heard it I should have opposed its discussion. The proposal in question deals with detailed publicity for effectives in respect of each oversea territory. It was submitted by its author as a corollary to a proposal adopted on November 24th by five votes to four with thirteen abstentions, which proposal was worded as follows:<sup>1</sup>

“ Each of the High Contracting Parties shall prepare annually:

- “ (1) A table indicating the land forces stationed in each of its oversea territories;
- “ (2) A table indicating the formations of the land forces organised on a military basis existing in each of its oversea territories.”

If I had heard the proposal made yesterday, I should have stated that, in my opinion, it made an essential change in General de Marinis' original proposal, and should therefore not be discussed unless the Commission so decided. But the Bureau decided otherwise, and declared the proposal adopted.

I have the honour to read the following reservation, which I request the Rapporteurs to reproduce in the report:

“ The French delegation does not agree to publicity in respect of effectives stationed in each oversea territory, as this cannot be justified for such territories any more than for each separate district in the home country. It further desires to point out that detailed publicity for each oversea territory, with numerous distinctions between categories of soldiers according to rank and duration of service, is still more unacceptable, and would be physically impossible to carry out, on account of the constant transfers of troops from one territory to another and the special conditions in the territories in question.

“ It would require a whole army of clerks.

“ The inclusion of such detailed provisions in the Convention is calculated to multiply unintentional errors in the information supplied by contracting States; and there is consequently a danger—and this cannot be the Commission's object—of unnecessarily provoking irritating discussions which nobody would desire.”

**General de Marinis (Italy).** — I accept the Commission's decision. As to M. Massigli's reservation, I have nothing to say.

**Lord Cecil (British Empire).** — On behalf of the British delegation I should like to join in that reservation. I do not think the proposal a practical one.

**M. Sato (Japan).** — When this question was discussed, I made a reservation, which I wish to maintain so that it may appear in the report.

**The President.** — The Rapporteurs will note this reservation.

119. **Draft Report : Second Part** (document C.P.D. 294(a), see Annex 14).

#### STATEMENT BY THE BRITISH DELEGATION.

**Lord Cecil (British Empire).** — I want to say, first, that I should like to express my admiration of the work done by the Rapporteurs and, secondly, that the British delegation feels that, in this case, the draft Convention speaks for itself and, though the comments in the report are no doubt of great interest, they must not be regarded as affecting the actual meaning of the text of the draft Convention. On this understanding the British delegation will not propose amendments to the report unless they seem to them to be imperatively required.

**The Hon. Hugh Gibson (United States of America).** — I wish to raise a point with regard to Lord Cecil's statement. He said that the British delegation felt that the text of the draft Convention stood by itself and that the report could not be considered as binding in its interpretation of the draft text of the Convention, and for that reason he would refrain from presenting any but the most important amendments. If that be merely a declaration on behalf of the British delegation, I have no comments to offer, but if it be the sense of the Commission, I should have certain observations to make, as it is our understanding that the two documents are to have equal value.

**Lord Cecil (British Empire).** — It was an expression of my own view as to the commentaries. In my view, the draft Convention is a perfectly clear document, and means what it says, and though it is quite right to have reservations in the report (and I shall be very careful to see that any reservations made by the British delegation are correctly expressed), I did not myself think, where it was merely a commentary of what was the meaning of the actual words of the Convention, that it was worth while to spend time trying to draft it in some other way, unless there was something which seemed entirely wrong. I wished to prevent it being said that each word of the report scrupulously expressed the view of the British delegation.

<sup>1</sup> Note by the Secretariat. — See fourteenth meeting, No. 71.



**The Hon. Hugh Gibson** (United States of America). — I am fully satisfied with Lord Cecil's explanation.

STATEMENT BY THE NORWEGIAN DELEGATION.

**M. Colban** (Norway). — I would like to make an entirely general statement.

I understood, Sir, that you had asked delegates to submit reservations to you in writing, for insertion in the report. I now learn that this referred to the drafted texts of reservations submitted at plenary meetings of the Commission. Owing to this misunderstanding I did not give notice of a minor reservation, and I venture to do so now, so that it may be inserted in the report.

Norway did not take part in the previous work of the Commission, especially in the first part of the second reading of the draft Convention. As Norwegian delegate, I make a general reservation in regard to the attitude my Government may adopt at the Conference.

Speaking personally, I should like to add that this reservation is, of course, in no way a criticism. It does not imply any underestimation in Norway of the importance and value of the political and technical work accomplished by the Commission, the Sub-Commissions and the Committee on Arbitration and Security.

STATEMENT BY THE IRISH FREE STATE DELEGATION.

**Mr. Sean Lester** (Irish Free State). — I find myself in precisely the same situation as M. Colban. I therefore echo all he has said about the Norwegian reservation and I also ask for a general reservation to be made with regard to the position of the Irish delegation. The Irish Free State was only elected to the Council a few weeks before the present meeting of the Commission. Most of the principles on which the Convention is based had been already fixed and, in other cases, I was obliged to abstain from voting owing to the lack of precise instructions.

STATEMENT BY THE SOVIET DELEGATION.

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — The Soviet delegation considers itself unable to take part in the discussion on the Commission's report. As the Union of Soviet Socialist Republics is not a Member of the League of Nations, our delegation has no intention of associating itself with the submission of a report to the Council of the League. Moreover, in addition to this formal consideration, there is another no less substantial reason. The report contains not only separate documents—the text of the Convention, the resolutions of the Commission, and the statements and reservations made by various delegations—but also a certain estimate of the work done by the Preparatory Disarmament Commission. This estimate takes the form both of summaries of the discussions and of a compilation reproducing the statements made by certain delegations. In these circumstances, the report reflects a decided opinion on the work of the Commission. The Soviet delegation's attitude towards the draft Convention drawn up by the Commission and its opinion of this draft are already well known, as they have been frequently expressed during the three years in which the Union of Soviet Socialist Republics has taken part in this Commission's work. That attitude is absolutely negative.

If, therefore, the Soviet delegation took part in drawing up the report, it would be obliged to request that a change should be made in its general character, and that emphasis should be laid on points which, in the delegation's opinion, are merely evaded. If they were not evaded, or were, on the contrary, stressed, they would disclose the absolute sterility of the Commission's work and the inefficacy of its draft Convention. It would then be seen that the only value of the draft lies in its attempt to justify in the eyes of the world the refusal to disarm.

It may be assumed that the controlling majority of the Commission would not have consented to deprecate its own work and the draft Convention. The Soviet delegation therefore preferred not to take part in drafting the Commission's report, and decided to make a statement on its own account regarding the general attitude of the Union of Soviet Socialist Republics towards the Commission's work, and the part played by the Soviet delegation. The latter has already informed the President of the Commission of its decision in writing. The Soviet delegation will accordingly refrain from making any observations on the separate parts of the report during the whole course of the discussion on that document.

The Soviet delegation therefore claims the right to summarise its attitude in a formal statement.

**The President.** — I do not quite understand M. Lounatcharsky's remarks. You will have observed that the report contains all the reservations made, both by the Soviet and by other delegations. It is a general report on all our work, and we have clearly stated that any party can have its reservations inserted. The same procedure applies to all, and I do not understand why the Soviet delegation should, as M. Lounatcharsky stated, withdraw its reservations and make a declaration at the end of our discussion. The report is entirely impartial.

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — I think I have explained my point of view clearly in the declaration I have just made. The general estimate of the Commission's work in the report submitted to us is different from our own. I have nothing further to add.

**The President.** — The report contains no estimate. It is a statement of the different views taken. It summarises those views but does not express any opinion on them.

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — The Soviet delegation finds in this report a favourable estimate of the Commission's work. As our estimate is unfavourable, it is obviously very difficult to hold the same view.

**Lord Cecil** (British Empire). — It seems to me quite easy to meet the views of the Soviet delegate. We have merely to strike out all references to the Soviet delegation in the report and leave M. Lounatcharsky to make his general statement at the end. I see no difficulty in that course of procedure, and it will make the report a little shorter.

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — That is what I proposed a few days ago, but, unfortunately, the President did not agree.

**M. Cobián** (Spain), Rapporteur. — The report is not yet under discussion; but I quite understand M. Lounatcharsky's idea. He does not wish to assume any responsibility for the report. He thinks that the Commission's work is purely negative, and that it has not accomplished anything. His view is entirely different from that of the majority, who think that they have accomplished something, though not as much as they could have wished. That is the position.

I wish to point out that it was the Rapporteurs' duty to insert in the report all the reservations made either by the Soviet or by other delegations. Naturally, if, during the discussion of the report, the Soviet delegation wishes to withdraw or change any of its reservations, it has the right to make such a request, and the Commission will decide in the last instance. It was, nevertheless, the Rapporteurs' plain duty to insert in the report all the reservations made by any delegation, the final decision resting with the Commission.

**The President.** — Before entering on the discussion of the report, I should like again to reply to M. Lounatcharsky. If I understand aright, the Soviet delegation wishes all its reservations to be withdrawn from the report, on the understanding that, at the conclusion of the discussion on the report, it will make a statement on the lines, no doubt, of that sent to me in writing. As I have already informed M. Lounatcharsky, it is impossible to insert such a document or append it to our report. I have no right to agree to such a proposal. The Soviet delegation can, however, make a verbal declaration at the end of the discussion on the report, and I think the Commission will agree with me in accepting this procedure. I must repeat that it is impossible to insert a declaration in the report.

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — I wish to state that the Soviet delegation in no way disparages the work that the Rapporteurs have done; but we must maintain our right to state and develop our point of view. I will therefore make a verbal declaration and request the Commission to agree to its being appended to the report. If the Commission does not accede to our request, then we shall send our declaration to the Conference itself—that is to say, to the President of the Conference.

**The President.** — The Soviet delegation is perfectly at liberty to send this document to the Conference, but it is impossible to append it to the report.

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — Why is it impossible? We ask the Commission to give a ruling on this point. I think I am all the more entitled to insist because M. Politis, when acting as President of the Commission, made the following statement:

“ The report will consist of three parts. First, there will be the text as it comes through the second reading; next there will be an analysis of our work to show what was the intention in amending or adding to certain texts; and, lastly, there will be a third part stating the reservations and declarations made by the delegations, so that everybody will be put on an absolutely equal footing. This arrangement should satisfy all concerned.”

This declaration would satisfy me entirely if our President took the same view as M. Politis.

**The President.** — Are you asking the Bureau and the Commission to give a decision now?

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — I think it better to postpone the discussion of this question until I make my final statement.

120. **Draft Report : Second Part** (document C.P.D. 294 (a), see Annex 14): **Discussion.**  
**Article 1: Part I. — Personnel** (Chapter A. — Effectives ; Chapter B. — Period of Service) : **Part II. — Material** (Chapter A. — Land Armaments).

**The President.** — We will now begin the discussion of the second part of the draft report.

*Pages 1 and 2.*

**Count Bernstorff (Germany).** — In the first place, like Lord Cecil, I should like to pay a tribute to the work that has been done by the two Rapporteurs of the Commission. Any remarks I may make are not intended as a criticism of their work, but aim at clearing up certain passages in the report. I regard it as of extreme importance that we should have as clear a document as possible.

In the last few days, much has been said about the preparations for the general Conference. I consider it essential that the persons entrusted with those preparations should be quite familiar with the discussions which have taken place and with the views of all the delegations, so that they may know the opinions both of the members of the Commission and of all the Governments. The first line of the second part of the report should, to my mind, be made clearer. It reads: "The draft Convention adopted by the Commission . . ." It would be clearer to state: "The draft Convention adopted by the *majority* of the Commission . . ." It should be borne in mind that the decisions taken in the League of Nations are generally unanimous, and this will be especially the case at the coming Disarmament Conference, which must reach a unanimous result. It should therefore be pointed out that the draft Convention is a majority draft.

**M. Rutgers (Netherlands).** — On page 2, Article 1 is quoted as follows:

"The High Contracting Parties agree to limit and, so far as possible, to reduce their respective armaments . . ."

I would like a few words to be added. I have not submitted any reservations or declarations on the part of the Netherlands delegation to the Rapporteurs, because we do not wish to be specially mentioned in the report, and what I am about to say is not an expression of any such desire. The most that could be said is that it is superfluous. But, in my opinion, the following addition should be made on page 2:

"It is understood that the words 'so far as possible' only limit the reduction which may be inserted in the Convention, and do not limit the obligation of the High Contracting Parties to take the necessary measures to effect this reduction."

**M. Cobián (Spain), Rapporteur.** — I should like to reply to the two points raised by Count Bernstorff.

With regard to the first point, referring to the first line in the report, I should consider this remark justified if the report said: "The draft Convention *unanimously* adopted by the Commission . . ." But we have merely said "adopted by the Commission". That is a statement of fact. True, many clauses have been adopted by a majority; but some have been adopted unanimously. A majority implies a minority. A proposal is adopted by a majority when a larger number of votes has been given in favour of it than against it. But if there have been only votes "for" a proposal and abstentions, it cannot be said to have been adopted by a majority but unanimously by the parties voting. If the Commission accepted Count Bernstorff's view, and if the report presented a draft Convention adopted by a majority of the Commission, all reservations would have to be omitted, and this would imply an additional minority draft. But what we have here is not a majority draft but a draft by the entire Commission. The report emphasises all the decisions reached by the Commission. In addition, there are reservations protecting the rights of all delegations, so that all the States taking part in the Conference will be clearly informed of the Commission's views. I cannot therefore agree with Count Bernstorff's first remark.

With regard to the second, I see no objection to adding on page 3 that the German delegation takes the same view as the Turkish delegation, and Count Bernstorff's reservation may be added to the document.

I will now reply to M. Rutgers. He heard Lord Cecil's and Mr. Gibson's statements. I have been very careful not to embody any expression of opinion in the report. We have confined ourselves to compiling and distributing the reservations made by the delegations. If we accepted the addition proposed by M. Rutgers, that would amount to an interpretation, and I do not know whether Lord Cecil and Mr. Gibson would be inclined to accept it. If no interpretations or expressions of opinion are to be inserted in the report, we cannot accept the addition suggested by the Netherlands delegation.

There is no objection to stating that the Netherlands delegation understands that the words "so far as possible" have such and such a meaning; but, as Rapporteurs, we cannot be responsible for M. Rutgers' interpretation.

**M. Rutgers (Netherlands).** — I do not wish this interpretation to be inserted in the report as that of the Netherlands delegation, because that would appear to throw doubt on the interpretation, which I think would be unjust. I did not think there was any objection to including interpretations in the report, and, in my suggestion, I used an expression found on page 5, where two paragraphs begin with the same words: "It is understood that . . .". The report therefore contains interpretations, and I believe that that which I propose to add is the interpretation of the entire Commission. I have not had an opportunity of consulting Lord Cecil and Mr. Gibson on this point; but the question appears to me to be quite simple. If, however, the Commission does not agree to my amendment, I will not press it.

**M. Bourquin (Belgium), Rapporteur.** — I should like to add a few words to M. Cobián's reply to M. Rutgers. The words "so far as possible" must not be regarded as applicable to the executive measures; I think there should be no apprehension on this point. These words

obviously apply only to the reduction; the execution is referred to in another chapter, "Final Provisions", in which we have taken the precaution of inserting an article which was perhaps not necessary, but which makes our idea quite clear. The article in question is No. 55, which reads:

"Each of the High Contracting Parties will begin the necessary measures for carrying the provisions of the present Convention into effect as soon as it has come into force for such Party."

I think there can be no possible doubt about this: as soon as the Convention comes into force, all the contracting parties must immediately take the necessary measures to fulfil their treaty obligations. If it be required at this point to emphasise the necessity of arriving immediately at the full execution of the Convention, we can perhaps make a statement to that effect, but I do not think this should be done on the first page of the report. We are not dealing with the method of execution, but with the actual obligations themselves.

**M. Rutgers** (Netherlands). — I am entirely satisfied with M. Bourquin's remarks and withdraw my proposal.

*Pages 1 and 2 were adopted.*

*Page 3.*

**Count Bernstorff** (Germany). — A reservation by the German delegation, reading as follows, should be inserted on page 3, after the Turkish delegation's reservation.

"The German delegation reserved its Government's right to submit to the future Disarmament Conference any proposals regarding the standards of reduction and limitation of armaments, defined in document C.P.D.138<sup>1</sup>, which it might consider likely to promote these aims."

The Commission will remember that, at the beginning of the discussion on the second reading, I submitted a proposal entitled "Observations on the Disarmament Problem"<sup>1</sup>. This document contained most, if not all, of the proposals that I have submitted during the long years of our work. I am therefore anxious that this document should be known to those who make the preparations for the Conference.

**General de Marinis** (Italy). — I wish to draw attention to a slight printing error. At the end of the third paragraph on page 4 of the French text<sup>2</sup> the budgetary year is mentioned; but the Drafting Committee decided to omit the word "budgetary", so that the reference is only to the calendar year.

**The President.** — That will be done wherever the expression "budgetary year" occurs.

**Count Bernstorff** (Germany). — The fourth paragraph on page 3 of the English text begins:

"This definition of peace-time effectives did not give rise to lengthy discussion, and the interpretation it should receive . . ."

This phrase does not give an impression of what actually happened; the question of effectives was frequently discussed, and during the 1927 session it was debated for several days.

I should also like mention to be made of the German proposals regarding the method whereby the effectives of conscript armies serving with the colours and in reserve, and professional effectives, whose military value is naturally not capable of comparison, could be reduced to comparable units of calculation. This proposal is contained in document C.P.D.138.<sup>1</sup>

I could make the reference shorter by merely asking that these long discussions should be mentioned, and that it should be pointed out that the German delegation's last reservation on page 3 explained the entire question.

**M. Massigli** (France). — The remark just made by Count Bernstorff is already contained on page 12 of the report. If all our reservations are to be inserted twice, that will not simplify the work.

**M. Cobián** (Spain), Rapporteur. — When we say that this definition did not give rise to lengthy discussion, we admit, however, that there was a discussion. Whether a discussion is more or less lengthy is a relative question.

Count Bernstorff will be quite satisfied, because, in the reservation on page 3, mention will be made of document C.P.D.138.<sup>1</sup> Moreover, in another part of the report, the same reservations by the German delegation are referred to. I therefore think that there is nothing to add to this paragraph.

General de Marinis' statement is quite correct. The word "budgetary", which appeared in the Convention, was omitted by the Drafting Committee.

*Page 3 was adopted.*

<sup>1</sup> Note by the Secretariat. — See document C.195.M.74. 1929.IX, Minutes of the sixth session (first part), Annex 2, page 203.

<sup>2</sup> Note by the Secretariat. — This remark does not apply to the English text.

**Lord Cecil** (British Empire). — Unless someone has an earlier observation to make, may I ask for Mr. Gibson's attention for a moment on the paragraph two-thirds of the way down on page 4 in the English text which begins: "On the second reading (during the first part of the sixth session) the representatives of Great Britain and the United States withdrew their reservations on the subject, . . . of trained reserves . . ." I would prefer to finish it, for reasons which were expressed then and on subsequent occasions, with some more general phrase beyond the actual question of whether it interested us or not. So far as the British delegation was concerned, at any rate, it went rather farther than that.

I should like it to read thus:

"On the second reading (during the first part of the sixth session) the representatives of Great Britain and the United States withdrew their opposition on the subject of trained reserves for reasons which were expressed then and on subsequent occasions."

I prefer "opposition" to "reservations".

**The Hon. Hugh Gibson** (United States of America). — I should like to support the proposal made by Lord Cecil.

**M. Rutgers** (Netherlands). — After the paragraph just amended by Lord Cecil, there is a paragraph beginning with the words: "The Soviet delegation, on the other hand . . ."

This statement is quite correct, but that view was not taken by the Soviet delegation only. I would therefore ask that the paragraph be amended as follows:

"Some delegations, on the other hand, maintained, at the first discussion of the article, that . . ."

We might add at the end: "The Soviet delegation stated that it agreed with this point of view"—that is, if the Soviet delegation wishes its declaration and point of view to be shown in the report.

**Count Bernstorff** (Germany). — I should like to make a remark on the same lines as M. Rutgers. It will be seen that, in the middle of the first paragraph on page 4 of the English text, mention is made of the German representative in connection with the first reading. In reference to the second reading only the Soviet delegation is mentioned in connection with trained reserves. This may give the impression that only the Soviet delegation maintained a view which several other delegations, including my own, continued to uphold.

**M. Cobián** (Spain), Rapporteur. — Count Bernstorff has just admitted that the German delegation's reservation regarding trained reserves is mentioned on page 4, as he requested. The reason why this reservation was not made in a more extended form was that it would not fit in with the text. If, having heard the reasoned opinion of the Soviet delegation, Count Bernstorff now states that the German delegation agrees with this view, there is no objection to mentioning it.

M. Rutgers wishes this paragraph to be worded more comprehensively, so as to include not only the Soviet but also other delegations. I have no objection, provided the names of the delegations are mentioned, unless the Soviet delegation agrees to omit the reference to itself. In that case the wording would be "some delegations". It would be understood that this referred to the Soviet, German and Netherlands delegations.

**M. Westman** (Sweden). — I support M. Rutgers' remarks. If the delegations agreeing with the Netherlands delegation are named, I should like my own delegation to be mentioned.

**Lord Cecil** (British Empire). — I did not quite catch what M. Rutgers actually proposes, but I do not want it to be put "on the other hand". That is the reason I made that alteration in the previous paragraph. The British and the American delegations withdrew their opposition for reasons they then gave, but they did not say that they thought it a desirable thing to have nothing to do with trained reserves. I will not attempt to summarise what they thought, but I do not want to say "on the other hand". If M. Rutgers' phrase were merely to say that there were certain delegations who thought that trained reserves ought to be included, I have no objection, but it must not be put in such a way that the British and American delegations did not agree to that proposition. That is not what they said. Finally, I think that the paragraph as it now stands should be struck out, because it refers to the Soviet delegation, and we agreed just now, at their request, to strike out all reference to the Soviet delegation in our report.

**M. Massigli** (France). — I shall not be so indiscreet or so presumptuous as to express an opinion on the question under discussion. I see, however, on page 4 in the English text, the German delegation's opinion and that of the Soviet delegation, and on page 12, the German delegation's opinion again. The Netherlands, Swedish and other delegations now wish to be expressly mentioned. Soon the report will consist of nothing but objections to the solutions adopted. The delegations which form the majority, and which must be satisfied with a short sentence defining their view, will perhaps find the balance somewhat unequal. I am quite satisfied with the text of the report,

on condition that other delegations will not make three separate references to the same arguments against trained reserves.

**Rear-Admiral von Schoultz (Finland).** — I agree with the Netherlands point of view. The wording in the report does not exactly reflect the discussion. Either it must be omitted, or, if it be kept, reference must be made to the other delegations which are of the same opinion.

**M. Rutgers (Netherlands).** — I think I can satisfy many delegates; it is perhaps more difficult in the case of M. Massigli. It may be some consolation for the French delegate that he will be entirely satisfied by the article, if not by the report.

With regard to the other remarks, I think it would be better to transpose the order of the two paragraphs, and to omit the words "on the other hand". It has been asked which delegations' opinions are recorded in this paragraph. You have only to read the report of Sub-Commission A. The paragraph might begin with the words "Several delegations . . ." and mention might be made of the Soviet delegation at the end of the paragraph.

**M. Cobián (Spain), Rapporteur.** — I wish to raise a point of principle to which I attach great importance. If pages 3 and 4 of the English text are read carefully, it will be seen that the facts are related in chronological order. It is therefore impossible to transpose the paragraphs.

The Rapporteur has drawn up his report on the following system. If, in adopting an article, the minority gave way to the majority, it is unnecessary to state which delegations voted for or against. But if some of the opposing delegations stated that for their part they did not give way to the majority and made a reservation, the report must refer to that reservation; otherwise the text of the Convention would convey a wrong impression to the Conference. Many articles represent a compromise. In some cases, the attitude of each delegation must be mentioned.

M. Massigli stated, apparently with some justification, that the report only contains arguments against the texts adopted. This is true, but, as I have just stated, the report should contain only reservations—that is to say, the views of delegations which did not give way to the majority. M. Massigli will admit that that is the price the majority has to pay. That is why I stated, at the beginning of the report, that the draft Convention was adopted by the Commission. But the delegations which have made reservations are entitled to have them included in the report. If other delegations wished to be included, the precedent would be very dangerous.

Lord Cecil proposed to omit the paragraph. I think we can adopt that proposal, and add at the end of the first paragraph that the Soviet delegation made a reservation in the same sense as the German delegation.

**Lord Cecil (British Empire).** — We must stick to the rule we agreed on just now, which was that the Soviet delegation, at their own request, was not to be mentioned in the report.

**M. Rutgers (Netherlands).** — It is quite natural that the minority should be requested to give way to the majority, and for my part I should agree to all the statements and reservations being included in the report, if desired. When the last decision was taken regarding trained reserves, the Netherlands delegation pointed out that the question would be raised again at the Conference. It is not clearly shown what took place, if the report omits to mention that some delegations maintain their opinion and continue to think that the absence of a limitation for trained reserves is a serious defect. I have no objection to the report saying "the Netherlands delegation maintains the opinion . . .", rather than "some delegations . . .". I therefore submit a new proposal to this effect.

**M. Fierlinger (Czechoslovakia).** — I agree with M. Massigli's view. I think that a report drawn up on these lines will contain nothing but negative reservations. I may be allowed to compare it with a negative as opposed to a positive photographic plate.

Naturally everyone has the right to have his views shown in the report. Some opinions differ radically from the principles laid down in the Convention, but we agreed to mention them as a compromise accepted by the majority of the Commission.

If some delegations state that there is a serious defect on any given point, we should reply that, on the other hand, there are certain compensations. For instance, if it be stated that there is a defect in the matter of trained reserves, it must be pointed out that this defect is compensated for by the limitation of the period of service and so forth. If we agree to this method, we shall never finish our work, and it would be better to attach the Minutes to our report.

Lord Cecil's proposal seems to me a very reasonable one, and we might accept it, as the Soviet delegation has reserved the right to submit reservations at the end of the discussion.

**M. Rutgers (Netherlands).** — And what becomes of the Netherlands reservation?

**M. Fierlinger (Czechoslovakia).** — The Netherlands reservation may be inserted, but it should be stated in Chapter D that the defect to which it refers has already been partly made good.

**M. Sato (Japan).** — I have no objection to other delegations submitting reservations, but I think the report ought to give an exact "picture" of our work. In my opinion, the report unfortunately does not give such an exact "picture".

For instance, at the top of page 4 we read:

“ At the third session . . . the Commission adopted, by a majority, the solution which appears in the text of the draft.”

On the same page, it is stated that several delegations—those of the British Empire, the United States and Germany—made reservations on the first reading. Later it is stated that, on the second reading, the British and United States delegations withdrew their reservations. That is quite all right, but it is not stated that the question was voted on in the Commission. M. Massigli informs me that only three votes were given against the proposal. If we state everything that has taken place at the meetings of the Commission, and in addition the reservations made by certain delegations, there will be no more argument, and the present difficulties will be overcome.

**M. Cobián (Spain), Rapporteur.** — The report states that:

“ At the third session . . . the Commission adopted by a majority the solution which appears in the text of the draft.”

It goes on to mention certain reservations, and points out that, on the second reading, two of those reservations were withdrawn. The report therefore appears to state very clearly that the decision was taken by a majority. This statement is, moreover, preceded by a paragraph showing the great importance of the question.

It appears to me that the report is an exact picture of the discussions which took place and the decisions which were reached.

I request that a vote be taken on Lord Cecil's proposal to omit the third paragraph on page 4, beginning with the words “ The Soviet delegation, on the other hand, . . . ”

*It was agreed to omit this paragraph.*

**The President.** — There still remains M. Rutgers' proposal. He suggests that the paragraph which we have agreed to omit should be replaced by the following:

“ The Netherlands delegation maintains the opinion that, in view of the great military value attaching to trained reserves a disarmament Convention without limitations or reduction of these reserves would present a serious defect, inasmuch as it would leave in existence large armies which would need to be provided with war material on a commensurate scale. ”

**M. Westman (Sweden).** — I support M. Rutgers' reservation. I therefore request that the Swedish delegation also should be mentioned at the beginning of the text submitted by the Netherlands delegation.

**M. Massigli (France).** — I regret to intervene again in this discussion, and must state at the outset that I am not opposed to the views of M. Rutgers and M. Westman. But I should like to know exactly what we are doing. Are we recording the previous discussions of the Commission, or are we all expressing new opinions? If we are recording the discussions, the position is clear: when the question was discussed at second reading, a decision was taken by a majority, and was opposed by three delegations, including that of the Netherlands. Naturally any opposition raised should be mentioned. But, on the other hand, are we to embody in the report individual opinions which are brought to our notice at this juncture? In that case, I fear the proceedings will be interminable. Personally, I think we should confine ourselves to giving an exact picture of what took place in the Commission.

**Lord Cecil (British Empire).** — I should like to remind the Commission that, before this discussion began, we were asked to send in any reservations we wished to be included in the report. The British delegation did so, and I have no doubt other delegations did so also. I do not understand that the Netherlands delegation did so on this occasion, and therefore I should have thought that, strictly speaking, they were not entitled to have a reservation inserted now; they ought to have sent in notice of their desire to have such a reservation inserted. At the same time, as a suggestion of conciliation, and in order to avoid prolonging this discussion unduly, I think we might add at the end of the paragraph, before the words “ On the second reading ”, a short phrase to the effect that other delegations agreed with this view; then there could be a reference to the Minutes to show what actually happened.

**The President.** — Do the Rapporteurs accept this proposal?

**M. Rutgers (Netherlands).** — For my part I cannot accept it. I maintain that the various delegations have a right to make reservations, and to draw them up themselves. I thank M. Sato for his statement that the Netherlands delegation cannot be refused the right to insert a reservation in the report. Moreover, I have just explained why I did not send the text in previously. I repeat that I thought my opinion was expressed in the report. As that is not the case, and as I attach very great importance to this question, I request that my application be granted. I hope Lord Cecil will not oppose the insertion of my reservation in the report on formal grounds.

Permit me to point out that the Netherlands delegation has not abused its right to make reservations. There is not a single Netherlands reservation in the report. In this particular case, however, the question is of great importance. It is possible that the Conference will not settle this question of trained reserves, but it will nevertheless remain on the agenda. I therefore

think that the courtesy and conciliatory spirit of the Netherlands delegation would be abused if they were requested not to make this reservation in the report. We did all we could. When a vote was taken on the article in question, we even abstained from voting, because we did not wish to vote against it, in order not to prevent the Commission from formulating a single text; but we maintain our opinion. This question will come up again at the Conference. I do not think that certain delegations can persistently be refused the right to insert reservations in the report.

**M. Cobián (Spain), Rapporteur.** — As a compromise, I propose to M. Rutgers that we add the following sentence at the end of the first paragraph on page 4:

“ This point of view was shared by the Netherlands and Swedish delegations.”

**M. Rutgers (Netherlands).** — Why can we not express our point of view ourselves? Why must we be made to say that we share the point of view of other delegations?

**M. Cobián (Spain), Rapporteur.** — I should be very glad to reproduce M. Rutgers' own words, and I am sure the report would gain by it. But I should like to observe that from the beginning of our work the Swedish and Netherlands delegations were opposed to the solution which was finally adopted. As the German delegation expressed the same view before the second reading, I think that an exact record of what took place would be obtained by stating that this point of view is shared by the Netherlands and Swedish delegations. I do not understand M. Rutgers' opposition, as in this particular case it is not a question of making a reservation, properly so called, but merely of emphasising the fact that two delegations were opposed to this solution from the very beginning of the discussion.

**M. Rutgers (Netherlands).** — I beg to point out that the text of my reservation follows the Rapporteurs' wording regarding the Soviet reservation. They had agreed to devote a paragraph to the Soviet delegation's opinion. I do not see why this privilege could not be granted to the Swedish and Netherlands delegations, which do not abuse their right to make reservations. I must state that, if my request be not agreed to, I shall demand a vote.

**M. Cobián (Spain), Rapporteur.** — I wish to draw M. Rutgers' special attention to the extreme seriousness of this question. If his request be complied with, this implies that reservations can be made at the time when the report is approved. If we once start doing that, I am afraid we shall never finish. I quite understand that M. Rutgers and M. Westman want to have their views expressed in the report. I am perfectly willing to comply; but it would be very dangerous for the Commission to admit reservations which have not previously been drawn up in writing.

**M. Rutgers (Netherlands).** — You are the only person who opposes my request.

**M. Cobián (Spain), Rapporteur.** — No, but I draw your attention to the seriousness of this question. I must add that, if it be put to the vote, I shall vote against it.

**The President.** — I think the question has been sufficiently discussed, and can now be put to the vote.

**Dr. Markovitch (Yugoslavia).** — I propose to put to the vote the question of principle just raised by the Rapporteur—whether new reservations can be submitted at the present stage.

**M. Bourquin (Belgium), Rapporteur.** — I must associate myself with M. Cobián's remarks. We must not depart from our procedure. We have a report—that is to say, a document which should reflect what happened in our Commission. We have endeavoured to distinguish between minority votes and reservations, because the two things are quite different. A negative opinion may be expressed either by a negative vote or by a reservation. If a party vote against a proposal without making a reservation, this implies that he is beaten, that there is a majority, and that the system adopted by the majority may in the last resort be accepted by the party who voted against it. That does not mean that he approves of the system or undertakes to support it.

On the other hand, a party who makes a reservation indicates thereby that he is so much opposed to the system adopted by the majority that he cannot accept it, or that, by making his reservation, he wishes to retain the possibility of further considering the question.

I think we must state in the report which proposals were voted unanimously and which by a majority, and, in certain cases, indicate the majorities and minorities. We have done so in this case. The text definitely states that this article was adopted by a majority. That implies that there was a minority, and that some delegations were opposed to the text. After pointing out this important fact, the report states that some delegations not only voted against the text but also made reservations. Those reservations are recorded. It is then stated that at the second reading the opposition of two delegations was withdrawn. That is a true picture of what happened.

What is M. Rutgers afraid of? If he is afraid of being bound, or of seeing his country bound, at the Disarmament Conference, by a majority vote in which he was in the minority, he may be reassured. The Netherlands delegation is obviously quite free to maintain any view it chooses at



the Disarmament Conference. We are not bound by a Convention. We have simply expressed the respective views of our Governments. M. Rutgers has therefore nothing to fear on that subject.

Does M. Rutgers wish the Netherlands delegation to appear among the parties which voted against the system adopted ?

**M. Rutgers (Netherlands).** — I voted for the article.

**M. Bourquin (Belgium), Rapporteur.** — Yes, for the article, but against the system. If that be M. Rutgers' desire, that is another matter. But if he wishes to insert a new reservation in the report, then, for the reason of procedure just stated by M. Cobián, I shall be obliged to say myself that this is a bad system. The question appears to me to be very serious. If we start inserting new reservations on the discussion of the report, there will be no end to our work. I think the report must be confined to a statement of what happened; the report can only reflect what it is possible to report.

**M. Rutgers (Netherlands).** — At the outset there were no formal objections, and now that the material objections have been withdrawn, others are raised. The Netherlands delegation did not make a written reservation, but expressed its opinion and expected to see it recorded in the report, especially as, from our point of view, this is perhaps the most important of all the points discussed. Although we did not address a written reservation to the Secretariat, we nevertheless made one when the vote was taken. We did not put it in writing, merely because we thought the Rapporteurs would mention it. I offer them my apologies, and beg them to believe that my remarks are not intended as a criticism of them.

But when the question is of such importance, it is an excess of formalism to appeal to reasons of procedure. If the Commission refuse to insert our reservation in the report, I should say that the majority of the Commission has done violence to the Netherlands delegation, and that the rights belonging to all delegations have not been granted to us.

**M. Fierlinger (Czechoslovakia).** — I share our President's anxiety to reduce our discussions to a minimum, but I do understand that, in this case, a sincere exchange of views is necessary. I do not think it is merely a question of form, but it is a very important matter, as M. Cobián has just said.

Our Commission is endeavouring to find some means of meeting M. Rutgers' wishes. We are all equally anxious to do so. It would be better, therefore, to discuss the question than to indicate a purely formal principle and risk a unanimous vote against M. Rutgers' proposal. It is important that our Netherlands colleague should go away satisfied and not embittered against us. We must show him that we have made every effort to accede to his wishes, and I should like to explain to him why we are so anxious to settle this question in a manner satisfactory to everybody. For six years we have endeavoured to reconcile the two opposing views of the conscript army and the professional army. We have always endeavoured to reach a compromise, and I think we have reached one. M. Rutgers has subscribed to it. In order to reach this object, both sides have made large concessions on numerous points. Must we again raise these points on which we were not all agreed? We voted certain proposals by a majority, and others unanimously. When we voted by a majority, we accepted the solution arrived at even if we did not agree with it. It was a compromise. If we formulate this important question afresh in the manner proposed by M. Rutgers, the report will give the entirely false impression that we have not arrived at this compromise which reconciles the two views that have throughout been in opposition. I therefore request M. Rutgers to take this anxiety for compromise into account. I beg him to take our view into consideration.

**The President.** — The question now is whether the Commission will adopt a new rule of procedure—that is to say, as stated by M. Cobián and M. Markovitch, we have to decide whether delegates may or may not make new reservations during this discussion.

**Lord Cecil (British Empire).** — I do beg M. Rutgers to follow what the point is. It is not any desire on my part to exclude the possibility of the Netherlands delegation recording their opposition to this or that proposal. We must be regular here. There was no reservation made by the Netherlands delegation at the time, in the sense that M. Rutgers now tries to put forward. He has taken the Soviet delegation's words and adopted them as his own. It is not right, it is not historically correct, it does not give a correct picture. If M. Rutgers had accepted my suggestion, it would have safeguarded his position, and there would have been a reference in the Minutes which would show what the Netherlands delegation said. It is essential for us to be regular here. It is not a question of formality; we cannot make an exception. We refused to make an exception in the case of the Soviet delegation, and we cannot make an exception now for the Netherlands delegation. It is a case of recording what took place on the occasion, and it is right to say, strictly speaking, that the Netherlands, Swedish and other delegations agreed in a general way with the German point of view, and it is not right to say that they made any reservations on the subject.

**M. Rutgers (Netherlands).** — The question is not whether our report will be drawn up on one system or another. It must be decided whether the Netherlands reservation is too late. If we had sent it in the day before yesterday, no objection would have been raised. This reservation does not represent a new opinion; the Netherlands delegation has always said what it is

saying now. The reason why this reservation was not put in writing when the vote was taken is that I was convinced that our opinion would be mentioned in the report. We voted for the proposed article while stating that we maintained our point of view; that was, in effect, as strong a reservation as the others.

To-day we are told that we did not make our reservation in writing, and did not call it a reservation. We submit it now; if we are told it is too late and cannot be accepted, we shall give way, but we shall not do so with a good grace.

If the Commission takes a decision of principle on this subject, it may regret it in the future and be obliged to reverse its decision; in case, for instance, a reservation is offered which has not been put in writing and which it would like to accept.

I therefore insist that a vote be taken.

**M. Westman (Sweden).** — I should be quite satisfied if M. Rutgers' first proposal were adopted, to the effect that "several delegations at the first reading . . ." It was not until the Commission seemed inclined to reject that proposal that I decided to support the demand for the insertion of a formal reservation.

**M. Rutgers (Netherlands).** — I accept this proposal, which is, as a matter of fact, what I originally suggested.

**The President.** — Since M. Rutgers accepts, we can vote on this new text.

**M. Massigli (France).** — I do not feel that I have the right to vote on a reservation made by one of my colleagues; I am willing to vote on the point of principle whether reservations not made during the discussion, and not submitted to the Rapporteurs, should be inserted, but not on the reservation itself.

**M. Westman (Sweden).** — There is no question of a reservation; it is a mere statement of fact. It is stated that several delegations at the first reading maintained certain points of view. What is stated is an incontestable fact.

**M. Politis (Greece).** — It is in the Minutes.

**Dr. Riddell (Canada).** — I propose that we vote on the proposition of M. Westman.

**The President.** — Does M. Massigli agree with what M. Westman has just said?

**M. Massigli (France).** — M. Westman expressed the same idea as M. Rutgers. What I said applies to M. Rutgers' reservation.

**M. Rutgers (Netherlands).** — If M. Westman's sentence be put in, I will withdraw my reservation.

**The President.** — M. Cobián proposes to insert this sentence before the paragraph beginning with the words "On the second reading". It would read "several delegations maintained at the first reading that, in view of the great military value . . ."

*It was decided to insert the proposed sentence.*

**The President.** — M. Rutgers suggests adding:

"This would leave in existence large armies which would need to be provided with war material on a commensurate scale."

**M. Sato (Japan).** — In what form will these words be inserted? Do the Rapporteurs agree to insert them? Is it a Netherlands reservation?

**M. Rutgers (Netherlands).** — It is the opinion of some delegations.

**M. Sato (Japan).** — Then it amounts to a reservation by those delegations. The question is of such importance that it must be quite clearly defined and settled. If M. Rutgers wishes this sentence to be inserted in the report, I shall have great difficulty in accepting the report; if it be inserted as a reservation by the Netherlands delegation, I shall raise no objection, because that delegation has the right to make a reservation, but only on one condition. I have already stated that the report should give us a true picture of what took place, and one of the Rapporteurs told me a few moments ago that the picture was a true one. I reply that in any case it is not a clear one.

You state that the present text was adopted by a majority. Where do you state this? You state it only at the beginning of the report . . .

**M. Cobián (Spain), Rapporteur.** — At the beginning of the first paragraph on page 4 of the English text.

**M. Sato (Japan).** — . . . that is to say, in reference to the third session. If you admit that, you also admit that the picture is not complete; it should be complete, and it should be known that the Commission adopted the article by a majority, both at the second and third readings. If this procedure be adopted, I shall accept the Netherlands or Swedish reservation; if, on the other hand, the President, or the Rapporteur, proposes to insert the sentences in question in the report without putting them in the form of a reservation, I shall vote against this proposal, because we must pay attention, not only to the arguments of the minority, but also to those of the majority in order to maintain a proper balance in the report; otherwise the report will be top heavy.

**The President.** — M. Rutgers wishes to add:

“ In the opinion of these delegations this would leave in existence large armies

**Dr. Markovitch** (Yugoslavia). — We must reproduce exactly what happened at the meeting.

**M. Sato** (Japan). — If only the minority's arguments are mentioned, the report will be incomplete. If the Commission agrees to give the majority's arguments also, I shall reserve the right to submit a text.

**Lord Cecil** (British Empire). — I quite agree with M. Sato. I think this is a most irregular procedure, and that we ought not to have been drawn into it at all. I think we ought now to vote simply on whether we accept the paragraph or not, and I shall vote against its acceptance because I think it is quite irregular at this stage.

**M. Rutgers** (Netherlands). — I withdraw my proposal, since the Commission has given me a certain degree of satisfaction.

**The President.** — I thank you for your conciliatory spirit.

**M. Massigli** (France). — I wish to call attention to a printer's error. In the second paragraph on page 5 in the sentence “ It is understood that the effectives in reserve *or* under training . . . ”, the word “ or ” should be omitted.

**Lord Cecil** (British Empire). — There is a mistake on page 5 of the English text. In the first paragraph the word “ compulsory ” ought not to be there, because it applies to all effectives whether compulsory or non-compulsory.

*Pages 4 and 5 thus amended were adopted.*

*Page 6.*

**M. Massigli** (France). — This page could be shortened. The second and third paragraphs of page 6 of English text, referring to proposals submitted to Sub-Commission A, could be omitted. The next paragraph would then be that beginning “ It is understood that the Conference itself . . . ” The text would be simpler, and there would be no need for any discussion on paragraphs which possibly do not correspond exactly to the position.

**The President.** — The Rapporteurs agree to this omission.

**M. Massigli** (France). — In the last paragraph on page 6 of the English text there is a reference to the number of officers and non-commissioned officers. This is not quite correct, as we have separate limitations for officers on the one hand and for non-commissioned officers and men on the other hand. I propose that the words “ and non-commissioned officers ” be omitted.

**General de Marinis** (Italy). — We have been working for a month, and at the last moment, when we are dealing with the texts, there is a difficulty in prolonging our session for one day. I appeal to all my colleagues. The report must be examined in peace and quiet. I cannot see the reason for this hurry. We must not endanger our work by being impatient. Personally, I have not understood the changes made in pages 6 and 7.

**M. Massigli** (France). — I gave two reasons for the omission which I suggested on page 6: first, that we were going into details and perhaps incorrectly interpreting the decisions of the Commission, and, secondly, that there can be no harm in this omission, since it is stated later on that “ It is understood that the Conference itself will be called upon to decide . . . ” This wording clearly shows that the Conference will have to interpret the article; consequently, all opinions are covered. I pointed out that there was no need to mention Sub-Commission A in one paragraph when it is not mentioned elsewhere, although it expressed a large number of opinions.

**General de Marinis** (Italy). — I agree to this omission.

**M. Massigli** (France). — On page 6, I propose to omit the words “ and non-commissioned officers ” in the last paragraph, because there are actually two limitations, one for officers and the other for all other professional soldiers.

**General de Marinis** (Italy). — I agree on this point also.

*Page 6 thus amended was adopted.*

*Page 7.*

**M. Westman** (Sweden). — In the last paragraph but one of page 7, there is a reference to “ the number of officers and (b) the number of soldiers other than officers . . . ” The members of this Commission know what is referred to, but it would be more correct to say: “ the average daily effectives of officers ”.

**M. Cobián** (Spain), Rapporteur. — It will be sufficient to delete the words “ the number of ”, and say, “ the limitation of officers and soldiers . . . ”

*Page 7 thus amended was adopted.*

*Page 8.*

M. Cobián (Spain), Rapporteur<sup>1</sup>. — In the third paragraph of page 9 (French text), and in the second paragraph of page 11 (French text), the word “d'équipages” has been retained by mistake.

M. Colban (Norway). — In the first paragraph on page 8, “x months” should replace “x years”.

In the fourth paragraph on page 8, the word “soldats” (meaning private soldiers) should be replaced by the word “militaires” (meaning soldiers in general).<sup>2</sup>

Lord Cecil (British Empire). — The paragraph referring to the Soviet delegation should be omitted.

M. Cobián (Spain), Rapporteur. — I have already said that we were bound to accept all the reservations of the Soviet delegation. It is for the Commission to decide whether to omit them.

The President. — That decision was taken at the beginning of the discussion.

*Page 8 thus amended was adopted.*

*Page 9.*

M. Massigli (France). — In the last paragraph of page 9, an expression has been retained which has been omitted from the Convention in order to avoid any misunderstanding; I refer to the word “active” in the expression “active service”. This word has different meanings in different countries. This point might be explained by a footnote; an explanation in a few lines would be sufficient.

M. Cobián (Spain), Rapporteur. — I agree to omit this word, but I have some doubt about the explanation.

M. Massigli (France). — I will propose a text.

*Page 9 thus amended was adopted.*

*Page 10.*

Lord Cecil (British Empire). — I have a change to make in the English text only—first line, page 10. The words “for the furnishing of” should be changed.

*Page 10 was adopted with this modification.*

*Pages 11, 12 and 13.*

*Pages 11, 12 and 13 were adopted.*

*Page 14.*

M. Bourquin (Belgium), Rapporteur. — In the last paragraph of page 14, there is a reference to the “falling-off in the number of births in future years”. The Rapporteurs propose to omit the words “in future years” and to say simply “. . . falling-off in the number of births as a consequence of the last war”.

*Page 14 thus amended was adopted.*

*Page 15.*

Count Bernstorff (Germany). — In the penultimate paragraph on page 15, a German proposal is referred to. I would ask the Rapporteurs to insert a note: “See reservation by German delegation, page 12 of document C.P.D.294(a).”<sup>3</sup>

M. Cobián (Spain), Rapporteur. — I agree.

Lord Cecil (British Empire). — The translation of the Spanish reservation in the second paragraph needs revision—its meaning in English is obscure.

*Page 15 thus amended was adopted.*

*Page 16*

*Page 16 was adopted.*

*Page 17.*

M. Massigli (France). — As we have omitted the word “budgetary” from the articles, it should also be omitted from the first line of page 17.

M. Cobián (Spain), Rapporteur. — The Rapporteurs agree.

Count Bernstorff (Germany). — In the middle of the page it is said:

“The result of the vote taken on the principle of direct limitation was as follows:”

I request the Rapporteurs to point out that this was a German proposal.

M. Cobián (Spain), Rapporteur. — We agree.

*Page 17 thus modified was adopted.*

<sup>1</sup> Note by the Secretariat. — This does not affect the English text.

<sup>2</sup> Note by the Secretariat. — This latter remark does not affect the English text.

<sup>3</sup> Note by the Secretariat. — Draft report, second part (see Annex 14).

*Page 18.*

**M. Sato (Japan).** — In the middle of the penultimate paragraph, the explanations regarding the Japanese delegation's opinion do not give a true picture of our delegation's attitude. I therefore venture to request the insertion of the following text:

"The Japanese delegation, while supporting the method of indirect limitation, nevertheless expressed the view that the adoption of this method did not necessarily exclude recourse to direct limitation in the case of a certain number of countries which cannot accept indirect limitation, but the number of such countries in this case should be strictly limited.

**M. Cobián (Spain), Rapporteur.** — We agree to M. Sato's proposal. I regret that I did not exactly express his point of view.

In the same paragraph mention is made, not only of the Japanese delegation's opinion, but also of that of the United States delegation. We were not able to insert the exact text of Mr. Gibson's statement in the report because we had not the English text. We hope that Mr. Gibson will authorise us to translate his statement.

**The President.** — The following is the text proposed by the United States delegation:

"The American delegation stated that, whereas they were unable to accept budgetary limitation in any form as far as the United States was concerned (see American reservation),<sup>1</sup> they did not wish their attitude to constitute an obstacle to agreement on the part of other Powers. They therefore stated that they were prepared to apply, as far as they were themselves concerned, direct limitation instead of indirect limitation, provided that some practical budgetary method were generally agreed upon, which would be sufficiently detailed and precise to constitute an effective means of limitation.

*Page 18 thus modified was adopted.*

*Page 19.*

*Page 19 was adopted.*

*Page 20.*

**Lord Cecil (British Empire).** — I have a very small alteration with reference to the British declaration on page 20, third paragraph. The final sentence of the second paragraph on this page reads: "The British delegation made the following statement to the same effect".

I suggest that this sentence be deleted and that the inverted commas round the British statement be suppressed.

The wording will then be: The British delegation were ready to admit . . .  
It is merely a question of drafting, but it would convey our feeling better.

**M. Cobián (Spain), Rapporteur.** — We agree.

**M. Massigli (France).** — I should like to have added to the second paragraph, after the words "The Norwegian delegation observed that", the words: "in their opinion", in view of the fact that, on page 17, the report refers to a vote against the combination of the two methods. There is a slight contradiction which should be avoided.

**M. Cobián (Spain), Rapporteur.** — I should point out to M. Massigli that, on page 17, to which he refers, it is said: "on a vote being taken on the principle of the *simultaneous* employment of the two methods . . ." There is no reference to combination.

**M. Massigli (France).** — There is indeed a difference in meaning, which I regret I did not notice, and I withdraw my request.

*Page 20 thus modified was adopted.*

*Page 21.*

*Page 21 was adopted.*

*Page 22.*

**Lord Cecil (British Empire).** — I propose that we should strike out the portion about the Soviet delegation.

**M. Cobián (Spain), Rapporteur.** — That will be noted.

*Page 22 thus modified was adopted.*

*The meeting rose at 8.30 p.m.*

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<sup>1</sup> *Note by the Secretariat.* — See paragraphs Nos. 171 and 181 in the definitive report.

TWENTY-FIFTH MEETING.

*Held on Monday, December 8th, 1930, at 4.30 p.m.*

*President: M. LOUDON (Netherlands).*

121. Draft Report : Third Part (document C.P.D. 294 (b), see Annex 16): Discussion.

PART II. — MATERIAL: CHAPTER B. — NAVAL ARMAMENTS.

*Page 1.*

*Page 1 was adopted.*

*Page 2.*

Count Bernstorff (Germany). — I should like a correction made in the first line of the last paragraph of page 2. This is necessary in view of M. Cobián's remarks and the definition of reserves that has been given. The report says "the German delegation stated that, in view of the great value of non-floating material . . .". I wish it to read: "the German delegation *made a reservation*, in view of the great value . . .".

*Page 2 thus modified was adopted.*

*Page 3.*

Lord Cecil (British Empire). — I have made a number of notes with regard to the translation but, unless the Commission so desires, I do not propose to trouble them with these. If the Commission will allow me to do so, I will send our criticisms of the translation to the Rapporteurs, and perhaps they will have the matter looked into by the official translators. That will save time. I will only call attention to matters which seem to me to make a serious difference in the sense.

There is one here of real importance—that is the use of the word "indication" in the second paragraph. It ought to be "illustration" in English.

*Page 3 thus amended was adopted.*

*Page 4.*

M. Colban (Norway). — I am sorry to see the emphasis laid on the fact that certain countries will not be in a position to reduce their armaments, but will on the contrary find themselves compelled to increase them. I do not deny that this attitude may be justified in certain cases; but it already finds expression on page 2 of the second part of the draft report where we read in the last paragraph that "their present armaments" are "far from sufficient to guarantee national safety. This reservation was made in *precise form*, particularly in relation to naval and air armaments, the latter being scarcely at all developed in the majority of States." Now this same conception reappears on pages 4 and 5 of the document at present before us. I should be glad if the Rapporteurs would get together with the delegates concerned with a view to cutting down this passage. We must not give the impression that the object of our labours is to leave certain countries free to arm. On the contrary, it should be made clear that our object is to prepare for the reduction of armaments.

Lord Cecil (British Empire). — In that connection, there is, in the last paragraph but one on page 4 of the English text, the phrase "but gave it greater elasticity by adding the words 'as far as possible'". I do not like that phrase in English at all, and I suggest it would be better to say: "The Commission finally adopted the principle of such a reduction, adding, however, the words 'as far as possible'"—which are quite clear and definite in their meaning. I confess the other phrase, "gave it greater elasticity", gives a false impression to my mind.

M. Cobián (Spain), Rapporteur. — I see no reason against accepting Lord Cecil's suggestion, particularly as I imagine it will satisfy M. Colban.

M. Colban (Norway). — No. The proposed amendment does not satisfy me. My remarks referred to the general form of this part of the report. However, if the Rapporteurs cannot meet my wishes, I will not press the point.

M. Holsti (Finland). — The Finnish delegation is in agreement with the Yugoslav delegate,<sup>1</sup> and I suppose our reservation will be put more or less in the same form as in the penultimate paragraph of page 6.

<sup>1</sup> Note by the Secretariat. — See last paragraph on page 4.

**M. Cobián (Spain), Rapporteur.** — I mentioned only the Yugoslav delegation, because it was the only delegation that sent in the text of its reservation. I have no objection, however, to adding that the Finnish delegation supports this reservation.

**M. Holsti (Finland).** — I would like to add that the Sub-Committee gave its approval to the reservation.

*Page 4 thus amended was adopted.*

*Page 5.*

*Page 5 was adopted.*

*Page 6.*

*Page 6 was adopted.*

*Pages 7 and 8.*

**General de Marinis (Italy).**<sup>1</sup> — In the last paragraph but one of page 7 (French text) an error has crept in. The paragraph is referring to the freedom to transfer from the "clause" of submarines to that of light surface-vessels. The word "clause" is wrong: it should be "*classe*".

**Vice-Admiral Surie (Netherlands).** — In the last paragraph but two of page 7, the report reproduces a speech made by the Netherlands delegate. I venture to point out that the speech is incomplete, and that what has been left out is the most important sentence. On referring to the Minutes, I find that M. Rutgers said at the end of his speech: "For my part, I make every reservation in regard to the interpretations to which we have listened."

I should like this sentence added in the report.

**M. Cobián (Spain), Rapporteur.** — The omission is not due to forgetfulness or inadvertence on the part of the Rapporteur. M. Rutgers' statement was made verbally in the Commission, and ended with the words: "I make express reservations in regard to the interpretations which have been given." If Admiral Surie will be good enough to refer to the Minutes, he will find that different and even contradictory interpretations had been offered. In view of the difficulty of determining to which of those interpretations M. Rutgers' reservations applied, the Rapporteur thought it better to omit the sentence in question in order to prevent any misunderstanding. It appeared to us that the essential part of M. Rutgers' declarations was the statement that, if the second rule adopted was made subordinate to the first, that would, in his opinion, modify the scope of the system. We reproduced this statement. If Admiral Surie wishes to add that the Netherlands delegate made an express reservation in regard to any particular interpretation, this can be done. But if we were to do so in the vague form which I have quoted, it would not be clear to which interpretation M. Rutgers' reservations referred, since a number of conflicting interpretations were submitted.

**Vice-Admiral Surie (Netherlands).** — The Netherlands delegate made reservations with regard to all the interpretations put forward.

**M. Cobián (Spain), Rapporteur.** — Very well, then, I suggest to Admiral Surie that we say: "The Netherlands delegate also pointed out that, if they made the second rule adopted subordinate to the first, they would modify the scope of the system, and, in that connection, he made a formal reservation."

**Vice-Admiral Surie (Netherlands).** — I accept that proposal.

I have now another observation to make. The three rules have been stated, and an interpretation has been given of each of them. Our delegation does not accept these interpretations of any of the three rules. But I should like to draw the attention of the Commission to the interpretation of the second rule. Rule 2 contains the positive statement that: "Powers whose total tonnage does not exceed 100,000 tons<sup>2</sup> will have full freedom of transfer as regards surface ships". The interpretation "admits the possibility of unlimited transfer as regards surface vessels, but excludes submarines from this option". I think that is not accurate. We never discussed the question of the transfer of submarines. If it be desired, in this interpretation, to lay down that unlimited transfer is not allowed in the case of submarines, I should like, instead of saying "but excludes submarines from this option", to end the paragraph as follows: "but excludes submarines from such *unlimited* transfer", for the reason that there is always a possibility of transfer in the case of submarines up to a certain point.

**M. Westman (Sweden).** — I admire the courage of the Rapporteurs in offering comments on the three rules in Table III. I for my part should rather be inclined to refrain from all comment, and simply to reproduce the rules.

**M. Cobián (Spain), Rapporteur.** — Admiral Surie has correctly grasped the scope of the interpretation of the second rule. The sentence in question could only refer to the possibility of unlimited transfer. As to that we are in agreement. It was for that reason that we spoke of the possibility of unlimited transfer in the case of surface ships, while adding that there was no freedom to transfer submarines.

But M. Westman has raised a point that applies to all the rules and I should like the Commission's opinion on the question whether it is, or is not, desirable to omit all the interpretations. I was expecting M. Westman's observation to be made, but from another quarter. I hesitated a long time before inserting these interpretations, and hesitated still more in regard to retaining

<sup>1</sup> The English text is not affected.

<sup>2</sup> This figure is given as an indication.

them, after the statements by Lord Cecil and Mr. Gibson. If all the delegations had stated their views on the interpretation of these rules, the Rapporteur's task might have been confined to reproducing the statements made. But as only a limited number of delegations have given their interpretations, and as, moreover, this document is not intended for a single country, but for all countries, I felt that, in view of the importance of the question, it was desirable, and even necessary, for the Rapporteur to add this interpretation. It goes without saying that it is only the Rapporteur's interpretation which he submits to the Commission for the latter to accept or reject as it pleases. But I think it would not be a good thing to omit it, particularly as there is no opposition to the interpretation in itself. It does not seem to me that it would be wise to say merely that the question of interpretation does not arise and leave the matter for subsequent discussion. As Rapporteur, I should have no serious objection to omitting the interpretation, if the Commission so desires; but I felt I should state the motives behind our decision to insert it.

**Vice-Admiral Surie (Netherlands).** — The Netherlands delegation prefers a mere statement of the rules, without any interpretations, which are always liable to give rise to misunderstanding. On this ground I support the Swedish proposal.

**Lord Cecil (British Empire).** — I confess that my judgment goes with M. Westman in this matter. The Rapporteurs have done marvellously well in trying to explain the exact bearing of Rules 1 and 2; it is evident that that is a problem which we shall have to solve some time, or the Conference will have to solve it. But I confess I am a little frightened of the wording here. I think it might make matters a little more difficult—rather than less difficult—and I am inclined to think that, on the whole, it would be better to leave the explanations out altogether.

One thing about which I feel quite certain is that we ought not to try to redraft them; we ought either to accept what the Rapporteurs have inserted or strike it out altogether; if we try to redraft, we shall have absolute confusion in a Commission of this size. Unless, therefore, we are prepared to accept the explanations given as sufficient, I think they had better come out. I cannot say that I should have any great difficulty in accepting them, but, on the whole, I think it would be safer to leave them out.

**Dr. Markovitch (Yugoslavia).** — I support the Rapporteur's view. I think this interpretation is necessary, because it follows on certain declarations relating to the interpretation of our text. If we omit this interpretation, we run the risk of giving the preceding declarations a character which they have not got.

**M. Cobián (Spain), Rapporteur.** — I agree entirely with Dr. Markovitch and thank him for his support. But as those who have retained the two conflicting texts desire to omit the interpretation of the text they drafted themselves, it would be churlish for the Rapporteur to insist on retaining them, unless the Commission decides in that sense by a majority vote.

**The President.** — I will take the Commission's opinion as to the retention of the three interpretations.

*It was decided by six votes to five to omit the interpretations.*

**M. Politis (Greece).** — I apologise for intervening in the discussion, and at so late a stage. I should have liked to give my opinion, for I do not understand what is wanted. Here we have an interpretation; and I may be allowed to refer to it, for the reason that I had the honour of being Rapporteur to the Sub-Committee which twice reported to you—the first time when it submitted three rules to you in a slightly different order (the present first rule being then the third), and the second time, when, as the result of an understanding with the British delegate, we changed the order and put the third rule first. I had the honour to explain to you the purport and scope of these three rules.

The Rapporteurs had no difficulty in recapitulating the facts; and, as Dr. Markovitch said just now, an interpretation is essential at this point because, when we revised the printed text of our draft Convention, certain declarations were made which may have startled the Commission. It was therefore necessary once more to define the sense in which we drafted the three rules; and I congratulate the Rapporteurs on their desire to do so.

Now comes a discussion. A number of delegates wish to omit the commentary. Why? Because it is useless? Or because it seems to them inaccurate? That is a point to get clear.

We proceed to vote—on the initiative of those who want the omission of these passages—and the Commission is divided. The result, it seems to me, should be that we let the Rapporteurs' text stand. That is what I think should be done.

**Lord Cecil (British Empire).** — I am a little astonished at M. Politis' rule of procedure. What it would mean is that, if there were a single member of the Commission who agreed with the Rapporteur, then the report is to stand. Surely this is the report of the Commission and not the report of the Rapporteur, and it must be determined ultimately by the majority of the Commission. I should be perfectly happy whichever way the decision went, but I do think that, if the Commission has decided by a majority to leave out these explanations, the report should be left out.

**M. Cobián (Spain), Rapporteur.** — I am very much obliged to M. Politis for what he has said. The question before us was as follows. The report contained an interpretation. Two or three delegations expressed the opinion that any interpretation of the three rules was useless, or even dangerous. Another delegation, on the other hand, maintained that these passages should be kept. The Commission voted on the point.



What had the Commission to decide? It had to decide whether these passages should or should not be omitted, and not whether they should be replaced. It was decided to omit them by six votes to five. What does that mean? It means that there were fifteen abstentions—that is to say, fifteen delegations indifferent whether the passages were kept or dropped. The great majority of the delegations having therefore failed to support the text in the draft report, I feel it is the duty of the Rapporteurs to omit these passages..

**The President.** — I think we are all agreed to omit them.

**M. Politis (Greece).** — In view of M. Cobián's statement, which I interpret as an act of courtesy to the Commission, it would be churlish for me to press my point; but I must say, as a matter of principle, that if the rules are to be applied they should be applied in their integrity. You have put the retention of these passages to the vote, and on a division the Commission has decided not to retain them. Very well, then: under the rules their omission should have been put to the vote as an amendment.

**Dr. Markovitch (Yugoslavia).** — I entirely agree with M. Politis. I think the omission of this passage of our report should have been put to the vote. When put to the vote, the omission of these passages only secured six votes, so that the majority of the Commission has not expressed an opinion in favour of omission. However, in view of M. Cobián's statements, I will not insist.

**M. Cobián (Spain), Rapporteur.** — It was indifference that carried the day! It is understood, then, that we omit from Page 7 the text from "The rules contained in Table III . . ." to the words ". . . of the Powers applying for them", at the end of the fourth paragraph on page 8.

**The President.** — The rules remain; we have been speaking only of the interpretation.

**M. Westman (Sweden).** — The rules should come at the bottom of Page 5.

**The President.** — They will be inserted after the words ". . ." as the introduction to Table III" in the last paragraph of page 5.

*It was agreed to omit the commentary on the rules and to insert the rules at the bottom of page 5.*

**Lord Cecil (British Empire).** — I think the fifth paragraph on page 8, beginning "The Soviet delegation", ought also to come out according to the rule which we adopted on Saturday.

**M. Cobián (Spain), Rapporteur.** — I am in a great difficulty here: this is not a reservation, but a suggestion made in the Commission. I am merely explaining what happened.

**Lord Cecil (British Empire).** — The Commission has decided over and over again that this should be done. We must have a rule. The suggestion made originally by M. Lounatcharsky, and supported by myself as it happened, has been acted upon over and over again by the Commission. We surely cannot go forward and then back.

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — We made no such suggestion. We said that it was indifferent to us what was said in the report, so long as we were able to submit our resolution separately.

**M. Cobián (Spain), Rapporteur.** — If the Commission decide to omit all reference to the views of the Soviet delegation, the whole text will have to be remodelled to eliminate all trace of the latter's intervention.

**Lord Cecil (British Empire).** — I have no feeling at all in the matter, and if the Soviet delegation would like to have this reference in, I have no objection. But it seems impossible to strike out references to this delegation in one part and maintain them in another. You must have it one way or the other; if you are going to leave such references out then you must leave this one out too.

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — The Commission is perfectly free to do what it pleases with its own report, and I for my part shall take no share in the matter.

**M. Colban (Norway).** — We can omit the reservations which the Soviet delegation put forward after the close of the discussion, since the Soviet delegation has stated that it proposes to submit them as a separate document. But we should keep the reference to the Soviet proposal out of which the discussion arose.

**M. Cobián (Spain), Rapporteur.** — If the Commission decides to omit this passage, the Rapporteur will of course defer. It is for the Commission to interpret its decision of the other day with regard to the Soviet delegation.

**The President.** — In view of M. Colban's remark, I take it the Commission is in favour of retaining this passage of the report.

*Agreed.*

**Lord Cecil (British Empire).** — I am sorry that I do not like the last paragraph of page 8. I should prefer to say: "The Commission, however, did not think this question came within its competence. The figures actually inserted are, as already stated, by way of illustration only."

**M. Cobián (Spain), Rapporteur.** — As the author of this wording, I am free to acknowledge that it is very poor! It should be made clear that it is the figures of the London Agreements which are given as an illustration and not the text of this treaty.

As to stating that the question does not come within the Commission's province, I hesitate to do that; for, if I remember rightly, the Commission was divided on the point whether a figure of some kind should or should not be kept in the text.

**Lord Cecil (British Empire).** — I am quite content. I thought we had all arrived at the conclusion that this was a matter outside our jurisdiction. If there be any doubt about it, I do not want to put these words in. We can say that the Commission did not decide the question and that the figures are given by way of illustration only. I do not care which way it is put, but I do want to say that we did not decide the question and that we did insert the figures merely as an illustration of how the thing would work.

**M. Cobián (Spain), Rapporteur.** — M. Bourquin suggests to me the following wording:

“ The Commission confined itself, however, to inserting—but by way of illustration only—the figures given in the text proposed by the signatory Powers of the London Agreements, fixing the tonnage-limit for capital ships at 35,000 tons and the limit for the calibre of their guns at 16 inches.”

*The above wording was adopted.*

*Pages 7 and 8, thus modified, were adopted.*

*Page 9.*

*Page 9 was adopted.*

*Page 10.*

**Vice-Admiral Surie (Netherlands).** — From the paragraph dealing with Article 18, I propose to omit the following phrase: “. . . since the Commission recognised that it would be equitable to provide merchant vessels, in case of need, with certain means of defence”.

I do not think the Commission discussed this point. At any rate, Article 18 does not deal with this class of ships. It deals with auxiliary vessels—that is to say, merchant ships armed with a view to conversion into vessels of war. It is mainly in connection with the question of publicity, with which Article 34 deals, that this distinction is of real importance. The present Convention has nothing to do with merchant ships armed for purely defensive purposes.

**M. Cobián (Spain), Rapporteur.** — Article 18, in the form adopted by the Commission, says that “ no preparation shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war”. I included a reference to this clause in the report, because I thought that a number of speakers had supported the clause, and I added some explanatory remarks in justification of my reference. But I have no objection to my explanatory remarks being omitted.

**Lord Cecil (British Empire).** — I did not quite follow the amendment of Admiral Surie.

**Vice-Admiral Surie (Netherlands).** — I was proposing to delete the words from “ since the Commission recognised ” to “ certain means of defence.”

**Lord Cecil (British Empire).** — Then you would make it “ This exception to the established rule was finally adopted”, and stop there? I have no objection, and I am interested to hear what the Admiral thinks is the meaning of Article 18. However, I am content to accept that.

I want to say “ rules as stated”, not “ established rule”.

*Page 10 thus modified was adopted with the omission desired by the Netherlands delegation.*

*Page 11.*

**M. Sato (Japan).** — At the bottom of page 11 there is a reference to the French delegation's reservation in respect of the limitation of expenditure on upkeep, purchase and manufacture of war material for naval armaments. Then at the top of page 12 comes the German delegation's reservation, and afterwards on page 12 the reservation of the Japanese delegation. The latter relates to the same subject as the French reservation.

**M. Cobián (Spain), Rapporteur.** — Yes, the order of these two paragraphs should be inverted and the Japanese reservation come before the German reservation.

**M. Sato (Japan).** — I will ask the Rapporteur to draft the text in the following form: “ The Japanese delegation also made a reservation in the same sense.” That will be clearer.

**M. Cobián (Spain), Rapporteur.** — I agree.

**M. Massigli (France).** — In the third paragraph of page 11, the Rapporteurs have referred to an incidental proposal of the French delegation. As this proposal was not discussed, or even put into writing, I ask for the omission altogether of the words: “ The French delegation suggested that budgetary limitation should be applicable only to such categories of material as have not been covered by direct limitation.”

**M. Cobián (Spain), Rapporteur.** — I have no objection.

*Page 11, thus modified, was adopted.*

**Vice-Admiral Surie (Netherlands).** — I should like the Rapporteurs to add after the last sentence but one on page 12, ending with the words “exceeding 8,000 tons”, an explanation of Table II. I propose the following text:

“ . . . while the High Contracting Parties non-signatories of the Treaty of London have the option of including cruisers of sub-division (ii) and destroyers in a single category. ”

The object of this phrase is to explain Table II of the draft. You will note that there is a horizontal line in columns A, B and C between the items “(ii) Guns of 6.1 inches and less (155 mm.)” and “(d) Destroyers. ”

**M. Cobián (Spain), Rapporteur.** — The report merely drew the attention of the Commission to the three tables in quite a summary manner, which seemed to us better. We simply said: “Table I will have the figures of global tonnage allocated to each High Contracting Party. Table II will serve to show the distribution of such tonnage between the categories defined in Annex III in accordance with the scheme fixed in London.” I propose to leave the explanations at that; but I am afraid, nevertheless, that this may give rise to some difficulties in understanding the table we are discussing. That is why we added the words:

“A special sub-division has, however, been admitted in the class of capital ships for those High Contracting Parties which have no capital ship of a standard displacement exceeding 8,000 tons.”

I accept Admiral Surie’s explanation; but I think its place is not on page 12, particularly as Annex III gives the definition of capital ships and mentions the exception we are discussing.

**Vice-Admiral Surie (Netherlands).** — The explanation given by the Rapporteurs on page 12 is entirely satisfactory, and I am not asking for its omission. I am merely asking for it to be amplified. I may say frankly that, at first sight, I did not understand Table II. I had to ask someone to explain it to me. When a sailor cannot understand this Table at first sight, how do you expect officials—in the Indies, for example—to understand it? That is why I want to add a supplementary explanation.

**M. Cobián (Spain), Rapporteur.** — We might satisfy Admiral Surie by a footnote after the words “exceeding 8,000 tons”, inserting his explanation at the foot of the page.

**Vice-Admiral Surie (Netherlands).** — That meets my wishes entirely.

*The addition of a footnote to this effect was approved.*

**General de Marinis (Italy).** — As appears from the Erratum<sup>1</sup> distributed to us, there has to be inserted after the first paragraph a new paragraph in the following terms:

“The British delegation explained that their acceptance of this article depended on the attitude finally adopted by other maritime Powers.”

The Italian delegation agrees with the British delegation, and proposes accordingly to amend the new paragraph to read:

“The British and Italian delegations explained that their acceptance . . . .”

I further propose to add in the third paragraph of page 12, after the words “which are binding solely upon the signatories”, the words: “of Part III”.

**M. Cobián (Spain), Rapporteur.** — That shall be done as General de Marinis desires.

*Page 12, thus modified, was adopted.*

*The draft report (third part), modified as shown above, was adopted.*

**122. Draft Report. — Fourth Part (document C.P.D. 294 (c); see Annex 17): Discussion. Part II. — Material, Chapter C. — Air Armaments; Part III. — Budgetary Expenditure; Part IV. — Exchange of Information.**

**M. Cobián (Spain), Rapporteur.** — Some delegations have felt some surprise at the absence of any mention of the former Article AD in this part of the report. I want to state that there is a reference to this article in another part of the report and an account of what happened in regard to it. I am anxious to make this point so that it should be clear that the question has not been left out of sight.

**Lord Cecil (British Empire).** — In the penultimate paragraph on page 1, third line, I think the text should read: “but also complete machines in *immediate* reserve”. That was what we agreed to.

<sup>1</sup> Note by the Secretariat. — This erratum has been inserted in the draft report, third part; see Annex 16.

**M. Cobián (Spain), Rapporteur.** — Lord Cecil's remark is only logical. This omission is due to the fact of the report having been drafted before the adoption by the Commission of the final texts proposed by the Drafting Committee.

*Page 1, thus modified, was adopted.*

*Page 2.*

**Lord Cecil (British Empire).** — With reference to the last paragraph on page 2, which reads: "It should be noted in the case of this Article (Article 26) that the British and Canadian delegations consider it will not be possible to specify the horse-power figures", with great respect I venture to say that this is not what we said. We said: ". . . consider that it is impracticable to find any standard of horse-power measurement that would afford a satisfactory basis of limitation", and I would ask that those words be inserted in place of the text in the report.

*This amendment was approved.*

*Page 2, thus modified, was adopted.*

*Page 3.*

**Lord Cecil (British Empire).** — I would draw attention to the fourth paragraph on page 3, which reads:

"The Commission accepted this standpoint, and decided not to propose particular rules, but to leave the Conference to take a decision on the point".

We feel that is a little insufficient, because what we really did was to suggest the appointment of a technical Committee, which should report on the subject, and that it would then be for the Governments to decide what they thought before the Conference met, and not necessarily to leave it to the Conference. Therefore, I should prefer to leave out the words "but to leave the Conference to take a decision on the point", and to redraft the paragraph in this way:

"The Commission is, however, of opinion that it is desirable for the Council to entrust to experts the preparatory studies required for the laying down of such rules, and that such rules should be communicated to the Governments, who might be invited to accept them as a preliminary basis for calculating the figures to be inserted in the table".

I think that is what we really decided, though I do not wish to press the matter unduly.

**M. Cobián (Spain), Rapporteur.** — I remember the Commission decided to leave a decision in the matter to the Conference, and the present text of the report is therefore accurate. The Commission also thought it desirable that the Council should entrust the preliminary studies for the definition of these rules to experts, on the understanding that the Conference itself should define the rules. I think, therefore, that this passage of our report is clear and not open to misunderstanding. I doubt, however, whether Lord Cecil's more detailed wording would be equally intelligible and equally clear. I have no objection, for my part, to adopting it; but I would draw the Commission's attention to the fact that, with our present text there is no possibility of misunderstanding.

**Lord Cecil (British Empire).** — The serious and substantial point is this. We think there will be considerable difficulty at the Conference unless, before the Conference, there is some basis on which the Conference can discuss the matter. The substance of the matter is—as we thought was agreed during the discussion—that we should ask the Council to arrange that a Committee of Experts should present their report in sufficient time to enable the various Governments to consider it and base their views for the Convention on it. That is the substance of the amendment. I think it would be a good plan to have that, but, as I say, it does not matter very much.

**M. Cobián (Spain), Rapporteur.** — I think the Commission will feel that Lord Cecil's suggestion should be taken into account.

*The British delegation's proposal was approved.*

*Page 3, thus modified, was adopted.*

*Page 4 (down to but not including Article 27).*

**General de Marinis (Italy).** — I should like mention to be made here of the Italian delegation's reservation in regard to the tables.

**M. Cobián (Spain), Rapporteur.** — I accept General de Marinis' suggestion.

*This part of page 4, thus modified, was adopted.*

*Page 4 (from Article 27).*

**M. Massigli (France).** — Our Rapporteur suggests leaving till later any allusion to Article AD. I think, however, that, in view of the importance which has attached to this question during our discussions, it is not sufficient to refer to this article in connection with the provisions for the revision of the Convention. To adhere to the "photographic" principle we are following in the drafting of this report, I should like to see a passage inserted here on this point. I think it might

come after the second line of the last paragraph on page 4 (after the sentence: " Article 27 deals with the interesting problem of the relation between civil and military aviation "). I propose the following text:

" The draft Convention as adopted at the first reading contained the following article (here insert the text of Article AD).

" At the second reading, the Commission thought that, as this article merely stated a situation of fact, it was not essential to retain it in a Convention of this character, and that it was sufficient to state in the report that various delegations reserved the right to bring the whole problem of civil aviation before the Conference."

The context would of course have to be remodelled to some extent; but I believe the insertion of some such formula as I have suggested would give an accurate picture of what took place on the Commission.

M. Cobián (Spain), Rapporteur. — I admit that the report should be photographic, but it must be a synthetic photograph, if I may so express myself, unless we are to insert the whole of the Minutes! I recognise that the text M. Massigli proposes gives an exact picture of what happened in the Commission. But I am afraid, if we introduce it at this point, that it may lead to some confusion. Would it not perhaps satisfy M. Massigli if his wording were inserted as a footnote at the bottom of the page?

M. Massigli (France). — I agree to M. Cobián's suggestion.

*The Rapporteur's proposal was approved.*

*Page 4, from Article 27, was adopted.*

*Pages 5 and 6.*

*Pages 5 and 6 were adopted.*

*Page 7.*

Dr. Riddell (Canada). — I believe that the first paragraph on page 7 does not give a complete idea of the objects of the Canadian amendment. As worded, the paragraph makes it appear as if the only effect of the Canadian amendment would have been to do away with the provisional and temporary character of seconding to civil aviation undertakings. This, however, was only one part of the Canadian amendment; the other part being of a very constructive nature—namely, arranging for all seconded personnel and machines to be counted in the quota allotted to each State.

I would propose the redrafting of the three paragraphs dealing with this subject as follows:

" An amendment was submitted to the Commission by the Canadian delegation to delete paragraph 2 of Article 27 and to substitute the following:

" ' Personnel seconded to, and military material employed in, civil aviation, whether Government or commercial, shall be counted in the agreed quota ' .

" The effects of this amendment would have been to set out clearly that all seconded personnel and machines would be counted in the quota allotted to each State, and also to eliminate the temporary and provisional character of seconding.

" The Commission, while appreciating the special circumstances of Canada, was not prepared to recede from the general rule to which it had given its approval—namely, that seconding should be only of a provisional and temporary character. It was thought that a solution of the difficulty might be found in the establishment of an exceptional arrangement, the form of which would have to be settled by the Conference. The Commission, while disallowing the deletion of the second sentence of paragraph 2 of Article 27, accepted unanimously the insertion of the Canadian amendment by which all seconded personnel and material should be included in the quota allotted to each State.

" The Canadian delegation subsequently submitted a reservation in regard to the ' temporary and provisional ' character of the seconding of personnel to and the employment of military aviation material in, civil aviation undertakings. Canada, because of its special needs and problems, requires, for the reasons given in the Minutes of December 2nd, 1930, the unrestricted right of seconding, in order to develop its country of vast distances and to protect its citizens and natural resources."

You will see that only slight changes are proposed, but I think they will give a rather clearer picture of the purpose of our amendment as a whole. I appreciate fully the difficulties under which the report has been drawn up. I should be glad, however, if the text that I have just read could be substituted for the present text.

M. Cobián (Spain), Rapporteur. — Mr. Riddell's statements deal with two points—first, his reservation, and secondly, the summary of the discussion on the Canadian amendment.

As regards his reservation, we have inserted in the report the page he sent us. If, however, the Canadian delegation prefers, for one reason or another, this new drafting of its reservation, it is clear we can accept that now, because no one knows better than the delegations submitting reservations how they should be drafted!

As regards the passage in the report on the subject of the Canadian amendment, I understand the importance which Dr Riddell attaches to the matter, and I venture to ask the President and the Commission to postpone their approval of the text submitted by the Canadian delegation to the next meeting, in order to allow of its distribution beforehand.

**Dr. Riddell (Canada).** — The proposal of the Rapporteur is entirely satisfactory. I regret exceedingly that it was not possible to submit our text to the Rapporteur for his consideration before the opening of the meeting, and since then he has been so occupied that there seemed to be no purpose in placing it before him, until we came to this part of the report.

**The President.** — The Canadian proposal will be distributed this evening, and we can take a decision to-morrow.

*A decision on page 7 was thus postponed.*

*Page 8.*

*Page 8 was adopted.*

*Page 9.*

**Count Bernstorff (Germany).** — Page 9 contains a short summary of the discussion with regard to the dropping of bombs. At the bottom of the page there is a footnote referring to the Minutes of the sixth session. It seems to me, however, that the aim of our proposal, which was rejected, might be shown more clearly and I should like to suggest that the Rapporteurs should insert between the words "to prohibit" and "the launching" what we regard as the essential part of our proposal, and accordingly re-word this part of the draft as follows:

" . . . to prohibit essentially offensive means, the destructive effects of which also threaten the civil population—namely, the launching . . . ."

**M. Cobián (Spain), Rapporteur.** — I have no objection to a reference to the explanation Count Bernstorff has given; but I must remind the Commission that the draft reproduces exactly Count Bernstorff's proposal as it stands on page 85 of the Minutes of the sixth session (first part), document C.195.M.74.1929.IX.

**The President.** — Count Bernstorff wants to insert between the words "to prohibit" and the words "the launching" the following phrase: "means of an essentially offensive character, the destructive effects of which also threaten the civil population—namely . . . ."

**M. Cobián (Spain), Rapporteur.** — The next paragraph says:

"After a very interesting discussion, this proposal was rejected".

I am not sure whether it would not be better to distinguish between the text of the German proposal and the explanation Count Bernstorff has just given. It was the proposal which was rejected. We might perhaps leave the text as it stands and add that the German delegation made a declaration to such-and-such effect.

**Count Bernstorff (Germany).** — What influences me is precisely the fact that the second paragraph mentions that certain delegations stated that they did not imply by their vote that the bombardment of civil populations from the air was authorised. That is stated in the second paragraph and not in the first. That being so, one does not understand what is meant.

**Lord Cecil (British Empire).** — Could you not alter the text in this way: instead of saying "a proposal to prohibit", say: "a proposal with the object of prohibiting", and then quote Count Bernstorff's words?

**M. Cobián (Spain), Rapporteur.** — The second paragraph might be drafted as follows:

"After a very interesting discussion, this proposal was rejected, five delegations voting in its favour. In the discussion, Count Bernstorff gave expression to his point of view, and the delegations which did not accept the German proposal . . . ."

*The above text was approved.*

*Page 9 thus modified was adopted.*

*Pages 10 and 11.*

**Lord Cecil (British Empire).** — I have an amendment to paragraph 4 of page 10. At present it runs thus:

"In adopting this principle (Article 28) the Commission desired to emphasise that such limitation should be applied individually, taking into consideration the conditions peculiar to each country".

I do not know what the French is, but it makes no sense in English. It would not be understood. I suggest this:

"In adopting this principle (Article 28) the Commission desired to emphasise that such limitation should be used for checking the growth of the armaments of each country, and not as a method of comparison between one country and another, the cost and conditions of manufacture varying very much in different countries".

I am anxious that the point which I have just stated should appear somewhere in the report. We always wanted that to be stated, and I think merely to say "individually" is not enough indication.

**M. Cobián** (Spain), Rapporteur. — Would it not be better to replace the whole paragraph by the following:

“ The British delegation stated that such limitation should be used for checking the growth of the armaments of each country . . . ”,

reproducing the text proposed by Lord Cecil? This would incorporate the idea in the report, and not give rise to objections on the part of other delegations.

**M. Fierlinger** (Czechoslovakia). — The British delegation's idea appears on page 11, where it is stated, in the second paragraph, that “ the Commission requested the Committee to study in particular . . . ”.

It would be sufficient to add at the end of the fourth paragraph on page 10:

“ . . . that such limitation should be applied in accordance with individual requirements. ”

**M. Massigli** (France). — I would rather like to attribute the view expressed by Lord Cecil to the Commission, but with one slight alteration.

Instead of saying “ for checking the growth of the armaments ”, read “ for checking the evolution of the armaments. ”

**Lord Cecil** (British Empire). — As for the change suggested by M. Massigli, I entirely agree with his object. I think that the English word “ growth ” is a better word than “ evolution ”, which I do not think would be very suitable here.

**M. Massigli** (France). — Another point. We have used throughout this part of the report, and have left as the heading of Part III, the expression “ budgetary expenditure ”. But we want to make the text apply to all expenditure. The word “ budgetary ” should therefore be omitted.

**Dr. Markovitch** (Yugoslavia). — I support the British delegate's proposal. I may add that the Commission has already approved his standpoint.

**M. Sato** (Japan). — I have no objection to accepting Lord Cecil's amendment; but the Commission will remember that there was a discussion on this subject, and that it adopted M. Politis' view.

Is M. Politis satisfied with the British amendment, or does he find that it contains a certain shade of difference? If I am not mistaken, he was very insistent on individual treatment of the budget of each country, in accordance with the special circumstances of each country, whereas Lord Cecil's amendment does not give adequate emphasis to this point. I have some doubts in the matter. I realise that it is a question of drafting, but I should like to know whether M. Politis is prepared to accept the British amendment or not.

**Lord Cecil** (British Empire). — With great respect, that is a different point. I quite agree it is a point which ought to be brought out, and it is brought out on the next page when we come to the instructions to be given to the Committee of Experts. The point I am anxious to see brought out now is one which I thought, with M. Massigli, we all agreed upon—that budgetary limitation, as we have called it here, cannot be used as a means of comparison between one country and another. Its only object is to keep a check on the growth of armaments in each country and not to show, that because one country has a larger or a smaller budget than another, there is any ground for drawing a comparison between the two amounts, because there are different results in different countries. But if one country spends one million pounds in one year and fifteen million pounds in another year, that is ground for thinking that that country's armaments are being increased. It is that idea which is a little difficult to express in a few words. I have tried to express it in the amendment I have put in. I think it was the idea the Rapporteurs had in their minds when they put in the word “ individually ”, but I venture respectfully to think that that word does not really give a sufficient indication of this particular point.

**M. Politis** (Greece). — I owe M. Sato an explanation. What Lord Cecil has just said makes it unnecessary for me to speak at length, for I am in entire agreement with him. It is a fact that there are two ideas involved. The object of Article 28 is to make this comparison so as to see, from year to year, how the countries stand in respect of their military expenditure. Then there is the question of method. How is the limit which Article 28 specifies as necessary to be calculated for each country? I urged—and a number of delegations agreed with me—that the calculation of this limit should take into account the special situation of each country. This idea is explained very clearly on page 11 of the report.

**Dr. Markovitch** (Yugoslavia). — I suggest that the Rapporteurs should consider redrafting the text of page 10 and the first two-thirds of page 11, in order to bring these two ideas out clearly.

**M. Cobián** (Spain), Rapporteur. — The report says that this “ limitation should be applied individually ”. M. Markovitch's idea is therefore already embodied in this paragraph, since these words indicate what follows after.

At the same time, I have no objection to inserting Lord Cecil's proposal, as amended by M. Massigli, in this paragraph—but at the end of the paragraph. I may add that all the other ideas will be found on pages 11 and 12.

**Dr. Markovitch** (Yugoslavia). — I agree, but I still think the text might be better drafted.

**M. Cobián** (Spain), Rapporteur. — I am obliged to M. Markovitch for suggesting that I might find a better drafting; but I think it preferable to follow that of Lord Cecil as amended by M. Massigli.

**M. Politis (Greece).** — To satisfy M. Markovitch, I suggest we add to the wording as amended by M. Massigli the following phrase: "As regards the method of limitation, the necessary explanations are given on pages 11 and 12".

**Lord Cecil (British Empire).** — I raise no objection to that. M. Markovitch's point is really very fully dealt with in the paragraph beginning "While agreeing to the limitation of budgetary expenditure, several delegations . . .", on page 12. I should have thought it was unnecessary to encumber the text here with any further reference, but M. Politis is a much better authority than I am on the question of drafting.

**The President.** — We are to adopt, then, Lord Cecil's wording as amended by M. Massigli, with the addition proposed by M. Politis.

**General de Marinis (Italy).** — I much prefer the Rapporteur's wording. It is not a matter only of the cost of manufacture, but of other considerations as well.

**The President.** — The text of pages 10 and 11 will be remodelled.

**Lord Cecil (British Empire).** — On page 11, at the end of the paragraph beginning: "The Committee of Experts will have to bear these points in mind . . .", I should like to insert the following:

"They will also, in accordance with the Resolution adopted on December 6th, have to examine the possibility of a separate limitation of expenditure on land, naval and air forces".

That is not stated in the draft before us, but occurred in the resolution read from the Chair on December 6th, and it is the view of the British delegation that it should be included in the report.

**M. Cobián (Spain), Rapporteur.** — We have no objection to making this addition.

*Pages 10 and 11, thus modified, were adopted.*

*Page 12.*

*Page 12 was adopted.*

*Page 13.*

**M. Cobián (Spain), Rapporteur.** — In the first line, for "seven" read "nine".

*Page 13, thus modified, was adopted.*

*Page 14.*

**Count Bernstorff (Germany).** — I should like a new paragraph made for the sentence beginning "The general reservation of the German delegation. . .", in sub-paragraph (a), in the second paragraph.

I should also like the last sentence of sub-paragraph (a), beginning "The German reservation in regard to Tables VI and VII . . .", to be omitted.

**M. Massigli (France).** — In the last sentence of the first paragraph (continuation of last paragraph on page 13), I should like to omit the words "in its own way", and to add at the end of the sentence the words: "having regard to its special methods of organisation". These changes express the idea, but avoid misunderstanding.

**M. Cobián (Spain), Rapporteur.** — The requests of Count Bernstorff and M. Massigli shall be taken into account.

*Page 14, thus modified, was adopted.*

*Page 15.*

**Lord Cecil (British Empire).** — I should like to alter the penultimate paragraph, under (d), to read: "The British delegation concurred in the substance of this reservation".

*Page 15, thus modified, was adopted.*

*Page 16.*

*Page 16 was adopted.*

*Page 17.*

**Lord Cecil (British Empire).** — In the first paragraph third line the English word should be "separate" instead of "precise".

**M. Massigli (France).** — In the same paragraph on page 17 the words "active service" should be omitted.<sup>1</sup>

In the last paragraph of page 17, it says:

"The Committee of Military Experts, which the Preparatory Commission had requested to study the method of application of this principle . . ."

I feel that this expression is not altogether in accordance with the "photographic" method which we have adopted. The whole question was referred to the Committee of Experts for study,

<sup>1</sup> Note by the Secretariat. — This remark does not apply to the English text, where the word "active" is not used.



and not merely the method of application of the principle. I asked the Commission to vote on the principle, but it was not prepared to do so. Moreover, it was not the whole of the Committee of Military Experts that prepared the table, but a majority.

Could one not say therefore:

“ A Committee of Military Experts, which was requested to study the question, was unable to arrive at a unanimous opinion, but some of the experts drew up a simplified table applicable, in their view, to land armaments ” ?

M. Cobián (Spain), Rapporteur. — It is true that the Table in question was prepared by the majority of the Committee of Military Experts, but the next sentence shows that it was not possible to reach the practical result desired.

M. Massigli (France). — The Committee of Military Experts was given a very extensive task. The text which the Rapporteur proposes suggests that the Commission accepted the principle; which is not the case.

M. Cobián (Spain), Rapporteur. — The primary object of M. Massigli's proposal is to give a different interpretation of the text of the Committee from that which we have suggested. In my opinion, it will be very difficult to find any other form.

M. Massigli (France). — It is enough to say “. . . to study *the question* ”.

M. Cobián (Spain), Rapporteur. — Perhaps M. Massigli would be satisfied if we were to add to the present text the words “ if the question arose ”. That would show that the principle had not already been accepted.

I should not then mind adding the words “ by a majority ” after the words “ drew up ”.

I should like to remind M. Massigli of the circumstances in which the Committee of Military Experts was constituted. It was constituted simply to ascertain whether, on condition of the principle being applied, it was possible to find a system which would permit of its adoption. It was for that reason that M. Massigli made his reservation in regard to the principle of this form of publicity. I venture, therefore, to urge M. Massigli not to make other additions than those which I have proposed.

M. Massigli (France). — I would agree if, after the words “ of this principle ”, the words “ if maintained ” were added, and the words “ by a majority ” after the word “ prepared ”.

*The above two changes were approved.*

M. Westman (Sweden). — In order to obviate misinterpretation, the word “ land ” should be inserted before the word “ material ” in the paragraph headed Article 32.

M. Sato (Japan). — I should like to point out that Article 32 stipulates that the contracting parties are to communicate a statement, drawn up in accordance with a standard model, showing the total expenditure in the course of the year on the upkeep, purchase and manufacture of war materials. All explanations with regard to the expenditure on the upkeep, purchase and manufacture of material should therefore appear in the commentary on this article. I find, however, that these explanations are not given in the commentary on Article 32, but in the commentary on Article 37 (page 20 of the report), which stipulates that the contracting parties are to publish a statement of the amounts expended at the end of each year. There is no reference in this article to expenditure on the upkeep, purchase and manufacture of material, from which I conclude that the commentary that appears on page 20 of the report should not come there, but on page 17, as commentary on Article 32, and that the words “ land and naval ” should be added. The following passage would therefore be omitted from page 20 and inserted on page 17:

“ Similarly, it will state the amount actually expended for the upkeep, purchase and manufacture of land and naval war material.”

M. Cobián (Spain), Rapporteur. — I am in entire agreement with M. Sato.

*This amendment was approved.*

General van Tuinen (Netherlands). — I should like the last sentence of page 17 to be altered, and I propose the following text in their place:

“ Before a decision had been taken as to the possibility of publicity based on the simplified table, the Commission accepted a proposal by the French delegation, on which Article 32 was based. The Commission felt that, in consequence of this decision, there was no longer any object in continuing the discussion on the Netherlands proposal.”

As we are anxious to have an exact photographic reproduction of what happened in the Commission, I think this text is more accurate.

M. Cobián (Spain), Rapporteur. — I think the text in the draft is quite accurate; but I admit that the formula proposed by General van Tuinen is equally accurate. I should not have ventured myself to propose a wording in such precise terms to the Commission, and, if General van Tuinen is prepared to forego so much precision, I shall be ready to satisfy him.

I suggest to him to leave it to us to think out a wording to submit to the Commission to-morrow.

*This suggestion was approved.*

*Page 17, thus modified, was adopted.*

**The President.** — To avoid confusion between the French and English texts, I propose we cease to take the report page by page, and take it article by article. We now come, therefore, to Article 33.

*Article 33, page 18.*

*The draft report in regard to Article 33 was adopted.*

*Article 34.*

**The Hon. Hugh Gibson** (United States of America). — You will remember that, when this article was adopted, the American delegation expressed its view that it would be found difficult to carry out these obligations. We did not object to the text but we merely indicated these difficulties, and in order to make this clear I would ask you to consent to adding, at the end of the paragraph, this text:

“ The delegation of the United States of America pointed out that the obligations of this article might be difficult to carry out in practice, and suggested that the Governments study the question between now and the General Conference, in order to be in a position to devise a workable text.”

**M. Cobián** (Spain), Rapporteur. — We agree to the insertion of this wording. We did not mention it because it was not put in as a reservation.

**M. Sato** (Japan). — In the latter half of the remarks on Article 34, it is said:

“ . . . it should be pointed out, however, that this article was approved only by seven delegations, three delegations having voted against it, the others abstaining.”

In cases, however, where the difference was not so great we have limited ourselves to putting in brackets the number of votes for and against (*e.g.*, five for and four against) without otherwise indicating the difference. It would, therefore, be sufficient to say here: “ This article was approved by . . . ”

**M. Cobián** (Spain), Rapporteur. — The criticism is to the point, and I think, after accepting Mr. Gibson's suggestion, the best thing would be to omit the final words from “ it should ” to “ abstaining ”.

**The Hon. Hugh Gibson** (United States of America). — We agree.

*This omission was approved.*

*The draft report in regard to Article 34, thus modified, was adopted.*

*Article 35.*

*The draft report in regard to Article 35 was adopted.*

*Article 36.*

**Count Bernstorff** (Germany). — I fancy there was no vote on the question of the military value of civil aviation, and I think this first paragraph would be more accurate if it were in the following terms:

“ A large majority of the Preparatory Commission were of opinion that the regular and official publication of information regarding civil aviation in the various countries would be extremely useful.”

**M. Cobián** (Spain), Rapporteur. — That would cut out the recognition by the large majority of the Commission of the possible importance, from the standpoint of armaments, of the development of civil aviation in a country. I may have been wrong in referring to it. The Commission is in a position to say whether I have interpreted its attitude in the matter rightly or wrongly, and in the latter case may decide on the omission of this part of the paragraph, retaining the text proposed by Count Bernstorff.

**M. Massigli** (France). — There can be no doubt on this point. In the absence of a vote, there were the statements by the various delegations of their opinions, which appear in the Minutes. If this part of the sentence be omitted, what will happen? The report is intended to assist the Governments in the perusal of the draft and of the Minutes. It is necessary, therefore, to inform them as to the object of the decisions taken. This part of the sentence might be kept with the substitution of the word “ considered ” or something of the kind in place of the word “ recognised ”. But it is essential to know what happened in the Commission.

**Count Bernstorff** (Germany). — My only object was to say that the large majority, to which this paragraph refers, was not a majority on a vote.

**Lord Cecil** (British Empire). — I do not know whether it would be worth while to suggest a modification of this kind: “ Certain members of the Preparatory Commission recognised the

importance, from the point of view of armaments, which the development of the civil aviation of a country might assume. The Commission considered that the regular and official publication of information regarding civil aviation in the various countries would be extremely useful”.

M. Cobián (Spain), Rapporteur. — Instead of “ recognised ”, one might say “ drew attention to ”.

General Kasprzycki (Poland). — The fifth paragraph on page 19 says:

“ The Commission decided to draw the Conference’s attention to this point.”  
I do not think there was any vote on this.

M. Cobián (Spain), Rapporteur. — The paragraph might be put in the following form:

“ The desire was expressed in the course of the discussion for the Conference’s attention to be drawn to this point.”

*The draft report in regard to Article 36, thus modified, was adopted.*

*Article 37.*

M. Sato (Japan). — It says here:

“ In adopting Article 37, the Commission approved the principle of publicity in regard to the total expenditure on the land, sea and air forces . . . .”

This refers to the publicity of the total amounts actually expended in the course of a year—that is to say, at the end of a budgetary year. The report, however, does not specify this precisely. It seems to me one should say:

“ Article 37 refers to publicity of the total amounts actually expended in the course of the preceding year.”

I think that exactly reproduces the tenor of the article.

M. Cobián (Spain), Rapporteur. — The report only explains the object of the article. M. Sato is perfectly right in his judgment of the report. It is, in fact, rather vague, much too vague, indeed; but I think that, short of saying the same thing twice over by repeating in the report the text of Article 37, it would be better to maintain the present text, for the very reason that it is so vague. However, if M. Sato has another form of wording to propose, I do not doubt that it will be preferable, and I shall be very glad to accept it.

M. Sato (Japan). — I only wanted to call the attention of the Rapporteurs to this point.

M. Cobián (Spain), Rapporteur. — M. Sato has been good enough to draw our attention to the fact that this comment was very vague. I have explicitly admitted that he was quite right; so I suppose he will have no objection to the text proposed being maintained.

*The draft report in regard to Article 37 was adopted.*

*The Commission rose at 8 p.m.*

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TWENTY-SIXTH MEETING.

*Held on Tuesday, December 9th, 1930, at 11 a.m.*

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*President: M. LOUDON (Netherlands).*

**123. Final Text of the Draft Convention: Change in the Numbering of the Articles.**

**The President.** — The final text of the draft Convention has been distributed, but the numbering of the articles does not entirely correspond with that of the report. Article 38 of the report becomes Article 39, and so on.

**124. Draft Report — Fifth Part (document C.P.D.294(d); see Annex 18): Discussion. Part V. — Chemical Arms; Part VI. — Miscellaneous Provisions, Chapter A. — Permanent Disarmament Commission, Chapter B. — Derogations, Chapter C. — Procedure regarding Complaints, Chapter D. — Final Provisions.**

**PART V. CHEMICAL ARMS.**

*Page 1.*

**Count Bernstorff (Germany).** — In the third paragraph, I think it would be clearer to say: “ There was a certain amount of discussion as to whether provisions of this nature were

in their right place in a disarmament convention, which, *in the opinion of several delegations aimed at . . .*” The question itself was not decided by a vote.

**Lord Cecil** (British Empire). — I hope that we shall not accept this change. We aimed at codifying the rules applicable in peace, not those applicable in war time.

**M. Cobián** (Spain), Rapporteur. — The passage is not an explicit statement of the Commission's opinion; it merely says that there was a certain amount of discussion, and, as this remark applies to the whole paragraph, it is clear that the points mentioned subsequently were discussed, but not decided. It was not the intention of the Rapporteurs to give this passage the meaning which Count Bernstorff seems to read into it. In the circumstances, I do not think that any change is called for.

Moreover, the following paragraph begins with the words: “The Commission's attention was also drawn . . .” It is therefore simply a question of points of view expressed during the discussion, and not of decisions of the Commission, binding even upon dissentient delegations.

**Count Bernstorff** (Germany). — I am satisfied with the Rapporteur's explanation.

*Page 1 was adopted.*

*Page 2.*

*Page 2 was adopted.*

*Page 3.*

*Page 3 was adopted.*

*Pages 4 and 5.*

**M. Holsti** (Finland). — In regard to the third paragraph of page 4, several delegations made the same declaration as the Polish delegation. I think it would be convenient to mention the names of all the delegations which made such a declaration.

**M. Cobián** (Spain), Rapporteur. — I see no objection. I had only considered the most important quarters from which support was received. Moreover, when the report was drafted, we were not in possession in the Minutes relating to this declaration, which was discussed at one of the most recent meetings; indeed I was obliged to get the Polish declaration from the newspapers, but if some of the delegations desire to be mentioned as having adhered to it, I willingly agree to this.

**Dr. Markovitch** (Yugoslavia). — I would like the Yugoslav delegation to be mentioned as having associated itself with the Polish declaration.

**M. Antoniadé** (Roumania). — I move that all the delegations which have associated themselves with the Polish declaration be named.

**M. Massigli** (France). — I should like to ask the Rapporteur and Count Bernstorff whether they would object to the last paragraph of page 5 being altered from: “weapons of an essentially offensive character” to “weapons which, in its view, are of an essentially offensive character”. As a matter of fact, the list which follows includes a series of weapons, implements of war and appliances, several of which, as I have already pointed out, are not intrinsically either offensive or defensive. Everything depends upon the use made of them. The addition which I propose would meet Count Bernstorff's objection, without prejudice to the Commission's opinion, which has not been formally expressed.

**M. Cobián** (Spain), Rapporteur. — If the Commission has no objection, the Rapporteurs agree to add the words “in its opinion”.

**Count Bernstorff** (Germany). — I also agree to this addition being made and further propose that the following passage be inserted at the foot of page 5:

“The German delegation's proposals regarding the prohibition of bombing from the air, the suppression and destruction of all large guns and tanks, were rejected by the Commission.”

**M. Cobián** (Spain), Rapporteur. — In my opinion, the paragraph under discussion was correct, since it only referred to a declaration by one delegation. M. Massigli proposes to bring this out by adding the words “in its view”. Count Bernstorff, while agreeing with this suggestion, has moved an addition. I think that the following passage on page 9 of the draft report, fourth part, should give him satisfaction:

“During the first part of the sixth session, the German delegation submitted a proposal to prohibit the launching of weapons of offence of any kind from the air, as also the employment of unpowered aircraft controlled by wireless or otherwise, carrying explosive or incendiary gaseous substances.

“After a very interesting discussion, this proposal was rejected, five delegations voting in its favour . . .”

However, I am, as I said, prepared to insert the words in question if the Commission agrees.

*The insertion of these words was approved.*

*Pages 4 and 5, thus modified, were adopted.*

PART VI. — MISCELLANEOUS PROVISIONS.

CHAPTER A. — PERMANENT DISARMAMENT COMMISSION.

*Note by the Secretariat.* — In the final text of the draft Convention the number of each of the articles cited below is increased by 1—e.g., Article 39 below is Article 40 in the final text and so on.

*Article 39, pages 6, 7 and 8.*

**Munir Bey (Turkey).** — The view of the Turkish delegation concerning the Permanent Disarmament Commission was given in a statement by Tewfik Rushdy Bey at a meeting of the present session of the Commission.

The final wording of Article 39, as drawn up in the Sub-Committee, takes into account the Turkish declaration, inasmuch as it leaves the question to be settled by the Disarmament Conference. In order to avoid any misunderstanding, therefore, I would ask that the whole of the last paragraph of page 7 be deleted.

**M. Bourquin (Belgium), Rapporteur.** — We only inserted this paragraph because we were anxious to make the Turkish delegation's view clear. If the Turkish delegation proposes to delete the text, we see no objection to this being done.

*The draft report in regard to Article 39, thus modified, was adopted.*

*Articles 40 and 41, pages 8 and 9.*

*The draft report in regard to Articles 40 and 41 was adopted.*

*Articles 42, 43 and 44, pages 9 and 10.*

**Lord Cecil (British Empire).** — With reference to Articles 42, 43 and 44, it is stated that "these three articles form a single system". I think that paragraph should read "must be read together". This is doubtless a question of translation.

*This modification was accepted.*

*The draft report in regard to Articles 42, 43 and 44, thus modified, was adopted.*

*Article 45, pages 10 and 11.*

*The draft report in regard to Article 45 was adopted.*

*Articles 46, 47 and 48, pages 12 and 12bis.*

**Lord Cecil (British Empire).** — The following words appear in the last paragraph on page 12:

"It is in fulfilling this function that the Commission will become an essential factor in the system of the Convention, being responsible for watching its application, regularly reporting on the situation, noting the increase of mutual confidence among the High Contracting Parties . . . ."

I should like to ask the Rapporteurs whether they think it necessary to put in that reference to the increase of mutual confidence among the contracting parties, because I have a little doubt as to whether that is a proper description of the function of the Commission. I agree to the reporting on the situation and also to calling attention to the errors and omissions, but I am a little nervous about that last phrase.

**M. Bourquin (Belgium), Rapporteur.** — These words were taken verbatim from the Minutes, but we see no objection to deleting them.

*The proposal was accepted.*

**The Hon. Hugh Gibson (United States of America).** — I think the observation I want to make probably affects only the English text. On page 12bis, in the paragraph numbered 1, there are the words: "may reach it from an authorised source". I think it will be agreed that we have decided to say "responsible source".

**Lord Cecil (British Empire).** — You said in the Sub-Committee that it should be "serious".

**The Hon. Hugh Gibson (United States of America).** — "Responsible".

**M. Bourquin (Belgium), Rapporteur.** — I propose an addition to page 12 in the passage relating to information received from a responsible source, to the effect that the rules of procedure of the Commission will determine what is meant by a responsible source.

*This proposal was accepted.*

*The draft report in regard to Articles 46, 47 and 48 thus modified was adopted.*

CHAPTER B. — DEROGATIONS.

*Article 49, pages 13, 14 and 15.*

Lord Cecil (British Empire). — The last paragraph but one on page 13 says: "Under the terms of this article, any Contracting Power will have the right to suspend, etc." I suggest that it would avoid a misconception if we were to say: "will, under certain conditions, have the right to suspend . . ." It is true it is explained on the next page, but it might make it clearer if we changed the wording in this way.

*This proposal was accepted.*

*The draft report in regard to Article 49 thus modified was adopted.*

CHAPTER C. — COMPLAINTS.

*Articles 50 and 51, pages 16 and 17.*

M. Fierlinger (Czechoslovakia). — Article 51 provides that, in the event of any violation of the Convention, if the parties are Members of the League of Nations, the Council shall exercise the rights devolving upon it in virtue of the Covenant, with a view to ensuring the observance of the Convention. Moreover, the passage in the report of the foot of page 16 referring to Article 51 states that:

"That duty will devolve upon: (1) the High Contracting Parties, who shall advise on the subject, and (2) the Council of the League of Nations, within the limit of its powers under the Covenant."

The Council may act either in virtue of Article 4, fourth paragraph, of the Covenant—that is to say, without the intervention of a contracting party; or, in virtue of Article 11 of the Covenant—that is to say, on the intervention of a contracting party. In practice, the question will be whether, in the case of non-intervention by any contracting party, the Council will be not only entitled, but bound to deal with the question on its own initiative.

Lord Cecil (British Empire). — I am not quite clear about the way this is drafted at the bottom of page 16 and the top of 17. Looking at the actual words of Article 51 of the Convention, they are these:

"The High Contracting Parties shall promptly advise as to the conclusions of the report. If the High Contracting Parties directly concerned are Members of the League of Nations, the Council shall exercise the rights devolving upon it . . ."

I quite agree it is not necessary to reproduce the actual words of the Convention, but I should have thought it would be better to have some such wording as this:

"(1) The High Contracting Parties will advise on the subject, and (2) the Council of the League of Nations will take action within the limit of its powers under the Covenant."

I think that indicates the kind of distinction we draw in the Convention between the attitude of the contracting parties and that of the Council of the League of Nations. I do not know whether that would, perhaps, meet the criticism raised by M. Fierlinger also.

M. Fierlinger (Czechoslovakia). — This text does not settle the real question, which has been raised in the past by the Assembly itself, but has never been solved—that is, whether the Council may or may not deal officially with a question on its own initiative, without the intervention of any party. As I said, this question has not been settled one way or the other, and it therefore seemed to me that something rather more definite might have been said about it here. If I understand Lord Cecil aright, the Council could not act except on the initiative of a contracting party which believed itself to have been injured by the alleged violation of the Convention.

M. Bourquin (Belgium), Rapporteur. — M. Fierlinger has raised a question which is, in my opinion, definitely outside our province: he is really asking us to interpret the Covenant of the League of Nations and decide whether the Council can deal with a question on its own initiative, or whether the question must first be submitted to it by a contracting party. Our Commission cannot decide this point either directly or indirectly, as it exclusively concerns the League of Nations.

I think, therefore, that the present wording of the report is perfectly satisfactory, and leaves the question open. In fact, it provides that the Council may decide as to any action to be taken on the report, within the limits of its powers under the Covenant. It must be one thing or the other: either the Covenant authorises the Council to act direct in the matter or it does not. This is a question of the interpretation of the Covenant, which we cannot decide.

I am not even sure whether the text proposed by Lord Cecil is any better than that of the Rapporteurs. I do not say this out of any personal vanity, as one of the authors of the report but after listening carefully to the text suggested by Lord Cecil, I fancy it might give the impression that the contracting parties would have to intervene before the Council could take action: which would be a roundabout way of settling the problem raised by M. Fierlinger.

In conclusion, I am of opinion that it would be preferable to maintain the present text, which leaves the door open to all interpretations of the Covenant.

Lord Cecil (British Empire). — The point is really this. I entirely agree with what M. Bourquin says about the Covenant. I think it would be quite wrong for us to try to interpret

the Covenant in our report or in our Convention; but if he will look at Article 51 as we drafted it, there is a distinction drawn between the action of the contracting parties and the action of the League of Nations. The action of the contracting parties is simply to advise as to the conclusions of the report, and not necessarily to take any action at all. The action of the League of Nations is to exercise its rights within the limit of its powers under the Covenant. As it is drafted now, it says that the Permanent Commission cannot itself decide on the action to be taken on the report, and then it goes on to say that the duty of taking action on the report will devolve on the contracting parties, who shall advise on the subject. It is to avoid committing ourselves to that proposition, which I do not think really comes within the terms of the Convention. That is the point I meant to raise; I do not know whether I have made it clear.

**M. Bourquin** (Belgium), Rapporteur. — I did not quite grasp the distinction drawn by Lord Cecil, but his proposal now seems to me to be perfectly justified, and I associate myself with it.

**The President.** — Here is the new text proposed by Lord Cecil and accepted by the Rapporteur:

“ The Permanent Commission, being only a consultative body, cannot itself decide on the action to be taken on its report. But the High Contracting Parties will advise on the situation and the Council of the League of Nations will take action, within the limit of its powers under the Covenant.”

**M. Fierlinger** (Czechoslovakia). — I had thought a third solution might have been possible, whereby we might overcome the difficulty without venturing to interpret the Covenant—namely, that the Council should affirm that the contracting party has already approached the Permanent Commission which is equivalent to approaching the Council. However, in view of the Rapporteurs' very definite statement, I will not press the point and I accept the amendment.

*The new wording was accepted.*

**The Hon. Hugh Gibson** (United States of America). — The last paragraph on page 17 gives an accurate account of the attitude taken by the American delegation, but it will be remembered that, a few days ago, I stated that time had shown that the text as drafted afforded a basis for discussion, and we, therefore, withdrew our very attenuated reservations, and I suggest now that that paragraph of the report be deleted.

*The paragraph was deleted.*

*The draft report in regard to Articles 50 and 51, thus modified, was adopted.*

#### CHAPTER D. — FINAL PROVISIONS.

*First two paragraphs, page 17bis.*

*These two paragraphs were adopted.*

*Article 52, pages 17bis, 18 and 19.*

**M. Bourquin** (Belgium), Rapporteur. — At the foot of page 18 and on page 19 of the report, we quoted a reservation made by the German delegation, but I forgot (and I apologise to Count Bernstorff) the new text submitted to us, which reads as follows:

“ The German delegation stated, in connection with Article 52, that, in so far as it does not refer to the Washington and London Treaties, it would vote against the draft Convention as a whole. The draft, as drawn up by the majority of the Preparatory Commission, excludes essential elements from the limitation and reduction of land armaments. Instead of leading to real disarmament, this draft would serve only to conceal the real state of world armaments or would even allow armaments to be increased. To accept it would, at the same time, be tantamount to a renewal of the German signature to the disarmament clauses of the Treaty of Versailles.”

Consequently this reservation should be substituted for the one in the report.

*The draft report in regard to Article 52, thus modified, was adopted.*

*Article 53, pages 19 and 20.*

*The draft report in regard to Article 53 was adopted.*

*Article 54, pages 21 and 22.*

**Lord Cecil** (British Empire). — With reference to the third paragraph on page 21, I would ask the Rapporteur whether it is desirable to say:

“ Such an undertaking is so natural that it might quite well not have been formulated.” I should prefer to leave that out, and to draft the paragraph as follows:

“ The last sentence of Article 54 provides that the High Contracting Parties undertake to participate in this consultation, which will take place within a period to be

fixed by the Conference. The Commission decided that it would be preferable to leave it to the Conference to decide whether it might not be better to insert such an undertaking in the Final Act or in a Protocol to be annexed."

**M. Bourquin** (Belgium), Rapporteur. — We agree to this proposal.

*The proposal was accepted.*

DISCUSSION ON THE REFERENCE IN THE DRAFT REPORT TO FORMER ARTICLE EC.

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — For reasons which I gave when I spoke on December 6th last, the Soviet delegation is not taking part in the drafting of the report to the League of Nations; but, at our meeting on December 1st, I had occasion, after hearing M. Politis' report regarding the later parts of the Convention, to make an urgent request on behalf of the Soviet delegation that no trace should be allowed to remain in the report of the former Article EC to which the Soviet delegation had already objected previously, and which has, in its opinion, lost every shadow of justification in the present circumstances. We reserved the right to express our final opinion on this question after examining the passage dealing with the subject.

We have left to the majority of the Commission the whole responsibility for the report, and have made no observations with regard to the various statements contained in it; and if my delegation now departs from this course with regard to the passage in question, it is because this passage, even in its present form, places our Government in an exceptional position to which it could not agree.

The Soviet delegation considers that the observations of a group of States which seek to compromise others ought in no case to be allowed by the Commission to stand.

I hope, after what I have said, that the delegations which are persisting in this extraordinary reservation in regard to the Union of Soviet Socialist Republics will have sufficient tact themselves to withdraw their reservation. If not, I shall appeal to the Commission, and if my request be not acceded to, I shall be obliged to speak again in order to protest—this time on purely political grounds.

**M. Bourquin** (Belgium), Rapporteur. — The observation which M. Lounatcharsky has just made applies to the Commission and not to the Rapporteurs, who have only summarised the question as submitted to it, and, as I believe, in the most impartial manner. That is all I want to say, and I will only add that it gives us great pleasure to know that the Soviet delegation is not entirely indifferent to our report.

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — I cannot be indifferent to a paragraph directly aimed at my Government.

**General Kasprzycki** (Poland). — I do not think it is a question of tact, but simply one of logic. If we had been sure that the Soviet Government would sign the Convention, the Polish delegation, and probably other delegations, would not have raised this question. The article simply says that the countries bordering on Russia cannot disarm until the Union of Soviet Socialist Republics itself disarms.

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — The Polish delegate's logic seems to me somewhat strange. Some dozens of countries are represented here; how can we be quite certain that after the Conference all these countries will sign the Convention? I do not see how we can be certain. Dozens of Governments are not represented here, and yet the Union of Soviet Socialist Republics is singled out as the one country which will perhaps not sign the Convention. Why? By what right do you refer in this manner to my Government rather than to any other Government? I feel obliged to emphasise my point even more strongly since General Kasprzycki's statement, because I cannot see any logic in it at all.

**General Kasprzycki** (Poland). — I do not wish to start a discussion on this question, and merely reserve the right, with the Commission's consent, to come back to it. I should like to say, however, that what M. Lounatcharsky has said has not convinced me in the slightest, and I would observe that the case of his Government is unique, and that the logic of the facts has driven us to ask the Commission to regard it as an exceptional case.

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — I would like to propose to the Commission a formula which would satisfy us and might perhaps be acceptable to the majority. If it be not, I shall have to speak again and try to clear up this "exceptional case" of which General Kasprzycki speaks. I propose the following wording:

"All reason for the maintenance of the former Article EC having disappeared, this text was expunged from the Draft Convention."

**Lord Cecil** (British Empire). — I do not know whether it is possible that we could arrive at an agreement about this. In the hope that we may possibly do so, I venture to make a suggestion.

I do not think that you can say that the question of the accession, or non-accession, of a particular State will never be of interest to other States. For instance, take the case of my own country. If certain States in Europe decided not to accede to this Convention, it is quite plain that the British Empire would also refuse to accede.



This Article EC was put in originally before the Soviet Government formed part of the Commission; and that was no doubt the reason why it was put in. Having been put in, it seems to me that our report must make some mention of it. I do not think the mention suggested by M. Lounatcharsky—I think he will agree with me on reconsideration—would be quite accurate; because it would not be true to say that the reason for non-accession, depending on the accession or non-accession of another State, ceased to have any effect. It obviously does have an effect.

I wonder whether it would meet M. Lounatcharsky's views if we shortened this provision. After setting it out, simply say:

“ The Commission decided not to include this article in the Convention. This decision was dictated by two reasons. The first was that the text raised an essentially political question (with which M. Lounatcharsky would agree) and the second that it brings up a very complex problem—the effect of the reservations which the contracting Powers will be allowed to formulate at the time of signature. ”

I do not see how a formula of that kind can be offensive to the Soviet Government, and I am sure M. Lounatcharsky would be anxious that we should try to arrive at an agreement on this matter, and not have a division in the Commission.

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — As an amendment to this proposal, I suggest entirely deleting the passage from the report. A statement would be made to the effect that there had been an Article EC, and this would be immediately followed by the text proposed by Lord Cecil, the result being like an algebraic formula in which no country would be named. The text would then be acceptable to our delegation.

**General Kasprzycki** (Poland). — I cannot agree to M. Lounatcharsky's first proposal. I must insist that the Commission's decision be left as it stands in the report. I would agree to Lord Cecil's proposal, but the important thing from my point of view is that mention should be made of the Commission's vote, which reserves the question to the Conference itself.

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — The Commission has three proposals before it on which it can vote.

**M. Holsti** (Finland). — May I respectfully ask Lord Cecil whether the first part of his proposal is sound, as it would imply a change of opinion on the part of the Commission? For the rest, I am in agreement with him as to the last part of his amendment. Since the Soviet delegation has refused to give its approval, we might very well simply omit the last sentence, keeping the first part of the text as it stands.

**Lord Cecil** (British Empire). — I do not know that my suggestion is going to be very fruitful, as apparently neither side is prepared to accept it. What I wanted to avoid was any expression of opinion, direct or indirect, on the controversy in question, and if you said that the Commission decided not to include this in the draft Convention, that would leave it without any expression of opinion. If you then gave the two reasons, that would show that they have nothing to do with any controversy between the countries in question. I should have thought that was colourless and anodyne, and that everybody could accept it. I still have hopes that they will, and I should like to know the opinion of the Commission after voting on M. Lounatcharsky's proposal, for, as he rightly says, that should be voted on first; after that we must vote on my proposal, which I hope will appear more acceptable as a compromise to M. Lounatcharsky.

**M. Bourquin** (Belgium), Rapporteur. — In this matter, the Rapporteurs must endeavour to be neutral, and merely to reflect the opinion of the Commission; and so it is not in the capacity of Rapporteur that I am now speaking. We are faced with a delicate question, and I personally think that we might arrive at an entirely satisfactory agreement.

If I am right, what annoys the Soviet delegation about the report is the reproduction of a text which expressly refers to Russia, and I must say frankly that I can quite understand that. From another quarter, we have before us a text which has not been withdrawn, and the wording suggested just now by Lord Cecil seems to me to arouse a certain apprehension in the minds of those who submitted that proposal. If we say that the Commission has decided not to include this text, that would seem to imply that the Commission has rejected the proposal.

Now, if I understand the views of the two parties in question, the one which introduced the proposal would wish to avoid the possibility of the wording of the report being construed to mean that the Commission rejected the proposal.

We have before us a text that has been maintained, but which we have to try to avoid reproducing in the report, because it causes annoyance to one of the delegations. At the same time, we have to say that the question is reserved to the Conference. That is the position. I think the problem could perhaps be solved by saying:

“ The text adopted at the first reading contained an Article EC, by which Finland, Estonia, etc., indicated certain conditions for their acceptance of the Convention. ”

Without quoting the text in the report, we could refer to the documents and say, not that the Commission decided not to embody this text in the draft Convention, but simply that the Commission decided to reserve the question for the Conference, giving the reasons for this decision. I think this formula might perhaps give satisfaction to all parties. If I am wrong, I am sorry, but I shall in any case have done all I could to secure an agreement.

**General Kasprzycki (Poland).** — I do not wish to prolong the discussion, and so I agree to M. Bourquin's suggestion.

**M. Antoniade (Roumania).** — I should have been prepared to accept Lord Cecil's suggestion as amended by my Polish colleague; but I am willing to agree to M. Bourquin's proposal, since it takes account of certain susceptibilities, and also satisfies the delegations which originally proposed the article under discussion.

**M. Holsti (Finland).** — I would point out that it is stated in the Minutes that the Commission decided to leave the discussion of this question to the Conference. Naturally, therefore, this should be mentioned in the report. I should be very glad if the Rapporteur could find a formula which would give satisfaction to everybody.

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — The text submitted by M. Bourquin is much less objectionable in form than that contained in the report. Nevertheless, I would ask you, Mr. President, to put my proposal to the vote.

**Lord Cecil (British Empire).** — I desire to withdraw my proposal in favour of M. Bourquin's.

**The President.** — I put to the vote the Soviet proposal to replace the passage at the bottom of page 21 and on page 22 (to Article 55) by the following text:

“ All reason for the maintenance of the former Article EC having disappeared in the present circumstances, this text was expunged from the draft Convention. ”

*The Soviet proposal was rejected by twelve votes against to two for.*

**The President.** — I now put to the vote the text proposed by M. Bourquin, which reads as follows:

“ The text adopted at the first reading contained an Article EC<sup>1</sup> by which Estonia, Finland, Latvia, Poland and Roumania set out certain conditions on which their acceptance of the Convention would depend. The Commission decided that the study of this question should be left for the Conference.

“ This decision . . . ”

It is further understood that the last part of the paragraph, from the words “ What will be the conditions . . . ”, shall be deleted.

*This text was adopted by eighteen votes for to one against.*

*The draft report in regard to Article 54, thus modified, was adopted.*

*Article 55, pages 22 and 23.*

*Adopted.*

*The draft report in regard to Article 55 was adopted.*

*Article 56, pages 23, 23bis and 24.*

**Lord Cecil (British Empire).** — There is a small question of drafting in the second paragraph on Article 56, page 23. It says: “ The British delegation directed attention to the desirability of establishing some agreement between the period of validity of the Convention and that of other agreements concerning the limitation of armaments ”, and it goes on “ such as the Washington Convention ”. I should prefer to say, “ such as the Treaties of Washington and London ”.

Further—and this is probably a question of translation—at the top of page 24, it says: “ The Commission's purpose in instituting this system was to prevent the work of the future Disarmament Conference ”, and so on. I think that to say, in English, “ the future Disarmament Conference ” might lead to ambiguity as to what future Conference you were referring, and I think it would be clearer to say: “ the coming Disarmament Conference ”.

*These amendments were accepted.*

*The draft report in regard to Article 56, thus modified, was adopted.*

*Article 57, pages 24 and 25.*

*The draft report in regard to Article 57 was adopted.*

*Article 58, pages 25, 26 and 27.*

**Lord Cecil (British Empire).** — I have a small drafting suggestion for the first paragraph on page 26. It says: “ The first (*x* years) determines the duration of the Convention ”. I think in the English we ought to say: “ determines the normal duration of the Convention ”.

*This suggestion was accepted.*

<sup>1</sup> Note by the Secretariat. — See Minutes of the Third Session, page 416.

**Count Bernstorff** (Germany). — The second paragraph of page 26 consists of two sentences. It seems to me that, in the light of former discussions, the text would be clearer if the two sentences were made into one, reading: "In the opinion of the British, French, Japanese and Polish delegations these circumstances might include, for example, an unforeseen development of civil aviation".

**Lord Cecil** (British Empire). — I venture to appeal to Count Bernstorff not to insist on this. I think that, as it stands, it is a perfectly accurate description of what took place. We certainly had thought that civil aviation, among others, was one of the circumstances, but that it was not the only possible one, and I should certainly prefer the paragraph to be left as it is.

**M. Bourquin** (Belgium), Rapporteur. — I desire to associate myself with Lord Cecil in asking Count Bernstorff not to insist on this, as the text proposed by him would distort the sense of the paragraph.

There are two points to be considered. The first is that the circumstances covered by this article might include, for example, an unforeseen development of civil aviation. The British, French, Japanese and Polish delegations are not, as Count Bernstorff's text would seem to imply, the only delegations that have expressed this opinion: it is shared by the majority of the Commission.

The second point to consider is that the four delegations in question have stated that the unforeseen development of civil aviation was the case they had particularly in mind. The Commission has not pronounced on that point, but it has pronounced on the interpretation I mentioned just now. I think, therefore, that this text should stand.

**Count Bernstorff** (Germany). — I submitted my proposal for the very reason that I was in some doubt as to a decision of the Commission on this point. In the circumstances, I proposed a text which would leave the responsibility to the delegations named.

**M. Politis** (Greece). — As Chairman of the Sub-Committee which drew up the text of this article, I entirely confirm the interpretation placed upon it by M. Bourquin. The Sub-Committee was, in fact, unanimous in considering that the development of civil aviation might be one of the circumstances referred to. The delegations named in the report intimated to the Sub-Committee that they would make a formal statement to that effect to the Commission, for insertion in the report. The text of the report is therefore absolutely accurate, and I also would accordingly ask Count Bernstorff not to press his proposal.

**Count Bernstorff** (Germany). — I withdraw my proposal.

*The draft report in regard to Article 58, thus modified, was adopted.*

*Article 59, pages 27 and 28.*

**Lord Cecil** (British Empire). — May I suggest that perhaps it would be better to strike out the last paragraph on page 28 which reads: "If any State avails itself . . ." I feel that this is rather unnecessarily depreciating what we have already put in the Convention, and it is not, strictly speaking, necessary to any understanding of it.

**M. Bourquin** (Belgium), Rapporteur. — I agree to Lord Cecil's proposal. We inserted this paragraph in order to show that we had not lost sight of the difficulty, but, after all, it would perhaps be preferable not to mention it in the report.

*The deletion of the paragraph was approved.*

*The draft report in regard to Article 59, thus modified, was adopted.*

*Page 29.*

**Lord Cecil** (British Empire). — With regard to the first paragraph on page 29—this is probably an English text objection—I do not know whether some other phrase could be found to indicate the idea. It certainly has a rather derogatory appearance to say that we have established a collection of rules. We have done more than that; we have established a draft Convention with the omission of what is undoubtedly the most important part—namely, the figures; but it is a draft Convention, and I should have preferred to leave that sentence out—or perhaps it would be better to say: "The Preparatory Commission could only establish the framework of the future Convention".

*This amendment was accepted.*

**General de Marinis** (Italy). — In the fourth paragraph, mention is made of the fact that the German delegation proposed that the Preparatory Commission should ask the various Governments to furnish detailed particulars of the present position of their armaments. I should like it to be mentioned that this proposal was supported by the Italian delegation. I remember that several other delegations also supported this proposal, but I do not know whether they also desire to be mentioned in this paragraph. In any case, the Italian delegation would like to be mentioned, for we consider that it is necessary to know the present position of armaments before embarking upon a disarmament convention. I would therefore like the first part of this sentence

to be amended as follows, so as to read: "The German delegation proposed—and this proposal was seconded by the Italian delegation . . ."

*This amendment was accepted.*

*Page 29, thus modified, was adopted.*

*Page 30.*

Count Bernstorff (Germany). — I move that, in the second paragraph, after the words "The German delegation", the words "basing itself on the resolution adopted by the Council on December 8th, 1926", be inserted. I recall that the discussion regarding the date of the convening of the Conference centred on the interpretation of the Council's resolution of December 8th, 1926, and it was upon that resolution that our proposal was based.

*This suggestion was accepted.*

*Page 30, thus modified, was adopted.*

*The draft report as a whole, modified as shown above, was adopted.*

125. Addendum to the Second Part of the Report (document C.P.D.294(a), Addendum (see Annex 15)).

The President. — You have all received the document dealing with an addition to pages 8 and 9 of the draft report, second part, document C.P.D.294(a). The Rapporteur proposes to add, at the end of the fifth paragraph on page 8, a note regarding the expression "on service". In view of the statements made by M. Westman and M. Massigli, the Commission will no doubt approve this note in the form submitted.

*This addendum was approved.*

126. Draft Report, Fourth Part (document C.P.D.294(c), see Annex 17).

PROPOSAL BY THE CANADIAN DELEGATION TO REDRAFT THE FIRST THREE PARAGRAPHS OF PAGE 7 AS FOLLOWS:

"An amendment was submitted to the Commission by the Canadian delegation to delete paragraph 2 of Article 27 and to substitute the following:

" 'Personnel seconded to, and military material employed in, civil aviation, whether Government or commercial shall be counted in the agreed quota.'

"The effects of this amendment would have been to set out clearly that all seconded personnel and machines would be counted in the quota allotted to each State, and also to eliminate the temporary and provisional character of seconding.

"The Commission, while appreciating the special circumstances of Canada, was not prepared to recede from the general rule to which it had given its approval—namely, that seconding should be only of a provisional and temporary character. It was thought that a solution of the difficulty might be found in the establishment of an exceptional arrangement the forms of which would have to be settled by the Conference. The Commission, while disallowing the deletion of the second sentence of paragraph 2 of Article 27, accepted unanimously the insertion of the Canadian amendment by which all seconded personnel and material should be included in the quota allotted to each State."

M. Cobián (Spain), Rapporteur. — I am quite prepared to accept the Canadian delegation's amendment regarding the new text of the first three paragraphs of page 7 of the draft report, fourth part.

Dr. Riddell (Canada). — I should like to call attention to the French text of this proposal by the Canadian delegation. In the second paragraph the word "ainsi" should read "aussi".

I should like also to thank the rapporteur for being able to accept our redraft. The document distributed does not include our reservation, but I assume that this was accepted yesterday and that it was not considered necessary to distribute it.

*This proposed new text was adopted.*

*Page 17.*

PROPOSAL BY THE NETHERLANDS DELEGATION.

M. Cobián (Spain), Rapporteur. — I am prepared to adopt the following text, proposed by the Netherlands delegation in replacement of the present wording of the latter part of the second paragraph under the heading Article 32:

"A Committee of Military Experts, which the Preparatory Commission had requested to study the method of application of this principle, if agreed to, adopted by a majority vote

a simplified table applicable to land armaments. But the Commission, without discussing the principle involved or the table in question, adopted the French proposal and, as a consequence, the text of the article. Some delegations which were ready to accept publicity on the basis of this table in respect of material in service did not see their way to accepting it in respect of material in reserve."

*This proposed new text was adopted.*

127. **Model Tables annexed to Article 30 (Part IV)** (see page 18, Draft Convention, document C.687.M.288.1930.IX, Annex 20).

OBSERVATION BY THE ITALIAN DELEGATION.

**General de Marinis (Italy).** — During the meeting on December 5th, I made a remark regarding one of the tables. That remark was approved by the Commission, and M. Westman confirmed it, and assured me, with regard to the table on page 19 of document C.P.D. 292,<sup>1</sup> that the text to which my remark referred would be included in its original form. In the printed document, however, it is differently worded. The original text was as follows: "Information to be supplied only for the countries which have conscription", but the text as printed reads: "Information to be supplied only for effectives recruited by conscription". I would ask the Commission to be good enough to restore the original text, in conformity with its decision.

**M. Westman (Sweden).** — In referring to the Minutes, I see that I used the words which are in the tables. I said that the original text should be restored, and that text was: "Information to be supplied only for effectives recruited by conscription".

That was what the Commission decided, but if it desires to alter its decision, I, as a member of the Drafting Committee, shall agree.

**General de Marinis (Italy).** — M. Westman proposes to restore the original text, which he quoted. As I did not hear the quotation, I simply noted that the text was restored. This text was extremely simple, and I do not see why it was not restored when it could not possibly give rise to the slightest doubt.

**M. Massigli (France).** — As M. Westman read us the text in the tables very clearly the other day, I do not see why it should be changed now. Some days ago, I gave way, under the same circumstances, to a decision of the Commission, and I ask that the same rule be observed to-day. Moreover, this document is perfectly clear, and has the advantage of extending the provision in question to Powers which have a mixed system of recruiting.

**General de Marinis (Italy).** — I do not wish to press a question of drafting; the important thing is that we agree as regards the type of effectives to be entered in this column. There is, then, only a question of honest interpretation, and as we are in entire agreement on that point, there is no need for further discussion.

**The President.** — I understand that General de Marinis does not insist upon the text being amended.

Before adjourning, I desire to offer our warmest thanks to our two excellent Rapporteurs for the extremely difficult work they have accomplished.

*The Commission rose at 1.15 p.m.*

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TWENTY-SEVENTH MEETING.

*Held on Tuesday, December 9th, 1930, at 3.30 p.m.*

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*President:* M. LOUDON (Netherlands).

128. **Declaration by the Delegation of the Union of Soviet Socialist Republics.**

**The President.** — M. Lounatcharsky stated yesterday that he would like to address the Commission after the conclusion of the discussion of the report. As we have concluded that discussion, I will call on M. Lounatcharsky to speak.

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<sup>1</sup> *Note by the Secretariat.* — See Annex 12.

**M. Lounatcharsky** (Union of Soviet Socialist Republics). — Mr. President. — The Soviet delegation desires to make the following declaration :

I.

The Union of Soviet Socialist Republics not being a Member of the League of Nations, its delegation is participating in the work of the Preparatory Commission without entering into any undertaking *vis-à-vis* the League. This explains its non-participation in the framing of the report to the Council of the League of Nations.

Considering, however, that the report of the Preparatory Commission is to be published and that the document is intended for the requirements of the future Disarmament Conference, the Soviet delegation deems it necessary to explain its attitude during the work of the Preparatory Commission, and to make known its views in regard to the draft Convention drawn up by the Commission.

Its attitude is definitely negative, and thus differs completely from the view expressed by the majority of the Commission in the report which accompanies the draft. This constitutes for the Soviet delegation an additional reason for declining all responsibility as regards the draft in question, and for abstaining from taking any part in the analysis embodied in the report.

The position of the Soviet delegation towards disarmament, a position as reflected in every detail of its various proposals and statements, incorporated in the Minutes of the fourth, fifth and sixth sessions, may be summed up broadly as follows :

II.

Adhering to the fundamental principles of its Government's foreign policy, the Soviet delegation has taken a most active part in the work of the Preparatory Commission, actuated by its consistent desire to achieve really effective measures in the matter of the reduction of all kinds of armaments, with a view to impeding, at all events to some extent, the possibility of any outbreak of war.

Moreover, the Soviet delegation, differing in this from many other delegations, whose efforts were all designed to safeguard their military interests and to utilise the Disarmament Convention as a means of establishing a fresh balance of the existing forces more in keeping with their intentions, has declared definitely that it does not claim any special advantage for itself, and that it is prepared to agree to the abolition of armaments or to their reduction to the absolute minimum.

The Soviet delegation has consistently and energetically opposed any attempts to make disarmament contingent on security or on other arbitrary factors which are generally employed to demonstrate the necessity of maintaining or increasing armaments.

III.

Starting from this fundamental hypothesis, the Soviet delegation, on the first day of its participation in the work of the Preparatory Commission, submitted a proposal for immediate, complete and general disarmament. This Soviet draft was rejected during the fifth session of the Commission. The latter adduced no really serious argument against the Soviet draft and simply noted that " practically all its members were of opinion that this draft could not be accepted by the Commission as a basis for its work, which work must be pursued along the lines already mapped out ".

In rejecting the Soviet draft Disarmament Convention, the Preparatory Commission rejected the only effective guarantee of peace, while declaring that the Covenant of the League of Nations does not allow of complete disarmament.

IV.

In the same spirit and in the hope of obtaining measures in the domain of disarmament which should be at all events of some efficacy, the Soviet delegation, when its first draft was rejected, taking into account the fact that the majority of the Commission had substituted for its scheme of total and general disarmament the idea of partial and gradual reduction, submitted a new draft on the reduction of armaments, without, however, renouncing its initial scheme.

V.

The Soviet draft Convention for the reduction of armaments was based on three principles which constitute the fundamental principles of any real reduction of armaments. They were explained by the Soviet delegation on April 17th, 1929, and are as follows : (1) Existing armaments should be substantially reduced ; (2) Such reduction should be based on proportional principles, or on any other equally objective standard applying alike to all States, with certain exceptions in favour of the smaller and less protected countries ; (3) The numerical coefficients for the reduction of armaments should be fixed in the draft Convention by the Preparatory Commission.

In its resolution of April 19th, 1929,\* the Commission rejected the three principles recommended by the Soviet delegation thus giving proof of its unwillingness to engage upon any real and effective reduction of armaments.

## VI.

The successive rejection by the Preparatory Commission of two Soviet proposals, one for complete disarmament and the other for the reduction of armaments, would have given the Soviet delegation sufficient grounds for deciding to withdraw from participation in the work of the Commission. Desirous, however, of persevering to the last in its attempt to obtain from the Preparatory Commission some sort of tangible result, and unwilling as it was to afford anyone a pretext for attributing the manifest lack of success of the Commission's work to the non-participation of the representatives of the Government of the Union of Soviet Socialist Republics, the Soviet delegation continued its collaboration.

## VII.

In taking part in the discussion on the draft framed by the Commission itself, the Soviet delegation endeavoured, by means of amendments and concrete additions, to do something towards bringing this draft nearer to the conception which must underlie any draft convention for the reduction of armaments.

During the course of the discussions, the Soviet delegation not only declared itself in favour of this or that principle, but itself submitted proposals and did its best to win acceptance for them, voting for them and against proposals which were equivalent to a refusal to disarm, and declaring itself adverse to any system which might tend to justify or pass over such a refusal.

Unhappily, the overwhelming majority of the Preparatory Commission, by systematically rejecting the Soviet motions and following the line of least resistance, deprived the Commission's draft, from which all figures had already been omitted, of all real meaning, using the draft to mask and justify the maintenance and increase of existing armaments.

## VIII.

The Soviet delegation thinks it necessary to formulate, in concrete shape, its principal and most general objections to the draft Convention in the form in which it has emerged from the Preparatory Commission's last session. They are as follows :

1. The Soviet delegation has vigorously urged the necessity of effecting an appreciable reduction of armaments, but this principle was not accepted by the Commission in 1929. This year, in view of the Soviet delegation's insistent pressure, it has introduced the principle into its draft, but in an entirely inadequate form.

The Soviet delegation objects to the ambiguous formula of "limitation and, so far as possible, reduction", which has been employed instead of a clear and definite statement that existing armaments absolutely must be appreciably reduced. It wishes to point out that the formula adopted allows full latitude for the maintenance and even expansion of armaments.

2. The Preparatory Commission's decision concerning the limitation of the effectives of armed forces in time of peace is essentially a fictitious measure, because modern general staffs themselves display no tendency to increase the numerical strength of the armies. On the contrary, the structure of armies and the quality of their effectives are undergoing important changes in the direction of a strengthening of military requirements in time of mobilisation and in time of war. Consequently, as regards effectives, the Preparatory Commission is only following the most up-to-date tendencies of contemporary militarism.

The Soviet delegation is opposed to the Commission's decision regarding effectives for the following reasons :

(a) Because the Commission has refused to reduce reserves having military training, which constitute one of the main elements in the armed forces accumulated in time of peace with the object of creating enormous armies of the modern type in case of war ;

(b) Because the Commission has refused to introduce for each arm separately a reduction in the number of professional soldiers, officers, non-commissioned officers and pilots, who form such a high percentage as to ensure the rapid expansion of great armies ;

(c) Because the mere limitation of the period of military service is in itself inadequate, being, for certain countries, merely a device to increase the reserves having military training.

3. The Soviet delegation is opposed to the Commission's refusal :

(a) To effect a direct reduction of the material of land armaments in service, in reserve and in stock, which material, in view of the mechanisation of modern armies, affords a means of compensating for the reduction in effectives ;

(b) To abolish tanks and very long range artillery, which are among the most aggressive and dangerous armaments from the point of view of the civil population, and to prohibit the introduction of newly invented military devices, as stimulating competition in armaments.

4. The Soviet delegation objects to the Commission's refusal to establish the maximum limits proposed by the Soviet delegation for the various component parts of warships and their guns, with the object of reducing the aggressive and destructive power of contemporary fleets; it objects to the excessive standards given by way of illustration, and to the complete exemption of a considerable number of warships from reduction.

The Soviet delegation likewise objects to the fact that the future convention will confirm the Washington and London Naval Treaties, which have legalised the maintenance of the total tonnage of fleets at its present high level and a considerable increase in various classes of warship.

The Soviet delegation further objects to the Commission's refusal to prohibit the fitting of merchant vessels with a view to their use as fighting units in time of war.

5. The Soviet delegation wishes to point out that the maximum limits for the various classes of fighting units, mentioned by the Commission by way of illustration differ considerably from the maximum limits proposed by the Soviet delegation.

**Ships of the line :**

Figures given by the Commission . . . . .	35,000 tons maximum.
Soviet proposal . . . . .	10,000 tons maximum.

**Submarines :**

Figures given by the Commission . . . . .	2,000 tons maximum.
Soviet proposal . . . . .	600 tons maximum.

It should be noted that the standard displacement, if calculated by the method selected by the Commission, gives an artificial reduction of total tonnage amounting to as much as 40 per cent.

6. The Soviet delegation objects to the Commission's refusal to prohibit aerial bombardment, which is a particularly serious threat to the civil population, who take no part in military operations.

The Soviet delegation likewise objects to the Commission's refusal to reduce all military air material in stock.

The Soviet delegation also objects to the Commission's refusal to make it compulsory to reduce armaments in the home country and in each oversea territory separately; although, failing such a reduction, Colonial Powers may, by concentrating their armed forces in one of these territories, create a threat to neighbouring countries or to the native population. The same objection applies to the effectives of all armed forces.

7. The Soviet delegation objects to the Commission's refusal to prohibit the manufacture in time of peace of chemical and bacteriological weapons and their maintenance in armies and depots, as this compromises the prohibition of their employment in time of war.

8. The Soviet delegation cannot take any final decision on the chapter dealing with budgetary reduction, as the Commission, by referring the question to the Committee of Budgetary Experts, has avoided taking any definite resolution on the subject, and has not decided to reduce military expenditure under each heading separately.

The Soviet delegation desires to lay special stress on the fact that budgetary reduction alone is only an inadequate means of reduction, and must be combined with a direct reduction of material.

9. The Soviet delegation offers no opinion on Chapters IV and VI of the draft Convention, inasmuch as the question of the publicity and supervision of armaments depends entirely on the manner in which, and the extent to which, they are reduced. The Soviet delegation must make it perfectly clear that publicity for armaments which are neither reduced nor limited cannot take the place of a reduction, or even of a limitation, of those armaments, and it is opposed to any attempt to employ publicity as a cloak for a refusal to limit or reduce armaments.

The Soviet delegation must point out that it is in favour of equality among all the signatories to the Convention as regards their representation on the Permanent Commission, and that it objects to the execution of the Convention being entrusted to an organ of the League of Nations.

Furthermore, the Soviet delegation objects to any system which might leave every country free to exceed the established standards of armaments, thereby depriving the Convention of all meaning.

10. The Soviet delegation vehemently protests against the Commission's refusal to pronounce any final judgment on the article according exemptions to the western neighbours of the Union of Soviet Socialist Republics in the event of the Union of Soviet Socialist Republics not acceding to the Convention. This article, which is directly aimed at the Union of Soviet Socialist Republics, "reflects the intention of several countries to represent the Union of Soviet Socialist Republics as an obstacle to peace and disarmament. This allegation, which the delegation will refrain from characterising as it deserves, is not, of course, worth the trouble of refuting. As the Polish delegate has rightly pointed out, the



Union of Soviet Socialist Republics is the sole case of a State which, in its foreign policy, has never departed, in the thirteen years of its existence, from its pacific programme, notwithstanding the repeated attempts which have been made to provoke it to armed resistance to the various attacks that have many times been directed against it."

The delegation protests against the decision to submit this article to the Conference by referring to it in the Report.

IX.

In view of what has been said, it is impossible for the Soviet delegation to accept the draft Convention, and the delegation is confirmed in its determination to pursue its indefatigable struggle for peace and to uphold its own disarmament proposals before the future conference.

X.

Referring to the Preparatory Commission's resolution of April 19th, 1929,<sup>1</sup> in which it is stated that the Commission decides, "if the Soviet delegation so desires to append the Soviet draft Convention to the report to be submitted by the Commission on the conclusion of its proceedings and to be subsequently laid before the Disarmament Conference"<sup>2</sup>, the Soviet delegation feels sure that the Commission will carry out this decision by communicating the Soviet draft Convention to the Conference simultaneously with its own.

The Soviet delegation requests the Commission to append to its report the present declaration, which is intended to supersede the reservations and remarks relating to the position taken up by the Union of Soviet Socialist Republics as these have been to a large extent struck out of the Commission's report.

129. Question of Procedure in regard to the Declaration of the Delegation of the Union of Soviet Socialist Republics.

**The President.** — I should like to reply to M. Lounatcharsky at once.

It is perfectly true that, according to a decision reached on April 19th, 1929, the Soviet draft Convention was to be appended to the report to be submitted by the Commission on the conclusion of its proceedings, and to be subsequently laid before the Disarmament Conference. The decision added: "...without prejudice to the right, shared by the Soviet delegation with all the other delegations, to bring forward amendments to the articles of the 1927 Draft in the course of the discussion in the Preparatory Commission".

The Soviet delegation has preferred that no mention should be made of these amendments and reservations in the report. M. Lounatcharsky now wishes an exception to be made, for the benefit of his delegation, to the procedure adopted by the Bureau and the Commission.

The Bureau does not see why any delegation, whether representing a Government Member of the League or not, should ask for an exception to be made in its favour. Unless the Commission decides otherwise — and I am willing to take its opinion again if the Soviet delegation so desires — we are bound to follow the procedure we have agreed to. I cannot therefore accede to M. Lounatcharsky's desire that the statement he has just made should be appended as an annex to our report.

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — I should very much like to throw a little more light on the present position.

At the meeting on December 6th, 1930, the Soviet delegation made a statement to the effect that it would not associate itself with the Commission's report for reasons that I have repeated in my statement to-day. I understood that, inasmuch as the Soviet delegation was not sharing in the preparation of the report, it would be entitled to make a statement after the report had been adopted, and that that statement would appear in the report. You now tell me that I am mistaken, and that our statement will go no further than the Minutes, or at all events will not be officially appended to the report.

The Soviet delegation has never objected to its proposals, statements or reservations appearing in the report wherever the Rapporteurs might care to place them. The Bureau, however, and probably the majority of the Commission, have thought fit to expurgate a good many passages in which M. Bourquin and M. Cobián (Rapporteurs) alluded to the Soviet delegation. Lord Cecil took part in this ventilation of your proceedings. That being so, we wondered what would come of the repeated assertions that the report was to be an exact photograph of the historical reality. We wondered where in the report there would be any reflection of the collaboration of the Soviet delegation in the Commission's work during these three years. It seems to me that such a method as this is apt to make the photograph considerably different from the reality, although that may be preferable from the point of view of several delegations. We thought, however, that we might prevent the report from ending in, as the Japanese delegate put it, an unbalanced state, if its centre of gravity were restored to the proper place by appending to it our own statement.

<sup>1</sup> Note by the Secretariat:

See document C.195.M.14.1929.IX. Minutes of the Sixth Session (first part) page 38.

<sup>2</sup> Note by the Secretariat:

This draft Convention was printed as annex to the Minutes of the Fifth Session of the Preparatory Commission which were circulated to the Council and the States Members of the League in 1928 (see document C.165.M.50.1928.IX, pages 347-355).

Not content, however, with thus distorting the report, the Commission now shows a disposition to refuse our request that our separate report should be communicated to the Governments which have not been represented in the Commission, and also to the Conference. You can do what you like, of course ; but I think that, if you do this, your report will not be a true photograph of our work.

Should the Commission refuse our request, the Soviet delegation will publish its own report and send it to the Conference through its President. I think, however, that it would be better that you should embody our report in yours, appending it as a document, without assuming responsibility for its contents. That would be more impartial, and on that basis I repeat my request to the Commission.

**The President.** — I must correct an error which has crept into M. Lounatcharsky's remarks. It was neither the Bureau nor the Commission that expressed the desire to delete from our report those passages that concerned Soviet statements ; it was M. Lounatcharsky himself. I must point out that the Rapporteurs were not in favour of this procedure, but it was agreed to at M. Lounatcharsky's own desire.

As a matter of fact, I have before me the Minutes of the meeting of Saturday, December 6th, 1930 and I see that that is exactly what I said in reply to M. Lounatcharsky. I said :

“ I understand that he wishes all his reservations to be withdrawn from the report, and that, after the discussion on the report, he will make a statement similar in form to that which he has sent in in writing to the President.”

Consequently, I cannot but uphold the decision we reached at the meeting of December 6th. I further added :

“ It is, of course, impossible to insert such a statement and to annex it to our report ; I have not the right to accept such a procedure. The Soviet delegation, however, will be able to make a verbal statement after the discussion of the Report and I think the Commission will agree with me in accepting this procedure. I must repeat that it is not possible to insert a statement in the report.

If M. Lounatcharsky wishes the Commission to take a formal vote, we can proceed to take it.

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — The Soviet delegation has never asked for its reservations or the statement of its attitude to be deleted ; it has never urged any such thing.

What we said was : We will not take any share in the preparation of the Commission's report ; the majority will draw it up as it thinks fit. Our idea was that the report was to be a true photograph ; and we added that, although we were not taking part in that work, we wished to be given an opportunity of making a statement to be appended to the report.

It is quite true that the President told me that that was impossible, for one reason or another. I promptly asked why, and I recalled to the Commission's notice what M. Politis told us, in the earlier part of this session. He then promised that there would be a third part of the report which would embody the statements of all the delegations. No one replied to me but I was merely asked whether I wished to throw any light on the situation at that juncture. I replied in the negative, and added that it would be time to raise that question after I had made my statement.

And so the question was not settled. The Commission made a very radical alteration in this objective photograph by deleting from the report our proposals and the various reflections of our attitude here ; it deleted them from the first part, but kept them in the second. It seems to me that the Rapporteurs ought to say in their report that, in these circumstances, the document is not an accurate report. I do not see how they could do otherwise.

In short, we simply ask that our statement should be joined to your report, without however forming part of the Commission's report. As you see we do not ask very much.

**Count Bernstorff (Germany).** — If there is to be a vote I should like to explain in a few words the position that I should take up. In my view, this is simply a question of form, for if the Soviet Government desires to send this declaration to all the Governments it will do so, with or without our approval. Our decision, therefore, will not affect the position in the slightest.

As regards the substance of the question, I feel some doubt as to the wisdom of the Bureau's decision. I have had some experience during the past few years of committee work in general. I have never known a committee refuse a minority report when the minority felt that it could not accept the majority report.

**M. Massigli (France).** — I support the Bureau's proposal.

The Soviet delegation's attitude appears to me somewhat contradictory. On December 6th we were told : “ You are preparing a report for a body of which I know nothing, and of which I do not wish to know anything, the Council of the League of Nations. You will frame this document as you think fit ; the matter does not concern me ”. Any allusions to the attitude of the Soviet delegation were subsequently omitted from the document, in accord with M. Lounatcharsky's request.

Now M. Lounatcharsky tells us : " I wish to add something to this paper which you are sending to that body that must not be acknowledged. "

I do not understand.

In 1929, it is perfectly true, we took a formal vote on a particular point. But the position was quite different. The Council of the League of Nations — for that is the body in question — had invited the Soviet delegation to participate in our work, and the Soviet delegation accepted, which we were glad of. When one receives an invitation from someone and accepts it, that is proof, if not that one knows that person, at all events that one is not entirely averse to knowing him. It was quite natural, then, that in 1929 we should say : " The report which we are submitting to the Council will contain special reference to a draft put forward by the Soviet delegation "

But we were solemnly told on December 6th last that they refused utterly to know this body, that they took no interest whatsoever in the report intended for it, and that we could say what we liked in the report. Little interest was thus shown in the " photograph " of our discussions and that is very logical. Now uneasiness is shown. I do not understand at all.

As to Count Bernstorff's observations, I may say that the position is somewhat different from what he supposed. If our report had contained only the majority opinion, every delegation forming part of the minority could have appended all its criticisms. But we adopted a different method. We invited each delegation to insert its observations in the report article by article. We have blended the report of the minority in that of the majority.

One delegation said to us : " I do not wish to submit my observations in this way. I wish to express them in the form which responds best to my reservations and to address them to whom I wish ; leave me free to arrange matters as I like ". The President warned that delegation of the consequences of its attitude.

If we comply with the Soviet delegation's requirements, each one of us might withdraw his reservations and present them as an annex to the report.

For these various reasons I support the Bureau's proposal.

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — The question is perfectly clear. I ask that a vote be taken on the Soviet delegation's request that its statement be adjoined to the report.

**M. Sato (Japan).** — We have before us a request from the Soviet delegation that its reservations be appended to the report in the form of a statement. This request is opposed by the Bureau, which is supported by M. Massigli.

It seems to me that the report ought to be as faithful as possible a reflection of the entire discussion. Consequently, if we were dealing with individual reservations presented on behalf of the Soviet delegation, I should be the first to agree to their being included in an annex to the report ; but it seems to me that that is not the case.

Moderate as M. Lounatcharsky's statement was, it was at the same time very vehement. The Soviet representative finds scarcely a single one of the sixty articles of our draft that he can accept. He attaches all sorts of reservations to them, which is practically equivalent to rejecting the whole of our draft. It is perfectly natural that the majority should find difficulty in accepting this long series of reservations to the report. At the same time in a spirit of compromise — a spirit by which the Commission should always be animated — it might perhaps be possible to add to the report a paragraph to the effect that the Soviet delegation adheres to the spirit of the draft Convention it presented two years ago (which the Commission agreed to submit to the Disarmament Conference) and cannot accept the present draft Convention. In that case we should give a reference to the Minutes. Everything M. Lounatcharsky has said this afternoon appears in the Minutes, and there is therefore no need to repeat it in the report. In some respects this procedure seems to me satisfactory. The Minutes will be printed and sent to all Governments as quickly as possible.

I do not know whether M. Lounatcharsky can accept this suggestion. For the moment I will not make any formal proposal unless I have the support of other delegates.

**M. Cobián (Rapporteur).** — I feel that there is a misunderstanding somewhere, for which all of us are responsible and from which all of us are suffering.

In my view, if the Soviet delegation had not scorned the report we have submitted to the Commission, it could have referred, in the historical section, to the Preparatory Commission's decisions regarding the Soviet draft. Anyhow, such is the position. I do not see how we can go back and amend the report. Three or four times I have said that the Rapporteurs thought that all the Soviet delegation's reservations ought to be embodied in the report ; but the Soviet delegation did not agree.

M. Lounatcharsky said that his Government would not give its approval to any document addressed to the Council of the League of Nations, but that it felt that it was most important that the Governments should be acquainted with the Soviet delegation's views.

I hope that, during this final meeting, not only the Soviet delegation, but other delegations will make statements.

The wisest method I think, and one which would satisfy everybody, would be to send the Governments, by way of information as to the proceedings which are coming to a close this afternoon, the Minutes of this present meeting, which will embody the various statements made this afternoon, including M. Lounatcharsky's.

**M. Lounatcharsky (Union of Soviet Socialist Republics).** — The Soviet delegation accepts M. Cobián's proposal.

*It was decided to take action as proposed by M. Cobián.*

### 130. Declarations by the Delegations.

#### DECLARATION BY THE DELEGATION OF GREECE.

**M. Politis (Greece).** — Now that we are coming to the end of our work in this Commission, I should like to tell you briefly how I feel about it.

We have written a great page in history by completing the official preparations for a Conference which is to mark the progress of humanity towards a new form of international peace—a true peace, a disarmed peace.

In point of fact, our task was a very modest one : it consisted in surveying the ground on which the great edifice is to be erected, and in tracing the outlines of the plan according to which it might be built.

It will be for the Governments, in the exchanges of views which will surely take place between them, and for their plenipotentiaries at the Conference, to amplify that plan, to introduce the necessary detail, and to take steps for putting it into effect.

Working here as we have, however, for more than four years, we have, it seems to me, come to realise the enormous difficulties of the task at the same time as the possibilities of embarking upon it with any real chance of success.

We have realised more particularly that the task in view is bold in the extreme, that it cannot be avoided, and that it is an urgent necessity.

It is bold because what we are asking is that States should by contract renounce part of their own guarantees of security, although the international community has not yet given them the fullest measure of collective guarantees in replacement thereof.

The boldness of the plan is manifest to anyone prepared to realise that, in any social community, men ceased to arm only when there was a public force sufficiently well organised and strong enough to render individual forces superfluous. When that time came, individual forces were willingly relinquished, as it were automatically, without compulsion and without previous contract of any kind.

The method which we recommend is an entirely different one. We want States to disarm without waiting for the creation of a well-organised international force. We want them to begin to reduce their armaments on the strength of the collective guarantees already furnished by the international community, because we believe that the effect of this first reduction will be to add to those guarantees by strengthening mutual trust, and that thus a further step in the same direction may be taken, which in its turn will prepare the way for further progress in the parallel and interdependent domains of disarmament and security.

We have had to accept a sort of postulate which provides an interesting application of the theory of communicating vessels.

Experience will show whether this postulate is correct.

However, we are bound to recognise, at this stage, that there is a certain doubt which makes caution necessary, and, on the other hand, that the condition of the world is such that caution must not be carried so far as to prevent our attempting the experiment.

This experiment is an imperative necessity to-day. It is essential both for reasons of morality and law, because a solemn promise was given to the peoples immediately after the war, and also for political reasons. If nothing is attempted in this direction to check the natural tendency of States to seek to supplement, by their own means, the imperfections furnished by international organisation, there is bound to be a repetition of the competition in armaments which took place at the beginning of this century, and another war, which would destroy civilisation for ever.

If this work, which needs a certain amount of temerity, but is none the less necessary, appears to be possible to-day, it is not only because it responds to the imperative will of the peoples, but also because that will has found, in the last ten years, throughout the world convinced interpreters whose voices have reached the innermost recesses of the consciences.

In saying this, I am thinking, in paying a tribute to them, in the first place, of those who have been our collaborators here, whose departure we all regret, although we have among us some very worthy and esteemed successors—of M. de Brouckère and of my friend Paul-Boncour, whose clearness of mind and eloquence have left an imperishable memory.

I am also thinking of some of our colleagues who are present who have taken a very large part in our work. I will not name them, with the one exception of Lord Cecil, the great architect of the work we have completed ; but I should like to express what we owe to him. Both here and outside no one has done more during the last ten years than Lord Cecil to uphold the postulate to which I referred just now, and to spread the doctrine that disarmament must begin without delay. His action has not only been that of a statesman of noble heart and lofty inspiration ; it has been—if he will allow me to say so—rather that of an apostle ; the sanctity of his cause has almost made a prophet of him. His contagious faith has already received the reward promised in the Scriptures—it has moved mountains. He has overcome numerous obstacles and prejudices. His prophecies have begun to materialise, since the Preparatory Commission for the Disarmament Conference has completed its work and the long-anticipated Conference is at last in sight.

The sincerest tribute of my admiration that I can pay to him is to state that, like him, I am convinced that another of his prophecies will soon be fulfilled, and that is the success of the approaching Conference. I feel sure that, before very long, we shall have written on the first page of the Book of Peace the first Convention for the Reduction and Limitation of all Armaments.

DECLARATION BY THE DELEGATION OF THE BRITISH EMPIRE.

Lord Cecil (British Empire). — I rise under considerable difficulties. I had not the least idea that M. Politis was going to inflict such a serious blow to my modesty as he has just done. I thank him from the bottom of my heart. No one is more conscious than myself of the very serious exaggeration of what he has said. If I have done anything I have only done it in common with very many other people, and I am quite sure that all we can do, and all we have done, is to pave the way for the great desire of the peoples of the world, and to assist them, in however humble a degree, in accomplishing what I am convinced is one of the greatest desires of their souls.

I repeat my warm thanks to M. Politis, and can only wish that I had his eloquence with which to express it.

I have listened with great interest to the declaration made by M. Lounatcharsky. I am not going to answer what he said, except this, that it appears to me that a good many (I should think over 50 per cent) of his criticisms are based upon a different conception of the work of this Commission to that which I, and I believe the great majority of the Commission, hold. I am quite sure that, if it had been our function to draft a disarmament treaty, some of the propositions which were put forward by M. Lounatcharsky ought unquestionably to have been considered, and would undoubtedly have been considered; but our function is a much more modest one. Our function—and the only function of this Commission—is to draw up the framework of a treaty, in which can be inserted afterwards, effective proposals for disarmament; and I venture to beg him and other critics—my German colleague, for instance—to consider carefully what we have done and to ask themselves this question, because it is the only relevant question: “Can there be fitted into the framework of this Convention a really effective step towards that great ideal, which we all have before us, of the complete disarmament of the nations?” That is the only question we have to ask. I venture to reply to it: “Why not? What is there in our provisions which is inconsistent with an advance towards that ideal, and a really serious advance—as large an advance as anything that can be reasonably hoped for?”

I need not make a speech about the contents of our Convention except in the most summary way; but what have we done? We have provided for the limitation of the numbers of the personnel; we have not said how much that limitation is to be—that is for the Conference—but we have created the possibility of that limitation in all three arms, land, sea and air. As regards land armaments, we have added that there must be a separate limitation of the total effectives, of the conscript soldiers, and of officers and professional soldiers. Further than that, we have made provision by which a limitation of the period of service, to any extent, can be agreed upon. There is no limit; it might come down to three months, it might come down to any period that may be imagined. We have also provided that it shall be a limitation affecting each country, and that, in any case, there shall be a limitation beyond which no country shall go.

It is quite true that conscription remains. The British Government has always hoped, for reasons into which I need not go now, but which have always seemed to them sufficient, that some day or another the nations of the world would agree to abolish the system of conscription. It is true it remains, and I regret it; but if you once concede, as I think every reasonable person must concede, that it was quite out of the question to hope for an agreement for the abolition of conscription altogether, then the only thing that mattered was to limit the numbers and period of training of the conscripted soldiers. We have done both. I know a great deal is said about trained reserves, but people forget that the number of trained reserves depends entirely upon the number of soldiers who are taken into the army. If you limit the number of soldiers taken into the army you limit in the only possible way—there is no other way in which you can do it—you limit automatically and as a consequence the trained reserves as well. So much for personnel.

What about material? No one doubts that we have limited, or made provision for limiting, directly, the material in navies and air forces. True we have not been able, for reasons which have often been explained and which I will not repeat, to accept proposals for the direct limitation of the material of land forces, though my delegation and I have no doubt others, would have been very glad to consider any proposals to that effect, if there had been practical and workable proposals submitted to them. But we have limited, or propose by a great majority—not, I regret to say, unanimously—to limit the cost of those materials. I can only express my own opinion, and I have given attention to this subject for some years past. My own judgment is that there is much more hope of a really effective limitation of land material—and, indeed, as I think, of all material—by limiting the amount of money spent upon it than there is in any other way. I believe that in that way only can you get over the enormous difficulties attendant upon any limitation of material, difficulties which centre round the well-known problem of supervision and control. In addition, we have proposed a system of publicity, I think reasonably effective, extending rather beyond all the actual limitations that we propose.

I venture to say that within these principles, the power of limitation we have provided for personnel and for material, the Conference will be able to carry out any degree of limitation whatever. Take the Soviet delegation's proposal to limit, I think it was by 25 per cent, the armaments of the world. There is no reason why that proposal should not be carried out within the framework of our Convention, if the Conference should so decide. Or take the proposal adumbrated by my friend Count Bernstorff, which is, roughly speaking, to apply the disarmament provisions of the Treaty of Versailles to all the world. In my judgment, that can be done, although not exactly in the same method but with the same effect, in the framework we have provided.

Do not let me mislead anyone. I do not think myself that it is at all probable that so extensive a step will be taken by the first Disarmament Conference, either in the direction of the Russian proposal or of the German proposal. I think it most probable that we shall have to be content with a much smaller advance than that. Still, one never knows and one must never give up hope. The one thing I want to impress, not only upon my colleagues, who are well aware of it, but upon anyone else who may hear or read what I have said, is that one of the most valuable features in our scheme is that it expressly contemplates that there is to be no finality; that the first Conference and the first advance is only to be the prelude to greater advances later on; that we are to have a revision every five or ten years of everything that we do, so that, even if our first advance should be disappointing—and I have not given up hope that it will be the very reverse—then five or ten years afterwards we can advance still further.

We have created, or proposed to create, in the Permanent Disarmament Commission a piece of machinery which I believe to be of the most enormous value to the cause of disarmament. For the first time we are going to bring into existence, if our proposals adopted, an international organ of disarmament whose duty it will be to watch over the gradual, or let us hope the rapid, progress of disarmament; because I believe, once we have started on this line, the pressure to go on, and to proceed with vigour, will become enormous. I say, whether our advance be slow or rapid, we have created that international organ whose duty it will be to watch over what we have done, to press forward continually to further advances. That is, I believe, broadly, and without any exaggeration—I hope I have not exaggerated a single fact that I have stated—the scheme we have agreed upon.

To tell me that our results might have been better is merely to tell me that our efforts are human. Of course they might have been better; everything might be better; but I do say with absolute conviction that within the framework of this Convention we can make not only a material but an immense advance towards disarmament, and it entirely depends on what the Conference does whether what we have done here is going to be effective or the reverse.

The next word is with the Council. They will have to meet and determine the date of the Conference, which I hope will not be far removed; they will have to take whatever other measures are necessary to see that the Conference meets under the conditions most favourable to success; but though the next word is with the Council the last word is with the peoples of the world. We have given them in this Convention a great opportunity. They have the opportunity to carry forward the disarmament of the world. What will they do with it? The world can be disarmed if the peoples wish. The question we have to solve in the next few months—and it will be part of the duty of everyone of us to assist in that solution—is “do the peoples wish for disarmament”? Only they can give an answer to that question.

#### DECLARATION BY THE DELEGATION OF THE UNITED STATES OF AMERICA.

**The Hon. Hugh Gibson** (United States of America). — Mr. President, I confess that I should arise with considerable trepidation, after listening to the two eloquent speakers who have preceded me, if it were not for the opportunity it affords me to associate myself with the tribute M. Politis so justly paid to the great part Lord Cecil has played in the work of disarmament. Opposite M. Politis' remarks on this subject there can be no reservation—nor can there be any reservation to our agreement with the clear and really moving speech which Lord Cecil has just made.

I had occasion, Mr. President, during the London Naval Conference, to stress the contribution of M. Paul-Boncour to the success of our work, and I welcome the opportunity to join in what M. Politis has said about the rôle played by M. Paul-Boncour. And I cannot refrain from adding an expression of admiration for the way in which his successor has upheld the best traditions of French diplomacy.

In fact, I have reason to be deeply grateful to all our colleagues for their unflinching helpfulness and kindness.

In the course of our debates, we have heard numerous estimates as to the value of our work. But it is only now that our deliberations are coming to an end that we can effectively judge to what degree we have succeeded in our task.

For four years we have been endeavouring to reach agreement. There have been long and direct conflicts of opinion; views have been maintained with vigour, and yet our friendship with those who have differed from us has grown as steadily and as surely as our friendship with those who have shared our views. I take this as a good omen for the spirit in which all

the nations will enter the General Disarmament Conference and try to convert our text from a theory to a reality.

I have throughout been sensible of the very real difficulties under which many members of this Commission have laboured. Overshadowing our discussions, though seldom spoken of, have been the anxieties and worries that have arisen from the special preoccupations felt by numerous Governments for their national security.

We have now completed a draft Convention which, after study by the Governments' will go forward to the General Conference. I should not be frank, Mr. President, if I did not say that this draft falls short of our hopes and expectations. It fails to contain many factors in which we have always believed, and which, in our opinion, would lead to a real reduction of armaments. What we have achieved does not hold out the promise of bringing about that immediate reduction of armaments we would like to see. Make no mistake, it is not my purpose to belittle what we have done. Although our hopes may thus be disappointed, we can find comfort in the measure of agreement which has been reached in this Commission. We can, at least, foresee a stabilisation of armaments, the setting up of machinery to receive and disseminate information on armaments, to educate public opinion and to prepare systematically for the work of future conferences, as successive milestones in the continuing process of disarmament. If these things can be achieved by the coming Conference, and from present indications I think we are justified in assuming that they can be achieved, we shall have a situation obviously better than we have at present, and, while we cannot claim to have built the edifice, as M. Politis said, we shall at least have laid the foundation upon which it can be erected.

It is possible that the coming Conference will accomplish more than this ; but, if so, it will be because our labours have been improved upon and because, after mature study of the problems involved and after weighing the consequences of failure, all the Governments come to the Conference resolved on greater measures of concession than the delegates here have been authorised to make.

I feel, Mr. President, that we should be rendering a poor service to the cause of reduction of armaments if we were to lead our peoples to believe that this work carried the movement further than it does. We have been repeatedly told during the past four years of the rôle of public opinion in connection with disarmament. It has been repeatedly said that real achievement by the Conference can be reached only by an aroused public opinion. This is profoundly true, but it is not enough that public opinion be aroused. It is first of all necessary that it should be informed, for an aroused and uninformed public opinion may do infinitely more harm than good. Public opinion will not be informed in such a way as to exercise an intelligent influence, if, through a desire to create confidence, we adopt too optimistic a tone as to what we have done and what can be accomplished on the basis of our present draft. Such exaggeration can really tend only to lull public opinion into a false sense of confidence, render it incapable of exercising its salutary influence, and prepare it for inevitable disillusionment.

We are all in agreement that an immense amount of preparatory work remains to be done before the meeting of the General Conference. The technical preparation for that Conference is in all conscience great enough, but a more difficult and more responsible task lies ahead of all our Governments in informing public opinion as to the facts, as to the difficulties, and as to the possible measures which may, with mutual concession, help us toward the goal we all desire to reach. This end can be served only by stating our achievements and our difficulties with moderation.

I hope that, in separating at the conclusion of our labours, we shall not yield to the temptation to indulge in mutual congratulations ; that we may separate with becoming modesty, and, on reporting to our various Governments, that we do so with a full and frank recognition of the shortcomings of our present draft, and of the duties and responsibilities still before our Governments to lead the General Disarmament Conference to the success which our peoples so earnestly desire.

#### DECLARATION BY THE DELEGATION OF GERMANY.

**Count Bernstorff (Germany).** — I have listened to Mr. Gibson's speech with the greatest interest, and, as regards essentials, I fully agree with him.

I have accepted the report because it contains all my reservations, and I have no present intention of reverting to matters that are now past. The reservations I have had to make have shown why I must maintain my criticism of the draft Convention. They also show that—in accordance with that criticism—the German Government must reject the draft, which, in its opinion, is full of the most serious and fundamental defects and omissions. The peoples have a sure instinct for realities, and mere words, however fine, cannot change their feeling. On the contrary, they will be quick to see that this so complex instrument lacks that which is essential—namely, a firm determination to disarm.

The Commission having completed its work, the peoples are now turning their gaze towards the future Conference. For the Conference will afford the very last opportunity of achieving the final goal of disarmament, for which the German Government will work ceaselessly and with all its strength, as it has done hitherto. It is on this point in particular that I find myself in agreement with Mr. Gibson. The Conference will be faced with an historic task ; it will have to approach the problem in an entirely different way from that chosen hitherto, and so achieve the ideal—the true security of peace. It cannot succeed, however, unless it feels itself supported and urged on by public opinion throughout the world. On that point I am also quite in agreement with what Lord Cecil has just said.

It is, therefore, to the peoples that I now address a last and most urgent appeal. I ask them to do their utmost to get their Governments to realise the magnitude of their task and to see that they do not shrink from it. The peoples must not for a moment lose sight of the grave dangers which might arise if, in the end, the work of disarmament failed.

#### DECLARATION BY THE DELEGATION OF JAPAN.

**M. Sato (Japan).** — It is purely by accident that my name appears on the list of speakers immediately after that of Count Bernstorff, and not because I have any intention of criticising what he has said. I simply wish to voice what is felt by my Government, and I leave it to other delegations—if they wish to do so—to express their views on the German representative's remarks.

Compared with those who have done their share in the work for disarmament since the beginning of the League of Nations ten years ago, I am really a mere novice. I have only been dealing with this question for four years ; yet, in that time, I have acquired an experience greater than I had ever hoped.

When I attended the third session of our Commission—exactly three and a half years ago — the Commission, and my delegation in particular, experienced a very great surprise. As you will remember, Lord Cecil had arrived from London with a big draft Disarmament Convention in his pocket, while M. Paul-Boncour had submitted a French counter-project.

The draft Convention we have just adopted in its final form is based on the two texts to which I have just referred, and which constitute, as it were, the prelude to all our work, and I take this occasion to pay a respectful tribute to Lord Cecil and to M. Paul-Boncour, the two statesmen who were the authors of the first two drafts.

This is an historic moment for us. We have just adopted a draft Convention, the outcome of the joint efforts of more than thirty delegations, after collaborating for a number of years ; and here I cannot omit a reference to the help the American delegation has given us.

We were all fully aware of the American view on various important questions with which this Commission has dealt. On the question of trained reserves, on that of material in reserve, and on that of direct limitation, Mr. Gibson had, at the outset, as we all know, very definite ideas. In May of last year, he made a most important statement. He has, to a certain extent, abandoned his views on several of these important questions, and he has modified his attitude while, at the same time, pressing his arguments. He did so, however, in order to enable a positive result to be achieved ; in order to promote the progress of our work he has made a sacrifice. On the naval question, we all knew what the American representative's statement meant. At that time, he spoke of his famous " yard-stick " scheme. That idea was not wholly realised ; yet it was the actual origin of the negotiations between the maritime Powers, and its results were reached at the London Naval Conference. My country was a party to the London Naval Treaty, and therefore I must not sound its praises too much ; but I must say this, that it has enabled the Commission to continue the work of disarmament. I am sure we shall all agree that, but for that Treaty, the Commission would have been in a very difficult, if not impossible, position.

Speaking wholly impartially, I do not think the draft Convention adopted to-day can be called ideal. To be so, it would have to be drawn up differently. But we cannot hope to reach an ideal settlement of the problem by simple or easy means. Indeed, I have never heard it said that man can attain his ideal. Much time will therefore be required for the League to achieve disarmament. What we have done up to the present, however, will enable the first stage of disarmament to be carried out.

I have more than once had occasion to voice my Government's feelings on this subject, and I shall not dwell on the point. I cannot refrain from saying, however, that this first stage of disarmament will probably be a modest one. No great work can be carried out at one step. If we tried to do so, we should encounter immense difficulties, and might even risk causing the failure of the Conference. My Government, therefore, has always favoured moderate courses and steady but gradual progress. This is an opinion which, I think, may be shared by the Commission even if it does not wholly share all my Government's views.

We are parting to-day after having accomplished the task entrusted to us by the Council and Assembly. We are parting with a feeling of comfort, because the work we have done has prepared the way for disarmament.



It is now for the Council to fix the date when the Conference is to be convened. I earnestly hope that the representatives whom the Governments send to the Conference will all be armed with full powers to sign the future Convention ; otherwise, public opinion would be deeply disappointed, and that would be most regrettable. We must therefore do our utmost to bring about this result. I hope that the Conference may be convened very shortly. In any case my Government will come to it in a broad spirit of conciliation. It will do all in its power to enable all the representatives to collaborate fruitfully in order that the Convention may be signed.

DECLARATION BY THE DELEGATION OF FRANCE.

**M. Massigli (France).** — In putting the finishing touches to the draft Convention, which has been on the loom, so to speak, for three years, our Commission has completed its task, and that of the Governments will now begin.

Doubtless the proposals we have made to settle the problem may be considered timid, and, from an absolute point of view it might not be difficult to conceive of better ones. No one can say, however, that this Commission has not produced a solid piece of work. No one can maintain that, after having unflinchingly faced realities, we are submitting a draft which does not respond to présent possibilities. We were faced with a grave problem which had been probed for many years and yet in some respects was new. At every step unexpected difficulties arose, and our duty, therefore, was not to recommend to the Governments one of those futile manifestations which leave behind them nothing but a memory of disappointment in the minds of the peoples—our duty (and we have fulfilled it) was to state the bases on which, after conscientious and laborious enquiry, we consider it possible at the present time to establish a general treaty for the limitation of armaments. That is what Lord Cecil has told us, and, in associating myself with what he has said, allow me to associate myself also with the tribute paid to him.

It is for the Governments to utilise the materials with which we have provided them, even though they do not find them all they were entitled to expect after the questions they had put to us ; even though we give them no final opinion on the criteria on which the proportions between the armaments of the various countries might be based ; even though we have not determined how far careful adjustment of the methods of applying Article 16 of the Covenant would facilitate the reduction of armaments ; even though, lastly, we have not considered systems of regional disarmament.

None the less, Article 8 of the Covenant fixes in very definite terms the goal to be reached by the Governments of the Members of the League, and in this respect the unanimous decisions of successive Assemblies have surely framed a League doctrine.

The First Assembly established respect for existing treaties as the basis of the edifice to be constructed.

The Third Assembly, in the famous Resolution 14, emphasised the connection which would necessarily be formed between the proportion in which armaments were to be reduced and the organisation of a system of mutual assistance within the framework of the Covenant.

After the great Assembly of 1924, the Assembly of 1926, while recommending that a Conference for the limitation and reduction of armaments should be called as rapidly as possible, pointed out that the results of the Conference would depend upon the conditions of regional and general security at the time when the Conference met, and the Preparatory Commission embodied this declaration in its report to the Council after its first session.

In the same spirit the subsequent Assemblies, seeing that it would be useless to try to forestall events, to push forward disarmament faster than the general political situation allowed, at the same time proclaiming the necessity of proceeding *pari passu* with the organisation of security, emphasised strongly the view that the first Conference would only succeed in taking a first step.

It is this first step that the Governments are now asked to take. When they come to the Conference they will bring with them facts, proposals, justifications.

By facts I mean that they will bring documents that will irrefutably demonstrate the success of the steps which a number of them have already spontaneously taken, since signing the Covenant, on the lines laid down in Article 8 of the Covenant.

By proposals I mean that they will state within what limits they consider themselves able to contract international obligations in a field which has hitherto been the close preserve of national sovereignty.

Lastly, when I speak of justifications I mean that they will state the grounds—based on hope or on foresight—on which their proposals are founded.

On this point the Governments must ask themselves—and, if they were likely to forget, public opinion in the different countries would remind them—what progress has been made in the organisation of security since the work of our Commission was started ; or, if you prefer the phrase used by our Rapporteurs, who regard things from the psychological point of view, let us say the progress made in the growth of confidence since our Commission started its work,

What has been done with the drafts prepared by the Arbitration and Security Committee ? What has been done to promote the conclusion of regional agreements, whether for the purpose of preventing or of penalising war ? What has been done in the field of arbitration ? What is the position as regards accessions to the General Act ?

All these are questions which the Governments will have to ponder before the Conference is held, and the solutions which have been found for them, or which will be found for them, in the coming months will determine how great the first step to be taken will be.

I cannot do better here than to read you the words spoken by M. Politis last year :

“ Whatever may be the scope of this first stage, it will assuredly constitute a very important advance. For the first time in the history of the world, the problem of national armaments will have changed its character. It has hitherto been, and still is, an essentially domestic concern—a matter coming exclusively under the sovereign rights of each State. Henceforth it will become an international question, governed by laws which the States will have freely accepted.”

That is the essential truth which Governments imbued with the will to peace, or, to speak more simply, Governments animated by good will—it amounts to the same thing—must have the courage to proclaim, even though to do so they have to withstand the pressure of public opinion ; and assuredly it may prove far from easy to bring public opinion back to the right path when once it has been allowed to stray from it. Yet, if there is a firm resolve, public opinion can easily be enlightened while there is still time.

Since this Commission entered upon its task it has, I venture to say, received loyal assistance from the French Government, fully conscious as that Government is of its obligations under the Covenant. I was happy to find that fact acknowledged in the tribute paid to my predecessor here by M. Politis, M. Sato and the Hon. Hugh Gibson, and I thank them for it, though I trust the Hon. Hugh Gibson will forgive me if I prefer not to have heard what he kindly added. Nor will French help be withheld in the months to come or at the Conference itself, when we come to give final form to, and to define the final scope of, the solemn undertakings which we propose the countries should contract. My country will bring to this work the unreserved good will which should be felt by all countries that are truly bent on peace. For France, though conscious of the limits which elementary prudence forbids her to pass at present, however impatient she may be and whatever interest may have to be sacrificed, is firmly determined to do, within these limits, all that is reasonably possible.

#### DECLARATION BY THE DELEGATION OF BULGARIA.

**M. Morfoff (Bulgaria).** — Gentlemen, I recognise that we have done very useful work and have made a first step towards preventing war. I am bound to say, however, that our work leaves my country in a state of flagrant insecurity. Owing to the obligations which have been imposed upon us, we are still deprived of all necessary means of legitimate defence.

Article 11 of the Covenant of the League of Nations, and all that we have done in the domain of security, only applies to normal circumstances, and will not give us the requisite security in abnormal times and in periods of general political complication, when the great Powers which control the situation are unable to help us.

Bulgaria remains open to all comers by land, by sea, and by air, for her reduced army, although it is very expensive and is a heavy charge upon her financial situation, is hardly sufficient for local duties.

We hope that the experts and the future Permanent Disarmament Commission will be given a chance of finding a practical solution which, while creating no dangers for any party concerned, will put an end to our state of insecurity. In saying this, I base myself on the following precedents. In 1922, during the Lausanne Conference, when demilitarised zones were created, the experts recognised that these zones were not sufficiently protected and allowed Bulgaria to increase her effectives and to arm them with automatic rifles, although this was not provided for in the Treaty. Similarly, in 1923, during the disturbances which occurred in Bulgaria, the Conference of Ambassadors, to which one of the delegates here to-day belonged (and I desire to pay a tribute to his sense of justice), also allowed us to increase our effectives. This measure considerably assisted the internal pacification of the country, but it must be admitted that the evils which were then in evidence would not have been so great if Bulgaria had not had to undergo so many restrictions as regards armaments.

It is not necessary to quote to you examples to demonstrate the utility of putting an end, as soon as possible, to the state of insecurity in which my country is placed, and this cannot fail to be in the interests of general peace. I will confine myself to expressing our hope that the forthcoming Disarmament Conference will itself examine, or instruct the future Permanent Commission to examine, the situation of Bulgaria, and will permit her to take the measures which are essential to her legitimate defence.

#### DECLARATION BY THE DELEGATION OF ROUMANIA.

**M. Antoniadé (Roumania).** — Now that we are reaching the end of our labours, the Roumanian delegation, which represents a Government firmly attached to the idea of peace, has great satisfaction, when giving its approval to the draft Convention which has just been drawn up and to the report, in recording the fact that an important step has been made in dealing with a question which has occupied our attention for so many years. It does not share the pessimism of certain fretful spirits who always ask for absolute perfection and who, in pursuit of the most radical solutions, underestimate achievements which have only the merit of answering to the possibilities of the moment. We consider that our Commission, in entering upon a line of action which is entirely new in the history of international co-operation, has done all that was reasonably possible in the present situation.

It is true, as pointed out by several of the previous speakers and also in the report, that only the framework or canvas of a disarmament convention has been prepared — which, indeed, was all that our Commission was asked to do—and that this framework will have to be filled in with definite figures. It is then that the most delicate and difficult task will begin. But, in carrying out this task, the importance and difficulty of which no one will deny, neither the Governments, conscious of their grave responsibilities, nor the future Conference, will be faced with any uncertainty. Fortunately, since the Covenant, and since the assiduous work done by the Commissions which have sat and by the successive Assemblies, we have rallying-points and principles to which we shall always have to come back. As has already been pointed out, there is a League doctrine in this connection, which is solidly established and has been repeatedly stated. There is, first of all, the spirit and structure of the Covenant, which as a whole, and particularly in Articles 8, 10, 11 and 16, aims at setting up an organisation for peace. Thus, we find in Article 8 of the Covenant the principle that the reduction of national armaments is bound up with each country's security, its geographical situation and its special circumstances. Then we have the whole series of unanimous resolutions of the Assembly which have never faltered in their principles. I may mention that of the third Assembly, which, after stating the necessity of a general reduction of armaments, looked to the conclusion of a treaty of mutual guarantee within the framework of the Covenant as a means of bringing this about, and stated that this reduction must be proportional to the security provided by the Treaty of Guarantee. Then there was the resolution of the 1926 Assembly, which, dealing with the programme of a conference for the limitation and reduction of armaments, viewed this limitation and reduction "in relation with the present conditions of regional and general security". The 1927 Assembly, in approving the creation of the Committee on Arbitration and Security, was "convinced that the principal condition of 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". And the following Assembly, after recalling the close relation between international security and the reduction and limitation of armaments, contemplated the progressive reduction of armaments by further steps as the increase of security allowed.

The doctrine is therefore a stable and consistent one—indissoluble connection, interdependence between disarmament and security, the former a function of the latter. When the time comes to fill in the framework we have prepared, the state of general and regional security will determine the limitations which can be agreed to. In the direction of theoretical and practical security, the League of Nations has had no lack of studies, labours and international acts carried out either by itself or within its framework. There are general and/or regional pacts and model treaties which have been carefully prepared and approved by the Assembly, and there is a General Act. Far be it from me to throw doubt on the value of these studies, models or pacts. But the fact remains that, when the future Conference enters upon its first stage, it will be necessary to examine with the greatest care what have been the positive results of these acts in the sphere of general and regional security. On this will depend the distance which countries will be prepared to go in the limitation of armaments.

The Roumanian delegation, which has collaborated wholeheartedly in the labours of this Commission in the hope that they would reach a successful issue, will attend the Conference in the same spirit, and will agree to any limitation compatible with its security. It hopes that, between now and the meeting of the forthcoming Conference, certain facts, tendencies and manifestations liable to diminish security will have disappeared, and that general and regional security will have made sufficient progress to permit of an important first step being taken.

#### DECLARATION BY THE DELEGATION OF SWEDEN.

**M. Westman** (Sweden). — I had not intended to take part in this final debate, but the rather disturbing discussion which took place the other night in connection with the request submitted by one of our colleagues that in a very important case the report should make an express reference to the attitude of certain delegations not belonging to the majority, showed me that it may be useful, in order to avoid misunderstandings in future, to define briefly my Government's attitude with regard to the work done by the Commission, and with regard to its future consequences.

The Swedish delegation is among those which have made no express reservations to the provisions voted by the majority. It did not feel called upon to make reservations, although the proposals which it put forward or which it supported with regard to certain vital points in the Convention did not meet with the approval of the majority. In this connection I need only recall the decisions taken by the Commission with regard to trained reserves, with regard to the limitation of land war material, and with regard to publicity concerning this material, decisions by which the Commission, evidently guided by political considerations, thought fit to lay the foundations, which we regard as technically unsatisfactory, of the future work of the Disarmament Conference. If, however, the Swedish delegation refrained from making reservations, it is in order that the differences of opinion which have been manifested in our Commission should not be still further accentuated; and it made a point of refraining from any action which might exercise an unfavourable influence on the heavy and difficult work of disarmament undertaken by the League of Nations. This course is in full conformity with the attitude always observed by the Swedish delegation, which has pursued its task in our Commission with the firm determination to do all in its power to promote positive results, however limited, on each point.

This attitude has not involved, and cannot involve, any renunciation on the part of the Swedish Government of the opinions which it has stated since the outset of our work, through the members of its delegation and in the best interests of disarmament. My Government therefore emphasises its right in the course of the subsequent proceedings to take any action and to support any proposal likely to make the international Disarmament Convention as effective and as just as possible.

DECLARATION BY THE DELEGATION OF YUGOSLAVIA.

**Dr. Markovitch (Yugoslavia).** — The Preparatory Commission has concluded its work and it only remains for us to accept as a whole the conclusions embodied in the draft Convention and in the accompanying report.

What is the real value of our draft and of the documents annexed? This is a question which can well be answered now, because there can be no doubt that this draft affords a well-defined and well-considered framework for the international Convention which will be called upon to settle, in future, the question of armaments on the basis of the solidarity of peoples and of their common interests.

But if, from the technical point of view, we give our full approval to the draft in question, because it answers to all the technical factors of the problem, and has succeeded to a large extent in reconciling the ideal with the practical, we cannot unreservedly accept the same conclusions if we consider the draft from the political aspect. In this connection we desire to emphasise certain elementary truths which lie at the very root of our work and of all measures of disarmament.

We note, first of all, that the work of disarmament is carried out, and must be carried out, within the framework of the international organisation created by the Covenant of the League of Nations. Article 8 of the Covenant, which governs the problem of disarmament, forms part of a whole system, the different factors of which are interdependent. If the States Members of the League of Nations recognise that the maintenance of peace necessitates the reduction of national armaments, this recognition is based on the observance and validity of all the other articles of the Covenant, with which Article 8 forms an indivisible whole. The execution and application of Article 8 of the Covenant are certainly a guarantee of peace, and nobody can dispute this fact. But they are not the sole guarantee. It cannot even be proved that they are the first and main guarantee.

Any attempt to base the organisation of peace on a single article of the Covenant is mistaken, and contrary to the spirit and letter of the Covenant. The provisions of the Preamble, of Article 10 and of Article 16 of the Covenant, and of other articles also, constitute part of the same unit as Article 8, and they cannot be dealt with separately. We think it well to emphasise this position as regards principle which dominates the whole subject of disarmament.

In emphasising this essential aspect of the problem, we are in complete harmony with the attitude and the line of conduct followed, in this connection, by the League of Nations during the eight years of its activities from 1922 to 1930. I will refrain from quoting facts which are well known, and which, indeed, are mentioned in the report, with regard to the period from 1925 to 1930. When, in 1925, the Council of the League of Nations decided to appoint a special Commission to seek the methods and establish a programme of disarmament, it saw very clearly the problem as a whole, its complex nature and its connection with the whole international organisation of peace as reflected in the League of Nations. From the outset, the Council had contemplated the formation of a Commission consisting of the delegates of the responsible Governments, and having full freedom to deal with the problem as a whole without any limitation or restriction with regard to the different and varied elements of the problem. The questionnaire prepared by the Council and recommended to the Preparatory Commission as a basis for its work leaves no room for doubt on this point. Apart from questions of a technical and military nature, this questionnaire covers other problems of a political nature in relation with the general system of the Covenant. I would particularly recall Questions V and VII, which relate to questions of capital importance. In Question V, paragraph (a), the Preparatory Commission is asked to determine :

“ On what principle will it be possible to draw up a scale of armaments permissible to the various countries, taking into account particularly :

- “ 1. Population ;
- “ 2. Resources ;
- “ 3. Geographical situation ;
- “ 4. Length and nature of maritime communications ;
- “ 5. Density and character of the railways ;
- “ 6. Vulnerability of the frontiers and of the important vital centres near the frontiers ;
- “ 7. The time required, varying with different States, to transform peace armaments into war armaments ;
- “ 8. 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 paragraph (b) the question is raised :

“ Can the reduction of armaments be procured by examining possible means for ensuring that the mutual assistance, economic and military, contemplated in Article 16 of the Covenant shall be brought quickly into operation as soon as an act of aggression has been committed ? ”

I will further quote Question VII, which raises the following problem :

“ Admitting that disarmament depends on security, to what extent is regional disarmament possible in return for regional security ? Or is any scheme of disarmament impracticable unless it is general ? If regional disarmament is practicable, would it promote or lead up to general disarmament ? ”

I quote these questions, which I regard as essential. What are the Commission's replies to these general problems, whose importance will be evident to all ? As regards Question V, paragraph (b), in so far as it concerns economic assistance, the problem is partly solved by the adoption of the Convention on Financial Assistance. This Convention owes its importance much more to the fact that it consecrates the principle of assistance in the case of aggression than to the actual assistance which it offers to the countries attacked, but it certainly marks a material step forward. As regards the other problems indicated in the questionnaire, the Commission has not thought it necessary to reply. There is not even a reply stating a principle. The Yugoslav delegation considers, however, that, in view of the capital importance of the problems raised, and in view of the example given by the formal resolutions of the Assembly, this correlation between the methods for reduction and limitation of armaments and the political factors of the problem, the absolute observance of the Covenant and the faithful execution of all the obligations contained therein — in short, the degree of national and international security — should have found a place in the draft Convention. It should have been placed at the beginning of the Convention side by side with Article 1. This was not done, and the Yugoslav delegation regrets it.

The Commission has endeavoured to make good this deficiency by recalling in the report the decisions of the Council and the resolutions of the Assembly with regard to security and the interdependence between the level of armaments and national security. We should have preferred to see this principle embodied in the draft Convention itself ; but, in view of the spirit of conciliation which has attended our labours, we accepted this indirect method, which seemed to be preferred by a number of delegations. We wish, however, to emphasise that the omission, from the Convention itself, of any special rule regarding the interdependence between disarmament and security in no way modifies the actual problem, and does not imply any weakening of the value of the Assembly's formal resolutions or any relinquishment on our part of the principles on which disarmament must be based. We regard this as a solidly established doctrine, and it is on the basis of this doctrine that the Yugoslav delegation has given and gives its consent to the draft Convention and to the report. It is in conformity with this doctrine, and after having carefully considered and appreciated all its military and political elements, that the Yugoslav delegation will lay before the General Disarmament Conference the minimum figures for its national armament compatible with its national security in the present state of general and regional international relations.

#### DECLARATION BY THE DELEGATION OF POLAND.

**General Kasprzycki (Poland).** — At the end of our discussions, I should like to draw the Commission's attention to certain difficulties and dangers which overcloud future prospects. In doing this, I speak as an optimist, and in order to note the fact that it will be both necessary and possible, between now and the Conference, to counteract all the tendencies which may make the success of that Conference more difficult.

All those who have come here for the sole purpose of genuinely preparing the First Disarmament Conference agreed at the outset that a full and complete solution of the problem could not be contemplated under the present conditions of general security. In the League a doctrine has, moreover, established itself, which is that, in the matter of disarmament, you must proceed by stages. This doctrine was recognised by a unanimous resolution of the 1928 Assembly. I believe that, now more than ever, we must bear this highly important point in mind, in order to cope with a form of propaganda which seeks to detract from the value of our work and possibly to render success difficult to achieve in the first stage of disarmament. We must take action against this propaganda, which will deny all the facts of the position and remain in the clouds.

We hope, however, that these negative tendencies will not gain the upper hand, and that those who, on many occasions, instead of helping us, have loaded us with bitter criticism, will ultimately realise that, in attempting too much, you defeat your own object. It is only by joining forces and by a common effort of goodwill that we shall be able, at the Conference, to achieve positive results.

On behalf of the Polish delegation, I desire to state that the provisions of our draft Convention, which have been carefully studied from a technical standpoint and at the same time are fairly complete, provide a sound basis and framework for the future Convention. As I have already had occasion to emphasise, the draft prepared by our Commission provides for very valuable undertakings in the various fields of national defence, and that the first

stage in the reduction and limitation of armaments will consequently be recognised as of unquestionable value by all unbiased minds.

In agreement with several of my honourable colleagues who have already spoken, I consider it indispensable, at the present moment, to bring forward one or two fundamental ideas on security, ideas upon which success in disarmament must hinge.

Before going into details, I wish to express concurrence in the general ideas on security which have been expounded by the honourable delegates of France and of Roumania and others. In particular, I entirely share the views of the honourable delegate of Yugoslavia regarding the interdependence of the articles of the League Covenant. Only by elaborating and translating into practice all the essential articles of the Covenant and not one or two isolated clauses, shall we, in fact, be able to reach a logical and harmonious solution of all the problems under consideration. So long as a general agreement is not possible, this can be done regionally or by agreement between particular parties. It can also be done by instalments, by stages, as in the case of the Convention on Financial Assistance.

In using the general term "security", we were concerned mainly with the three following aspects of the problem — guarantees of mutual assistance, respect for treaties, and the securing of a general *détente*.

In our opinion, mutual assistance is the very basis of security — no security without assistance, no assistance without definite practical and precise undertakings.

In this connection, I need only refer to Resolution XIV of the Assembly, which considers that a real guarantee can be obtained by effective and immediate assistance afforded according to a prearranged plan, and which even contemplates that "in cases where, for historical, geographical or other reasons, a country is in special danger of attack, detailed arrangements should be made for its defence".

The conception of security is, moreover, based upon absolute respect for international undertakings. The Preamble to the Covenant says in this connection :

" . . . In order to promote international co-operation and to achieve international peace and security by . . . a scrupulous respect for all treaty obligations in the dealings of organised peoples with one another."

Moreover, we should bear in mind the resolution of the first Assembly, which has been rightly referred to by M. Massigli, and which makes a general limitation of armaments contingent upon the full execution of the draft treaties ; and in this I would point out that the Assembly recognises the logic of the position and the plain evidence of the political facts to which I referred this morning. This resolution further states that the general limitation of armaments depends upon "the collaboration of the other great military Powers which have hitherto remained outside the League".

Finally, an essential factor in security is the achievement of general moral disarmament. Now we are bound to note that in this field there appears, at the moment, to be a tendency in the opposite direction.

The "cries of death and hatred", so aptly referred to by M. Briand two months ago, are spreading, are becoming more numerous, and are making themselves heard more and more frequently in the world without let or hindrance.

These struggles, which are growing more embittered ; this propaganda, which causes friction between one nation and another — all this engenders a state of mind highly unfavourable to the reduction of armaments. Conducted by persons with no sense of responsibility, based for the most part on tendentious information, a propaganda is developing which is not only likely to render success more difficult in the first stage of disarmament, but is also a danger to peace and goodwill among nations.

Moral disarmament has been talked about for a long time in the League. I regret to say, however, that, hitherto, nothing practical has been done along these lines, and this is the essential point to which I would draw your attention. There is a whole series of practical measures which might be taken by States and by the League of Nations with a view to promoting moral disarmament. It would certainly be possible, by mutual undertaking, to arrest the hate-inspired propaganda ; it would certainly be possible to compel States to rectify false information about other countries which is current in public opinion or appears in the Press or in literature ; it would certainly be possible to have war propaganda recognised as a crime by the law of all countries. Many other measures could also be contemplated.

The problem of moral disarmament is an urgent problem, which is closely bound up with that of material disarmament.

You cannot expect to enhance, or even to preserve, the feeling of security in an atmosphere of growing disquiet.

The flagrant contradiction between demands for an appreciable reduction of armaments, demands for total disarmament, and an increasingly violent propaganda tending to promote disorder or even war, must be brought home to the general public.

World public opinion must be convinced of the absolute necessity of practical results in moral disarmament. A study of the practical means to that end is becoming more and more essential. It is one of the most indispensable conditions of the success of the future Conference.

DECLARATION BY THE DELEGATION OF CHINA.

**Dr. Woo Kaiseng (China).** — The Chinese delegation is happy to congratulate the Preparatory Commission and its Rapporteurs on the successful conclusion of its work, and to extend its thanks to the President and Vice-Presidents for their skilful conduct of the business, which has ensured the success of the draft Convention.

The Chinese delegation regards the present draft as a well-formed infant brought forth after prolonged labour. Five years of preparatory work, six sessions, all very carefully followed, thirty-two delegations bringing their national ideals to the work, extend a promise of happy days to our democracies.

World public opinion expected Geneva to bring forth this wholly practicable scheme.

The first stage has been passed. We now have a text before us, but the draft which the Governments will vote to-morrow will still raise many difficulties. To-morrow, however, we mean to fight our way through to final success.

Unquestionably, this is the first time that a convention on the limitation and reduction of armaments has been drawn up. It is a great event in world history.

If, during the lengthy discussions of this session, the Chinese delegation has sometimes refrained from voting, this did not imply that it adopted a negative attitude, but that it needed time to reflect on these very grave matters.

China is a true democracy; it is consequently peaceful. It has its "declaration of the rights of man": the San Mintshui — that is to say, the Three Principles of the People. It knows how to fight against war by practising justice. It must succour the weak and raise the fallen.

After many years of internal strife, my country has quite recently achieved national unity and political stability.

The Chinese delegation holds definite opinions on peace and disarmament, and we can assure the Commission that we shall state these opinions at the General Conference.

What I wish to do to-day is to explain the views of the Chinese delegation on peace. All our practical work in the field of disarmament will certainly have the technical value of statements by Governments; it may have considerable moral effect. We must hope that its moral effects will be genuinely felt, and that we shall thus get at the real causes of war. The limitation and reduction of land, naval and air armaments is a positive means of arresting preparation for war. The work of abolition must be carried into other fields as well. We must deal with the deep-lying causes, the moral causes.

More than anything else, mutual understanding, a clear comprehension of the issues which divide nations, will contribute towards the abolition of war among States. We must get to know each other better and better.

If men speak to each other clearly, and if their interests and their needs are identical, we shall have peace. If they allow themselves to be dragged into ignorance and hatred, and if their interests and their needs clash, we shall have war. China is following with sympathy the schemes for the federal organisation of States which economic circumstances, unemployment and interests are impelling to fratricidal strife. It is to our interest to make ourselves useful to others, to endeavour to weaken those who are harmful to society. Allow me to quote our philosopher, the old sage Me Tseu, who was born more than 500 years before the Christian era, and who said:

"Wise men must concern themselves with the improvement of the human universe. If they know where trouble originates, they can intervene effectively. If, on the other hand, they do not know, they will be helpless. They will be like doctors whose task is to cure the sick, but whose knowledge does not extend to the root of the evil."

Where, then, does trouble originate in the human universe? It has its source in the fact that nations do not know and do not love each other. Thus brigands love their families but not their fellow-men; that is why they plunder the houses of others, in order to serve the interest of their own kin. Nations love their own country and do not love other nations. That is why they conquer neighbouring countries in order to extend their own.

But why all this? Because we do not know each other. If peoples looked upon neighbouring countries as their own, wars would disappear.

Such, Mr. President, are our fundamental views, views that the Chinese delegation is proud to be able to expound here.

If we frequently stress these ideas, we shall be promoting the work of disarmament, and thereby the happiness of our peoples.

DECLARATION BY THE DELEGATION OF CZECHOSLOVAKIA.

**M. Fierlinger (Czechoslovakia).** — As we have now come to the end of the series of statements by delegates I will be brief. I can, indeed, be briefer than I anticipated, for what I had in mind has already been said by others with added clearness and precision. I entirely share their views — views which in most cases reflect moderate optimism based on a sense of realities.

I should like, however, to add to their statements the main point of what I intended to say.

My purpose is to draw attention once more to certain facts which have been constantly present in our minds throughout the work of the Commission, facts which must come up again before the Conference and determine its line of conduct. To explain my point I need only refer to various resolutions unanimously adopted by the Assembly and already mentioned by certain of my colleagues.

These resolutions, which formed the basis of our work, laid stress on the interdependence between the problem of disarmament and that of security.

The great majority of the Commission has taken this view of its work, and what I have just said might therefore appear superfluous. We desire, however, to point out once more the most practical and reliable means of reaching the goal we have in view.

The idea of peace has doubtless gained ground and valuable guarantees of security have been provided, which must not be under-estimated. These guarantees and the successful results of the League's efforts have made it possible for our Commission to complete its work, which, notwithstanding its theoretical nature, will perhaps, as was rightly said by M. Politis, constitute a great page of history.

We hope that, when the Conference meets, we shall be in a position to record fresh progress calculated still further to facilitate the Conference's work, but we must not close our eyes to the distance we still have to travel before the Covenant is carried into full effect; there is still a long road ahead of us. We must not forget that we shall have to exert ourselves very considerably, sometimes in one direction, sometimes in another, in order to achieve our purpose. At the same time, if we make this our chief concern, I do not doubt but that we shall fulfil the highest aspirations of mankind, the aspirations embodied in Article 8 of the Covenant.

#### DECLARATION BY THE DELEGATION OF ITALY.

**General de Marinis (Italy).** — The Italian delegation has on many occasions expressed its point of view with regard to the work of the Preparatory Commission for the Disarmament Conference, and it is unnecessary to recapitulate its views on the methods and stipulations provided for in the draft Convention. It is sufficient to refer you to the Minutes.

Now that the Preparatory Commission has completed its lengthy task, in which the Italian Government has all along participated with the keenest interest, I wish to state that my Government is inspired by the policy of peace which has actuated it in all its international activities. It is a policy of peace, but one which is governed by the necessity of safeguarding its vital interests, and my country will participate in the Disarmament Conference with an earnest desire to achieve results in the form of the equitable regulation of armaments. While taking into account the requirements of each country from the point of view of defence, it should be the object of such regulation to abolish the very great discrepancies which at present exist; these are the chief cause of the competition in armaments and are highly detrimental to international security. I am firmly convinced that the absence of a just proportion between armaments and the real requirements of each country for defence, which exists at present, is the chief obstacle to the framing of an effective scheme for the reduction of armaments.

I am convinced that, if we succeed in modifying this state of affairs, we shall have made great progress in the direction of disarmament and shall greatly facilitate the next stage of our work.

#### 131. Close of the Session.

**The President.** — Our Commission met for the first time on May 18th, 1926. After four years and seven months it has to-day completed its task.

We were instructed to prepare for a First General Conference for the Limitation and Reduction of Armaments, and it was our duty to lay down guiding principles for that Conference's work. With the approval of the League Assembly, we considered that the best means of laying down such principles was to draw up a draft Convention specifying the method and principles to be adopted for the limitation and reduction of armaments and to prepare the many tables to be filled in by the Conference in application of those principles.

Does the preliminary draft which we have just adopted show that we have accomplished what we set out to do?

To those who expected us to settle all divergences of principle among the different Powers with regard to disarmament I would frankly reply, No! Even before we began our work all the Governments knew that this would be impossible.

On the other hand, to those who realise that, in the present state of the world, an initial effort, however incomplete, in the direction of limitation — and, as far as possible, the reduction — of armed forces is of capital importance, I do not hesitate to reply, Yes!

What we have prepared is, as it were, a well-thought-out framework in which the figures will be filled in by the General Conference. Only then will our draft Convention be signed and become the first Convention for the Limitation and Reduction of Armaments. It will no doubt be revised and amended many times, as mutual trust between the nations increases, showing what has been termed moral disarmament.



If the provisions which we have framed appear to be incomplete, it is none the less true that never before in the history of the world have the nations, which are so jealous of their sovereign rights, contemplated the international regulation of their means of national defence.

Does not this fact alone give to our work, however imperfect it may be at this initial stage, a profound significance ?

The work done by the Committee on Arbitration and Security, set up by the Preparatory Commission for the Disarmament Conference, is deserving of the highest praise.

To that Committee, presided over with such competence by M. Beneš, we owe a series of agreements for the pacific settlement of international disputes, financial assistance, etc., which cannot fail to facilitate the limitation and progressive reduction of armaments by the various Governments.

Our draft Convention will now be submitted to the Governments. It is for them to do their utmost to facilitate the convening at the earliest possible date of the world Conference which public opinion in all parts of the world is demanding with such insistence.

We cannot say that the present situation is unfavourable to the limitation and reduction of armaments. Even if there were no Locarno Treaties and no Paris Pact, it is obvious that the economic interests of the nations make the pacific settlement of their disputes more than ever necessary. It is more than ever necessary that military budgets should be reduced ; never before have responsible statesmen and enlightened public opinion realised so clearly that war — “ that horrible thing ”, as one of the greatest contemporary military chiefs has called it — is a crime unworthy of mankind, and that no victory is worth the sacrifice of human lives which it entails.

You have worked tirelessly in the cause of peace, and, as President, I would praise particularly your determination to achieve results. In this connection I call to mind certain members of our Commission who played such a prominent part in its first sessions and of whose work we have an imperishable memory, men such as M. de Brouckère and M. Paul-Boncour, to name only two.

I should also like to pay a special tribute to Lord Cecil, and to express to him on your behalf our profound gratitude and admiration for all that he has done for so many years past to help forward our work.

Despite what were frequently divergent points of view, our discussions have taken place in an atmosphere which never verged on the sombre, an atmosphere from which humour and laughter were by no means absent. I wish to thank you for having realised that the responsibility for the successful conduct of meetings such as ours does not depend upon the President alone. Our sometimes lengthy debates might easily have become unduly protracted if you had not understood that success demanded brevity, concision and that degree of discipline which your President constantly demanded of you. Moreover, you have spoken frankly, as is the custom in the League of Nations, where anything can be said provided that the conventions are observed.

When an international meeting has the privilege of counting among its members a Nicholas Politis, it can be sure of always finding a clear and accurate formula which, but for him, it might perhaps have to seek in vain. You have given us so many proofs of this, Mr. Vice-President, you have repeatedly directed and summed up the discussions of our Sub-Committees in so admirable a fashion that I am, I feel sure, interpreting the feelings of the whole Commission in expressing our profound gratitude to you.

Beside you sits a proud Castilian, whose delightful ardour and laborious diligence are deserving of our warmest thanks. M. Cobián, our enthusiastic Rapporteur, had an unparalleled collaborator to assist him in the person of our young colleague, M. Bourquin, “ a trained reserve ” as he described himself—a reserve whose training is the more admirable in that his period of service within our ranks is even now quite short. I wish to thank you, M. Bourquin, on behalf of everyone. I would thank you more particularly to-day, and for the added reason that only two or three hours ago I learned that up to October 20th last you knew nothing about the question of disarmament.

While I am concerned with the expression of our gratitude, may I extend our thanks not only to the first delegates, but also to all the experts present, who from the outset of our work have given such signal proof of their knowledge and zeal ?

What a wealth of learning the General Conference will derive from the reports of your Sub-Commissions A and B and from the many technical statements due to our experts !

I have already had occasion to laud the merits of our Drafting Committee, composed of M. Westman, M. Paul-Boncour and Sir William Malkin. It is a pleasure to me to reiterate their merits to-day, and to extend our thanks more particularly to M. Westman, who has acted as the mouthpiece of that Committee.

When one speaks of zeal, unwearying zeal, it is to the whole staff of the Secretariat that a large part of our debt of gratitude is due. First and foremost to M. Aghnides, that youthful, dauntless and energetic Director of the Disarmament Section, who, in the space of a few months, has become completely conversant with a task which he must have found all the more difficult in that he had as his illustrious predecessors M. de Madariaga and M. Colban, whose talent, activity and devotion to our cause I shall never forget.

M. Aghnides has behind him a first-class staff and a number of Amazons — women warriors — one of whom I cannot refrain from mentioning by name, for I know that all of you who have seen her at work since this Commission came into being, and who know how hard she works, and how she works night and day with her untiring fellow-Amazons, will agree that Mlle Gabrielle Boisseau is the personification of active, intelligent and smiling grace, without which the Disarmament Section would lack its characteristic sunny atmosphere.

Lastly, I desire to extend our very grateful thanks to our two faithful interpreters, who make what is really so difficult a task appear so easy.

In conclusion, gentlemen, I, who have had the honour to preside over your sessions for over four years and a half, would venture to voice one last hope. It is that, when you return home, you may succeed in persuading your Governments that there is no more time to lose, that nothing must be neglected to facilitate the speedy reunion of the General Conference, and above all to ensure its success ; for the nations are looking to us, and failure would spell disaster.

**Lord Cecil (British Empire).** — Your diction was so admirable in French, Sir, that I think every delegate understood every word you said, and therefore, unless the Commission desires it, I do not think it necessary that we should have a translation.

I desire to add one name to those you so very properly enumerated as being among those to whom the Commission owes its sincere thanks. I only wish it were possible that you, with your masterly and graceful phrasing, should have been the person to make the observations I am now about to make ; but, owing to circumstances which will appear in a moment, that is unfortunately impossible.

What I desire to bring before the Commission is, that our thanks are due very heartily and sincerely to you for your admirable conduct of our proceedings throughout these four and a half years. Many of us know how difficult your task has been, how provoking some of us must have been to you, how irritating we have been to one another, and how difficult it must have been to preserve that atmosphere of serenity which has almost always characterised our debates. If you have succeeded in doing so it is partly owing to the close and great attention, but still more to the marvellous gifts of good temper, of tact, of courtesy, and above all perhaps of patience, you have displayed with such remarkable regularity in all circumstances. I can assure you, Mr. President, that one thing is certain : you have acquired the personal esteem and affection of every member of the Commission. That is, perhaps, some compensation for the immense trouble that you have taken. You have undoubtedly, as you have said, been assisted by one Vice-President with an extraordinary gift of eloquent lucidity, and by another with that unfailing geniality which endears him to us all ; and you have had the assistance, latterly, of two Rapporteurs who could scarcely be improved upon. But still we come back to our personal feelings towards you, and it is on that account that I tender to you on behalf of the whole Commission our very warmest thanks.

**M. Politis (Greece).** — I desire to associate myself most warmly with what Lord Cecil has just said with reference to our President. As his lieutenant and closest neighbour, I have had an opportunity each day of realising how conscientiously and patiently he has followed our discussions. Those discussions might have been shorter had he not insisted on respecting the opinion of each one of us, and only intervening as seldom as possible. That is proof of his magnanimity and the real good humour with which he has presided over our discussions. I noted, further, that at difficult moments, when some conciliatory effort was required, he never failed to step into the breach with a view to hastening a solution. We shall all carry away with us a lasting memory of this particular period of our lives, and our President's name will remain an imperishable part of that memory.

**The President.** — It only remains for me to express my most grateful thanks to Lord Cecil and M. Politis for their extremely kind words with reference to myself. I myself shall never forget these four years, especially when I think of all of you, gentlemen, who have collaborated with me and honoured me with your confidence.

I thank you, and now may I take up this hammer for the last time and declare the sixth and last session of the Preparatory Commission closed.

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**ANNEXES.**

C.P.D. 211.

Geneva, November 3rd, 1930.

ANNEX 1.

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**Preparatory Commission for the Disarmament Conference.**

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TEXTS OF THE DRAFT CONVENTION DRAWN UP AT  
FIRST READING.

TEXTS OF THE DRAFT CONVENTION DRAWN UP AT  
SECOND READING.

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1. This document contains:

- (a) The Report of the Third Session of the Preparatory Commission.
- (b) The Texts of the Draft Convention drawn up at First Reading in the course of the Third Session.
- (c) The Texts of the Draft Convention drawn up at Second Reading in the course of the Sixth Session, First Part.

2. The First- and Second-Reading Texts are placed in parallel. Where no Second-Reading Text has been adopted, a blank space is left.

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C.218(1).M.112.1927.IX.  
(C.P.D.88(1).)

Geneva, April 26th, 1927.

### THIRD SESSION.

*Held at Geneva from March 21st to April 26th, 1927.*

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## REPORT.

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The Preparatory Commission for the Disarmament Conference examined, in the course of its third session, the reports submitted to it by technical Sub-Commissions with regard to the questionnaire it had been instructed to study. The Commission was of the opinion that these preliminary investigations were such as to permit it to undertake forthwith the study of a Draft Convention. Its task was facilitated by the fact that preliminary drafts had been submitted to it by the British and French delegations.

The Commission has endeavoured, during the present session, to draw up a text which could serve as a basis for discussion at the second reading. It has not succeeded in establishing a single text for all the points discussed. The present document shows separately for each of the parts the points on which unanimity was obtained, as well as the reservations submitted by the various delegations on certain specific points. Where it has not been possible to establish a unanimous text, this document gives the different proposals submitted. It has been generally understood that the acceptance of each delegation at first reading does not prejudice the attitude it might adopt at the second reading and does not bind it in any way.

In the course of the discussion, several suggestions and proposals were put forward, either in order to meet exceptional situations, or with a view to inserting into the Convention limitations or general clauses other than those which had been unanimously adopted at the first reading by the Commission or which had been put down as alternative texts. These proposals and suggestions are reproduced in the minutes of the Commission. It is understood that each delegation retains full freedom to reconsider at the second reading such suggestions or proposals and to put forward fresh ones.

The discussion seems to suggest that it might be advisable to classify the matter into five parts, which might constitute the five Chapters of the Draft Convention as a basis for the second reading:

- Chapter I. — Effectives.
- Chapter II. — Material.
- Chapter III. — Budgetary Expenditure.
- Chapter IV. — Chemical Warfare.
- Chapter V. — Miscellaneous Provisions.

This division is, of course, liable to alteration at the second reading.

The Commission annexes to the present report a table of the texts.

When a text has encountered no opposition from any delegation, it has been printed right across the page. The reservations which delegations have asked to have inserted have been placed in the margin.

When only a single text was submitted and one or more delegations formally opposed its adoption, it has been printed on the left-hand side of the page, the right-hand column being left blank. The delegation or delegations under whose authority this text was submitted have been indicated. No attempt has been made to define the position of the others, and only the observations and declarations which delegations have formally requested to have inserted have been placed in the margin.

When, at the end of the discussion at the first reading, several texts have remained in being, they have been inserted in parallel columns, the delegation or delegations under whose authority the text was submitted being indicated at the head of each column. As in the previous case, no attempt has been made to define the position of the delegations which did not formally submit a text, and here too only the formal observations or declarations have been inserted.

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Texts drawn up at First Reading.

PREAMBLE.

(British Draft.)

(French Draft.)

(German Draft.)

[Names of the High Contracting Parties.]

[List of High Contracting Parties.]

Whereas heavy armaments constitute the most serious menace to the peace of the world;

Persuaded that the maintenance of peace requires the reduction of armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations;

In view of Article 8 of the Covenant of the League of Nations;

And whereas Article 8 of the Covenant of the League of Nations provides for a general reduction of armaments:

Whereas the reduction of armaments must be in accordance with general conditions of security and the special conditions of each State;

The High Contracting Parties have resolved to conclude a Convention as a first step towards the accomplishment of this purpose, to be followed by successive measures with a view to further disarmament, and have appointed .....

Considering that all Members of the League of Nations are already pledged by Article 8 of the Covenant of the League to the acceptance of the principle enunciated above;

And whereas the Treaty of Mutual Assistance and the Protocol for the Pacific Settlement of International Disputes, which were intended to define more precisely the operation of Article 16 of the Covenant of the League of Nations, have not been applied;

Realising that the purpose of the limitation of armaments by international agreement is to diminish the risk of aggressive action by one State against another and that all agreements for limitation of armaments should be construed in the light of that purpose;

And whereas the general guarantees resulting from the Covenant still exist;

Believing that, in order to obtain the greatest possible advantage from a reduction and limitation of armaments, such reduction and limitation must cover military, naval and air armaments and must embrace as many nations as possible;

And whereas regional agreements based upon the principles of the Covenant and arranging for mutual assistance between the signatory States in the event of attack have been successively concluded and have resulted in improved conditions of security for a number of States:

Determined to alleviate to the greatest possible extent the heavy burden which expenditure on armaments is imposing upon the economic life of the world and thus lowering its standard of living:

Consider that it is now possible to contemplate a first step towards the limitation and reduction of armaments laid down in Article 8 of the Covenant,

Have resolved to conclude a Convention with a view to accomplishing these purposes and have appointed as their plenipotentiaries:

And, having decided to conclude a Convention for this purpose, have appointed as their plenipotentiaries.

The President.....

.....

Who, having deposited their full powers, found in good and due form, have agreed upon the following provisions:

Who, having communicated their full powers, found in good and due form, have agreed as follows:

**Texts drawn up at Second Reading.**

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**PREAMBLE.**

First Reading.

CHAPTER I. — EFFECTIVES.

*Observations and Reservations.*

The German delegation makes a general reservation in regard to Chapter I as a whole, which, contrary to its view, does not contain any limitation of reserves given military training, registered, and compelled by law to serve in case of war, although in its opinion these reserves, while non-existent in professional armies, form the decisive factor as regards personnel in war, in countries having a conscript system.

The British delegation reserves the opinion of its Government as to the limitation of trained reserves.

The delegation of the United States of America makes a general reservation on the following provisions of Chapter I as regards the inclusion of formations organised on a military basis and the exclusion of trained reserves.

*Article A.*

The High Contracting Parties agree to limit the effectives in service in their armed forces, or land, sea and air formations organised on a military basis, and who may for that reason be immediately employed without having to be mobilised, to the effectives determined in the tables enumerated below and annexed to the present Convention.

1. Land Armaments:

Table I. — Maximum home forces.

Table II. — Maximum overseas forces stationed in the home country.

Table III. — Maximum of total forces stationed in the home country.

Table V. — Maximum of the total forces of the High Contracting Parties.

Table VI. — Maximum of the forces belonging to formations organised on a military basis stationed in the home country.

Table VII. — Maximum of the forces belonging to formations organised on a military basis stationed in overseas territories.

2. Naval Armaments:

Table VIII. — Maximum armed forces.

Table IX. — Maximum forces belonging to formations organised on a military basis.

The delegations of the British Empire and the United States of America only accept the limitation of naval effectives provided such limitation is generally accepted and provided also that a satisfactory agreement is reached respecting the limitation of warships.

The delegation of the British Empire considers Table IX unnecessary.



**Second Reading.**

**CHAPTER I. — EFFECTIVES.**

*Article A.*

The High Contracting Parties agree to limit the effectives in service in their armed forces, or land, sea and air formations organised on a military basis, to the effectives determined in the tables enumerated below and annexed to the present Convention.

**1. Land Armaments:**

Table I. — Maximum armed forces stationed in the home country.

Table II. — Maximum armed forces stationed overseas.  
(optional)

Table III. — Maximum of the total armed forces of the High Contracting Parties.

Table IV. — Maximum of the forces belonging to formations organised on a military basis stationed in the home country.

Table V. — Maximum of the forces belonging to formations organised on a military basis stationed overseas.

**2. Naval Armaments:**

(Discussion of text of first reading, and the reservations relating thereto, adjourned.)

First Reading.

*Observations  
and Reservations.*

The delegation of France reserves for the second reading its final decision regarding a separate limitation of air effectives of home and overseas forces.

The delegation of the British Empire considers Table XI unnecessary.

The second paragraph of Article H has not been discussed in connection with naval and air effectives.

The delegations of France and Italy declare that the clauses of the first two paragraphs must apply in the same conditions to land, naval and air effectives, and that it can only accept them subject to this reservation.

The delegations of the British Empire, Chile, Japan, and the United States of America do not accept the third paragraph.

This Article has not been discussed in connection with naval and air effectives.

3. Air Armaments:

Table X. — Maximum armed forces.

Table XI. — Maximum forces belonging to formations organised on a military basis.

*Article H.*

In order to prevent the number of officers, warrant officers and sergeants from exceeding the legitimate requirements of each army, the tables relating to land armaments mentioned in Article A above shall indicate a maximum number of officers, warrant officers and sergeants which each High Contracting Party shall undertake not to exceed.

Similarly, for the same reasons as those given above, the said tables shall show the maximum figure which each High Contracting Party undertakes not to exceed in respect of other ranks whose period of service is longer than the longest period at present in force in the conscript armies of the High Contracting Parties.

The provisions contained in the first paragraph of this Article equally apply, *mutatis mutandis*, to the tables in Article A relating to naval and air armaments.

*Article C.*

By "formations organised on a military basis" shall be understood Police forces of all kinds, gendarmerie, Customs officials, forest guards, which, whatever their legal purpose, can be used without mobilisation, by reason of their staff of officers, establishment, training, armament or equipment, as well as any organisation complying with the above condition.

*Article D.*

By "mobilisation" within the meaning of the present Convention shall be understood all the measures for the purpose of providing the whole or part of the various corps, services and units with the personnel and material required to pass from a peace-time footing to a war-time footing.

*Article F.*

Each of the High Contracting Parties may, within the limits fixed by the tables relating to land armaments in Article A, and should the conditions affecting its security so require, modify the distribution of the said forces between its home territories and overseas territories.

Any modifications in this distribution shall be shown in the annual statements of particulars, the preparation of which is provided for in Article IA of Chapter V below.

*Article E.*

When drawing up the tables mentioned in Articles A (Chapter I) and IA (Chapter V):

(a) By "effectives in service in the armed forces" shall be understood the average daily effectives reckoned by dividing the total number of days duty by the number of days in the budgetary year;

(b) By "effectives in service in the formations organised on a military basis" shall be understood the actual effectives, *e.g.*, the actual number of men shown up to the time of their discharge from active service or during their periods of training, in the statement of effectives which determines grants of every kind for these effectives, including men who, for any reason whatever, are absent from the units to which they are allocated.

**Second Reading.**

**3. Air Armaments:**

Table I. — Maximum armed forces stationed in the home country.  
(optional)

Table II. — Maximum armed forces stationed overseas.  
(optional)

Table III. — Maximum of the total armed forces of the High Contracting Parties.

Table IV. — Maximum of the forces belonging to formations organised on a military basis stationed in the home country.

Table V. — Maximum of the forces belonging to formations organised on a military basis stationed overseas.

*Article H.*

The tables relating to land armaments mentioned in Article A above, shall indicate a maximum number of officers which each High Contracting Party shall undertake not to exceed.

The said tables shall further fix the maximum number of soldiers, other than officers, who may have completed more than  $x^1$  years of actual service with the colours.

In conscript armies, the number of men whose service exceeds the legal period in force in their respective countries but is less than  $x^1$  years, shall be shown for each High Contracting Party in the annual statements for which provision is made in Article IA of Chapter V.

The tables relating to air armaments mentioned in Article A shall indicate, in the form of aggregate figures for officers, non-commissioned officers and men together, the maximum number of soldiers who may have completed more than  $x^1$  years of actual service with the colours.

The number of men of the class mentioned in the second and fourth paragraphs of the present article who are actually with the colours shall be shown every year for each High Contracting Party in the statements for the preparation of which provision is made in Article IA of Chapter V.

Each country may, if it so desires, show for purposes of information, in a special column in publicity table IA of Chapter V, the proportion of recruits not trained as defined in the national legislation who are embodied in the effectives of its armed forces.

(To be discussed later as far as Naval Effectives are concerned.)

*Article C.*

By "formations organised on a military basis" shall be understood Police forces of all kinds, gendarmerie, Customs officials, forest guards, which, whatever their legal purpose, can be used without mobilisation, by reason of their staff of officers, establishment, training, armament, equipment, as well as any organisation complying with the above condition.

*Article D.*

By "mobilisation" within the meaning of the present Convention shall be understood all the measures for the purpose of providing the whole or part of the various corps, services and units with the personnel and material required to pass from a peace-time footing to a war-time footing.

*Article F.*

(This Article was deleted. See Minutes of Sixth Session (First Part), page 153.)

*Article E.*

When drawing up the tables mentioned in Articles A (Chapter I) and IA (Chapter V): by "effectives in service in the armed forces" and by "effectives in service in the formations organised on a military basis" shall be understood the average daily effectives reckoned by dividing the total number of days duty by the number of days in the budgetary year.

(The discussion of this Article as far as Naval and Air Effectives are concerned has been reserved.)

<sup>1</sup> Note: This figure will be determined by the duration of the longest period of actual service with the colours which is in force in the conscript armies of the High Contracting Party at the time of the signature of the Convention.

First Reading.

*Observations  
and Reservations.*

This Article has not been discussed in connection with naval and air effectives.

The delegation of France declares that the clauses of this Article must apply in the same conditions to land, naval and air effectives.

*Article I.*

In each Contracting State having the conscription system, the total period of service which the annual contingent is compelled to serve shall not exceed the figure accepted by each of the High Contracting Parties.

For each man the total period of service shall be the total number of days of active service and of days of service during the periods of instruction which he undergoes.

CHAPTER II. — MATERIAL.

SECTION I. — LAND ARMAMENTS.

The delegation of the United States of America makes a general reservation on the failure to include provisions for the limitation of material both in the hands of forces serving with the colours and reserve material of land and air forces.

*Article TA.*

(German Draft.)

(French Draft.)

The delegations of Italy and Japan make a general reservation as regards limitation of material proposed in Article TA (German draft).

The High Contracting Parties agree to limit the maximum material of their land forces in service and in reserve to the figures fixed in Table annexed to the present Convention.

In each of the Contracting States, the total expenditure on the upkeep, purchase and manufacture of war material in the strict sense of the term, for the duration of the present Convention shall be limited for the land, naval and air armaments to the respective sums fixed in Columns X, Y and Z of Tables<sup>1</sup>... (Home forces and formations of the home country organised on a military basis) and ... (Overseas forces and their reinforcements and overseas formations organised on a military basis) annexed to the present Convention.

The said sums shall be divided by the number of years for which the present Convention is to remain in force, and, in each of the Contracting States, the annual expenditure on the upkeep, purchase and manufacture of war material in the strict sense of the term shall not exceed the figure laid down for each year; nevertheless, sums not expended during one year may be carried forward to the following year and added to the sums fixed for that year.

TABLE.

Material in service and in reserve	Maximum number of arms	Quantity of ammunition for the various arms (rifles, machine-guns, etc.)
1. Rifles or carbines		
2. Machine-guns and automatic rifles .		
3. Guns, long and short, and howitzers of a calibre below 15 cm . . .		
4. Guns, long and short, and howitzers of a calibre of 15-cm. or above		
5. Mortars of all kinds . . . . .		
6. Tanks . . . . .		
7. Armoured cars .		

<sup>1</sup> The tables referred to correspond to the model statements provided for in the report of the budgetary experts. Their definitive form depends on the final conclusions of these experts.

**Second Reading.**

*Article I.*

(Discussion of the text adopted at first reading and of German proposal—document C.P.D.174(1)—adjourned.)

**CHAPTER II — MATERIAL.**

**SECTION I. — LAND ARMAMENTS.**

First Reading.

SECTION II. — NAVAL ARMAMENTS.

*Observations  
and Reservations.*

The German delegation declares that it is necessary to limit naval material in reserve in addition to floating material.

The French delegation points out that the accompanying French text constitutes the draft for reaching a compromise, which, after discussion and with a view to finding a formula for agreement, it has substituted for its original draft, which included only the first three paragraphs of this text.

(British Draft.)

The High Contracting Parties agree to limit to the figures laid down the number and tonnage of all the ships in each of the classes specified in Annex .....

*Article NA.*

(French Transactional  
Draft.)

The limitation of naval armaments agreed to by each of the High Contracting Parties is shown in the annexed Table X.

The figures in column I of this table represent the total tonnage that each of the High Contracting Parties considers it essential to attain for the purposes of security and the defence of its national interests.

The figures in column II represent the total tonnage that each of the High Contracting Parties considers it necessary to complete before the expiry of the Convention.

The figures in column III represent, for each of the High Contracting Parties, the division of the total tonnage stated by it in column II into total tonnage by groups.

These total tonnage groups apply to all ships of a similar nature in the following manner : (a) capital ships; (b) aircraft-carriers; (c) surface ships of less than 10,000 tons; (d) submarines.

Each of the High Contracting Parties, while keeping within the limits of total tonnage stated in column II, can alter such division as it deems necessary for its security, subject to informing the Secretariat of the League of Nations of the changes brought to the division of its total tonnage, at least one year before laying down

(Italian Draft.)

Each of the High Contracting Parties, within the limits of the total tonnage which it undertakes not to exceed, may distribute and arrange its tonnage to the best advantage for its national interests, subject to communicating to the Secretariat of the League of Nations, at least six months before laying down the keel, the characteristics of each vessel of war which it intends to construct, in conformity, for example, with Article XVI of the Treaty of Washington.

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**Second Reading.**

**SECTION II. — NAVAL ARMAMENTS.**

First Reading.

*Observations and Reservations.*

the portion of the tonnage which is to be transferred.

*Note :* Each of the High Contracting Parties states in column III the division of its total tonnage, either into the four groups of vessels as stated in paragraph 4, or only into those groups which it considers necessary for its needs of security.

The delegations of the United States of America and Italy make a general reservation concerning this Table.

TABLE X. — ANNEX TO ARTICLE NA OF FRENCH DRAFT.

*Total Tonnage of Warships.*

I. Tonnage essential for the purposes of security and the defence of national interests	II. Tonnage to be completed before the expiry of the Convention	III. Division into total tonnage by groups of the total tonnage stated in column II			
		Total tonnage of			
		Capital ships	Aircraft-carriers	Vessels under 10,000 tons	Submarines
		a.	b.	c.	d.

*Article NB.*

(British Draft.)

(French and Italian Draft.)

The High Contracting Parties agree to limit to the figures laid down in Annex ... for each class of ship the maximum tonnage of any one ship and the calibre of the largest gun that may be mounted thereon.

The High Contracting Parties agree to limit to the figures laid down in Annex ... the tonnage of the largest vessel of war and the calibre of the largest gun mounted in any vessel of war.

*Article NC.*

(British Draft.)

The High Contracting Parties agree to limit to the figures laid down in Annex ... the maximum diameter of the largest torpedo tube carried by any ship.

*Article NE.*

(French Draft.)

In assessing total tonnage, a fraction only equal to .. per cent of the real tonnage shall be calculated in the case of vessels of war which have exceeded the age-limit indicated in Table .. of the Annex.



**Second Reading.**

**First Reading.**

*Article ND.*

The standard displacement of a ship is the displacement of the ship complete, fully manned, engined and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel or reserve feed water on board. This assessment shall be in metric tons.

*Article NF.*

The High Contracting Parties undertake that, except in case of loss, no vessel of war shall be replaced before having reached the age-limit indicated in Table . . . . of the Annex. The age of units shall be counted as from the date of their completion.

*Article NG.*

With the exception of those ships which, in order to effect economy and specially mentioned in the Convention as being allowed to be converted into a type of warship other than that for which it was originally designed, no ship which has been replaced may be reconverted into a vessel of war.

*Article NH.*

No preparations shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6 inches (152 millimetres) calibre.

*Article NI.*

No vessel of war constructed within the jurisdiction of any one of the Contracting Parties for a non-contracting Power shall exceed the limitations as to displacement and armament prescribed by the present Convention for vessels of a similar type which may be constructed by or for any of the Contracting Powers; provided, however, that the displacement for aircraft-carriers constructed for a non-contracting Power shall in no case exceed 27,000 tons (27,432 metric tons) standard displacement.

*Article NJ.*

In the event of a Contracting Power being engaged in a war, such Power shall not use as a vessel of war any vessel of war which may be under construction within its jurisdiction for any other Power, or which may have been constructed within its jurisdiction for another Power and not delivered.

*Article NK.*

Each of the Contracting Powers undertakes not to dispose—by gift, sale or any mode of transfer—of any vessel of war in such a manner that such vessel may become a vessel of war in the navy of any foreign Power.

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**Second Reading.**

First Reading.

SECTION III. — AIR ARMAMENTS.

*Observations  
and Reservations.*

*Article AA.*

The German delegation makes a reservation with respect to Article AA, being of the opinion that the limitation should apply to all air material of war, and should therefore also include material in reserve and stocks of material.

The delegations of the British Empire and France reserve for the second reading their decision on Article AA in so far as it suppresses the distinction between metropolitan and overseas air forces.

The delegation of Roumania makes a reservation regarding the limitation of numbers of aeroplanes.

Each of the High Contracting Parties undertakes to limit the air material in service in accordance with the figures laid down in the following tables.

*Table A.* — The maximum number and total horse-power of aeroplanes and maximum number, total horse-power and total volume of dirigibles in service in their armed forces.

*Table B.* — The maximum number and total horse-power of aeroplanes and maximum number, total horse-power and total volume of dirigibles in service in their formations organised on a military basis.

The limitation shall apply to aeroplanes and dirigibles capable of use in war employed in commission in the land, sea and air forces, or in the formations organised on a military basis.

*Article AC.*

Horse-power shall be measured according to the rules. . . . .  
(to be established by the Conference).

The volume of dirigibles to be expressed in cubic metres.

*Article AD.*

The German delegation makes a reservation regarding Article AD, in view of the fact that the development of a means of peaceful communication cannot be taken as a starting-point for armaments, except where this means of communication is of real military importance.

The delegation of the Argentine makes a reservation regarding Article AD.

The delegation of the United States of America makes a general reservation on the inclusion of provisions basing limitation upon the present development of civil aviation in other countries.

The limitations laid down are accepted by each High Contracting Party in the light of the present development of civil aviation in other countries.

*Article AE.*

The delegation of Italy makes a reservation with regard to Article AE.

1. If the High Contracting Parties intervene in any capacity, whether directly or indirectly, wholly or partially, in civil aviation undertakings, they agree that the State organs dealing with the matter shall be quite separate from the organs dealing with military aviation. It is agreed that this undertaking does not prevent the union of civil and military aviation under a single Ministry provided that the two subjects are dealt with separately and independently.

2. The High Contracting Parties shall refrain from prescribing the embodiment of military features in the build of civil aviation material so that this material may be constructed for purely civil purposes, more particularly with a view to providing the greatest possible measure of security and the most economical return.

Second Reading.

SECTION III. — AIR ARMAMENTS.

*Article AA.*

Each of the High Contracting Parties undertakes to limit the air material in service in accordance with the figures laid down in the following tables.

*Table A.* — The maximum number and total horse-power of aeroplanes and maximum number, total horse-power and total volume of dirigibles in service in their armed forces.

*Note:* Any of the High Contracting Parties who so desire may annex to Table A the following tables for limitations similar to those in Table A:

Table A (1) — Aeroplanes and dirigibles in commission in the armed forces stationed in the home country.

Table A (2) — Aeroplanes and dirigibles in commission in the armed forces stationed overseas.

Table A (3) — Aeroplanes and dirigibles in aircraft-carriers.

*Table B.* — The maximum number and total horse-power of aeroplanes and maximum number, total horse-power and total volume of dirigibles in service in their formations organised on a military basis.

The limitation shall apply to aeroplanes and dirigibles capable of use in war employed in commission in the land, sea and air forces, or in the formations organised on a military basis.

*Note:* Any of the High Contracting Parties who so desire may annex to Table B the following tables for limitations similar to those in Table B:

Table B (1). — Aeroplanes and dirigibles in commission in the formations organised on a military basis stationed in the home country.

Table B (2). — Aeroplanes and dirigibles in commission in the formations organised on a military basis in overseas territories.

*Article AC.*

Horse-power shall be measured according to the rules ..... (to be established by the Conference).

The volume of dirigibles to be expressed in cubic metres.

*Article AD.*

(Reserved for discussion during the examination of Article ZD.)

*Article AE.*

1. The High Contracting Parties shall refrain from prescribing the embodiment of military features in the build of civil aviation material so that this material may be constructed for purely civil purposes, more particularly with a view to providing the greatest possible measure of security and the most economic return. No preparations shall be made in civil aircraft in time of peace for the installation of warlike armaments for the purpose of converting such aircraft into military aircraft.

2. The High Contracting Parties undertake not to require of civil aviation undertakings that they should employ personnel specially trained for military purposes.

They undertake to authorise only as a provisional and temporary measure the seconding of personnel to, and the employment of military aviation material in, civil aviation undertakings.

First Reading.

*Observations  
and Reservations.*

3. The High Contracting Parties undertake not to require of civil aviation undertakings that they should employ only personnel specially trained for military purposes.

They undertake to authorise only as a provisional and temporary measure the seconding of personnel to, and the employment of military aviation material in, civil aviation undertakings.

4. The High Contracting Parties undertake not to subsidise, directly or indirectly, air lines principally established for military purposes, instead of being established for economic, administrative or social purposes.

5. The High Contracting Parties undertake to encourage as far as possible the conclusion of economic agreements between civil aviation undertakings in the different countries.

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CHAPTER III. — BUDGETARY EXPENDITURE

*Article DA.*

(French Draft.)

The British, Italian and Japanese delegations consider that budgetary limitation should be effected solely by publicity.

The delegations of the United States and Germany make a general reservation on the inclusion in the present Draft Convention of any limitation of budgetary expenditure.

The total annual expenditure counted per budgetary year and allocated according to Tables... (Home forces and formations of the home country organised on a military basis) and.... (Overseas forces and their reinforcements and overseas formations organised on a military basis), shall not exceed the figures approved by the several Contracting States in the present Convention and mentioned in the said tables.

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CHAPTER IV. — CHEMICAL WARFARE.

The discussion on these clauses has been held over until the second reading.

(Draft proposed by the delegations of Belgium, Czechoslovakia, Poland, Roumania and Kingdom of the Serbs, Croats and Slovenes.)

The High Contracting Parties undertake to abstain from the use in war of asphyxiating, poisonous or similar gases, and of all analogous liquids, substances or processes.

They also undertake to abstain from the use of all bacteriological methods of warfare.

They also undertake to abstain from any preparation in peace time of the use of the methods of warfare stated in the two preceding paragraphs.

They undertake, moreover, not to permit the importation, the exportation or the manufacture on their territory of substances utilisable for chemical or bacteriological warfare, when they are imported, exported or manufactured with a view to such use.

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**Second Reading.**

3. The High Contracting Parties undertake not to subsidise, directly or indirectly, air lines principally established for military purposes, instead of being established for economic, administrative or social purposes.

4. The High Contracting Parties undertake to encourage as far as possible the conclusion of economic agreements between civil aviation undertakings in the different countries.

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**CHAPTER III — BUDGETARY EXPENDITURE.**

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**CHAPTER IV — CHEMICAL ARMS.**

The High Contracting Parties undertake, subject to reciprocity, to abstain from the use in war of asphyxiating, poisonous or similar gases, and of all analogous liquids, substances or processes.

They undertake unreservedly to abstain from the use of all bacteriological methods of warfare.

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First Reading.

CHAPTER V. — MISCELLANEOUS PROVISIONS.

*Observations  
and Reservations.*

SECTION I. — ORGANISATION.

*Article OA.*

(French Draft.)

The statement made by the American delegation on April 13th, 1927, indicates the views of the American Government on certain points as regards the application of the Convention.

There shall be set up at the seat of the League of Nations a "Permanent Disarmament Commission" consisting of one representative of each of the following High Contracting Parties:

- (a) The High Contracting Parties Members of the Council of the League, for the duration of their term of office on the Council.
- (b) The United States of America and the Union of Soviet Socialist Republics.
- (c) (List of High Contracting Parties to be appointed by the Conference.)

To the members of the Permanent Disarmament Commission shall be attached military, naval and air experts, and experts qualified in the branches subject to the limitations provided for in the present Convention.

The Permanent Disarmament Commission shall be summoned by the Secretary-General of the League of Nations.

In the event of their not sitting on the Permanent Disarmament Commission, the High Contracting Parties shall be entitled to be represented at discussions which concern them. In such case, their delegates may demand that, in the Commission's report, account should be taken of the opinion or suggestions put forward by them, if necessary in the form of a special report.

SECTION II. — EXCHANGE OF INFORMATION.

*Article IA.*

The form and the number of tables have not been decided as regards naval and air armaments.

The German delegation makes a reservation concerning this Article, the tables mentioned therein not providing for publicity regarding trained reserves.

The Italian delegation makes a reservation and does not agree to all the distinctions referred to in these tables.

Each of the High Contracting Parties shall prepare on the model of Tables I, II, III, V, VIII and X mentioned in Article A (Chapter I) and of Table IV annexed to the present Convention (Overseas forces) an annual statement of the average daily effectives on service with its armed forces, and on the basis of Tables VI, VII, IX, and XI mentioned in Article A (Chapter I), a statement of the actual effectives on service in its formations organised on a military basis.

The statements laid down in the present provision shall be forwarded to the Secretary-General of the League of Nations within three months after the close of the budgetary year.



**Second Reading.**

**CHAPTER V — MISCELLANEOUS PROVISIONS.**

**SECTION I — ORGANISATION.**

**SECTION II — EXCHANGE OF INFORMATION.**

First Reading.

*Observations  
and Reservations.*

Owing to the various considerations brought forward by the Japanese delegation at the meeting of the Commission on April 21st, 1927, it formally opposes this proposal, and also the proposal of the German delegation opposite Article TA (Chapter II).

The Italian delegation agrees with the above remarks of the Japanese delegation.

*Article IB.*

(Netherlands Draft.)

Each of the High Contracting Parties shall prepare an annual statement of the number (weight) of arms and ammunition and implements of war in service and in reserve in its land, naval and air forces distributed between the following twelve headings and existing on the date of December 31st of the preceding year:

1. Rifles, muskets, carbines (number).
2. (a) Machine-guns, automatic rifles and machine-pistols of all calibres (number);  
(b) Mountings for machine - guns (number);  
(c) Interrupter gears (number).
3. Projectiles and ammunition for the arms enumerated in Nos. 1 and 2 above (number).
4. Gun - sighting apparatus including aerial gunsights and bomb-sights, and fire-control apparatus (number).
5. (a) Cannon, long or short, and howitzers, of a calibre less than 5.9 inches (15 cm.) (number);  
(b) Cannon, long or short, and howitzers, of a calibre of 5.9 inches (15 cm.) or above (number);  
(c) Mortars of all kinds (number);  
(d) Gun carriages (number), mountings (number) recuperators (number), accessories for mountings (weight).
6. Projectiles and ammunition for the arms enumerated in No. 5 above (number).
7. Apparatus for the discharge of bombs, torpedoes, depth charges and other kinds of projectiles (number).
8. (a) Grenades (number);  
(b) Bombs (number);  
(c) Land mines, submarine mines, fixed or floating, depth charges (number);  
(d) Torpedoes (number).
9. Appliances for use with the above arms and apparatus (number).
10. Bayonets (number).

**Second Reading.**

**First Reading.**

*Observations  
and Reservations.*

11. Tanks and armoured cars (number).
12. Arms and ammunition not specified in the above enumeration (number and weight).

With a view to the exchange of information as provided for in the present Section, the statement laid down in the present provisions shall be forwarded to the Secretariat of the League of Nations before March 1st of the year following the year to which it refers.

*Article IC.*

If the construction of any vessel of war for a non-Contracting Power is undertaken within the jurisdiction of any of the Contracting Powers such Power shall promptly inform the Secretary-General of the League of Nations and shall publish in its Official Journal the date of the signing of the contract and the date on which the keel of the ship is laid, as well as the following specifications: the standard displacement in metric tons and the principal dimensions—namely, the length at water-line, the extreme beam at or below water-line, mean draft at standard displacement; the date of completion of each new ship and its standard displacement in metric tons, and the principal dimensions—namely, length at water-line, extreme beam at or below water-line, mean draft at standard displacement, at time of completion.

*Article IG.*

The delegations of the British Empire and Italy reserve their opinion concerning this Article.

Each of the High Contracting Parties shall communicate to the Secretariat of the League of Nations the name and the tonnage of any vessel constructed in accordance with Article NH (Chapter II). With regard to existing vessels of this type, this communication shall be made within two months after ratification of the present Convention. With regard to vessels to be constructed, the communication shall be made on the date of completion.

*Article ID.*

(Italian Draft.)

(French Draft modified.)

The German delegation makes a reservation concerning this Article, considering that publicity should be applied to all aerial war material, and hence to material in reserve and stocks of material.

Each of the High Contracting Parties shall prepare an annual statement showing the maximum figures attained during the year in respect of the number and total horse-power of aircraft, and the number, total horse-power and total volume of dirigibles in commission according to their distribution laid down in Article AA (Chapter II, Section III — Air Armaments).

Each of the High Contracting Parties shall prepare an annual statement showing the maximum figures attained during the year in respect of the number and total horse-power of aircraft, and the number, total horse-power and total volume of dirigibles in commission according to their distribution as laid down in Article IA of the present Chapter.

*Article IE.*

The German delegation reserves the right to give its definite opinion at the second reading.

In order to ensure publicity in the matter of civil aviation, each of the High Contracting Parties shall prepare an annual statement showing the total number of civil aeroplanes and dirigibles registered in the territory under jurisdiction of each of the High Contracting Parties.

**Second Reading.**

First Reading.

*Observations  
and Reservations.*

PREAMBLE TO ARTICLES DA AND DB. \*

Whereas it is in the general interest that the expenditure on armaments should be limited, and

Whereas the High Contracting Parties are not agreed at present on any satisfactory method of accomplishing this object, and

Whereas the High Contracting Parties consider that, as a preliminary to such limitation of expenses, full publicity should be secured so that on a future occasion it may be possible again to approach this question with better hope of success:

The High Contracting Parties agree to arrange for the publicity of their military, naval and air expenditure in accordance with the provisions contained in the two following articles.

*Article DA. \**

In putting forward this Article, the Preparatory Commission takes note of the fact that the work of the Committee of Experts on Budgetary Questions is not complete, and that it hopes to produce a relatively simple schedule. The Preparatory Commission is of opinion that the model statement should be as simple as possible consistently with the achievement of its object.

The German delegation has accepted the principle of the simplification of the model statement on condition that the model statement is employed exclusively for the publication of expenditure on national defence and not for purposes of comparison and limitation.

The Italian delegation reserves its opinion concerning Article DA until it has examined the model statement in question.

The British delegation makes a reservation with regard to the second paragraph of this Article.

Each of the High Contracting Parties will communicate to the Secretary-General of the League of Nations, in a model form, a statement of the amount proposed to be expended on its land, naval and air armaments in the current financial year.

This communication shall be made not later than.... months after the entry into force of the legal provisions authorising the expenditure.

*Article DB. \**

Each of the High Contracting Parties will communicate to the Secretary-General of the League of Nations, in a model form, a statement showing the amount actually expended on its land, naval and air armaments during the preceding financial year.

This communication will be made not later than.... months after the close of the financial year.

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\* *Note by the Secretariat.* — In order to avoid confusion between Article DA in Chapter III and the Articles DA and DB above, these last-named should be re-lettered to conform with the series IA, IB, etc.

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**Second Reading.**

First Reading.

Article IF.

(French Draft.)

The Permanent Disarmament Commission shall be responsible for centralising all the information supplied by the High Contracting Parties to the Secretary-General of the League in execution of the provisions of Articles IA, IC, IG, ID, IE, DA and DB of the present Chapter and also for collecting, with regard to matters subject to the limitation provided for in the present Convention, or which may appear to it suitable to form the object of fresh treaties, all particulars it may consider necessary to the performance of its mission as defined below.

The Commission shall be responsible for studying, on the basis of these data, such progress as may be accomplished in regard to the limitation and reduction of armaments. Its attention shall be devoted in particular to following in the annual budget statements supplied by the High Contracting Parties the increase or reduction in the amount of the material in their possession which it has not been possible to limit directly in the present Convention.

Each year the Permanent Disarmament Commission shall make at least one report on the questions which it is engaged in studying. This report shall be published simultaneously with despatch to all the High Contracting Parties and to the Council of the League. Each member of the Commission shall be entitled to demand that account shall be taken in this report of the opinions or suggestions put forward by him, if necessary in the form of a special report.

SECTION III. — DEROGATIONS.

Article XA.

(British Draft.)

The provisions of the present Convention shall not prevent any of the High Contracting Parties from increasing its land, naval or air armaments beyond the agreed figures:

- (1) If a war in which it is a belligerent has broken out, or
- (2) If it is threatened with a rebellion, or
- (3) If this increase is effected with the consent of the Council of the League of Nations.

Notice to all the other High Contracting Parties shall be given by the Party increasing its armaments in pursuance of this article.

Subject to any agreement to the contrary by the Parties to this Convention, a High Contracting Party increasing its armaments in pursuance of the first paragraph of this Article shall, when peace is restored or the rebellion has come to an end, reduce its armaments to the amounts agreed upon.

(French Draft.)

If one of the High Contracting Parties is compelled by the unjustified aggression of another Power to resort to the measures of mobilisation referred to in Article D (Chapter I), it shall immediately inform the Secretary-General of the League of Nations and shall *ipso facto* be released for the duration of the conflict from the obligations which it incurs under the present Convention.

If the High Contracting Party is a Member of the League of Nations, it shall remain subject to the general obligations of the Covenant and to the decisions of the Council. The Secretary-General of the League of Nations shall be responsible for summoning the Council as quickly as possible.



**Second Reading.**

**SECTION III — DEROGATIONS.**

First Reading.

SECTION IV. — PROCEDURE WITH REGARD TO COMPLAINTS AND REVISION.

*Article ZA.*

(British Draft.)

The High Contracting Parties recognise that any violation of the provisions of this Convention is a matter of concern to all the Parties. If any Party to the Convention is of opinion that another Party to the Convention is maintaining armaments in excess of the figures agreed upon, or is making such changes in its armaments, or is embarking on such preparations as are likely to disturb international relations of the good understanding between nations, or is in any way violating the provisions of the Convention, it may bring the matter to the notice of the other Parties to the Convention.

Each of the High Contracting Parties agrees that, on receipt of any such notification by another Party of the Convention, it will co-operate in such measures as may be thought desirable by the Parties which are mentioned in Article EB of the present Chapter, or represented in the Council of the League, but excluding the Party against which the complaint is made, for investigating the facts, and that it will join in such action as may be deemed wise and effectual to safeguard the peace of nations.

Provided that no investigation within the limits of the territory of any of the High Contracting Parties shall be made without its consent.

(French Draft.)

If, during the term of the present Convention, a High Contracting Party considers that the requirements of its national security are materially affected by any change of circumstances, it shall lay the matter before the Permanent Disarmament Commission through the Secretary-General of the League of Nations with a view to the possible revision of the limitations it has accepted.

The Permanent Commission shall examine the arguments adduced by the High Contracting Party and shall be obliged to report thereon. The report shall be addressed to the Council of the League.

The High Contracting Party making the application shall take part in the examination of its application by the Permanent Disarmament Commission. Its delegate shall not be allowed to take part in the drafting of the report and may only require that the latter shall take into account the opinions or suggestions put forward by him, if necessary in the form of a special report.

If, in the application which it has submitted to the Permanent Disarmament Commission, the High Contracting Party has indicated, as a new circumstance affecting its national security, facts which concern one of the High Contracting Parties Members of the Commission, the delegate of the latter shall be subject to the same rules as the delegate of the High Contracting Party making the application.

*Article ZE.*

If, during the term of the present Convention, a High Contracting Party considers that the requirements of its national security are materially affected by any change of circumstances, it may be authorised to exceed the limits for armaments fixed under the present Convention by a unanimous decision of the following High Contracting Parties:...

This provision shall not affect the rights or obligations of the Contracting Parties arising out of their membership of the League of Nations.

*Article ZB.*

(French Draft.)

The Permanent Disarmament Commission may decide by a two-thirds majority that an enquiry is necessary to verify the existence of any of the circumstances adduced by a High Contracting Party as affecting its national security. The enquiry shall be carried out under the conditions laid down in regulations to be drawn up as soon as the present Convention enters into force.

**Second Reading.**

**SECTION IV — PROCEDURE WITH REGARD TO COMPLAINTS AND REVISION.**

First Reading.

(a) If the Permanent Commission is notified by a High Contracting Party of the existence of circumstances materially affecting its national security in consequence of a grave transgression of the Convention of the Limitation of Armaments, it shall call upon the Power or Powers referred to in the application who are not already sitting on the Commission to take part in its proceedings under the conditions laid down in Article OA of the present Chapter.

(b) The Permanent Commission shall decide by a two-thirds majority, excluding the parties to the dispute, whether the enquiry is to be conducted only by an examination of official documents which have been communicated to it, or whether the nature of the facts alleged necessitates an enquiry on the spot.

The High Contracting Parties undertake to afford every assistance to this enquiry, particularly in their respective territories.

(c) The members of the Committee of Enquiry shall be selected by the Permanent Commission from a list of experts duly qualified in the different branches, subject to the limitations provided for in the present Convention. The Permanent Commission shall also appoint the Chairman of the Committee of Enquiry. The list of experts shall be drawn up in pursuance of the proposals of the Governments signatories of the present Convention.

The State involved and the Party making the application may only be represented in the Committee of Enquiry in a purely advisory capacity.

The experts appointed by the Permanent Commission may in no case be subject to the authority of any of the parties to the dispute.

(d) The Permanent Commission shall fix the points on which the enquiry shall bear.

If it is decided that the enquiry may be conducted simply by a study of documents, the Committee of Enquiry shall meet immediately. If, in the course of its proceedings, it needs to consult documents which are not yet at its disposal, its Chairman shall address a request for such documents to the Secretary-General of the League, to whom the States concerned shall forward them as soon as possible.

If, in the opinion of the Permanent Commission, the nature of the infringement necessitates an enquiry on the spot, the Chairman of the Committee of Enquiry shall himself fix the date on which it shall begin such investigation. The State concerned shall be immediately notified by the Secretary-General of the League of Nations.

(e) The Chairman of the Committee of Enquiry shall make a report to the Permanent Commission, in which he shall confine himself to recording the actual facts; the Permanent Commission alone shall pronounce on these facts. If differences of opinion have arisen among the experts, mention must be made of them in the report.

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**Second Reading.**

First Reading.

*Observations  
and Reservations.*

*Article ZC.*

(French Draft.)

In pursuance of the Permanent Commission's report referred to in Article ZA above or the enquiry provided for in Article ZB above, if any, the Council of the League of Nations, acting in virtue of Article 8, paragraph 4, of the Covenant of the League, may authorise a High Contracting Party to exceed, within specific limits and for a specific time, the limitations laid down in the present Convention.

In cases of urgency, the matter may be laid before the Council direct, which may take a decision, if it thinks necessary, without previous enquiry or report.

*Article ZD.*

(French Draft.)

The British delegation reserves its opinion until the second reading as to the desirability of this proposal.

If, during the term of the present Convention, civil aviation in one or more of the contracting countries, or military or civil aviation in one or more of the non-signatory States, experiences such a development as to constitute a possible danger to the security of some of the High Contracting Parties, the latter shall report this change of circumstances to the Permanent Disarmament Commission under the conditions laid down in Article ZA above.

SECTION V. — RATIFICATION — ENTRY INTO FORCE — DENUNCIATION.

*Article EA.*

The German delegation makes a general reservation with regard to Article EA, in view of the fact that the Draft Convention does not yet show whether certain fundamental conditions will be fulfilled; these conditions were formulated during the proceedings at the third session of the Preparatory Commission and, without them, Germany could not regard the Convention as a first step towards general disarmament. In addition, guarantees should be given that this first step will be followed, at suitable intervals, by other steps towards the progressive reduction of armaments.

The present Convention shall not affect the terms of previous treaties, under which certain of the High Contracting Parties have agreed to limit their military, naval or air armaments, and have thus fixed in relation to one another their respective obligations and rights in this connection, the present Convention being within these limits inapplicable between the said Powers.

**Second Reading.**

**SECTION V — RATIFICATION—ENTRY INTO FORCE—DENUNCIATION.**

**First Reading.**

*Observations  
and Reservations.*

*Article EB.*

The present Convention shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods. The instruments of ratification shall be deposited at Geneva.

It shall come into force for each Party whose instrument of ratification has been deposited as soon as the instruments of ratification have been deposited by [list of States to be drawn up by the Conference].

*Article EC.*

The Swedish delegation reserves its opinion on the question until the second reading.

The High Contracting Parties agree to accept reservations which may be made by Estonia, Finland, Latvia, Poland, and Roumania at the moment of their signature of the present Convention, and which shall suspend, in respect of these States, the application of Articles .... of the present Convention until the accession of Russia to the present Convention under the same conditions as the above-named Powers.

*Article ED.*

Each of the High Contracting Parties undertakes that, as soon as the Convention has come into force for it, it will begin the necessary measures for carrying the provisions of the Convention into effect.

*Article EF.*

Reservation by the British delegation, which considers that different periods ought to be prescribed for air and land armaments on the one hand, and naval armaments on the other hand.

Reservation by the French and Italian delegations regarding this question, requiring equal treatment for all three categories of armaments.

The present Convention shall remain in force for ... years as from the exchange of ratifications.

In case none of the High Contracting Parties shall have given notice to terminate two years before the expiration of the said periods, the provisions of the Convention shall continue in force until the expiration of two years from the date on which such notice shall be given by one of the Parties.

If the Party by which such notice is given is among those to be mentioned in the last paragraph of Article EB above, all the High Contracting Parties shall, within one year of the date of the notice, meet in conference to consider the continuance of the provisions to be terminated. In the event of any such conference failing to come to an agreement, accepted by all the Parties other than the Party which has given the notice, as to the continuance of the provisions to be terminated, or as to the substitution of others, they will terminate on the expiration of the two years provided for in the notice.

If the High Contracting Parties, other than the Party which has given notice to terminate, agree upon the terms of other stipulations in substitution for those to be terminated, the latter shall continue in force for all Parties other than that which gave the notice until the coming into force of the new stipulations.

If the Party by which notice to terminate is given is not among those to be mentioned in the last paragraph of Article EB above, the Convention will remain in force for all High Contracting Parties other than that by which the notice was given.

Notices under this Article shall be given to the Secretary-General of the League of Nations and shall be deemed to have been given on the day on which the notice was received by him.



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**Second Reading.**

ANNEX 2.

C.P.D.230.

CHAPTER II. — SECTION II OF THE DRAFT CONVENTION.

LIMITATION OF NAVAL MATERIAL.

Geneva, November 10th, 1930.

DRAFT SUBMITTED BY THE AMERICAN, BRITISH, CANADIAN, FRENCH, IRISH FREE STATE, ITALIAN<sup>1</sup> AND JAPANESE DELEGATIONS, AS BASIS OF DISCUSSION FOR THE PREPARATORY COMMISSION.

*Note.* — Such figures as appear in the following draft correspond to those agreed on in the Treaties of Washington and London.

*Article A.*

The High Contracting Parties agree to limit the total (global) tonnage of their vessels of war, other than exempt vessels (as specified in Annex I to this document) and special vessels mentioned in Annex II to this document, to the figures laid down in Table I.

These figures give the tonnage which shall not be exceeded during the term of the present Treaty.

*Article B.*

Table II shows, by tonnage per category, the way in which each High Contracting Party intends to distribute, during the period of application of the Convention, the total (global) tonnage which it has limited to the figure indicated, as far as it is concerned, in Table I.

The maximum displacement and gun-calibre limits of the several categories shall be as laid down in this Treaty.<sup>2</sup>

*Article C.*

Within the limits of the total (global) tonnage shown for each High Contracting Party in Table I, and in the absence of more strict conditions resulting from special conventions to which it is or may become a party, each of the High Contracting Parties may effect a transfer of the tonnage indicated for it in the different categories in Table II, subject to the two following conditions:

(1) The tonnages by category shown for each High Contracting Party in Table II shall in no case be the object of increase beyond the figures shown for it in Table III.

(2) Before the laying down of the ship or ships for the construction of which the transferred tonnage has been assigned, due notice must be given to all of the other High Contracting Parties of the amount of tonnage transferred, the length of such notice being that laid down for each of the High Contracting Parties in Table III.

*Article D.*

No capital ship shall exceed 35,000 tons (35,560 metric tons) standard displacement or carry a gun exceeding 16 inches (406 mm.) in calibre.

*Article E.*

1. No aircraft-carrier shall exceed 27,000 tons (27,432 metric tons) standard displacement or carry a gun with a calibre in excess of 8 inches (203 mm.).

2. No aircraft-carrier of 10,000 tons (10,160 metric tons) or less standard displacement shall carry a gun exceeding 6.1 inches (155 mm.) in calibre.

<sup>1</sup> Regarding methods of limitation of naval material, the Italian delegation wishes to place on record its general reservation made at the London Conference, to the effect that the Italian Government cannot definitely accept one method rather than another until ratios of strength and maximum levels of tonnage have been agreed upon by the different Powers.

<sup>2</sup> With reference to Articles A and B, the Italian delegation expressed the opinion that they should be replaced by a single article stating:

“ The limitation of naval armament accepted by each of the High Contracting Parties is indicated in the annexed Table . . . ”

which might be the Table II attached to this document. Consequently, the Italian delegation is in favour of suppressing Table I.

3. If the armament carried includes guns exceeding 6.1 inches (155 mm.) in calibre, the total number of guns carried, except anti-aircraft guns and guns not exceeding 5.1 inches (130 mm.) shall not exceed ten. If, alternatively, the armament contains no guns exceeding 6.1 inches (155 mm.) in calibre, the number of guns is not limited. In either case, the number of anti-aircraft guns and of guns not exceeding 5.1 inches (130 mm.) in calibre is not limited.

(The two following articles appear in Part III of the London Naval Treaty, and are quoted as examples of supplementary restrictions which certain High Contracting Parties may be prepared to assume.)

*Article F.*

Not more than 25 per cent of the allowed total tonnage in the cruiser category may be fitted with a landing-on platform or deck for aircraft.

*Article G.*

In the destroyer category, not more than 16 per cent of the allowed total tonnage shall be employed in vessels of over 1,500 tons (1,524 metric tons) standard displacement.

*Article H.*

No submarine shall exceed 2,000 tons (2,032 metric tons) standard displacement or carry a gun exceeding 5.1 inches (130 mm.) in calibre.

*Article J.*

No vessel of war exceeding the limitations as to displacement or armament prescribed by the present Convention shall be acquired by, or constructed by, for or within the jurisdiction of, any of the High Contracting Parties.

*Article K.*

In regard to vessels of war limited by the present Treaty, the High Contracting Parties agree to be bound by the rules for replacement set out in Annex IV to this document.

*Article L.*

Within one month after the date of laying down and the date of completion respectively of each vessel of war, other than the vessels exempt from limitation as defined in Annex I to this document, laid down or completed by or for them or within their jurisdiction after the coming into force of the present Treaty, the High Contracting Parties shall communicate to each of the other High Contracting Parties the information detailed below:

(a) The date of laying down the keel and the following particulars:

Classification of the vessel and for whom built (if not for the High Contracting Party), standard displacement in tons and metric tons. Principal dimensions—namely, length of water-line, extreme beam at or below water-line. Mean draught at standard displacement. Calibre of the largest gun;

(b) The date of completion, together with the foregoing particulars relating to the vessel at that date.

*Article M.*

No preparation shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6.1 inches (155 mm.) calibre.

*Article N.*

In the event of a High Contracting Party being engaged in war, such Power shall not use as a vessel of war any vessel of war which may be under construction within its jurisdiction for any other Power, or which may have been constructed within its jurisdiction for another Power and not delivered.

*Article O.*

Each of the High Contracting Parties undertakes not to dispose—by gift, sale or any mode of transfer—of any vessel of war in such a manner that such vessel may become a vessel of war in the navy of any foreign Power.

Any vessels of war which have to be disposed of as being surplus to the tonnage figures allowed by this Treaty shall be disposed of in accordance with the rules given in Annex V to this document.

*Article P.*

Existing ships of various types, which, prior to April 1st, 1930, have been used as stationary training establishments or hulks, may be retained in a non-seagoing condition.

Table I.

High Contracting Party	Total (global) tonnage
A B C D	

Table II.

Categories (defined in Annex III to this document)	High Contracting Parties						
	A	B	C	D	E	F	G
(a) Capital ships							
(b) Aircraft-carriers							
(cd) Light surface vessels {							
(d) Destroyers							
(e) Submarines							

Table III. — Rules for Transfer.

Annex I.

EXEMPT VESSELS.

The following vessels are exempt from limitation:

(a) Naval surface combatant vessels of 600 tons (610 metric tons) standard displacement and under;

(b) Naval surface combatant vessels exceeding 600 tons (610 metric tons), but not exceeding, 2,000 tons (2,032 metric tons) standard displacement, provided they have none of the following characteristics:

- (1) Mount a gun above 6.1 inches (155 mm.) calibre;
- (2) Mount more than four guns above 3 inches (76 mm.) calibre;
- (3) Are designed or fitted to launch torpedoes;
- (4) Are designed for a speed greater than twenty knots.

(c) Naval surface vessels not specifically built as fighting ships which are employed on fleet

duties or as troop transports or in some other way than as fighting ships, provided they have none of the following characteristics:

- (1) Mount a gun above 6.1 inches (155 mm.) calibre;
- (2) Mount more than four guns above 3 inches (76 mm.) calibre;
- (3) Are designed or fitted to launch torpedoes;
- (4) Are designed for a speed greater than twenty knots;
- (5) Are protected by armour-plate;
- (6) Are designed or fitted to launch mines;
- (7) Are fitted to receive aircraft on board from the air;
- (8) Mount more than one aircraft-launching apparatus on the centre line; or two, one on each broadside;
- (9) If fitted with any means of launching aircraft into the air, are designed or adapted to operate at sea more than three aircraft.

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Annex II.

LIST OF SPECIAL VESSELS.

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Annex III.

DEFINITIONS.

For the purposes of the present Treaty, the following expressions are to be understood in the sense defined in this part.

(a) *Capital Ships.*

A capital ship, except in the case of the existing ships specified in Annex II, is defined as a vessel of war, not an aircraft-carrier, whose displacement exceeds 10,000 tons (10,160 metric tons) standard displacement, or which carries a gun with a calibre exceeding 8 inches (203 mm.).

(b) *Aircraft-carrier.*

The expression "Aircraft-carrier" includes any surface vessel of war, whatever its displacement, designed for the specific and exclusive purpose of carrying aircraft and so constructed that aircraft can be launched therefrom and landed thereon.

(c) *Cruisers.*

A cruiser is a surface vessel of war, other than a capital ship or aircraft-carrier, the standard displacement of which exceeds 1,850 tons (1,880 metric tons) or with a gun above 5.1 inches (130 mm.) calibre.

The cruiser category is divided into two sub-categories, as follows:

- (i) Cruisers carrying a gun above 6.1 inches (155 mm.) calibre;
- (ii) Cruisers carrying a gun not above 6.1 inches (155 mm.) calibre.

(cd) *Light Surface Vessels.*

Light surface vessels of war the standard displacement of which does not exceed 10,000 tons, and with guns not exceeding 8 inches calibre. These are divided into two sub-categories, as follows:

- (i) Vessels carrying a gun above 6.1 inches (155 mm.) calibre;
- (ii) Vessels carrying a gun not above 6.1 inches (155 mm.) calibre.

(d) *Destroyers.*

Surface vessels of war the standard displacement of which does not exceed 1,850 tons (1,880 metric tons) and with a gun not above 5.1 inches (130 mm.) calibre.

*Standard Displacement.*

1. The standard displacement of a surface vessel is the displacement of the vessel complete, fully manned, engined and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of

every description that are intended to be carried in war, but without fuel or reserve feed water on board.

2. The standard displacement of a submarine is the surface displacement of the vessel complete (exclusive of the water in non-watertight structure), fully manned, engined and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel, lubricating oil, fresh water or ballast water of any kind on board.

3. Each naval combatant vessel shall be rated at its displacement tonnage when in the standard condition.

The word "ton", except in the expression "metric ton", shall be understood to be the ton of 2,240 pounds (1,016 kilogrammes).

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#### Annex IV.

##### RULES FOR REPLACEMENT.

1. Except as provided in paragraph 4 of this Annex, no vessel limited by this Treaty shall be replaced until it becomes "over-age".

2. A vessel shall be deemed to be "over-age" when the following number of years have elapsed since the date of its completion:

(a) Capital ships: 20<sup>1</sup> years, subject to special provision as may be necessary for the replacement of existing ships.

(b) Aircraft-carriers: 20 years, subject to special provision as may be necessary for existing ships.

(c) Surface vessels exceeding 3,000 tons (3,048 metric tons) but not exceeding 10,000 tons (10,160 metric tons) standard displacement:

(1) If laid down before January 1st, 1920, 16 years.

(2) If laid down after December 31st, 1919, 20 years.

(d) Surface vessels not exceeding 3,000 tons (3,048 metric tons) standard displacement:

(1) If laid down before January 1st, 1921, 12 years.

(2) If laid down after December 31st, 1920 16 years.

(e) Submarines: 13 years.

3. The keels of replacement tonnage shall not be laid down more than three years before the year in which the vessel to be replaced becomes "over-age"; but this period is reduced to two years in the case of any replacement surface vessel not exceeding 3,000 tons (3,048 metric tons) standard displacement.

The right of replacement is not lost by delay in laying down replacement tonnage.

4. In the event of loss or accidental destruction, a vessel may be replaced immediately, but such replacement tonnage shall be subject to the limits of displacement and other provisions of this Treaty.

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#### Annex V.

##### RULES FOR DISPOSAL OF VESSELS OF WAR.

The present Treaty provides for the disposal of vessels of war in the following ways:

- (1) By scrapping (sinking or breaking up);
- (2) By converting the vessel to a hulk;
- (3) By converting the vessel to target use exclusively;
- (4) By retaining the vessel exclusively for experimental purposes;
- (5) By retaining the vessel exclusively for training purposes.

Any vessel of war to be disposed of may either be scrapped or converted to a hulk at the option of the High Contracting Party concerned.

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<sup>1</sup> Under the London Treaty, certain Powers agreed not to exercise their rights to lay down the keels of capital ship replacement tonnage during the years 1931 to 1936 inclusive, as provided in the Washington Treaty.

Vessels which have been retained for target, experimental or training purposes shall finally be scrapped or converted to hulks.

*Section I. — Vessels to be scrapped.*

(a) A vessel to be disposed of by scrapping, by reason of its replacement, must be rendered incapable of warlike service within six months of the date of the completion of its successor, or of the first of its successors if there are more than one. If, however, the completion of the new vessel or vessels be delayed, the work of rendering the old vessel incapable of warlike service shall, nevertheless, be completed within four and a-half years from the date of laying the keel of the new vessel, or of the first of the new vessels; but, should the new vessel, or any of the new vessels, be a surface vessel not exceeding 3,000 tons (3,048 metric tons) standard displacement, this period is reduced to three and a-half years.

(b) A vessel to be scrapped shall be considered incapable of warlike service when there shall have been removed and landed or else destroyed in the ship:

- (1) All guns and essential parts of guns, fire-control tops and revolving parts of all barbets and turrets;
- (2) All hydraulic or electric machinery for operating turrets;
- (3) All fire-control instruments and range-finders;
- (4) All ammunition, explosives, mines and mine rails;
- (5) All torpedoes, war-heads, torpedo-tubes and training-racks;
- (6) All wireless telegraphy installations;
- (7) All main propelling machinery, or, alternatively, the armoured conning-tower and all side armour-plate;
- (8) All aircraft cranes, derricks, lifts and launching apparatus. All landing-on or flying-off platforms and decks, or, alternatively, all main propelling machinery;
- (9) In addition, in the case of submarines, all main storage batteries, air-compressor plants and ballast pumps.

(c) Scrapping shall be finally effected in either of the following ways within twelve months of the date on which the work of rendering the vessel incapable of warlike service is due for completion:

- (1) Permanent sinking of the vessel;
- (2) Breaking the vessel up; this shall always include the destruction or removal of all machinery, boilers and armour, and all deck, side and bottom plating.

*Section II. — Vessels to be converted to Hulks.*

A vessel to be disposed of by conversion to a hulk shall be considered finally disposed of when the conditions prescribed in Section I, paragraph (b), have been complied with, omitting sub-paragraphs (6), (7) and (8), and when the following have been effected:

- (1) Mutilation beyond repair of all propeller-shafts, thrust-blocks, turbine-gearing or main propelling motors, and turbines or cylinders of main engines;
- (2) Removal of propeller-brackets;
- (3) Removal and breaking up of all aircraft lifts, and the removal of all aircraft cranes, derricks and launching apparatus.

The vessel must be put in the above condition within the same limits of time as provided in Section I for rendering a vessel incapable of warlike service.

*Section III. — Vessels to be converted to Target Use.*

(a) A vessel to be disposed of by conversion to target use exclusively shall be considered incapable of warlike service when there have been removed and landed, or rendered unserviceable on board, the following:

- (1) All guns;
- (2) All fire-control tops and instruments and main fire-control communication wiring;
- (3) All machinery for operating gun-mountings or turrets;
- (4) All ammunition, explosives, mines, torpedoes and torpedo-tubes;
- (5) All aviation facilities and accessories.

The vessel must be put into the above conditions within the same limits of time as provided in Section I for rendering a vessel incapable of warlike service.

(b) In addition to the rights already possessed by each High Contracting Party under the Washington Treaty, each High Contracting Party is permitted to retain, for target use exclusively, at any one time:

- (1) Not more than three vessels (cruisers or destroyers), but of these three vessels only one may exceed 3,000 tons (3,048 metric tons) standard displacement;
- (2) One submarine.

(c) On retaining a vessel for target use, the High Contracting Party concerned undertakes not to recondition it for warlike service.

*Section IV. — Vessels retained for Experimental Purposes.*

(a) A vessel to be disposed of by conversion to experimental purposes exclusively shall be dealt with in accordance with the provisions of Section III (a) of this Annex.

(b) Without prejudice to the general rules, and provided that due notice be given to the other High Contracting Parties, reasonable variation from the conditions prescribed in Section III (a) of this Annex, in so far as may be necessary for the purposes of a special experiment, may be permitted as a temporary measure.

Any High Contracting Party taking advantage of this provision is required to furnish full details of any such variation and the period for which they will be required.

(c) Each High Contracting Party is permitted to retain for experimental purposes exclusively at any one time:

- (1) Not more than two vessels (cruisers or destroyers), but of these two vessels only one may exceed 3,000 tons (3,048 metric tons) standard displacement;
- (2) One submarine.

(d) On retaining a vessel for experimental purposes, the High Contracting Party concerned undertakes not to recondition it for warlike service.

*Section V. — Vessels retained for Training Purposes.*

(a) Each High Contracting Party is permitted to retain for training purposes exclusively the following vessels:

(b) Vessels retained for training purposes under the provisions of paragraph (a) shall, within six months of the date on which they are required to be disposed of, be dealt with as follows:

*1. Capital Ships.*

The following is to be carried out:

(1) Removal of main armament guns, revolving parts of all barbettes and turrets; machinery for operating turrets; but three turrets with their armament may be retained in each ship;

(2) Removal of all ammunition and explosives in excess of the quantity required for target-practice training for the guns remaining on board;

(3) Removal of conning-tower and the side-armour belt between the foremost and aftermost barbettes;

(4) Removal or mutilation of all torpedo-tubes;

(5) Removal or mutilation on board of all boilers in excess of the number required for a maximum speed of eighteen knots.

*2. Other Surface Vessels.*

The following is to be carried out:

(1) Removal of one-half of the guns, but four guns of main calibre may be retained on each vessel;

(2) Removal of all torpedo-tubes;

(3) Removal of all aviation facilities and accessories;

(4) Removal of one-half of the boilers.

(c) The High Contracting Party concerned undertakes that vessels retained in accordance with the provisions of this section shall not be used for any combatant purpose.



ANNEX 3.

REPORT BY THE SUB-COMMITTEE ENTRUSTED WITH THE EXAMINATION  
OF CERTAIN PARTS OF CHAPTER V.

Geneva, November 25th, 1930.

WITH APPENDIX SHOWING THE PROPOSALS AND AMENDMENTS PUT FORWARD BY THE BRITISH,  
TURKISH, FRENCH AND CHINESE DELEGATIONS.

I. The Sub-Committee appointed to examine the various texts relating to Chapter V, Sections I and IV, unanimously approved the principle that a permanent organ (Permanent Disarmament Commission) should be constituted to supervise the application of the Convention for the Reduction and Limitation of Armaments.

II. On the basis of the various texts<sup>1</sup> submitted to it by different delegations, the Sub-Committee studied the following questions:

- (a) The competence of the Permanent Disarmament Commission.
- (b) The composition of the Commission and the appointment of its members.
- (c) Working of the Commission.

*Competence of the Commission.*

The Sub-Committee has come to the conclusion that the Commission might usefully be entrusted with various duties: first, the centralisation and examination of information concerning the application of the Convention; secondly, the examination of complaints concerning any non-observance of the Convention; thirdly, to express an opinion regarding the situation which would arise if at any time—as an exceptional circumstance—the Convention were suspended; finally, the examination of requests for revision as a result of circumstances materially affecting the requirements of the national security of the contracting parties.

1. *Information.* — The first duty of the Permanent Disarmament Commission would be to examine all the information supplied by the contracting parties in execution of their international obligations regarding disarmament, and it might also take into account all other information received by it from authorised sources which it might think desirable to consider. The Commission's rules of procedure would have to specify what should be understood by "authorised sources".

This duty would not merely be that normally and regularly incumbent upon the Permanent Disarmament Commission. It would be the essential duty of the Commission, characterising the whole of its work and rendering it an essential organ of the system defined in the Convention, an organ instructed to follow the application of the Convention, to sum up each year the state of affairs, to note the development of mutual confidence between the contracting parties and to draw attention, if necessary, to any errors or omissions which experience may reveal in the existing texts.

2. *Complaints.* — Another—and it is to be hoped exceptional—duty of the Commission would be to receive any complaints submitted by one of the contracting parties regarding a breach or attempted breach of the Convention by another contracting party. It would have to classify and examine the facts and express an opinion concerning them.

The procedure in the case of complaints might be as follows:

- (a) A complaint would be lodged by one of the contracting parties;
- (b) The contracting party whose acts had given rise to the complaint would be heard if it so desired, and, if necessary, representatives of any other party specially interested in the question would also be heard if that party so requested;
- (c) A report would be submitted to the contracting parties and to the Council of the League. It would be published with as little delay as possible.

The Sub-Committee thought that, after the Commission had reported to the effect that the Convention had, in fact, been infringed, the contracting parties would have to consider all the steps deemed by them to be appropriate and effective, that they would be able to take to ensure respect for the Convention and safeguard international peace.

One possible step might be the revision of the clauses of the Convention affected by a proved breach of the Convention.

A contracting party which regarded the proved infraction as a change of circumstances likely to endanger its national security might, however, avail itself of the exceptional right defined in Article XA.

Naturally, in this connection, all the pacific procedure laid down in international agreements in force, particularly in the Covenant of the League of Nations, might in this case be applied.

<sup>1</sup> *Note by the Secretariat.* — See Appendix for the proposals and amendments put forward by the British, Turkish, French and Chinese delegations.

Thus, as regards the relations *inter se* of the contracting parties Members of the League of Nations, the Council would retain all the powers it possesses under the Covenant to support any action on the part of the contracting parties with a view to re-establishing friendly understanding between them.

The American delegation expressed certain doubts as to the advisability of the clause on procedure in respect of complaints, and reserved the right to give the matter further consideration.

3. *Derogations.* — The third function of the Permanent Disarmament Commission relates to the system of derogations. In this connection, the Sub-Committee was led to examine the texts proposed at first reading under Article XA, as it unanimously recognised that the measures contemplated therein was of so grave a nature as to be inadmissible save in wholly exceptional circumstances and subject to adequate guarantees against abuse. On the proposal of the United States delegation, the Sub-Committee took the view that the system of derogations should be limited to the case of a change of circumstances constituting a menace to the national security of a contracting party. That party might then decide, as far as it was itself concerned, to suspend temporarily the whole or part of the Convention, provided that it immediately notified the other contracting parties and the Permanent Disarmament Commission of its decision and the reasons therefor. The decision might involve a corresponding suspension of the Convention on the part of the other contracting parties. All these measures, too, would be temporary, and would have to be cancelled as soon as the change of circumstances which had brought about the first of them ceased to exist. The situation thus created would have to be examined at once by the Permanent Commission, and then the contracting parties would have to decide on a course of action.

The measures thus contemplated might include the revision of the Convention.

Obviously, that would not mean any modification of the rights held by or duties incumbent upon the contracting parties Members of the League and the Council of the League respectively under the League Covenant.

4. *Revision of the Convention.* — Finally, the Permanent Disarmament Commission might have a last function—namely, to give its opinion if the revision of the Convention were asked for apart from the cases provided for above.

The French delegation had in mind the possibility that, during the period of the Convention, fresh circumstances might arise which would seriously modify the conditions under which the Convention was concluded. It proposed that, in such a case, the contracting party concerned might call for a meeting of the Commission for the purpose of determining whether the circumstances invoked were such as to justify a total or partial revision of the Convention.

The Sub-Committee was of opinion that this question would be best placed in the final provisions of the Convention, which, according to a British proposal, will deal with the revision of the Convention. The Sub-Committee therefore decided to adjourn its consideration of the question, and the French delegation reserved the right to submit a text supplementing the British amendment in the sense indicated above.

#### *Composition and working of the Commission.*

As regards the composition of the Commission, two systems were contemplated:

- (1) That the Commission should be composed of representatives of all the contracting parties;
- (2) That the Commission should have a limited number of members.

The majority<sup>1</sup> of the Sub-Committee was of opinion that, if the Commission wished to work satisfactorily in practice, the principle of universal representation on the Commission would have to be discarded and the Commission kept as small as possible. It considered, however, that any decision regarding the precise number of members of the Commission and the method of deciding which States should be entitled to appoint them must be left to the Conference, as such a decision is definitely of a political character. The Preparatory Commission might thus simply give a general direction to the effect [that the Commission should consist of a limited number of members, mentioning in its report the various systems contemplated regarding the selection of the States which would appoint members to the Commission—Members of the Council during their term of office and perhaps two or three States non-Members (British proposal); Members of the Council, States non-Members, to be nominated by the Conference, and a few other States Members of the League, a list of which would be drawn up by the Conference (French proposal); election by the Conference of a number of States fulfilling special conditions (Chinese proposal).

The Governments of the States nominated by the Conference would each appoint a member of the Commission.

The large majority of the Sub-Committee was of opinion that these members should not, strictly speaking, be Government representatives, but should exercise their duties in full independence. They should be appointed for a fixed period during which they should not be replaceable except in the event of voluntary resignation or serious and permanent illness.

The French delegation, however, showed that it would have preferred a Commission consisting of technical experts appointed by their Governments. The experts would not represent their Governments and would only give expert technical opinions on questions of a technical character

<sup>1</sup> Six members (Belgium, the United States of America, Great Britain, France, Italy and Japan) voted against universal representation on the Commission and three members (Finland, China and Turkey) voted for that system.

which come within the competence of the Commission. They would thus in no way prejudice the political conclusions to be drawn from such opinions by the Governments themselves.

As regards the working of the Commission, the Sub-Committee was of opinion that it would not be desirable to draw up in advance a rigid procedure, but thought it better that, in this matter, the Permanent Commission should be given the widest possible powers in framing its Rules of Procedure, while basing them on the provisions and the spirit of the Convention. These rules would have, *inter alia*, to prescribe the rules for the election of the President and Vice-President, to define in what circumstances the Commission could, in accordance with Article IF, take into consideration any unofficial information it might receive regarding the execution of the Convention, and to fix the date, referred to in the same article, for the publication of its annual report.

The Sub-Committee has simply prepared, with regard to the working of the Commission, a number of brief but essential texts which do not require special comment.

It was suggested in the Sub-Committee that it might be useful to insert in the final clause of the Convention a text to the effect that disputes concerning the interpretation of the application of the Convention would be submitted to the Permanent Court of International Justice or to a suitable arbitral tribunal.

C.P.D.212.

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Appendix.

Geneva, November 6th, 1930.

PROPOSAL SUBMITTED BY THE BRITISH DELEGATION.

The British delegation submits the following draft, to take the place of the sections in the first-reading text dealing with "Organisation" and "Procedure with regard to Complaints and Revision" (Articles OA, ZA, ZE, ZB, ZC, ZD):

*Article I.*

The High Contracting Parties recognise that any violation of the provisions of this Convention is a matter of concern to all the parties.

*Article II.*

There shall be set up at the seat of the League of Nations a "Permanent Disarmament Commission". The Commission shall consist of one nominee of each of the following States, being parties to the present Convention: the Members of the League represented for the time being on the Council of the League, the United States of America, and the Union of Soviet Socialist Republics.

The Permanent Disarmament Commission shall be summoned by the Secretary-General of the League of Nations.

At any meeting, members shall constitute a quorum.

All decisions of the Commission shall be adopted by a majority of the votes of the members present at the meeting. In case of equality of votes, the Chairman shall have a casting vote.

Members of the Commission shall be selected for their personal merits and competence, and shall not hold any office which puts them in a position of dependence on their Governments while members of the Commission.

*Article III.*

The Permanent Disarmament Commission shall receive all the information supplied by the High Contracting Parties to the Secretary-General of the League in pursuance of their international obligations in this regard; in particular, Article 8 of the Covenant and the provisions of the present Convention.

Each year the Permanent Disarmament Commission shall make at least one report on the information submitted to it and on any other information that may be available to it, showing the situation as regards fulfilment of the present Convention. Each member of the Commission shall be entitled to demand that account shall be taken in this report of the opinions or suggestions put forward by him, if necessary, in the form of a minority report.

All reports shall be communicated forthwith to all the High Contracting Parties and to the Council of the League, and shall simultaneously be published. Such reports shall include an annual report, which shall be so communicated and published not later than May 31st in each year.

*Article IV.*

If, during the term of the present Convention, a High Contracting Party is of opinion that another party to the Convention is maintaining armaments in excess of the figures agreed upon, or is making such changes in his armaments, or is embarking on such preparations as are likely to disturb international relations or the good understanding between nations, or is in any way violating the provisions of the present Convention, such party may lay the matter, through the Secretary-General of the League, before the Permanent Disarmament Commission. The Commission, after hearing a representative of the High Contracting Party whose action is questioned, should such party so desire, and the representative of any other party whom the

Commission may regard as specially concerned in the matter, shall present a report thereon to the High Contracting Parties and the Council of the League. The report and any proceedings thereon shall be published as soon as possible. The High Contracting Parties and the Council shall thereupon take any action open to them which they may deem wise and effectual to safeguard the peace of nations.

C.P.D.262.

Geneva, November 21st, 1930.

AMENDMENTS PROPOSED BY THE FRENCH DELEGATION TO THE BRITISH DELEGATION'S PROPOSAL  
(document C.P.D.212).

The following amendments to the British proposals contained in document C.P.D.212, together with the other French proposals which will shortly be distributed concerning the execution of the Convention and the procedure with regard to complaints and revision, are intended to replace the provisions which the French delegation put forward at the first reading in Articles OA, IF, ZA, ZB, ZE, ZC, and ZD.

While putting forward these new proposals, the French delegation continues to think that international supervision is the necessary and natural complement of any convention on the limitation of armaments. But, as it does not appear likely that unanimity can be reached in the Commission on provisions involving strict supervision and investigations on the spot, the French delegation is ready to consider a less complete system which would nevertheless make it possible to supervise—and to a large extent ensure the execution of—the obligations laid down in the provisions *adopted* up to the present at the first and second readings, both with regard to the limitation of armaments and with regard to the exchange of information between the contracting parties.

This system might be based on a procedure making it possible, in the case of a breach of the Convention, either to put an end to this breach or to revise the provisions of the Convention.

*Article I.*

1. There shall be set up at the seat of the League of Nations a Permanent Disarmament Commission consisting of delegations of experts appointed respectively by the Governments of the High Contracting Parties mentioned in paragraph 2 of the present article.

2. The following may appoint delegations to this Commission:

(a) The High Contracting Parties Members of the Council of the League for the duration of their term of office on the Council, and the following High Contracting Parties Members of the League (list to be drawn up by the Conference);

(b) The High Contracting Parties not Members of the League of Nations (or certain of them, as appointed by the Conference).

3. The Commission shall be summoned by the Secretary-General of the League of Nations at least once a year, and also whenever a High Contracting Party requests.

*Article II.*

1. The Commission shall have full power to draw up its Rules of Procedure according to the principles fixed in the present chapter.

2. Each delegation may, on its own responsibility, ask the Commission to hear or consult any person likely to throw light on the questions under consideration.

3. Each of the delegations shall have one vote.

4. The Commission's reports shall be immediately communicated to each of the High Contracting Parties and to the Council of the League of Nations, and shall be published.

*Article III.*

1. The Commission shall receive all the information supplied by the High Contracting Parties to the Secretary-General of the League in pursuance of their international obligations in this regard—in particular, the provisions of the present Convention.

2. Each year the Commission shall make at least one report on the above-mentioned information transmitted to it by the Secretary-General and on any other information communicated to it by any of its members. This report shall outline the existing situation with regard to the execution of the present Convention, and shall in any case be communicated and published not later than June 30th in each year.

C.P.D.264.

Geneva, November 21st, 1930.

CONTINUATION OF THE AMENDMENTS PROPOSED BY THE FRENCH DELEGATION (document C.P.D.262)  
TO THE BRITISH DELEGATION'S PROPOSAL (document C.P.D.212).

*Article IV*

1. The High Contracting Parties recognise that any violation of the provisions of this Convention is a matter of concern to all the parties.

2. If one of the High Contracting Parties considers that such a violation has been committed, it may lay the matter before the Permanent Disarmament Commission through the Secretary-General. The High Contracting Party whose armaments have given rise to this complaint, and that or those whom this violation may particularly affect, may supply the Commission with any explanations they consider advisable.

3. Within a period not exceeding three months from the time the complaint was brought, the Commission must state whether, in its opinion, any clauses of the Convention have been and remain violated. This opinion may be formulated by a majority vote, excluding the votes of the High Contracting Party making the complaint and of those complained against. If necessary, a minority report may be presented.

4. The refusal of the High Contracting Party complained against to supply the explanations requested by the Commission, or the finding that a provision of the Convention has been and remains violated, shall give any High Contracting Party concerned the right to ask for a revision of the clauses affected by this violation. With a view to this revision, the High Contracting Parties shall meet in conference under the conditions provided for in Article . . . , and the clauses in question shall provisionally cease to be compulsory.

#### *Article V.*

1. If, before the expiration of the present Convention, a High Contracting Party considers that the requirements of its national security are materially affected by new circumstances arising, in particular, either from the derogations referred to in Article ZA or from an unforeseen development or transformations in civil aeronautics or other material, it may call a meeting of the Permanent Disarmament Commission in order to determine whether these circumstances are such as to justify a total or partial revision of the clauses of the Convention.

2. The opinion of the Permanent Disarmament Commission may be formulated by a majority vote. If necessary, a minority report may be presented.

3. If the opinion is in the affirmative, the High Contracting Parties agree that, at the request of any High Contracting Party concerned, they will meet in conference under the conditions laid down in Article . . . to proceed to the revision of the said clauses.

C.P.D.238.

Geneva, November 13th, 1930.

#### AMENDMENT SUBMITTED BY THE TURKISH DELEGATION.

#### *Article OA.*

There shall be created a Permanent Disarmament Commission consisting of one representative of each of the High Contracting Parties.

The Commission shall set up the Committees necessary for the preparatory examination of the questions coming within its competence in virtue of the present Convention. The members of those Committees shall be appointed by the Permanent Commission from among its own members in such a way that each of the High Contracting Parties is represented on one of the Committees.

The Permanent Disarmament Commission shall be summoned by its President in office.

Decisions of the Commission shall be taken by unanimous vote of the members present at the meeting for questions relating to revision and complaints. In the case of complaints, the votes of the representatives of the parties shall not be counted for purposes of unanimity.

The Commission shall determine the procedure of the Committees and shall prepare its own Rules of Procedure at its first session.

C.P.D.265.

Geneva, November 22nd, 1930.

#### AMENDMENTS PROPOSED BY THE CHINESE DELEGATION TO THE BRITISH PROPOSAL (document C.P.D.212).

#### *Article II.*

There shall be set up at the seat of the League of Nations a Permanent Disarmament Commission composed of . . . members elected by the Conference from among the representatives of the High Contracting Parties.

Any one of the High Contracting Parties may be elected in virtue of one or other of the following two provisions:

(a) That it shall be a Member or retiring member of the Council of the League of Nations;

(b) That it shall be a Member or non-Member of the League of Nations, but shall occupy, in regard to the problem of disarmament, a special position as the result of geographical situation, population and territorial limits.

Members of the Commission shall be selected for their personal merits and competence and shall not hold any office which puts them in a position of dependence on their Governments while Members of the Commission.

Members of the Commission shall be elected for . . . years. They shall be re-eligible.

The Commission shall elect a President and two Vice-Presidents.  
The Commission shall be summoned by its President.

*Article III.*

The Commission may constitute sub-committees for the preparatory examination of questions coming within its competence in virtue of the present Convention.

In discussions relating to revision and complaints, decisions of the Commission shall be adopted by the unanimous vote of the members present at the meeting. In the case of complaints, the votes of the representatives of the parties shall not be counted for purposes of unanimity.

For other decisions of the Commission, a majority of the votes of the members present shall be sufficient. In case of equality of votes, the President shall have a casting vote.

High Contracting Parties not sitting on the Commission shall be entitled to be represented at discussions which concern them.

(Article III of the British proposal follows, becoming Article IV.)

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ANNEX 4.

C.P.D.279.

Geneva, November 25th, 1930.

CHAPTER V. — MISCELLANEOUS PROVISIONS.

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TEXTS PROPOSED BY THE SUB-COMMITTEE.

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SECTION I. — ORGANISATION.

*New Article OA.*

There shall be set up at the seat of the League of Nations a Permanent Disarmament Commission with the duty of following the execution of the present Convention. It shall consist of . . . (figure to be fixed by the Conference) members appointed respectively by the Governments of the following High Contracting Parties . . . (list to be drawn up by the Conference).

Members of the Commission shall not represent their Governments. They shall be appointed for . . . years, but shall be re-eligible. During their term of office, they may be replaced only on death or in the case of voluntary resignation or serious and permanent illness.

They may be assisted by technical experts.

*Article OB.*

The Commission shall meet for the first time, on being summoned by the Secretary-General of the League of Nations, within three months from the entry into force of the present Convention, to elect a provisional President and Vice-President.

There after, it shall meet annually in ordinary session on the date fixed in its Rules of Procedure.

It may also, if summoned by its President, meet in extraordinary session in the cases provided for in the present Convention and whenever an application to that effect is made by a High Contracting Party.

*Article OC.*

The Commission shall have full power to lay down its own Rules of Procedure on the basis of the provisions of the present Convention.

*Article OD.*

The Commission may only transact business if at least two-thirds of its members are present.

*Article OE.*

Any High Contracting Party not having a member of its nationality on the Commission shall be entitled to send a member appointed for the purpose to sit at any meetings of the Commission during which a question specially affecting the interests of that party is considered.

*Article OF.*

Each member of the Commission shall have only one vote.

All decisions of the Commission shall be adopted by a majority of the votes of the members present at the meeting.

In the cases provided for in Articles . . . (cases of complaint and cases of threats to national security), the votes of members appointed by the parties concerned in the discussion shall not be counted in determining the majority.

A minority report may be drawn up.

*Article OG.*

Each member of the Commission shall be entitled on his own responsibility to have any person heard or consulted who is in a position to throw any light on the question which is being examined by the Commission.

*Article OH.*

Each member of the Commission shall be entitled to demand that, in any report by the Commission, account shall be taken of the opinions or suggestions put forward by him—if necessary, in the form of a separate report.

*Article OI.*

All reports by the Commission shall, under conditions specified in each case in the present Convention, or in the Rules of Procedure of the Commission, be communicated to all the High Contracting Parties and to the Council of the League of Nations and shall be published.

SECTION II. — EXCHANGE OF INFORMATION.

*New Article IF.*

The Permanent Disarmament Commission shall receive all the information supplied by the High Contracting Parties to the Secretary-General of the League in pursuance of their international obligations in this regard.

Each year the Commission shall make at least one report on the information submitted to it and on any other information that may reach it from an authorised source and that it may consider worth attention, showing the situation as regards the fulfilment of the present Convention.

All reports shall be communicated forthwith to all the High Contracting Parties and to the Council of the League, and shall be published on the date fixed in the Rules of Procedure of the Commission.

SECTION III — DEROGATIONS.

*New Article XA.*

If, during the life of the present Convention, a change of circumstances constitutes, in the opinion of any High Contracting Party, a menace to its national security, such High Contracting Party may derogate temporarily, in so far as concerns itself, from any article or articles of the present Convention, other than those expressly designed to apply in the event of war, provided:

(a) That such contracting party shall immediately notify the other contracting parties and at the same time the Permanent Disarmament Commission, through the Secretary-General of the League of Nations, of such temporary derogation, and of the extent thereof:

(b) That, simultaneously with the notification referred to in point (a), the contracting party shall communicate to the other contracting parties, and at the same time to the Permanent Disarmament Commission through the Secretary-General of the League of Nations, a full explanation of the change of circumstances referred to above.

Thereupon, the other High Contracting Parties shall promptly take concerted counsel as to the situation thus presented.

When the reasons for such temporary derogation have ceased to exist, the said High Contracting Party shall reduce its armaments to the level agreed upon in the Convention, and shall make immediate notification to the other contracting parties.

SECTION IV. — PROCEDURE REGARDING COMPLAINTS AND REVISION.

(Texts intended to replace all articles in Section IV.)

*New Article ZA.*

The High Contracting Parties recognise that any violation of the provisions of this Convention is a matter of concern to all the parties.

*New Article ZB.*

If, during the term of the present Convention, a High Contracting Party is of opinion that another party to the Convention is maintaining armaments in excess of the figures agreed upon, or is in any way violating or endeavouring to violate the provisions of the present Convention, such party may lay the matter, through the Secretary-General of the League, before the Permanent Disarmament Commission.

The Commission, after hearing a representative of the High Contracting Party whose action is questioned, should such party so desire, and the representative of any other party which may be specially concerned in the matter and which asks to be heard, shall present a report thereon as

soon as possible to the High Contracting Parties and to the Council of the League. The report and any proceedings thereon shall be published as soon as possible.

The High Contracting Parties shall take concerted counsel on the conclusions of the report.

If the High Contracting Parties directly concerned are Members of the League of Nations, the Council of the League shall exercise the rights devolving upon it in such circumstances in virtue of the Covenant of the League of Nations, with a view to ensuring the observance of the Convention and to safeguarding the peace of nations.

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ANNEX 5.

C.P.D.285.

Geneva, November 27th, 1930.

CHAPTER V. — SECTION II, ARTICLE IB (First-Reading Text).

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NETHERLANDS PROPOSAL ON THE PUBLICITY OF MATERIAL.

REPORT OF THE SUB-COMMITTEE OF MILITARY EXPERTS APPOINTED TO EXAMINE THE LIST OF MATERIAL CONTAINED THEREIN.

The Sub-Committee of military experts appointed to examine the list of material figuring in Article IB of Chapter V, Section II, of the first-reading texts (Netherlands proposal) met on November 24th at 4.30 p.m. It held four meetings (November 24th, 25th, 26th and 27th). The experts appointed by the Commission were joined by the Roumanian and Swedish military experts.

The Committee first of all endeavoured to ascertain the principles by which it should be guided in performing its task—namely, what should be kept of the table submitted by the Netherlands delegation and what would be the disadvantages as regards national security, and, from the military and technical point of view, of publicity under each of the headings of that table.

The Committee considered the question whether publicity of material, arms and munitions of war in service, on the one hand, and in reserve, on the other, was compatible with the military needs of national defence from the point of view of the preparation and conduct of operations.

The German naval expert stated that, on most of the points under discussion, if not on all, the Preparatory Commission had already taken a decision in the resolution adopted on November 13th and 14th, approving the principle of the fullest possible exchange of information in regard to armaments. The task of the Committee could therefore consist only in revising the list proposed by the Netherlands delegation. The Italian and Netherlands experts supported this view.

A debate then ensued, in the course of which the experts pronounced on the following points:

- (1) Does the publicity of material in reserve present drawbacks from the military point of view?
- (2) Does the publicity of material in service offer drawbacks from the same point of view?

I. To the first question the Belgian, British, French, Japanese, Roumanian and Yugoslav experts replied in the affirmative. They adduced the following arguments:

- (1) Technical impossibility of supervision;
- (2) Drawbacks for certain countries of a publicity which would reveal their weak points;
- (3) A publication of material in reserve would not permit the responsible chief to make arrangements under satisfactory conditions for the conduct of the national defence;
- (4) Publicity being related to limitations, it would seem logical to establish publicity not of number but of expenditure as regards land material, which is not subject to direct limitation;
- (5) Extreme complexity of publicity as regards material in reserve which, to be equitable and to provide clear information, should involve an indication not only of numbers but of the age, the degree of wear and even the characteristics of the material;
- (6) Possibility of evading publicity by stocking material in the form of detached parts.

The German, Italian, Spanish, Netherlands, Norwegian and Swedish experts pronounced in favour of the publicity of material in reserve. The Swedish expert admitted the possibility of publicity confined to certain groups of material; the Norwegian expert accepted this latter point of view.

The principles brought forward by those in favour of full publicity of material in reserve are the following:

- (1) Publicity in regard to this material is specially necessary, since it is not limited directly;



(2) Any publicity in regard to material which did not cover material in reserve would be of no value owing to the transfers which could easily be effected between the two categories of material (in service and in reserve);

(3) Common knowledge of the amount of material in reserve does not constitute a danger, but would, on the contrary, be a very effective method of attaining the object of the future Convention—that is to say, the maintenance of peace.

II. The Committee accepted almost unanimously publicity for material in service, but the utility of such publicity for the purposes of the present Convention was questioned by the French, Japanese, Roumanian and Yugoslav experts. These four experts pointed out that the regulation allowances of units were known, and, therefore, were of no importance as a provision of the Convention. If publicity had the object or result of making known existing deficiencies in these allowances, it would involve the danger of indicating weaknesses to possible enemies or—to avoid that danger—of encouraging the publication of exaggerated figures that were not subject to any kind of verification.

Under these circumstances, the Chairman thought it advisable to request the Italian, Netherlands and Swedish experts, who had particularly upheld the principle of publicity of material to prepare, with a view to the publicity of material in service, a fresh list of material, taking into account:

(1) The Committee's general desire that the table in Article IB (first reading) should be modified. That table, being taken from a Convention relating mainly to Customs supervision, requires to be revised before it can be used for publicity of material;

(2) An opinion expressed by the Committee, on the proposal of the British military expert, to the effect that air and naval material, being already the subject of direct limitation, should be excluded from the publicity lists.

The result of the collaboration of the three experts was the table annexed to the present report. According to the opinion of the German and Italian experts, this table might also apply to material of the naval and air forces.

In submitting to the Sub-Committee their draft table for publicity of the material of land forces, the Italian, Netherlands and Swedish military experts observed that the three columns under the heading "Age of types of weapons" were included in view of the observations of the Belgian and Roumanian military experts, but that they complicated the table and, in their opinion, there was no objection to their being omitted. The draft table prepared by the three experts was approved without reservation by the American, Netherlands and Norwegian experts, though the American expert asked that, for administrative reasons peculiar to his own country, the date "December 31st" should be left blank. The Sub-Committee at once agreed.

The Belgian military expert was prepared to accept the table submitted, but with the following amendments:

(1) Suppress reference 1.

(2) Draft the article as follows: "Each of the High Contracting Parties shall prepare an annual statement under the heading given below showing the number of weapons in service in its land forces, excluding material exclusively and permanently intended for the defence of fortified works".

(3) Under I (b) say: "Rifles, machine-guns and other automatic weapons provided with an appliance enabling them to be fired from the shoulder".

The Netherlands and Swedish military experts approved points 2 and 3 of the Belgian amendment.

The Japanese military expert, desiring to establish a parallel between budgetary limitation and publicity, proposed that publicity in terms of value should be substituted in the table for publicity of numbers. The Netherlands and Swedish military experts objected that publicity of values would encounter insurmountable difficulties if the monetary value of the different materials were to be given. The Swedish expert added that such publicity would in itself be insufficient and would have to be supplemented by publicity of numbers if the intention were to make known the way the credits were used. The Committee considered that the Japanese expert's suggestion could only be decided by the Commission.

The French, Japanese and Yugoslav military experts refrained from discussing the categories of a table which they could not accept for the following reasons:

From the military point of view they see no objections to the publicity of certain materials of war in service; but they do not understand the use, for the purposes of the present draft Convention, of publicity of numbers except such as corresponds in the draft to the direct limitation adopted for naval and air material in service.

They therefore make all reservations regarding the contents of the list drawn up by the Sub-Committee and regarding the use to which it may be put.

The Netherlands, Swedish and Italian military experts stated that the table drawn up by them for material in service should also apply to publicity of material in reserve.

The German naval expert, after repeating his delegation's view as to the necessity for publicity of material in reserve, stated that, in his opinion, a list corresponding to the list under discussion (material of land forces) should be drawn up for air and naval material.

Appendix.

ANNEX TO REPORT OF SUB-COMMITTEE APPOINTED TO STUDY ARTICLE IB.

Each of the High Contracting Parties shall prepare <sup>1</sup> an annual statement under the headings given below, <sup>2</sup> showing the number of weapons in service in its land forces and existing on the date of ..... of the preceding year.

	Age of types of weapons		
	Types introduced before January 1st, 1890	Types introduced between January 1st, 1890, and January 1st, 1914	Types introduced since January 1st, 1914
I. <i>Portable arms:</i>			
(a) Rifles, carbines and muskets (thousands)			
(b) Automatic rifles and other automatic weapons (number) . . . . .			
(c) Machine-guns (number) . . . . .			
II. <i>Pieces of artillery:</i>			
(a) Cannon, howitzers and mortars of a calibre of 15 cms. (5.9 inches) or less (number) . . . . .			
(b) Cannon, howitzers and mortars of a calibre over 15 cms. (5.9 inches) (number)			
III. <i>Tanks of all kinds and armoured cars. . .</i>			

*Note.* — The armament of tanks and armoured cars is not included in headings I and II. The dates given in the columns under the heading "Age of types of weapons" are included only as suggestions.

ANNEX 6.

C.P.D.201.

Geneva, October 1st, 1930.

PROGRESS OF WORK OF THE PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE.

NOTE BY THE PRESIDENT.

At its third session (March 21st to April 26th, 1927 the Preparatory Commission for the Disarmament Conference drew up *at first reading* the texts of the draft Convention to be submitted to the General Disarmament Conference (see document C.310.M.109.1927.IX, pages 397-416, or document C.218(1).M.112.1927.IX).

During the first part of its sixth session, which was suspended on May 6th, 1929, the Commission examined certain of these texts *at second reading* (see document C.195.M.74.1929.IX, or document C.P.D.175(2)).

The object of the forthcoming meeting, at which the sixth session will be continued, is to draw up a definitive draft Convention. The following list briefly indicates the various matters which were not settled at the second reading, and these might serve as a basis for its agenda:

1. Chapter II: Material; Section II: Naval Armaments.
2. Chapter I : Effectives; Article A. 2: Naval Armaments.

<sup>1</sup> The different headings of this table shall be applied without change to the publicity for material in reserve.

<sup>2</sup> The expert of the Belgian delegation proposes to amend the above table as follows:

- (1) Suppress reference 1.
- (2) Draft the article as follows: " Each of the High Contracting Parties shall prepare an annual statement under the heading given below, showing the number of weapons in service in its land forces, excepting material exclusively and permanently intended for the defence of fortified works ".
- (3) Under I (b) say: " Rifles, machine-guns and other automatic weapons provided with an appliance enabling them to be fired from the shoulder ".

3. Chapter I : Article H: Maximum number of officers, warrant officers and sergeants and other ranks which each High Contracting Party undertakes not to exceed.—To be discussed in connection with naval effectives.
4. Chapter I, Article E: Definition of the terms "effectives in service in the armed forces" and "in the formations organised on a military basis". — To be discussed in connection with naval and air effectives.
5. Chapter I, Article I: Total period of service. — The German delegation has submitted an amendment.
6. Chapter II: Material; Section III: Air Armaments. Article AD. — Reserved for discussion with Article ZD.
7. Chapter III: Budgetary expenditure: Article DA, dealing with the limitation of the total annual military expenditure.
8. Chapter V, Section I: Organisation.
9. Chapter V, Section II: Exchange of information. — In this connection the Commission will also examine the German proposal concerning the last paragraph of Article 8 of the Covenant (document C.164.M.49.1928.IX, which is also inserted in document C.165.M.50.1928.IX, pages 315-323).
10. Chapter V, Section III: Derogations.
11. Chapter V, Section IV: Procedure with regard to complaints and revision.

*Note.* — Article ZD is to be considered in conjunction with Article AD.

12. Chapter V, Section V: Ratification; entry into force; denunciation.
13. Preamble.
14. Progress of the work of the Committee on Arbitration and Security.
15. Drawing up of the report of the Preparatory Commission to the Council.

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The following survey gives details with regard to each item on the agenda.

#### I. CHAPTER II, MATERIAL; SECTION II: NAVAL ARMAMENTS.

The Commission has before it the texts adopted at first reading in 1927 (see document C.310.M.109.1927.IX, pages 403-406), and the results of the London Conference. The principles adopted in London which might be incorporated in the draft Convention are enumerated below.

(a) The common method of Limitation agreed on by Great Britain and France (see letter from the President of the London Naval Conference to the Secretary-General of the League of Nations, dated April 21st, 1930).

The texts in the first report of the First Committee show that Italy made a general reservation in regard to the method in question.

(b) New definition of the expression "aircraft-carrier" (Part I, Article 3).

Limitation of the calibre of the largest gun to be mounted on an aircraft-carrier of 10,000 tons or less standard displacement (Part I, Article 4).

(c) Standard displacement of a submarine (Part II, Article 6).

Limitation of tonnage of largest submarine and of the calibre of the largest gun to be mounted on a submarine (Part II, Article 7).

(d) Vessels exempt from limitation (Part II, Article 8).

(e) Rules for replacement of war vessels other than capital ships (Annex I to Part II).

(f) Rules for disposal of vessels of war (Annex II to Part II).

(g) List of vessels which, although they do not come under the heading of "vessels exempt", are not to be included in the total tonnage (Annex III to Part II).

The Secretariat has communicated to the members of the Preparatory Commission a letter dated April 21st from the President of the London Naval Conference to the Secretary-General, together with the text of the London Treaty, the memoranda submitted by the Governments, the reports of the Committees of the Conference and the Minutes of the plenary meetings (see documents C.P.D.197 and 197 (a) and (b)). A comparative table of the texts of Chapter II, Section II, of the 1927 Draft, the stipulations of the Washington Treaty, the London Naval Treaty, the Convention of June 17th, 1925, on the Trade in Arms, and the Draft Convention on the Manufacture of Arms have been sent in document C.P.D. 199.

#### 2. CHAPTER I: EFFECTIVES. — ARTICLE A2: NAVAL ARMAMENTS.

For previous discussions on naval effectives, see Minutes of the Third Session of the Commission (document C.310.M.109.1927.IX, pages 42-45; 155-163; 248-252; 322-323 and 339-340) and the report of Sub-Commission A (document C.739.M.278.1926.IX, pages 109-110, 122-123 and 132-137).

The texts adopted at second reading for Article A as regards land effectives and air effectives are given on page 222 of document C.195.M.74.1929.IX.

The examination of the part concerning naval armaments was postponed until after the examination of the limitation of material (document C.195.M.74.1929.IX, page 138).

### 3. CHAPTER I, ARTICLE H.

The maximum number of officers, warrant officers and sergeants and other ranks which each contracting party undertakes not to exceed.

To be discussed in connection with its application to naval effectives. Article H is given on page 222 of document C.195.M.74.1929.IX.

### 4. CHAPTER I, ARTICLE E.

Definition of the terms "effectives in service in the armed forces" and "in the formations organised on a military basis".

To be discussed in connection with its application to naval and air effectives. Article E was redrafted at second reading (see document C.195.M.74.1929.IX, page 223).

### 5. CHAPTER I, ARTICLE I: TOTAL PERIOD OF SERVICE.

The German delegation has submitted an amendment (see document C.P.D.174(I)).

The text to be examined is the text adopted at first reading in 1927 (document C.310.M.109.1927.IX). This text was not discussed in connection with naval and air armaments. The Commission will therefore have to examine the whole of Article I as well as the German amendment.

### 6. CHAPTER II: MATERIAL. — SECTION III, AIR ARMAMENTS, ARTICLE AD.

Article AD was adjourned for discussion in conjunction with Article ZD (see texts drawn up at second reading, document C.195.M.74.1929.IX, page 223).

### 7. CHAPTER III: BUDGETARY EXPENDITURE.

This consists of a single article, Article DA, old "Article 19" of Chapter V of the French preliminary draft (see document C.310.M.109.1927.IX, page 364).

Article DA and the principle of the limitation of budgetary expenditure in general was discussed at the third session (see document C.310.M.109.1927.IX, pages 176-179, 193-211, 212-225; 344 and 345). This article was not adopted unanimously by the Commission at first reading.

The question of the limitation of budgetary expenditure in its application to the material of land armaments was rediscussed during the first part of the sixth session (see document C.195.M.74.1929.IX, pages 160-182).

In a resolution adopted by the majority (page 179), the Commission decided that "the limitation and reduction of material must be sought by means of publicity of expenditure . . ."

It should be noted that Article DA, Chapter III, was not discussed on that occasion, the examination of this article having been expressly adjourned (page 190).

For the "model statement" of expenditure, which has not yet been examined, see the revised text in document C.P.D.190. If the Commission adopts the conclusions of the experts on the "model statement", the scope of this statement should be examined both as regards publicity and the establishment of the tables in accordance with Article DA.

### 8. CHAPTER V, SECTION I: ORGANISATION.

This consists of a single article, Article OA (French draft). For previous discussions, see document C.310.M.109.1927.IX, pages 273-287. When examining this question, the Commission should bear in mind the special situation of countries which are not Members of the League.

### 9. CHAPTER V, SECTION II: EXCHANGE OF INFORMATION.

The various articles in this section were discussed at first reading during the Commission's third session (see document C.310.M.109.1927.IX, pages 88 and 345 (Article IA), 302-307 and 349 (Article IB), 246 (Article IC), 247-248, 256-257 and 343 (Article IG), 326-328 (Article ID), 265-271 (Article IE), 223-225 (preamble to Articles DA\* and DB\*), 178-192 (Article DA\*), 191-192 (Article DB\*), 273-293, 324-326 and 348 (Articles IF and OA)).

The German proposal concerning the last paragraph of Article 8 of the Covenant relating to the necessity for exact information as to existing armaments, which was submitted to the Commission at its fifth session (documents C.164.M.49.1928.IX and C.165.M.50.1928.IX, pages 315-323) was examined during the first part of the sixth session (document C.195.M.74.1929.IX, pages 43-49). The President pointed out that, in reality, this proposal implied an amendment to the clauses of Chapter V, Section II, of the 1927 Draft. Note C.P.D.143 was distributed to the delegates. This note indicates the order in which the various points of the German proposal and the articles of Section II might be examined (see document C.195.M.74.1929.IX, pages 43-44).

#### 10. CHAPTER V, SECTION III: DEROGATIONS.

This consists of a single article, Article XA (British draft and French draft).

For previous discussions, see Minutes of the third session of the Commission (document C.310.M.109.1927.IX, pages 293-299, 321-322, 346 and 351).

Article XA is connected with Article ZE (pages 323-324).

#### 11. CHAPTER V, SECTION IV: PROCEDURE WITH REGARD TO COMPLAINTS AND REVISION.

Article ZD of Section IV and Article AD of Section III of Chapter II, which will be discussed together (see No. 6 above) raise the problem of the connection between military and civil aviation. See the discussions on this matter in the special Commission for the Preparation of a Draft Convention on the Manufacture of Arms (document A.30.1929.IX, pages 15-17 and 18-20).

The discussion of Articles ZA, ZB, ZC and ZD was adjourned in 1927 until the second reading (see document C.310.M.109.1927.IX, page 346), but a general discussion took place on the question of "Supervision" (see same document, pages 273-293 and 324-326). The French and British drafts for Article ZA, and the French drafts for Articles ZB, ZC and ZD should be noted.

During the first part of the sixth session of the Commission (meeting of May 6th, 1929) the French delegate announced new proposals in regard to supervision (document C.195.M.74.1929.IX, page 190). Point (d) of the draft resolution submitted by Lord Cecil to the Third Committee of the Assembly on September 19th, 1929, might serve as an indication of the British proposals on the same question. The German delegation also made suggestions in regard to this matter (document C.195.M.74.1929.IX, pages 205-206).

#### 12. CHAPTER V, SECTION V: RATIFICATION, ENTRY INTO FORCE, DENUNCIATION.

This section contains the five Articles EA, EB, EC, ED and EF.

For the discussion at first reading of Article EA, see Minutes of the third session of the Commission (document C.310.M.109.1927.IX, pages 307-310 and 352). For the German reservation in regard to this article, see the same document, pages 17, 38 and 352.

Discussion of Article EB (document C.310.M.109.1927.IX, pages 310-312 and 352.)

Discussion of Article EC (same document, pages 312-317 and page 352). Reservation by the Swedish delegation, page 315.

Discussion of Article ED (ditto, pages 312, 317 and 352).

Discussion of Article EF (ditto, pages 317-321 and 352). The reservations are mentioned on page 352.

#### 13. PREAMBLE.

The texts drawn up at first reading consist of three draft preambles—the British, French and German. The various drafts were not discussed at length.

#### 14. PROGRESS OF WORK OF THE COMMITTEE ON ARBITRATION AND SECURITY.

Between the conclusion of the London Naval Conference and the opening of the second part of the Preparatory Commission's sixth session, there have been two events of interest to that Commission:

- (a) The fourth session of the Committee on Arbitration and Security;
- (b) The eleventh ordinary session of the League Assembly.

The agenda of the fourth session of the Committee on Arbitration and Security contained the following questions:

1. Preliminary Draft General Convention to strengthen the Means of preventing War;
2. Draft Convention on Financial Assistance;

3. Communications affecting the working of the League of Nations in times of emergency; facilities to be granted to aircraft;
4. Peruvian proposal for the amendment of Article 18 of the Covenant of the League of Nations.

The Preparatory Commission was duly informed of the results of the Committee on Arbitration and Security's fourth session, the relevant documents having been transmitted at the request of the Council to the members of the Preparatory Commission and to the eleventh Assembly.

The latter examined these four questions and was able to adopt with certain modifications the draft Convention on Financial Assistance and two draft resolutions concerning the facilities to be granted to aircraft and motor transport respectively.

As regards the amendment of Article 18, the Assembly decided not to examine this proposal.

As regards the Convention to strengthen the Means of preventing War, the Assembly was of opinion that the study of this Convention should be continued, and it requested the Council to entrust this study to a special Committee, which should be asked to submit a report in time for submission to the twelfth ordinary session of the Assembly.

Special stress should be laid on the importance of the adoption of the draft Convention on Financial Assistance, which the Assembly was able to open for the signature of delegations before the close of its eleventh session. Twenty-eight countries signed this Convention at the plenary meeting of the Assembly on the morning of October 2nd.

#### 15. DRAWING UP 8 THE REPORT OF THE PREPARATORY COMMISSION TO THE COUNCIL.

In the report of the Third Committee to the ninth Assembly, it is stated that "the Preparatory Commission will certainly think it desirable to make a general report to the Council on the possibilities of the First General Conference and the date at which it might be held". At the conclusion of the first part of its sixth session, the Preparatory Commission decided, on May 6th, 1929, not to submit a report to the Council before the end of the session (see document C.195.M.74.1929.IX, pages 41, 193 and 194).

In the penultimate paragraph of the resolution it adopted, the eleventh Assembly expressed the conviction that the Preparatory Commission will be able to complete its work at its session in November next, and will thus enable the Council to convene, as soon as possible, the General Conference for the Reduction and Limitation of Armaments.

The report submitted by the Third Committee also mentioned the Assembly's desire that the General Conference should be convened in 1931.

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#### ANNEX 7.

C.P.D.232.

Geneva, November 12th, 1930.

### CONVENTION ON THE REDUCTION AND LIMITATION OF ARMAMENTS.

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#### PROTOCOL OF SIGNATURE

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#### MEMORANDUM FROM THE SECRETARY OF THE COMMISSION, CONTAINING EXTRACTS FROM A RESOLUTION ADOPTED BY THE ASSEMBLY OF THE LEAGUE OF NATIONS ON OCTOBER 3RD, 1930.

The Secretary of the Preparatory Commission for the Disarmament Conference has the honour to communicate to the members of the Commission, for their information, the attached extracts from a resolution adopted by the Assembly of the League of Nations on October 3rd, 1930.

#### Appendix.

RESOLUTION ADOPTED BY THE ASSEMBLY ON OCTOBER 3RD, 1930.

(Extracts from document A.83.1930.V.)

The Assembly,

Having examined with the greatest interest the report of the Committee appointed to consider the question of the ratification and signature of conventions concluded under the auspices of the League of Nations in accordance with an Assembly resolution of September 24th, 1929;

Being convinced that the solution of the problem of ratification depends to a great extent upon satisfactory preparation for the conferences which are convened to draw up conventions;

Considering it to be of the greatest importance that all steps should be taken to assure that conventions concluded under the auspices of the League of Nations should be accepted by the largest possible number of countries and that ratifications of such conventions should be deposited with the least possible delay:

Expresses its appreciation of the work of the Committee and its approval of their report; and

Recommends that effect should be given to the proposals contained in the report of the Committee in the manner set out in the immediately following resolutions.

.....

V.

That, in conformity with the recommendations contained in Part III, paragraphs 2 (d), (e), and (f) of the report of the Committee appointed in accordance with the resolution of the Assembly of September 24th, 1929 (see document A.10.1930.V), at future conferences held under the auspices of the League of Nations at which general conventions are signed, protocols of signature shall, as far as possible, be drawn up on the general lines of the alternative drafts set out in Annexes I and II of the present resolution.

*Annex I. — Protocol of Signature.*

In signing the Convention of this day's date relating to . . . . the undersigned plenipotentiaries, being duly authorised to this effect and in the name of their respective Governments, declare that they have agreed as follows:

I. That the Government of every Member of the League of Nations or non-member State on whose behalf the said Convention has been signed undertakes, not later than . . . . (date), either to submit the said Convention for parliamentary approval or to inform the Secretary-General of the League of Nations of its attitude with regard to the Convention.

" II. If on . . . . (date) the said Convention is not in force with regard to . . . Members of the League of Nations and non-member States, the Secretary-General of the League shall bring the situation to the attention of the Council of the League of Nations, which may either convene a new conference of all the Members of the League and non-member States on whose behalf the Convention has been signed or accessions thereto deposited, to consider the situation, or take such other measures as it considers necessary. The Government of every signatory or acceding State undertakes to be represented at any conference so convened. The Governments of Members of the League and non-member States which have not signed the Convention or acceded thereto may also be invited to be represented at any conference so convened by the Council of the League.

*Note.* — The procedure provided for in this Annex is generally suitable for most general conventions. In cases in which it is applied, the final articles of the convention should be drafted in the usual form and should not fix any named or final date for the entry into force of the convention, but should permit its entry into force on receipt of a relatively small number of ratifications or accessions.

*Annex II. — Final Article of the Convention, Article X.*

The present Convention shall enter into force on . . . . (date), provided that, on this date, ratifications or accessions have been deposited with or notified to the Secretary-General of the League of Nations on behalf of . . .<sup>1</sup> Members of the League of Nations or non-Member States.

*Protocol of Signature.*

In signing the Convention of to-day's date relating to . . ., the undersigned plenipotentiaries, being duly authorised to this effect and in the name of their respective Governments, declare that they have agreed as follows:

If on . . .<sup>2</sup> the said Convention has not come into force in accordance with the provisions of Article X, the Secretary-General of the League of Nations shall bring the situation

<sup>1</sup> The figure indicated here should be a relatively large one.

<sup>2</sup> Same date as that indicated in Article X.

to the attention of the Council of the League of Nations, which may either convene a new conference of all the Members of the League and non-member States on whose behalf the Convention has been signed or accessions thereto deposited to consider the situation, or take such other measures as it considers necessary. The Government of every signatory or acceding State undertakes to be represented at any conference so convened.

*Note.* — The procedure provided for in Annex II is suitable for certain types of convention whose practical utility depends on their immediate entry into force for a considerable number of States.

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ANNEX 8.

C.P.D.280.

Geneva, November 26th, 1930.

TEXTS OF THE DRAFT CONVENTION DRAWN UP AT SECOND READING AND TEXTS OF THE PROPOSED AMENDMENTS TO THESE ARTICLES.

*This document contains the text of the articles drawn up at second reading and the text of the proposed amendments to these articles.*

*The text of Article 1B and of Section V of Chapter V will be distributed as document C.P.D.280(a).*

PREAMBLE (FIRST READING).

(British Draft.)

[Names of the High Contracting Parties.]

Persuaded that the maintenance of peace requires the reduction of armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations;

Considering that all Members of the League of Nations are already pledged by Article 8 of the Covenant of the League to the acceptance of the principle enunciated above;

Realising that the purpose of the limitation of armaments by international agreement is to diminish the risk of aggressive action by one State against another and that all agreements for limitation of armaments should be construed in the light of that purpose;

Believing that, in order to obtain the greatest possible advantage from a reduction and limitation of armaments, such reduction and limitation must cover military, naval and air armaments and must embrace as many nations as possible;

Determined to alleviate to the greatest possible extent the heavy burden which expenditure on armaments is imposing upon the economic life of the world and thus lowering its standard of living:

Have resolved to conclude a Convention with a view to accomplishing these purposes and have appointed as their plenipotentiaries:

The President . . . . .

Who, having communicated their full powers, found in good and due form, have agreed as follows:

(French Draft.)

[List of High Contracting Parties.]

In view of Article 8 of the Covenant of the League of Nations;

Whereas the reduction of armaments must be in accordance with general conditions of security and the special conditions of each State;

And whereas the Treaty of Mutual Assistance and the Protocol for the Pacific Settlement of International Disputes, which were intended to define more precisely the operation of Article 16 of the Covenant of the League of Nations, have not been applied;

And whereas the general guarantees resulting from the Covenant still exist;

And whereas regional agreements based upon the principles of the Covenant and arranging for mutual assistance between the signatory States in the event of attack have been successively concluded and have resulted in improved conditions of security for a number of States:

Consider that it is now possible to contemplate a first step towards the limitation and reduction of armaments laid down in Article 8 of the Covenant,

And, having decided to conclude a Convention for this purpose, have appointed as their plenipotentiaries,

. . . . .

Who, having deposited their full powers, found in good and due form, have agreed upon the following provisions:

(German Draft.)

Whereas heavy armaments constitute the most serious menace to the peace of the world;

And whereas Article 8 of the Covenant of the League of Nations provides for a general reduction of armaments:

The High Contracting Parties have resolved to conclude a Convention as a first step towards the accomplishment of this purpose, to be followed by successive measures with a view to further disarmament, and have appointed . . . . .

## CHAPTER I. — EFFECTIVES.

### *Article A.*

The High Contracting Parties agree to limit the effectives in service in the land, sea and air armed forces, or formations organised on a military basis, to the effectives determined in the tables enumerated below and annexed to the present Convention.

#### 1. Land Armaments:

- Table I. — Maximum armed forces stationed in the home country.  
Table II. — Maximum armed forces stationed overseas.  
(optional)  
Table III. — Maximum of the total armed forces of the High Contracting Parties.  
Table IV. — Maximum of the forces belonging to formations organised on a military basis stationed in the home country.  
Table V. — Maximum of the forces belonging to formations organised on a military basis stationed overseas.

#### 2. Naval Armaments:

- Table I. — Maximum armed forces.  
Table II. — Maximum forces belonging to formations organised on a military basis.

#### 3. Air Armaments:

- Table I. — Maximum armed forces stationed in the home country.  
(optional)  
Table II. — Maximum armed forces stationed overseas.  
(optional)  
Table III. — Maximum of the total armed forces of the High Contracting Parties.  
Table IV. — Maximum of the forces belonging to formations organised on a military basis stationed in the home country.  
Table V. — Maximum of the forces belonging to formations organised on a military basis stationed overseas.

### *Article H.*

The tables relating to land armaments mentioned in Article A above shall indicate a maximum number of officers which each High Contracting Party shall undertake not to exceed.

The said tables shall further fix the maximum number of soldiers, other than officers, who may have completed more than  $x^1$  years of actual service with the colours.

In conscript armies, the number of men whose service exceeds the legal period in force in their respective countries but is less than  $x^1$  years, shall be shown for each Contracting Party in the annual statements for which provision is made in Article IA of Chapter V.

The tables relating to naval armaments mentioned in Article A shall indicate the total of naval forces in the form of aggregate figures for officers, non-commissioned officers and men together.

It is understood that separate particulars will be furnished in the annual statement, for which Article IA provides, of the number of officers and men who have completed more than  $x$  years of effective active service.

The tables relating to air armaments mentioned in Article A shall indicate, in the form of aggregate figures for officers, non-commissioned officers and men together, the maximum number of soldiers who may have completed more than  $x^1$  years of actual service with the colours.

The number of men of the class mentioned in the second and fourth paragraphs of the present article who are actually with the colours shall be shown every year for each High Contracting Party in the statements for the preparation of which provision is made in Article IA of Chapter V.

Each country may, if it so desires, show for purposes of information, in a special column in publicity table IA of Chapter V, the proportion of recruits not trained as defined in the national legislation who are embodied in the effectives of its armed forces.

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<sup>1</sup> *Note.* — This figure will be determined by the duration of the longest period of actual service with the colours which is in force in the conscript armies of the High Contracting Party at the time of the signature of the Convention.

CHAPTER I. — EFFECTIVES.

*Article A.*

**1. Amendments by the Delegation of the Union of Soviet Socialist Republics.**

*First Amendment.*

Add after the words " to limit " the words " and to reduce ".

*Reasons.*

1. The term " limit " is ambiguous. " Limiting " may mean not merely reducing armaments but also maintaining them at the existing level and even increasing them above that level.

2. A convention which legalises the great armaments now existing, or their increase, would be of no value.

3. On the proposal of the U.S.S.R. delegation, the Preparatory Commission consented to insert in the chapters of the Convention concerning naval armaments and budgetary expenditure the obligation not merely to limit but also reduce these armaments.

*Second Amendment.*

Add a second paragraph:

" The High Contracting Parties agree to limit and reduce the trained reserves of their land, sea and air forces respectively to the figures determined in the said tables. "

*Reasons.*

In view of the great military value of trained reserves, a disarmament convention which neither limits nor reduces this important element of the armed forces would be seriously defective.

**2. Proposal by the French Delegation.**

After the words " formation organised on a military basis " add " in time of peace. "

*Article C.*

By "formations organised on a military basis" shall be understood Police forces of all kinds, gendarmerie, Customs officials, forest guards, which, whatever their legal purpose, can be used without mobilisation, by reason of their staff of officers, establishment, training, armament, equipment, as well as any organisation complying with the above condition.

*Article D.*

By "mobilisation" within the meaning of the present Convention shall be understood all the measures for the purpose of providing the whole or part of the various corps, services and units with the personal and material required to pass from a peace-time footing to a war-time footing.

*Article E.*

When drawing up the tables mentioned in Articles A (Chapter I) and IA (Chapter V): by "effectives in service in the armed forces" and by "effectives in service in the formations organised on a military basis" shall be understood the average daily effectives reckoned by dividing the total number of days' duty by the number of days in the budgetary year.

*Article I.*

In each Contracting State having the conscription system, the total period of service which the annual contingent is compelled to serve—whether by land, sea or air—shall not exceed the figures accepted by each of the High Contracting Parties, and shall in no case exceed . . . months.

For each man, the total period of service shall be the total number of days of active service and of days of service during the periods of instruction which he undergoes; and each of such numbers of days shall be specified in the annual statements provided for in Article IZ.

The High Contracting Parties shall, as an exception, be entitled to exceed the figures accepted by them under the first paragraph in so far as, owing to a falling-off in the number of births, such an increase may be necessary to safeguard the rights conferred upon them by Article A.

Nevertheless, they may not exceed the figure laid down in virtue of Article I as a uniform standard for the period of service.

*Article C.*

**1. Amendment proposed by the British Delegation:**

After the word "used" insert the words "for military purposes".

**2. Proposal by the French Delegation:**

After the words "formations organised on a military basis" add "in time of peace"

*Article I.*

[Discussion of the German proposal—document C.P.D./174(1)—adjourned.] Second and third paragraphs below :

"For each man, the total period of service shall be the total number of days of active service and of days of service during the periods of training which he undergoes. The period of active service shall be shown separately.

"No register shall be kept of persons whose military obligations are terminated."

## CHAPTER II. — MATERIAL.

### SECTION I. — LAND ARMAMENTS.

#### *Article TA.*

Each of the High Contracting Parties agrees to limit its annual expenditure on the upkeep, purchase and manufacture of war material for land armaments in accordance with the figures and the conditions laid down in Annex No. . . . to the present Convention.

*Note.* — In pronouncing on this article the Governments will take into account at the Conference the report requested from the Committee of Budgetary Experts, which will have been forwarded to them in order to permit of the drawing up of Annex No. . . . The Preparatory Commission, by sixteen votes to three and six abstentions, adopted the principle of limitation by expenditure. It also discussed the following resolution:

“The Preparatory Commission is of opinion that the principle of direct limitation should be applied to land war material.”

When this resolution was put to the vote there were nine votes in favour, nine against and seven abstentions. Lastly, it examined the principle of a combination of the two methods, in favour of which nine members of the Commission voted, eleven voted against, with five abstentions.

### SECTION II. — NAVAL ARMAMENTS.

See document C.P.D./260.

### SECTION III. — AIR ARMAMENTS.

#### *Article AA.*

Each of the High Contracting Parties undertakes to limit the air material in service in accordance with the figures laid down in the following tables.

*Table A.* — The maximum number and total horse-power of aeroplanes and maximum number, total horse-power and total volume of dirigibles in service in their armed forces.

*Note:* Any of the High Contracting Parties who so desire may annex to Table A the following tables for limitations similar to those in Table A:

- Table A (1). — Aeroplanes and dirigibles in commission in the armed forces stationed in the home country.
- Table A (2). — Aeroplanes and dirigibles in commission in the armed forces stationed overseas.
- Table A (3). — Aeroplanes and dirigibles in aircraft-carriers.

*Table B.* — The maximum number and total horse-power of aeroplanes and maximum number, total horse-power and total volume of dirigibles in service in their formations organised on a military basis.

The limitation shall apply to aeroplanes and dirigibles capable of use in war employed in commission in the land, sea and air forces, or in the formations organised on a military basis.

*Note:* Any of the High Contracting Parties who so desire may annex to Table B the following tables for limitations similar to those in Table B:

- Table B (1). — Aeroplanes and dirigibles in commission in the formations organised on a military basis stationed in the home country.
- Table B (2). — Aeroplanes and dirigibles in commission in the formations organised on a military basis in overseas territories.

SECTION III. — AIR ARMAMENTS.

*Article AA.*

1. Amendment submitted by the Canadian Delegation:

Delete references to "total horse-power".

Tables A and B should read as follows:

"Table A. — The maximum number of aeroplanes and maximum number and total volume of dirigibles in service in their armed forces.

.....  
"Table B. — The maximum number of aeroplanes and maximum number and total volume of dirigibles in service in their formations organised on a military basis.  
.....

2. Amendment submitted by the British Delegation:

"At end of last paragraph, after the words 'organised on a military basis', add 'and to Government-owned complete machines in reserve'".

3. Amendment submitted by the Delegation of the Union of Soviet Socialist Republics:

After the words "to limit" add the words "and reduce".

*Reasons.*

1. The term "limit" is ambiguous. "Limitation" may mean not merely reducing armaments but also maintaining them at the existing level and even increasing them above that level.

2. A convention which legalises the great armaments now existing, or their increase, would be of no value.

3. On the proposal of the U.S.S.R. delegation, the Preparatory Commission consented to insert in the chapters of the Convention concerning naval armaments and budgetary expenditure the obligation not merely to limit, but also to reduce these armaments.

*Article AC.*

Horse-power shall be measured according to the rules ..... (to be established by the Conference).

The volume of dirigibles to be expressed in cubic metres.

*Article AD.*

(Reserved for discussion during the examination of Article ZD.)

The limitations laid down are accepted by each High Contracting Party in the light of the present development of civil aviation in other countries.

*Article AE.*

1. The High Contracting Parties shall refrain from prescribing the embodiment of military features in the build of civil aviation material so that this material may be constructed for purely civil purposes, more particularly with a view to providing the greatest possible measure of security and the most economic return. No preparations shall be made in civil aircraft in time of peace for the installation of warlike armaments for the purpose of converting such aircraft into military aircraft.

2. The High Contracting Parties undertake not to require of civil aviation undertakings that they should employ personnel specially trained for military purposes.

They undertake to authorise only as a provisional and temporary measure the seconding of personnel to, and the employment of military aviation material in, civil aviation undertakings.

3. The High Contracting Parties undertake not to subsidise, directly or indirectly, air lines principally established for military purposes, instead of being established for economic, administrative or social purposes.

4. The High Contracting Parties undertake to encourage as far as possible the conclusion of economic agreements between civil aviation undertakings in the different countries.

CHAPTER III. — BUDGETARY EXPENDITURE.

*Article DA.*

Each of the High Contracting Parties agrees to limit and, as far as possible, to reduce its total annual expenditure on land, air and sea forces. The relevant figure and the conditions governing such limitation or reduction, in particular as regards the possibility of a distinct limitation of land, naval and air expenditure are stated in Annex No. . . . to the present Convention.

*Note.* — In pronouncing on this article, the Governments will take into account at the Conference the report requested from the Committee of Budgetary Experts, which will have been forwarded to them in order to permit of the drawing up of Annex No. . . .



*Article AE.*

**1. Amendment presented by the Canadian Delegation:**

- Delete the following sub-paragraph of paragraph 2:  
“ They undertake . . . civil aviation undertaking ”  
and substitute the following text:

“ Personnel seconded to, and military material employed in, civil aviation, whether Government or commercial, shall be counted in the agreed quota ”.

**2. Amendment submitted by the British Delegation:**

Add at end of the article “ and to confer together to this end ”.

**3. Proposal by the British Delegation:**

Insert a new article as follows:

“ Each of the High Contracting Parties agrees to limit its annual expenditure on the maintenance, purchase and manufacture of war material, for air armaments, to the figures and under the conditions defined in Annex No. . . . to the present Convention ”.

CHAPTER IV. — CHEMICAL ARMS.

The High Contracting Parties undertake, subject to reciprocity, to abstain from the use in war of asphyxiating, poisonous or similar gases, and of all analogous liquids, substances or processes. They undertake unreservedly to abstain from the use of all bacteriological methods of warfare.

CHAPTER IV. — CHEMICAL ARMS.

Proposal by the German Delegation.

“ CHAPTER IV. — PROHIBITIONS.

“ SECTION I. — CHEMICAL ARMS.

“ SECTION II. — LAND ARMAMENTS.

“ The High Contracting Parties agree forthwith to prohibit the employment:

“ 1. Outside fortified works, fortresses and field works of artillery of a calibre above:

- “ (a) In the case of guns: 77 mm.;
- “ (b) In the case of howitzers: 105 mm.;

“ 2. In fortified works, fortresses and field works of artillery of a calibre above:

- “ (a) In the case of guns: 150 mm.;
- “ (b) In the case of howitzers: 210 mm.;

“ 3. Mortars and trench-mortars of every kind of a calibre above 150 mm.;

“ 4. Tanks of every kind.

“ They undertake to destroy all the war material, including spare parts, the employment of which is prohibited by the above paragraph. Furthermore, within . . . months as from the coming into force of the present Convention, each State shall notify the Secretary-General of the League of Nations of the number of individual units destroyed. The Secretary-General shall communicate this information to the other States signatories.

“ The High Contracting Parties also agree to prohibit the manufacture and importation of the said war material.”

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Memorandum by the British Delegation.

The French and English texts of the first paragraph of this Chapter, as agreed to at the second reading, are as follows:

“ Les Hautes Parties contractantes s'interdisent, sous conditions de réciprocité, l'emploi à la guerre de gaz asphyxiants, toxiques ou similaires, ainsi que de tous liquides, matières ou procédés analogues.”

“ The High Contracting Parties undertake, subject to reciprocity, to abstain from the use in war of asphyxiating, poisonous or similar gases, and of all analogous liquids, substances or processes.”

It may be recalled that, during the first part of the sixth session, certain delegations assumed that the intention was to prohibit the use of all chemical methods of warfare of every kind. On the other hand, there are some indications that this view is not shared by all States. It is at least possible that this difference in interpretation owes its origin to a serious ambiguity in the Geneva Gas Protocol of 1925, as well as in all Treaties and Conventions regulating gas warfare signed since the war. In the Geneva Protocol of June 1925, though the relevant portion of the French text is identical with that of the article quoted above, in the English text the French word “similaires” is translated by “other”.

Basing itself on this English text, the British Government have taken the view that the use in war of “other” gases, including lachrymatory gases, was prohibited. They also considered that the intention was to incorporate the same prohibition in the present Convention.

From every point of view it is highly desirable that a uniform construction should prevail as to whether or not the use of lachrymatory gases is considered to be contrary to the Geneva Protocol of 1925 and/or to Chapter IV of the Draft Convention.

The British delegation proposes, therefore, to invite an expression of opinion on this point from all the States represented on this Commission.

CHAPTER V. — MISCELLANEOUS PROVISIONS.

SECTION I. — ORGANISATION.

*New Article OA.*

There shall be set up at the seat of the League of Nations a Permanent Disarmament Commission with the duty of following the execution of the present Convention. It shall consist of  $x$  [Figure to be fixed by the Conference] members appointed respectively by the Governments of the following High Contracting Parties... [list to be drawn up by the Conference].

Members of the Commission shall not represent their Governments. They shall be appointed for  $x$  years, but shall be re-eligible. During their term of office, they may be replaced only on death or in the case of voluntary resignation or serious and permanent illness.

They may be assisted by technical experts.

*Article OB.*

The Commission shall meet for the first time, on being summoned by the Secretary-General of the League of Nations, within three months from the entry into force of the present Convention, to elect a provisional President and Vice-President.

Thereafter it shall meet annually in ordinary Session on the date fixed in its Rules of Procedure.

It may also, if summoned by its President, meet in extraordinary session in the cases provided for in the present Convention and whenever an application to that effect is made by a High Contracting Party.

*Article OC.*

The Commission shall have full power to lay down its own Rules of Procedure on the basis of the provisions of the present Convention.

*Article OD.*

The Commission may only transact business if at least two-thirds of its members are present.

*Article OE.*

Any High Contracting Party not having a member of its nationality on the Commission shall be entitled to send a member appointed for the purpose to sit at any meetings of the Commission during which a question specially affecting the interests of that Party is considered.

*Article OF.*

Each member of the Commission shall have only one vote.

All decisions of the Commission shall be adopted by a majority of the votes of the members present at the meeting.

In the cases provided for in Articles . . . (cases of complaint and cases of threats to national security) the votes of members appointed by the Parties concerned in the discussion shall not be counted in determining the majority.

A minority report may be drawn up.

*Article OG.*

Each member of the Commission shall be entitled on his own responsibility to have any person heard or consulted who is in a position to throw any light on the question which is being examined by the Commission.

*Article OH.*

Each member of the Commission shall be entitled to demand that, in any report by the Commission, account shall be taken of the opinions or suggestions put forward by him, if necessary in the form of a separate report.

*Article OI.*

All reports by the Commission shall, under conditions specified in each case in the present Convention, or in the Rules of Procedure of the Commission, be communicated to all the High Contracting Parties and to the Council of the League of Nations and shall be published.

SECTION II. — EXCHANGE OF INFORMATION.

*Article IA.*

**Text proposed by the Drafting Committee.**

As regards effectives, the exchange of information shall cover the average daily number of effectives reached during the budgetary year in the land, sea or air armed forces, or formations organised on a military basis, of each of the High Contracting Parties.

For this purpose, each of the High Contracting Parties will forward to the Secretary-General of the League of Nations within . . . months after the end of the budgetary year, the necessary figures to enable the tables—of which models are attached to this article—to be drawn up in the case of such High Contracting Parties (the headings of the columns in the tables will show the information which is required in consequence of the decisions of the Commission). Each Party shall attach to this statement an explanatory note showing the elements on which the figures supplied by him are based and stating in particular for each category of effectives (recruits, militiamen, reservists, territorials, etc.), the number of these effectives and the number of days, service they have performed.

The tables referred to in the preceding paragraph shall be finally drawn up and published by the Secretary-General not later than . . . in each year.

*Article IA (1).*

Each of the High Contracting Parties shall forward to the Secretariat of the League of Nations within three months of the end of the budgetary year an annual statement showing the number of youths having compulsorily received preparatory military training during the previous year.

*Article IA (2).*

Each of the High Contracting Parties shall prepare annually:

- (1) A table indicating the land forces stationed in each of its overseas territories;
- (2) A table indicating the land forces organised on a military basis existing in each of its overseas territories.

*Article IZ.*

**Text proposed by the Drafting Committee.**

The High Contracting Parties having conscription system shall forward to the Secretary-General of the League of Nations at the end of each year the following information in regard to their land, naval and air forces respectively:

- (1) The total number of days' active service required of the annual contingent;
- (2) The total duration (in days) of periods of training not included in the active service.

*Article IB*

[The text will appear in document C.P.D./280(a).]

*Article IC.*

Suppressed—a similar article having been inserted in the Chapter "Naval Material".

*Article IG.*

Each of the High Contracting Parties shall communicate to the Secretariat of the League of Nations the name and the tonnage of any vessel constructed in accordance with Article NH (Chapter II). With regard to existing vessels of this type, this communication shall be made within two months after ratification of the present Convention. With regard to vessels to be constructed, the communication shall be made on the date of completion.

*Article ID.*

Each of the High Contracting Parties shall prepare an annual statement showing the maximum figures attained during the year in respect of the number and total horse-power or aircraft, and the number, total horse-power and total volume of dirigibles in commission as laid down in Article AA of Chapter II, Section III, Air Armaments.

This statement shall be forwarded to the Secretary-General of the League of Nations within three months after the close of the budgetary year.

*Article IE.*

In order to ensure publicity in the matter of civil aviation, each of the High Contracting Parties shall prepare an annual statement showing the total number of civil aeroplanes and dirigibles registered in the territory under jurisdiction of each of the High Contracting Parties.

*Article IH (former DA\* and DB\*).*

Each of the High Contracting Parties shall communicate to the Secretary-General of the League of Nations, in a model form, a statement showing the actual total amount expended on land, sea and air forces, during the preceding financial year.

It shall at the same time communicate to the Secretary-General a statement showing the amount actually expended during the preceding financial year on the upkeep, purchase, and manufacture of war material as defined in Article TA of Chapter II of the present Convention.

This communication shall be made not later than . . . months after the close of the financial year.

*Article IF.*

The Permanent Disarmament Commission shall receive all the information supplied by the High Contracting Parties to the Secretary-General of the League in pursuance of their international obligations in this regard.

Each year, the Commission shall make at least one report on the information submitted to it and on any other information that may reach it from an authorised source and that it may consider worth attention, showing the situation as regards the fulfilment of the present Convention.

All reports shall be communicated forthwith to all the High Contracting Parties and to the Council of the League, and shall be published on the date fixed in the Rules of Procedure of the Commission.

SECTION III. — DEROGATIONS.

*Article XA.*

If, during the life of the present Convention, a change of circumstances constitutes, in the opinion of any High Contracting Party, a menace to its national security, such High Contracting Party may derogate temporarily in so far as concerns itself from any article or articles of the present Convention, other than those expressly designed to apply in the event of war, provided:

(a) That such Contracting Party shall immediately notify the other Contracting Parties and at the same time the Permanent Disarmament Commission, through the Secretary-General of the League of Nations, of such temporary *suspension*, and of the extent thereof.

(b) That simultaneously with the notification referred to in Point (a), the Contracting Party shall communicate to the other Contracting Parties, and at the same time, to the Permanent Disarmament Commission through the Secretary-General of the League of Nations, a full explanation of the change of circumstances referred to above.

Thereupon the other High Contracting Parties shall promptly *advise* as to the situation thus presented.

When the reasons for such temporary *suspension* have ceased to exist, the said High Contracting Party shall reduce its armaments to the level agreed upon in the Convention, and shall make immediate notification to the other Contracting Parties.

*Article IE.*

**1. Amendment submitted by the British Delegation:**

“ Add at end:

“ . . . together with the expenditure by Government or local authorities ’ ”.

**2. Amendment submitted by the Polish Delegation:**

“ After the words: ‘ . . . showing the total number ’, add: ‘ and total horse-power ’.

“ The rest of the text remains unchanged.”

SECTION IV. — PROCEDURE REGARDING COMPLAINTS AND REVISION.

*Article ZA.*

The High Contracting Parties recognise that any violation of the provisions of this Convention is a matter of concern to all the Parties.

*Article ZB.*

If, during the term of the present Convention, a High Contracting Party is of opinion that another Party to the Convention is maintaining armaments in excess of the figures agreed upon or is in any way violating or endeavouring to violate the provisions of the present Convention, such Party may lay the matter, through the Secretary-General of the League, before the Permanent Disarmament Commission.

The Commission, after hearing a representative of the High Contracting Party whose action is questioned, should such Party so desire, and the representative of any other Party which may be specially concerned in the matter and which asks to be heard shall present a report thereon as soon as possible to the High Contracting Parties and to the Council of the League. The report and any proceedings thereon shall be published as soon as possible.

The High Contracting Parties shall *promptly advise as to* the conclusions of the Report.

If the High Contracting Parties directly concerned are Members of the League of Nations, the Council of the League shall exercise the rights devolving upon it in such circumstances in virtue of the Covenant of the League of Nations with a view to ensuring the observance of the Convention and to safeguarding the peace of nations.

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ANNEX 9.

C.P.D.280(a).

Geneva, December 1st, 1930.

TEXTS OF THE DRAFT CONVENTION DRAWN UP AT  
SECOND READING.

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*This document contains the text of Article IB and of the articles of Section V of Chapter V drawn up at the second reading.*

CHAPTER V. — MISCELLANEOUS PROVISIONS.

SECTION I. — ORGANISATION.

*Article IB.*

Each of the High Contracting Parties shall communicate to the Secretary-General of the League of Nations a statement in accordance with a standard model indicating by categories of materials the total actual expenditure in the course of the preceding year on the upkeep, purchase and manufacture of war materials of the land forces.

*Note.* — In giving an opinion on this Article, the Governments will take into account the reports supplied by the Committee of Budgetary Experts regarding the number and nature of the categories to be set up and the methods of publicity thus adopted in connection with the provisions of the annex regarding limitation referred to in Article TA of the present Convention.

SECTION V. — RATIFICATION, COMING INTO FORCE, DENUNCIATION.

*Article EA.*

The present Convention shall not in any way diminish the obligations of previous treaties, under which certain of the High Contracting Parties have agreed to limit their military, naval or air armaments, and have thus fixed in relation to one another their respective rights and obligations in this connection.

The following High Contracting Parties . . . signatory to the said treaties declare that the limits fixed for their armaments under the present Convention are accepted by them in relation to the obligations referred to in the preceding paragraph, the maintenance of such obligations being for them an essential condition for the observance of the present Convention.



*Article EB.*

The present Convention shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods. The instruments of ratification shall be deposited at Geneva.

It shall come into force, for each Party whose instrument of ratification has been deposited, as soon as the instruments of ratification have been deposited by . . . [list to be drawn up by the Conference].

Should the present Convention not have come into force in accordance with the preceding paragraph by . . . the High Contracting Parties shall be invited by the Secretary-General of the League of Nations to meet and consider the possibility of putting it into force. They undertake to participate in this consultation, which shall take place before . . .

*Article ED.*

Each of the High Contracting Parties undertakes that, as soon as the Convention has come into force for itself, it will begin the necessary measures for carrying the provisions of the Convention into effect.

*Article EF.*

The present Convention shall in principle have a period of duration of  $x$  years, and shall remain in force after the expiration of that period, except in so far as it is amended, superseded or denounced under the conditions specified in the following Articles.

*Article EG.*

Before the end of the period of  $x$  years provided for in the preceding Article, and not less than  $y$  years after its entry into force, the present Convention shall be re-examined by the High Contracting Parties, which shall meet in Conference. The date of this meeting shall be fixed by the Council of the League of Nations, after taking cognisance of the opinion of the Permanent Disarmament Commission and of the intentions of the High Contracting Parties non-members of the League of Nations.

The above-mentioned Conference may, if necessary, revise the present Convention and establish fresh provisions in substitution therefor, fixing their period of duration and laying down general rules regarding their examination and subsequent revision, if the latter is required.

*Article EH.*

Before the end of the term indicated for the purpose in the preceding Article, and not less than  $z$  years after the entry into force of the present Convention, the procedure for examination and revision laid down in that Article may also be carried out at the request of a High Contracting Party, with the approval of the Permanent Disarmament Commission, if the conditions under which the engagements stipulated in the Convention were contracted have undergone, as the result of technical transformations or special circumstances, changes justifying a fresh examination and, if necessary, the revision of such engagements.

*Article EJ.*

In the course of a conference held in the circumstances provided for in the two preceding Articles, any High Contracting Party shall be entitled to notify its intention to denounce the present Convention.

Such denunciation shall take effect two years after date, but in no case before the expiration period of the mentioned in Article EF.

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ANNEX 10.

C.P.D.287.

Geneva, November 28th, 1930.

REPORT BY THE DRAFTING COMMITTEE ON CHAPTER I OF THE  
DRAFT CONVENTION.

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The Drafting Committee submits the following proposals to the Commission in regard to the drafting of Chapter I of the draft Convention:

Although they involve a large number of formal changes, these proposals do not in any way affect the substance of the draft. Their sole object is to present the stipulations of Chapter I in a simpler and clearer manner.

As most of the changes are self-explanatory, the Drafting Committee merely desires to draw attention to the following points:

1. To avoid too frequent repetition in the course of the Convention of the same formula dealing with the limitation and, as far as possible, the reduction of the various kinds of armaments, the Committee, in accordance with precedent, proposes that the principle of this limitation and

reduction should be laid down once and for all at the beginning of the draft in a (new) Article 1, while the object of the remainder of the provisions will be to define the conditions of application of this general principle.

2. Article A, drawn up at second reading, deals with the limitation of effectives "in service". These effectives "in service" are defined in Article E as "average daily effectives".

It appeared preferable in Article 2 (former Article A) to use the expression "average daily effectives". The fact that these effectives are calculated according to the number of days' duty (Article 3, former Article E) clearly shows that they are "effectives in service".

It is for the Commission to decide whether the term "days' duty" is not somewhat ambiguous.

3. As the headings of the tables have the same value as the texts of articles, the Drafting Committee considered that certain provisions, such as Article H, which is merely an enumeration of the columns to be included in the tables, could quite well be omitted when these tables are drawn up, and that it would be sufficient for the said tables to be closely combined with the corresponding articles. The drafting of the old Article A (Article 2) has accordingly been revised to provide for the limitation of average daily effectives in each of the categories of effectives mentioned in the tables. These tables are incorporated in the section relating to the limitation of effectives.

The headings of these tables are taken from paragraphs 1, 2, 4 and 5 of Article H.

As regards the paragraphs of Article H dealing with the exchange of information between the contracting parties, these will be similarly represented in the headings of the tables which will be inserted immediately after Article IA.

4. In drawing up the headings of the tables, the Drafting Committee has made two slight alterations in the formulas employed in Article H:

(1) The term used in the second and sixth paragraphs of Article H: "soldiers . . . who may have completed more than  $x$  years", has been replaced by the words, "soldiers . . . who have completed . . ."

(2) In drawing up the headings of the tables relating to formations organised on a military basis, it was considered expedient to add to the word "officers" the words "or officials assimilated to them", and to the word "soldiers", the words "or officials . . . who have completed . . ."

C.P.D. 260.

## ANNEX 11.

Geneva, November 20th, 1930.

### CHAPTER II. — MATERIAL.

#### SECTION II. — NAVAL ARMAMENTS.<sup>1</sup>

TEXTS DRAWN UP BY THE COMMISSION ON NOVEMBER 20TH, 1930.

*Note.* — Such figures as appear in the following draft correspond to those agreed on in the Treaties of Washington and London and are only given as an indication.

#### *Article A.*<sup>2</sup>

The High Contracting Parties agree to limit and, so far as possible, to reduce their naval armaments. In consequence they undertake not to exceed throughout the duration of the Convention as regards the global tonnage of their vessels of war, other than the exempt vessels specified in Annex I and the special vessels mentioned in Annex II, the figures laid down in Table I.

#### *Article B.*

Table II shows, by tonnage per category, the way in which each High Contracting Party intends to distribute, during the period of application of the Convention, the total (global) tonnage which it has limited to the figure indicated, as far as it is concerned, in Table I.

The maximum displacement and gun-calibre limits of the several categories shall be as laid down in this Convention.

<sup>1</sup> Regarding methods of limitation of naval material, the Italian delegation wishes to place on record their general reservation made at the London Conference, to the effect that the Italian Government cannot definitely accept one method rather than another until ratios of strength and maximum levels of tonnage have been agreed upon by the different Powers.

<sup>2</sup> With reference to Articles A and B, the Italian delegation expressed the opinion that they should be replaced by a single article stating: "The limitation of naval armament accepted by each of the High Contracting Parties is indicated in the annexed table . . .", which might be the Table II attached to this document. Consequently, the Italian delegation is in favour of suppressing Table I.

*Article C.*

Within the limits of the total (global) tonnage shown for each High Contracting Party in Table I, and in the absence of more strict conditions resulting from special conventions to which it is or may become a party, each of the High Contracting Parties may effect a transfer of the tonnage indicated for it in the different categories in Table II, subject to the two following conditions:

- (1) The tonnages by category shown for each Contracting Party in Table II shall in no case be the object of increase beyond the figures shown for it in Table III.
- (2) Before the laying down of the ship or ships for the construction of which the transferred tonnage has been assigned, due notice must be given to all of the other High Contracting Parties of the amount of tonnage transferred, the length of such notice being that laid down for each of the High Contracting Parties in Table III.

*Article D.*

No capital ship shall exceed 35,000 tons (35,560 metric tons) standard displacement or carry a gun exceeding 16 inches (406 mm.) in calibre.

*Article E.*

1. No aircraft carrier shall exceed 27,000 tons (27,432 metric tons) standard displacement or carry a gun with a calibre in excess of 8 inches (203 mm.).
2. No aircraft carrier of 10,000 tons (10,160 metric tons) or less standard displacement shall carry a gun exceeding 6.1 inches (155 mm.) in calibre.
3. If the armament carried includes guns exceeding 6.1 inches (155 mm.) in calibre, the total number of guns carried, except anti-aircraft guns and guns not exceeding 5.1 inches (130 mm.) shall not exceed ten. If, alternatively, the armament contains no guns exceeding 6.1 inches (155 mm.) in calibre, the number of guns is not limited. In either case, the number of anti-aircraft guns and of guns not exceeding 5.1 inches (130 mm.) in calibre is not limited.

*Article F.*

No submarine shall exceed 2,000 tons (2,032 metric tons) standard displacement or carry a gun exceeding 5.1 inches (130 mm.) in calibre.

*Article G.*

No vessel of war exceeding the limitations as to displacement or armament prescribed by the present Convention shall be acquired by, or constructed by, for or within the jurisdiction of any of the High Contracting Parties.

*Article H.*

In regard to vessels of war limited by the present Treaty, the High Contracting Parties agree to be bound by the rules for replacement set out in Annex IV.

*Article I.*

Within one month after the date of laying down and the date of completion respectively of each vessel of war, other than the vessels exempt from limitation as defined in Annex I, laid down or completed by or for them or within their jurisdiction after the coming into force of the present Convention, the High Contracting Parties shall communicate to each of the other High Contracting Parties the information detailed below:

- (a) The date of laying down the keel and the following particulars:

Classification of the vessel and for whom built (if not for the High Contracting Party), standard displacement in tons and metric tons. Principal dimensions—namely, length of water-line, extreme beam at or below water-line. Mean draught at standard displacement. Calibre of the largest gun.

- (b) The date of completion, together with the foregoing particulars relating to the vessel at that date.

*Article J.*

No preparation shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6.1 inches (155 mm.) calibre.

*Article K.*

In the event of a High Contracting Party being engaged in war, such Power shall not use as a vessel of war any vessel of war which may be under construction within its jurisdiction for any other Power, or which may have been constructed within its jurisdiction for another Power and not delivered.

*Article L.*

Each of the High Contracting Parties undertakes not to dispose—by gift, sale or any mode of transfer—of any vessel of war in such a manner that such vessel may become a vessel of war in the navy of any foreign Power.

*Article M.*

Any vessels of war which have to be disposed of as being surplus to the tonnage figures allowed by this Convention shall be disposed of in accordance with the rules given in Annex V.

*Article N.*

Existing ships of various types, which, prior to April 1st, 1930, have been used as stationary training establishments or bulks, may be retained in a non-seagoing condition.

*Article O.*

Each of the High Contracting Parties agrees to limit its annual expenditure on the maintenance, purchase and manufacture of war material, for naval armaments, to the figures and under the conditions defined in annex No. ... to the present Convention.

*Note.* — The two following articles appear in Part III of the London Naval Treaty, and are quoted as examples of supplementary restrictions which certain High Contracting Parties may be prepared to assume:

*Article ...*

Not more than 25 per cent of the allowed total tonnage in the cruiser category may be fitted with a landing-on platform or deck for aircraft.

*Article ...*

In the destroyer category, not more than 16 per cent of the allowed total tonnage shall be employed in vessels of over 1,500 tons (1,524 metric tons) standard displacement.

**Table I.**

High Contracting Party	Total (Global) Tonnage
A.	
B.	
C.	
D.	
E.	
F.	
G.	
.	
.	
.	

**Table II.**

Categories (defined in Annex III)	High Contracting Parties								
	A	B	C	D	E	F	G		
(a) Capital ships.									
(i)									
(ii) <sup>1</sup>									
(b) Aircraft-carriers.									
(c) Cruisers.									
	(i) Guns of more than 6.1 inches								
	(ii) Guns of 6.1 inches and less								
(d) Destroyers									
(e) Submarines									

<sup>1</sup> For Powers which possess only vessels of a displacement which does not exceed 8,000 tons.

**Table III.**

**RULES FOR TRANSFER.**

The figures to be entered in this table will be calculated on the following principles:

1. Account must be taken of the special circumstances of each Power, and of the classes of ships involved in the transfer.
2. Powers whose total tonnage does not exceed 100,000 tons<sup>1</sup> will have full freedom of transfer as regards surface ships.
3. As regards the others Powers, the amount of the transfer should vary in inverse ratio to the amount of the total (global) tonnage of each of them.

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**Annex I.**

**EXEMPT VESSELS.**

Subject to any special agreements which may submit them to limitation, the following vessels are exempt from limitation:

(a) Naval surface combatant vessels of 600 tons (610 metric tons) standard displacement and under;

(b) Naval surface combatant vessels exceeding 600 tons (610 metric tons), but not exceeding 2,000 tons (2,032 metric tons) standard displacement, provided they have none of the following characteristics;

- (1) Mount a gun above 6.1-inch (155 mm.) calibre;
- (2) Mount more than four guns above 3-inch (76 mm.) calibre;
- (3) Are designed or fitted to launch torpedoes;
- (4) Are designed for a speed greater than twenty knots.

(c) Naval surface vessels not specifically built as fighting ships which are employed on fleet duties or as troop transport or in some other way than as fighting ships, provided they have none of the following characteristics:

- (1) Mount a gun above 6.1-inch (155 mm.) calibre;
- (2) Mount more than four guns above 3-inch (76 mm.) calibre;
- (3) Are designed to launch torpedoes;
- (4) Are designed for a speed greater than twenty knots;
- (5) Are protected by armour plate;
- (6) Are designed or fitted to launch mines;
- (7) Are fitted to receive aircraft on board from the air;
- (8) Mount more than one aircraft-launching apparatus on the centre line; or two, one on each broadside;
- (9) If fitted with any means of launching aircraft into the air, are designed or adapted to operate at sea more than three aircraft.

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**Annex II.**

**LIST OF SPECIAL VESSELS.**

.....

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**Annex III.**

**DEFINITIONS.**

For the purposes of the present Treaty, the following expressions are to be understood in the sense defined in this part.

(a) *Capital Ships.*

(i) Vessels of war, not aircraft carriers, whose displacement exceeds 10,000 tons (10,160 metric tons) standard displacement, or which carry a gun with a calibre exceeding 8 inches (203 mm)

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<sup>1</sup> This figure is given as an indication.

*Article M.*

Any vessels of war which have to be disposed of as being surplus to the tonnage figures allowed by this Convention shall be disposed of in accordance with the rules given in Annex V.

*Article N.*

Existing ships of various types, which, prior to April 1st, 1930, have been used as stationary training establishments or bulks, may be retained in a non-seagoing condition.

*Article O.*

Each of the High Contracting Parties agrees to limit its annual expenditure on the maintenance, purchase and manufacture of war material, for naval armaments, to the figures and under the conditions defined in annex No. ... to the present Convention.

*Note.* — The two following articles appear in Part III of the London Naval Treaty, and are quoted as examples of supplementary restrictions which certain High Contracting Parties may be prepared to assume:

*Article ...*

Not more than 25 per cent of the allowed total tonnage in the cruiser category may be fitted with a landing-on platform or deck for aircraft.

*Article ...*

In the destroyer category, not more than 16 per cent of the allowed total tonnage shall be employed in vessels of over 1,500 tons (1,524 metric tons) standard displacement.

**Table I.**

High Contracting Party	Total (Global) Tonnage
A.	
B.	
C.	
D.	
E.	
F.	
G.	
.	
.	
.	

**Table II.**

Categories (defined in Annex III)	High Contracting Parties								
	A	B	C	D	E	F	G		
(a) Capital ships.									
(i)									
(ii) <sup>1</sup>									
(b) Aircraft-carriers.									
(cd) Light surface vessels									
	(c) Cruisers.								
	(i) Guns of more than 6.1 inches								
(ii) Guns of 6.1 inches and less									
(d) Destroyers									
(e) Submarines									

<sup>1</sup> For Powers which possess only vessels of a displacement which does not exceed 8,000 tons.

**Table III.**

**RULES FOR TRANSFER.**

The figures to be entered in this table will be calculated on the following principles:

1. Account must be taken of the special circumstances of each Power, and of the classes of ships involved in the transfer.
2. Powers whose total tonnage does not exceed 100,000 tons<sup>1</sup> will have full freedom of transfer as regards surface ships.
3. As regards the others Powers, the amount of the transfer should vary in inverse ratio to the amount of the total (global) tonnage of each of them.

---

**Annex I.**

**EXEMPT VESSELS.**

Subject to any special agreements which may submit them to limitation, the following vessels are exempt from limitation:

(a) Naval surface combatant vessels of 600 tons (610 metric tons) standard displacement and under;

(b) Naval surface combatant vessels exceeding 600 tons (610 metric tons), but not exceeding 2,000 tons (2,032 metric tons) standard displacement, provided they have none of the following characteristics;

- (1) Mount a gun above 6.1-inch (155 mm.) calibre;
- (2) Mount more than four guns above 3-inch (76 mm.) calibre;
- (3) Are designed or fitted to launch torpedoes;
- (4) Are designed for a speed greater than twenty knots.

(c) Naval surface vessels not specifically built as fighting ships which are employed on fleet duties or as troop transport or in some other way than as fighting ships, provided they have none of the following characteristics:

- (1) Mount a gun above 6.1-inch (155 mm.) calibre;
- (2) Mount more than four guns above 3-inch (76 mm.) calibre;
- (3) Are designed to launch torpedoes;
- (4) Are designed for a speed greater than twenty knots;
- (5) Are protected by armour plate;
- (6) Are designed or fitted to launch mines;
- (7) Are fitted to receive aircraft on board from the air;
- (8) Mount more than one aircraft-launching apparatus on the centre line; or two, one on each broadside;
- (9) If fitted with any means of launching aircraft into the air, are designed or adapted to operate at sea more than three aircraft.

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**Annex II.**

**LIST OF SPECIAL VESSELS.**

.....

---

**Annex III.**

**DEFINITIONS.**

For the purposes of the present Treaty, the following expressions are to be understood in the sense defined in this part.

(a) *Capital Ships.*

(i) Vessels of war, not aircraft carriers, whose displacement exceeds 10,000 tons (10,160 metric tons) standard displacement, or which carry a gun with a calibre exceeding 8 inches (203 mm)

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<sup>1</sup> This figure is given as an indication.

(ii) Vessels of war not exceeding 8,000 tons displacement and the calibre of whose guns exceeds 8 inches (203 mm.).

(b) *Aircraft Carriers.*

Surface vessels of war, whatever their displacement, designed for the specific and exclusive purpose of carrying aircraft and so constructed that aircraft can be launched therefrom and landed thereon.

(c) *Cruisers.*

Surface vessels of war, other than capital ships or aircraft carriers, the standard displacement of which exceeds 1,850 tons (1,880 metric tons) or with a gun above 5.1 inches (130 mm.) calibre.

The cruiser category is divided into two sub-categories, as follows:

- (i) Cruisers carrying a gun above 6.1 inches (155 mm.) calibre.
- (ii) Cruisers carrying a gun not above 6.1 inches (155 mm.) calibre.

(cd) *Light Surface Vessels.*

Surface vessels of war, the standard displacement of which does not exceed 10,000 tons, and with guns not exceeding 8 inches calibre.

These are divided into two sub-categories as follows:

- (i) Vessels carrying a gun above 6.1 inches (155 mm.) calibre.
- (ii) Vessels carrying a gun not above 6.1 inches (155 mm.) calibre.

(d) *Destroyers.*

Surface vessels of war, the standard displacement of which does not exceed 1,850 tons (1,880 metric tons) and with a gun not above 5.1 inches (130 mm.) calibre.

*Standard Displacement.*

1. The standard displacement of a surface vessel is the displacement of the vessel complete, fully manned, engined and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel or reserve feed water on board.

2. The standard displacement of a submarine is the surface displacement of the vessel complete (exclusive of the water in non-watertight structure), fully manned, engined and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel, lubricating oil, fresh water or ballast water of any kind on board.

3. Each naval combatant vessel shall be rated at its displacement tonnage when in the standard condition.

The word "ton", except in the expression "metric tons", shall be understood to be the ton of 2,240 pounds (1,016 kilos.).

Annex IV.

RULES FOR REPLACEMENT.

1. Except as provided in paragraph 4 of this Annex, no vessel limited by this Convention shall be replaced until it becomes "over-age".

2. A vessel shall be deemed to be "over-age" when the following number of years have elapsed since the date of its completion:

(a) Capital ships: 20<sup>1</sup> years subject to special provision as may be necessary for the replacement of existing ships.

(b) Aircraft-carriers: 20 years, subject to special provision as may be necessary for existing ships.

(c) Surface vessels exceeding 3,000 tons (3,048 metric tons) but not exceeding 10,000 tons (10,160 metric tons) standard displacement:

(d) (i) If laid down before January 1st, 1920, 16 years;

(ii) If laid down after December 31st, 1919, 20 years.

(d) Surface vessels not exceeding 3,000 tons (3,048 metric tons) standard displacement:

(i) If laid down before January 1st, 1921, 12 years;

(ii) If laid down after December 31st, 1920, 16 years.

(e) Submarines: 13 years.

<sup>1</sup> Under the London Treaty, certain Powers agreed not to exercise their rights to lay down the keels of capital ship replacement tonnage during the years 1931 to 1936 inclusive, as provided in the Washington Treaty.



3. The keels of replacement tonnage shall not be laid down more than three years before the year in which the vessel to be replaced becomes "over-age"; but this period is reduced to two years in the case of any replacement surface vessel not exceeding 3,000 tons (3,048 metric tons) standard displacement.

The right of replacement is not lost by delay in laying down replacement tonnage.

4. In the event of loss or accidental destruction, a vessel may be replaced immediately; but such replacement tonnage shall be subject to the limits of displacement and other provisions of this Convention.

#### Annex V.

### RULES FOR DISPOSAL OF VESSELS OF WAR.

The present Convention provides for the disposal of vessels of war in the following ways:

- (1) By scrapping (sinking or breaking up);
- (2) By converting the vessel to a hulk;
- (3) By converting the vessel to target use exclusively;
- (4) By retaining the vessel exclusively for experimental purposes;
- (5) By retaining the vessel exclusively for training purposes.

Any vessel of war to be disposed of may either be scrapped or converted to a hulk at the option of the High Contracting Party concerned.

Vessels which have been retained for target, experimental or training purposes shall finally be scrapped or converted to hulks.

#### SECTION I. — VESSELS TO BE SCRAPPED.

(a) A vessel to be disposed of by scrapping, by reason of its replacement, must be rendered incapable of warlike service within six months of the date of the completion of its successor, or of the first of its successors if there are more than one. If, however, the completion of the new vessel or vessels be delayed, the work of rendering the old vessel incapable of warlike service shall, nevertheless, be completed within four and a half years from the date of laying the keel of the new vessel, or of the first of the new vessels; but should the new vessel, or any of the new vessels, be a surface vessel not exceeding 3,000 tons (3,048 metric tons) standard displacement this period is reduced to three and a half years.

(b) A vessel to be scrapped shall be considered incapable of warlike service when there shall have been removed and landed or else destroyed in the ship:

- (1) All guns and essential parts of guns, fire control tops and revolving parts of all barbets and turrets;
- (2) All hydraulic or electric machinery for operating turrets;
- (3) All fire-control instruments and range-finders;
- (4) All ammunition, explosives, mines and mine rails;
- (5) All torpedoes, war-heads, torpedo-tubes and training-racks;
- (6) All wireless telegraphy installations;
- (7) All main propelling machinery, or alternatively the armoured conning-tower and all side armour-plate;
- (8) All aircraft cranes, derricks, lifts and launching apparatus. All landing-on or flying-off platforms and decks, or alternatively all main propelling machinery;
- (9) In addition, in the case of submarines, all main storage batteries, air compressor plants and ballast pumps.

(c) Scrapping shall be finally effected in either of the following ways, within twelve months of the date on which the work of rendering the vessel incapable of warlike service is due for completion:

- (1) Permanent sinking of the vessel;
- (2) Breaking the vessel up, this shall always include the destruction or removal of all machinery, boilers and armour, and all deck, side and bottom-plating.

#### SECTION II. — VESSELS TO BE CONVERTED TO HULKS.

A vessel to be disposed of by conversion to a hulk shall be considered finally disposed of

when the conditions prescribed in Section I, paragraph (b), have been complied with omitting sub-paragraphs (6), (7) and (8), and when the following have been effected:

- (1) Mutilation beyond repair of all propeller-shafts, thrust-blocks, turbine-gearing or main propelling-motors, and turbines or cylinders of main engines;
- (2) Removal of propeller-brackets;
- (3) Removal and breaking up of all aircraft-lifts, and the removal of all aircraft-cranes, derricks and launching apparatus.

The vessel must be put in the above condition within the same limits of time as provided in Section I for rendering a vessel incapable of warlike service.

SECTION III. — VESSELS TO BE CONVERTED TO TARGET USE.

(a) A vessel to be disposed of by conversion to target use exclusively shall be considered incapable of warlike service when there have been removed and landed, or rendered unserviceable on board, the following:

- (1) All guns;
- (2) All fire-control tops and instruments and main fire-control communication wiring;
- (3) All machinery for operating gun-mountings or turrets;
- (4) All ammunition, explosives, mines, torpedoes and torpedo-tubes;
- (5) All aviation facilities and accessories.

The vessel must be put into the above conditions within the same limits of time as provided in Section I for rendering a vessel incapable of warlike service.

(b) In addition to the rights already possessed by each High Contracting Party under the Washington Treaty, each High Contracting Party is permitted to retain, for target use exclusively at any one time:

- (1) Not more than three vessels (cruisers or destroyers), but of these three vessels only one may exceed 3,000 tons (3,048 metric tons) standard displacement;
- (2) One submarine.

(c) On retaining a vessel for target use, the High Contracting Party concerned undertakes not to recondition it for warlike service.

SECTION IV — VESSELS RETAINED FOR EXPERIMENTAL PURPOSES.

(a) A vessel to be disposed of by conversion to experimental purposes exclusively shall be dealt with in accordance with the provisions of Section III (a) of this Annex.

(b) Without prejudice to the general rules, and provided that due notice be given to the other High Contracting Parties, reasonable variation from the conditions prescribed in Section III (a) of this Annex, in so far as may be necessary for the purposes of a special experiment, may be permitted as a temporary measure.

Any High Contracting Party taking advantage of this provision is required to furnish full details of any such variation and the period for which they will be required.

(c) Each High Contracting Party is permitted to retain for experimental purposes exclusively at any one time:

- (1) Not more than two vessels (cruisers or destroyers), but of these two vessels only one may exceed 3,000 tons (3,048 metric tons) standard displacement;
- (2) One submarine.

(d) On retaining a vessel for experimental purposes, the High Contracting Party concerned undertakes not to recondition it for warlike service.

SECTION V. — VESSELS RETAINED FOR TRAINING PURPOSES.

(a) Each High Contracting Party is permitted to retain, for training purposes exclusively, the following vessels:

.....  
.....

(b) Vessels retained for training purposes under the provisions of paragraph (a) shall, within six months of the date on which they are required to be disposed of, be dealt with as follows:

I. *Capital Ships.*

(1) Removal of main-armament guns, revolving parts of all barbettes and turrets; machinery for operating turrets; but three turrets with their armament may be retained in each ship;

(2) Removal of all ammunition and explosives in excess of the quantity required for target-practice training for the guns remaining on board;

(3) Removal of conning-tower and the side-armour belt between the foremost and aftermost barbettes;

(4) Removal or mutilation of all torpedo-tubes;

(5) Removal or mutilation on board of all boilers in excess of the number required for a maximum speed of eighteen knots.

2. *Other Surface Vessels.*

The following is to be carried out:

(1) Removal of one-half of the guns, but four guns of main calibre may be retained on each vessel;

(2) Removal of all torpedo-tubes;

(3) Removal of all aviation facilities and accessories;

(4) Removal of one-half of the boilers.

(c) The High Contracting Party concerned undertakes that vessels retained in accordance with the provisions of this Section shall not be used for any combatant purpose.

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ANNEX 12.

C.P.D.292.

Geneva, December 3rd, 1930.

DRAFT CONVENTION.

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*Note by the Drafting Committee.*

The Drafting Committee presents in this document a revised draft of the Convention.

In this draft the amendments adopted by the Commission at its recent meetings have been inserted, and some improvements have been effected in the text in consequence of observations made by certain delegations.

The articles in which the text differs from that presented in documents C.P.D.280 and 280(a) are as follows:

Part I (former Chapter I): Articles 2, 3, 4, tables of Chapter A, Articles 5 (new), 5 (a) (former Article 6), 6, 7, table of Chapter B.

Part II: Table II, Annex III, Articles 24, 27.

Part IV: Article 29 and the annexed tables, Articles 31, 34, 35, 36.

Part VI: Article 58.

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*Article I (new).*

The High Contracting Parties agree to limit and, so far as possible, to reduce their respective armaments as provided in the present Convention.

PART I. — PERSONNEL.

CHAPTER A. — EFFECTIVES.

*Article 2 (former Articles A and H).*

The average daily effectives in the land, sea and air armed forces and formations organised on a military basis of each of the High Contracting Parties shall not exceed, in each of the categories of effectives defined in the tables annexed to this Chapter, the figure laid down for such party in the corresponding column of the said tables.

*Article 3 (former Article E).*

The average daily effectives are reckoned by dividing the total number of days' duty performed in each year by the number of days in such year.

*Article 4 (former Articles C and D).*

By formations organised on a military basis shall be understood police forces of all kinds, gendarmerie, Customs officials, forest guards, which, whatever their legal purpose, are, in time of peace, by reason of their staff of officers, establishment, training, armament, equipment, capable of being employed for military purposes without measures of mobilisation, as well as any other organisation complying with the above condition.

By mobilisation, within the meaning of the present article, shall be understood all the measures for the purpose of providing the whole or part of the various corps, services and units with the personnel and material required to pass from a peace-time footing to a war-time footing.

**Tables annexed to Chapter A of Part I.**

**TABLES OF THE AVERAGE DAILY EFFECTIVES WHICH ARE NOT TO BE EXCEEDED IN THE LAND ARMED FORCES.**

<i>Table I. — Land Armed Forces stationed in the Home Country.</i>			<i>Table II (optional). — Land Armed Forces stationed Overseas.</i>			<i>Table III. — Total Land Armed Forces.</i>			
High Contracting Parties	<i>a</i> Total effectives, including the effectives specified in columns <i>b</i> and <i>c</i>	<i>b</i> Officers (Article H. 1)	<i>c</i> Other soldiers who have completed more than $\times 1$ months of service (Article H. 2)	<i>a</i> Total effectives, including the effectives specified in columns <i>b</i> and <i>c</i>	<i>b</i> Officers (Article H. 1)	<i>c</i> Other soldiers who have completed more than $\times 1$ months of service (Article H. 2)	<i>a</i> Total effectives, including the effectives specified in columns <i>b</i> and <i>c</i>	<i>b</i> Officers (Article H. 1)	<i>c</i> Other soldiers who have completed more than $\times 1$ months of service (Article H. 2)
A.									
B.									
C.									
D.									
...									

**TABLES OF THE AVERAGE DAILY EFFECTIVES WHICH ARE NOT TO BE EXCEEDED IN THE LAND FORMATIONS ORGANISED ON A MILITARY BASIS.**

<i>Table IV. — Formations organised on a Military Basis stationed in the Home Country.</i>				<i>Table V. — Formations organised on a Military Basis stationed Overseas.</i>		
High Contracting Parties	<i>a</i> Total effectives, including the effectives specified in columns <i>b</i> and <i>c</i>	<i>b</i> Officers or officials ranking as officers (Article H. 1)	<i>c</i> Other soldiers or officials who have completed more than $\times 1$ months of service (Article H. 2)	<i>a</i> Total effectives, including the effectives specified in columns <i>b</i> and <i>c</i>	<i>b</i> Officers or officials ranking as officers (Article H. 1)	<i>c</i> Other soldiers or officials who have completed more than $\times 1$ months of service (Article H. 2)
A.						
B.						
C.						
D.						
...						

<sup>1</sup> *Note.* — This figure will be determined by the duration of the longest period of service which is in force in the conscript army of any High Contracting Party at the time of the signature of the Convention.

TABLES OF THE AVERAGE DAILY EFFECTIVES WHICH ARE NOT TO BE EXCEEDED IN THE SEA ARMED FORCES.

<i>Table VI. — Sea Armed Forces.</i>		<i>Table VII. — Sea Formations organised on a Military Basis.</i>
High Contracting Parties	Total effectives (officers, petty officers and men) (Article H. 4)	Total effectives (officers, petty officers and men and officials of every grade (Article H. 4)
A.		
B.		
C.		
D.		
::		
::		

TABLES OF THE AVERAGE DAILY EFFECTIVES WHICH ARE NOT TO BE EXCEEDED IN THE AIR ARMED FORCES. \*

<i>Table VIII (Optional). — Air Armed Forces stationed in the Home Country.</i>			<i>Table IX (optional). — Air Armed Forces stationed Overseas.</i>		<i>Table X. — Total Air Armed Forces.</i>	
High Contracting Parties	<i>a</i>	<i>b</i>	<i>a</i>	<i>b</i>	<i>a</i>	<i>b</i>
	Total effectives, including the effectives specified in column <i>b</i>	Effectives who have completed more than $\times$ 1 months of service (officers, non-commissioned officers and men) (Article H. 6.)	Total effectives, including the effectives specified in column <i>b</i>	Effectives who have completed more than $\times$ 1 months of service (officers, non-commissioned officers and men) (Article H. 6.)	Total effectives, including the effectives specified in column <i>b</i>	Effectives who have completed more than $\times$ 1 months of service (officers, non-commissioned officers and men) (Article H. 6.)
A.						
B.						
C.						
D.						
::						
::						

TABLES OF THE AVERAGE DAILY EFFECTIVES WHICH ARE NOT TO BE EXCEEDED IN THE AIR FORMATIONS ORGANISED ON A MILITARY BASIS.

<i>Table XI. — Air Formations organised on a Military Basis stationed in the Home Country.</i>			<i>Table XII. — Air Formations organised on a Military Basis stationed Overseas.</i>	
High Contracting Parties	<i>a</i>	<i>b</i>	<i>a</i>	<i>b</i>
	Total effectives, including the effectives specified in column <i>b</i>	Effectives or officials who have completed more than $\times$ 1 months of service (officers, non-commissioned officers, men and officials of every grade) (Article H. 6.)	Total effectives, including the effectives specified in column <i>b</i>	Effectives or officials who have completed more than $\times$ 1 months of service (officers, non-commissioned officers, men and officials of every grade) (Article H. 6.)
A.				
B.				
C.				
D.				
::				
::				

\* *Note by the Drafting Committee.* — When drawing up the column headings of Tables VIII to XII, annexed to Part I, and of the Model Tables VI to XII, annexed to Article 29, the Drafting Committee assumed that the Commission had decided to fix the figure  $\times$  at a period of service equal to the longest period of service completed in any of the *armies* of the High Contracting Parties by effectives recruited by conscription. In the event of this assumption being erroneous, should the figure  $\times$  be different in the case of land, sea and air forces?

<sup>†</sup> *Note.* — This figure will be determined by the duration of the longest period of service which is in force in the conscript army of any High Contracting Party at the time of the signature of the Convention.

CHAPTER B. — PERIOD OF SERVICE.

*Article 5 (new).*

The provisions of this Chapter apply only to effectives recruited by conscription.

*Article 5 (a) (former Article I).*

For each of the High Contracting Parties concerned, the maximum total periods of service to which the effectives recruited by conscription are liable in the land, sea or air armed forces or formations organised on a military basis respectively, shall not exceed the figures laid down for such party in the table annexed to this Chapter.

*Article 6 (former Article I).*

For each man, the total period of service is the total number of days comprised in the different periods of service which he is liable under the national law to perform.

*Article 7 (former Article XB).*

As an exception each of the High Contracting Parties concerned may exceed the limits which he has accepted by the table annexed to this Chapter in so far as, owing to a falling-off in the number of births, such an increase may be necessary to enable the maximum total number of effectives fixed in his case by the tables annexed to Chapter A of this part.

*Article 8 (former Articles I and XB).*

In any case, the total period of service shall not exceed . . . months.

Table annexed to Chapter B of Part I

High Contracting Parties	Maximum total period of service to which the effectives recruited by conscription are liable in the armed forces or formations organised on a military basis		
	Land	Sea	Air
A.			
B.			
C.			
D.			
..			
..			
..			
..			

PART II. — MATERIAL.

CHAPTER A. — LAND ARMAMENTS.

*Article 9 (former Article TA).*

(Provisional text, pending the drafting of the Annex.)

The annual expenditure of each High Contracting Party on the upkeep, purchase and manufacture of war material for land armaments shall be limited to the figures laid down for such Party, and in accordance with the conditions prescribed, in the annex to this Article.

*Note.* — In pronouncing on this Article, the Governments will take into account at the Conference the report requested from the Committee of Budgetary Experts, which will have been forwarded to them in order to permit of the drawing up of the annex to this Article.

The Preparatory Commission, by sixteen votes to three and six abstentions, adopted the principle of limitation by expenditure. It also discussed the following resolution:

“The Preparatory Commission is of opinion that the principle of direct limitation should be applied to land war material.”

When this resolution was put to the vote, there were nine votes in favour, nine against and seven abstentions.

Lastly, it examined the principle of a combination of the two methods. Nine members of the Commission voted in favour of this principle; eleven voted against and five abstained.

CHAPTER B. — NAVAL ARMAMENTS.

(*Note.* — Such figures and dates as appear in this Chapter are only given as an indication; most of them correspond to the figures and dates laid down in the Treaties of Washington and London.)

*Article 10* (former Article A of document C.P.D.260).

Throughout the duration of the present Convention, the global tonnage of the vessels of war of each of the High Contracting Parties, other than the vessels exempt from limitation under Annex I to this Chapter and the special vessels enumerated in Annex II, shall not exceed the figure laid down for such Party in Table I annexed to this Chapter.

*Article 11* (former Article B).

Table II annexed to this Chapter shows, by tonnage per category, the way in which each High Contracting Party intends to distribute during the period of application of the present Convention the global tonnage which is limited in the case of such Party to the figure laid down in Table I.

*Article 12* (former Article C).

Within the limits of the global tonnage fixed for such Party in Table I, and failing any stricter conditions resulting from special conventions to which it is or may become a party, each of the High Contracting Parties may modify the distribution shown for it in Table II, subject to the following conditions:

(1) The tonnages by category shown for each High Contracting Party in Table II shall in no case be the object of increase beyond the figures shown for it in Table III annexed to this Chapter.

(2) Before the laying-down of the ship or ships for the construction of which the transferred tonnage has been assigned, due notice must be given to all the other High Contracting Parties of the amount of tonnage transferred, the length of such notice being that laid down for each of the High Contracting Parties in Table III.

*Article 13* (former Article D).

No capital ship shall exceed 35,000 tons (35,560 metric tons) standard displacement or carry a gun exceeding 16 inches (406 mm.) in calibre.

*Article 14* (former Article E).

No aircraft carrier shall exceed 27,000 tons (27,432 metric tons) standard displacement or carry a gun with a calibre in excess of 8 inches (203 mm.).

No aircraft carrier of 10,000 tons (10,160 metric tons) or less standard displacement shall carry a gun exceeding 6.1 inches (155 mm.) in calibre.

If the armament carried includes guns exceeding 6.1 inches (155 mm.) in calibre, the total number of guns carried except anti-aircraft guns and guns not exceeding 5.1 inches (130 mm.), shall not exceed ten. If, alternatively, the armament contains no guns exceeding 6.1 inches (155 mm.) in calibre, the number of guns is not limited. In either case, the number of anti-aircraft guns and of guns not exceeding 5.1 inches (130 mm.) in calibre, is not limited.

*Article 15* (former Article F).

No submarine shall exceed 2,000 tons (2,032 metric tons) standard displacement or carry a gun exceeding 5.1 inches (130 mm.) in calibre.

*Article 16* (former Article G).

No vessel of war exceeding the limitations as to displacement or armament prescribed by the present Convention shall be acquired by, or constructed by, for or within the jurisdiction of any of the High Contracting Parties.

*Article 17* (former Article H).

In regard to the replacement of the vessels of war limited by the present Convention, the High Contracting Parties will comply with the rules set out in Annex IV to this Chapter.

*Article 18* (former Article J).

No preparation shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6.1 inchse (155 mm.) in calibre.

*Article 19* (former Article K).

In the event of a High Contracting Party's being engaged in war, such Party shall not use as a vessel of war any vessel of war which may be under construction within its jurisdiction for any other Power, or which may have been constructed within its jurisdiction for another Power and not delivered.

*Article 20* (former Article L).

Each of the High Contracting Parties undertakes not to dispose, by gift, sale, or any mode of transfer, of any vessel of war in such a manner that such vessel may become a vessel of war in the navy of any foreign Power.

*Article 21* (former Article M).

Any vessels of war which have to be disposed of as being surplus to the tonnage figures allowed by the present Convention shall be disposed of in accordance with the rules set out in Annex V to this Chapter.

*Article 22* (former Article N).

Existing ships of various types, which, prior to April 1st, 1930, have been used as stationary training establishments or hulks, may be retained in a non-seagoing condition.

*Article 23* (former Article O).

(Provisional text pending the drafting of the Annex.)

The annual expenditure of each High Contracting Party on the upkeep, purchase and manufacture of war material for naval armaments shall be limited to the figures laid down for such Party, and in accordance with the conditions prescribed, in Annex . . . .

\* \* \*

*Note.* — The two following articles appear in Part III of the London Naval Treaty, and are quoted as examples of supplementary restrictions which certain High Contracting Parties may be prepared to accept:

*Article ...*

" Not more than 25 per cent of the allowed total tonnage in the cruiser category may be fitted with a landing-on platform or deck for aircraft."

*Article ...*

" In the destroyer category, not more than 16 per cent of the allowed total tonnage shall be employed in vessels of over 1,500 tons (1,523 metric tons) standard displacement."

*Table I.*

High Contracting Party	Global Tonnage
A.	
B.	
C.	
D.	
E.	
F.	
G.	
.	
.	
.	

*Table II.*

Categories (defined in Annex III)	High Contracting Parties							
	A	B	C	D	E	F	G	
(a) Capital ships.								
(i)								
(ii) <sup>1</sup>								
(b) Aircraft-carriers.								
(cd) Light surface vessels								
	(c) Cruisers.							
(i) Guns of more than 6.1 inches (155 mm.)								
(ii) Guns of 6.1 inches and less (155 mm.)								
(d) Destroyers.								
(e) Submarines.								

<sup>1</sup> For parties who do not possess any capital ship of a standard displacement exceeding 8,000 tons (8,128 metric tons).



*Table III. — Rules for Transfer.*

The figures to be entered in this table will be calculated on the following principles:

1. Account must be taken of the special circumstances of each Power, and of the classes of ships involved in the transfer.
2. Powers whose total tonnage does not exceed 100,000 tons<sup>1</sup> will have full freedom of transfer as regards surface ships.
3. As regards the other Powers, the amount of the transfer should vary in inverse ratio to the amount of the total (global) tonnage of each of them.

**Annex I to Chapter B of Part II.**

**EXEMPT VESSELS.**

Subject to any special agreements which may submit them to limitation, the following vessels are exempt from limitation:

(a) Naval surface combatant vessels of 600 tons (610 metric tons) standard displacement and under;

(b) Naval surface combatant vessels exceeding 600 tons (610 metric tons), but not exceeding 2,000 tons (2,032 metric tons) standard displacement, provided they have none of the following characteristics;

- (1) Mount a gun above 6.1-inch (155 mm.) calibre;
- (2) Mount more than four guns above 3-inch (76 mm.) calibre;
- (3) Are designed or fitted to launch torpedoes;
- (4) Are designed for a speed greater than twenty knots.

(c) Naval surface vessels not specifically built as fighting ships which are employed on fleet duties or as troop transports or in some other way than as fighting ships, provided they have none of the following characteristics:

- (1) Mount a gun above 6.1-inch (155 mm.) calibre;
- (2) Mount more than four guns above 3-inch (76 mm.) calibre;
- (3) Are designed or fitted to launch torpedoes;
- (4) Are designed for a speed greater than twenty knots;
- (5) Are protected by armour plate;
- (6) Are designed or fitted to launch mines;
- (7) Are fitted to receive aircraft on board from the air;
- (8) Mount more than one aircraft-launching apparatus on the centre line; or two, one on each broadside;
- (9) If fitted with any means of launching aircraft into the air, are designed or adapted to operate at sea more than three aircraft.

**Annex II to Chapter B of Part II.**

**LIST OF SPECIAL VESSELS.**

.....  
.....  
.....

**Annex III to Chapter B of Part II.**

**DEFINITIONS.**

For the purposes of the present Convention, the following expressions are to be understood in the sense defined in this Annex:

(a) *Capital Ships.*

(i) Vessels of war, not aircraft carriers, whose displacement exceeds 10,000 tons (10,160 metric tons) standard displacement, or which carry a gun with a calibre exceeding 8 inches (203 mm.).

(ii) For Parties who do not possess any capital ship exceeding 8,000 tons (8,128 metric tons) standard displacement:

Vessels of war not exceeding 8,000 tons (8,128 metric tons) standard displacement and the calibre of whose guns exceeds 8 inches (203 mm.).

<sup>1</sup> This figure is given as an indication.

(b) *Aircraft Carriers.*

Surface vessels of war, whatever their displacement, designed for the specific and exclusive purpose of carrying aircraft and so constructed that aircraft can be launched therefrom and landed thereon.

(c) *Cruisers.*

Surface vessels of war, other than capital ships or aircraft carriers, the standard displacement of which exceeds 1,850 tons (1,880 metric tons) or with a gun above 5.1 inches (130 mm.) calibre.

The cruiser category is divided into two sub-categories, as follows:

- (i) Cruisers carrying a gun above 6.1 inches (155 mm.) calibre.
- (ii) Cruisers not carrying a gun above 6.1 inches (155 mm.) calibre.

(d) *Destroyers.*

Surface vessels of war, the standard displacement of which does not exceed 1,850 tons (1,880 metric tons) and with a gun not above 5.1 inches (130 mm.) calibre.

(cd) *Light Surface Vessels.*

Surface vessels of war, other than aircraft carriers, the standard displacement of which does not exceed 10,000 tons (10,160 metric tons), and with guns not exceeding 8 inches (203 mm.) calibre.

The category of light surface vessels is divided into two sub-categories, as follows:

- (i) Vessels carrying a gun above 6.1 inches (155 mm.) calibre.
- (ii) Vessels not carrying a gun above 6.1 inches (155 mm.) calibre.

*Standard Displacement.*

1. The standard displacement of a surface vessel is the displacement of the vessel complete, fully manned, engined and equipped ready for sea, including all armament and ammunition equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel or reserve feed water on board.

2. The standard displacement of a submarine is the surface displacement of the vessel complete (exclusive of the water in non-watertight structure), fully manned, engined and equipped ready for sea, including all armament and ammunition, equipment, outfit provisions for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel, lubricating oil, fresh water or ballast water of any kind on board.

3. Each naval combatant vessel shall be rated at its displacement tonnage when in the standard condition.

The word "ton", except in the expression "metric tons", shall be understood to be the ton of 2,240 pounds (1,016 kilos.).

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Annex IV to Chapter B of Part II.

RULES FOR REPLACEMENT

1. Except as provided in paragraph 4 of this Annex, no vessel limited by this Convention shall be replaced until it becomes "over-age".

2. A vessel shall be deemed to be "over-age" when the following number of years have elapsed since the date of its completion:

(a) Capital ships: 20<sup>1</sup> years, subject to special provision as may be necessary for the replacement of existing ships.

(b) Aircraft-carriers: 20 years, subject to special provision as may be necessary for existing ships.

(c) Surface vessels exceeding 3,000 tons (3,048 metric tons) but not exceeding 10,000 tons (10,160 metric tons) standard displacement:

- (i) If laid down before January 1st, 1920, 16 years;
- (ii) If laid down after December 31st, 1919, 20 years.

(d) Surface vessels not exceeding 3,000 tons (3,048 metric tons) standard displacement:

- (i) If laid down before January 1st, 1921, 12 years;
- (ii) If laid down after December 31st, 1920, 16 years.

(e) Submarines: 13 years.

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<sup>1</sup> Under the London Treaty, certain Powers agreed not to exercise their rights to lay down the keels of capital ship replacement tonnage during the years 1931 to 1936 inclusive, as provided in the Washington Treaty.

3. The keels of replacement tonnage shall not be laid down more than three years before the year in which the vessel to be replaced becomes "over-age"; but this period is reduced to two years in the case of any replacement surface vessel not exceeding 3,000 tons (3,048 metric tons) standard displacement.

The right of replacement is not lost by delay in laying down replacement tonnage.

4. In the event of loss or accidental destruction, a vessel may be replaced immediately; but such replacement tonnage shall be subject to the limits of displacement and to the other provisions of this Convention.

## Annex V to Chapter B of Part II.

### RULES FOR DISPOSAL OF VESSELS OF WAR.

The present Convention provides for the disposal of vessels of war in the following ways:

- (1) By scrapping (sinking or breaking up);
- (2) By converting the vessel to a hulk;
- (3) By converting the vessel to target use exclusively;
- (4) By retaining the vessel exclusively for experimental purposes;
- (5) By retaining the vessel exclusively for training purposes.

Any vessel of war to be disposed of, may either be scrapped or converted to a hulk at the option of the High Contracting Party concerned.

Vessels which have been retained for target, experimental or training purposes, shall finally be scrapped or converted to hulks.

#### *Section I. — Vessels to be scrapped.*

(a) A vessel to be disposed of by scrapping, by reason of its replacement, must be rendered incapable of warlike service within six months of the date of the completion of its successor, or of the first of its successors if there are more than one. If, however, the completion of the new vessel or vessels be delayed, the work of rendering the old vessel incapable of warlike service shall, nevertheless, be completed within four and a-half years from the date of laying the keel of the new vessel, or of the first of the new vessels; but should the new vessel, or any of the new vessels, be a surface vessel not exceeding 3,000 tons (3,048 metric tons) standard displacement this period is reduced to three and a half years.

(b) A vessel to be scrapped shall be considered incapable of warlike service when there shall have been removed and landed or else destroyed in the ship:

- (1) All guns and essential parts of guns, fire control tops and revolving parts of all barbets and turrets;
- (2) All hydraulic or electric machinery for operating turrets;
- (3) All fire-control instruments and range-finders;
- (4) All ammunition, explosives, mines and mine rails;
- (5) All torpedoes, war-heads, torpedo-tubes and training-racks;
- (6) All wireless telegraphy installations;
- (7) All main propelling machinery, or alternatively the armoured conning-tower and all side armour-plate;
- (8) All aircraft cranes, derricks, lifts, and launching apparatus. All landing-on or flying-off platforms and decks, or alternatively all main propelling machinery;
- (9) In addition, in the case of submarines, all main storage batteries, air compressor plants and ballast pumps.

(c) Scrapping shall be finally effected in either of the following ways, within twelve months of the date on which the work of rendering the vessel incapable of warlike service is due for completion:

- (1) Permanent sinking of the vessel;
- (2) Breaking the vessel up; this shall always include the destruction or removal of all machinery, boilers and armour, and all deck, side and bottom-plating.

#### *Section II. — Vessels to be converted to Hulks.*

A vessel to be disposed of by conversion to a hulk shall be considered finally disposed of when the conditions prescribed in Section I, paragraph (b) of this Annex, have been complied with omitting sub-paragraphs (6), (7) and (8), and when the following have been effected:

- (1) Mutilation beyond repair of all propeller-shafts, thrust-blocks, turbine-gearing or main propelling-motors, and turbines or cylinders of main engines;

- (2) Removal of propeller-brackets;
- (3) Removal and breaking up of all aircraft-lifts, and the removal of all aircraft-cranes, derricks and launching apparatus.

The vessel must be put in the above condition within the same limits of time as provided in Section I for rendering a vessel incapable of warlike service.

*Section III. — Vessels to be converted to Target Use.*

(a) A vessel to be disposed of by conversion to target use exclusively shall be considered incapable of warlike service when there have been removed and landed, or rendered unserviceable on board, the following:

- (1) All guns;
- (2) All fire-control tops and instruments and main fire-control communication wiring;
- (3) All machinery for operating gun-mountings or turrets;
- (4) All ammunition, explosives, mines, torpedoes and torpedo-tubes;
- (5) All aviation facilities and accessories.

The vessel must be put into the above conditions within the same limits of time as provided in Section I for rendering a vessel incapable of warlike service.

(b) Each High Contracting Party is permitted to retain, for target use exclusively, at any one time:

- (1) Not more than three vessels (cruisers or destroyers), but of these three vessels only one may exceed 3,000 tons (3,048 metric tons) standard displacement;
- (2) One submarine.

Moreover, the High Contracting Parties who are signatories of the Washington Treaty retain the rights which they possess in this respect under the same Treaty.

(c) On retaining a vessel for target use, the High Contracting Party concerned undertakes not to re-condition it for warlike service.

*Section IV. — Vessels retained for Experimental Purposes.*

(a) A vessel to be disposed of by conversion to experimental purposes exclusively shall be dealt with in accordance with the provisions of Section III (a) of this Annex.

(b) Without prejudice to the general rules, and provided that due notice be given to the other High Contracting Parties, reasonable variation from the conditions prescribed in Section III (a) of this Annex, in so far as may be necessary for the purposes of a special experiment, may be permitted as a temporary measure.

Any High Contracting Party taking advantage of this provision is required to furnish full details of any such variation and the period for which they will be required.

(c) Each High Contracting Party is permitted to retain for experimental purposes exclusively at any one time:

- (1) Not more than two vessels (cruisers or destroyers), but of these two vessels only one may exceed 3,000 tons (3,048 metric tons) standard displacement;
- (2) One submarine.

(d) On retaining a vessel for experimental purposes, the High Contracting Party concerned undertakes not to recondition it for warlike service.

*Section V. — Vessels retained for Training Purposes.*

(a) The following vessels may be retained, for training purposes exclusively, by the High Contracting Parties concerned:

.....  
 .....

(b) Vessels retained for training purposes under the provisions of paragraph (a) shall, within six months of the date on which they are required to be disposed of, be dealt with as follows:

*1. Capitals Ships.*

The following is to be carried out:

(1) Removal of main-armament guns, revolving parts of all barbets and turrets; machinery for operating turrets; but three turrets with their armament may be retained in each ship;

(2) Removal of all ammunition and explosives in excess of the quantity required for target-practice training for the guns remaining on board;

- (3) Removal of conning-tower and the side-armour belt between the foremost and aftermost barbets;
- (4) Removal or mutilation of all torpedo-tubes;
- (5) Removal or mutilation on board of all boilers in excess of the number required for a maximum speed of eighteen knots.

2. *Other Surface Vessels.*

The following is to be carried out:

- (1) Removal of one half of the guns, but four guns of main calibre may be retained on each vessel;
- (2) Removal of all torpedo-tubes;
- (3) Removal of all aviation facilities and accessories;
- (4) Removal of one half of the boilers.

(c) The High Contracting Party concerned undertakes that vessels retained in accordance with the provisions of this Section shall not be used for any combatant purpose.

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## CHAPTER C. — AIR ARMAMENTS.

### *Article 24 (former Article AA).*

The number and total horse-power of the aeroplanes, capable of use in war, in commission and in immediate reserve in the land, sea and air armed forces of each of the High Contracting Parties shall not exceed the figures laid down for such Party in the corresponding columns of Table I annexed to this Chapter.

The number and total horse-power of the aeroplanes, capable of use in war, in commission and in immediate reserve in the land, sea and air formations organised on a military basis of each of the High Contracting Parties shall not exceed the figures laid down for such Party in the corresponding columns of Table II annexed to this Chapter.

### *Article 25 (former Article AA).*

The number, total horse-power and total volume of dirigibles, capable of use in war, in commission in the land, sea and air armed forces of each of the High Contracting Parties shall not exceed the figures laid down for such Party in the corresponding columns of Table III annexed to this Chapter.

The number, total horse-power and total volume of dirigibles capable of use in war, in commission in the land, sea and air formations organised on a military basis of each of the High Contracting Parties shall not exceed the figures laid down for such Party in the corresponding columns of Table IV annexed to this Chapter.

### *Article 26 (former Article AC).*

Horse-power shall be measured according to the following rules . . . [these rules will be established by the Conference].

The volume of dirigibles shall be expressed in cubic metres.

### *Article 27 (former Article AE).*

1. The High Contracting Parties shall refrain from prescribing the embodiment of military features in the construction of civil aviation material, so that this material may be constructed for purely civil purposes, more particularly with a view to providing the greatest possible measure of security and the most economic return. No preparations shall be made in civil aircraft in time of peace for the installation of warlike armaments for the purpose of converting such aircraft into military aircraft.

2. The High Contracting Parties undertake not to require civil aviation enterprises to employ personnel specially trained for military purposes. They undertake to authorise only as a provisional and temporary measure the seconding of personnel to, and the employment of military aviation material in, civil aviation undertakings. Any such personnel or military material which may thus be employed in civil aviation of whatever nature shall be included in the limitation applicable to the High Contracting Party concerned in virtue of Part I, or Articles 24 and 25, of the present Convention, as the case may be.

3. The High Contracting Parties undertake not to subsidise, directly or indirectly, air lines principally established for military purposes instead of being established for economic, administrative or social purposes.

4. The High Contracting Parties undertake to encourage as far as possible the conclusion of economic agreements between civil aviation undertakings in the different countries and to confer together to this end.

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Tables annexed to Chapter C (former Article AA) of Part II.

Table I. — Aeroplanes of the Land, Sea and Air Armed Forces.								Table II. — Aeroplanes of the land, Sea and Air Formations organised on a Military Basis.						
High Contracting Parties	a Total aeroplanes of the armed forces (former Table A)		b (Optional) Aeroplanes stationed in the home country (former Table A (1))		c (Optional) Aeroplanes stationed overseas (former Table A (2))		d (Optional) Aeroplanes in aircraft carriers (former Table A (3))		a Total aeroplanes of the forces organised on a military basis (former Table B)		b (Optional) Aeroplanes stationed in the home country (former Table B (1))		c (Optional) Aeroplanes stationed overseas (former Table B (2))	
	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power
A.														
B.														
C.														
D.														
::														

Table III. — Dirigibles of the Land, Sea and Air Armed Forces.											Table IV. — Dirigibles of the Land, Sea and Air Formations organised on a Military Basis.										
High Contracting Parties	a Total dirigibles of the armed forces (former Table A)			b (Optional) Dirigibles stationed in the home country (former Table A (1))			c (Optional) Dirigibles stationed overseas (former Table A (2))			d (Optional) Dirigibles in aircraft carriers (former Table A (3))			a Total dirigibles the formations organised on a military basis (former Table B)			b (Optional) Dirigibles stationed in the home country (former Table B (1))			c (Optional) Dirigibles stationed overseas (former Table B (2))		
	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume
A.																					
B.																					
C.																					
D.																					
::																					

**PART III. — BUDGETARY EXPENDITURE.**

*Article 28 (former Article DA).*

(Provisional text pending the drafting of the Annex.)

The total annual expenditure of each of the High Contracting Parties on his land, sea and air forces and formations organised on a military basis, shall be limited to the figure laid down for such Party, and in accordance with the conditions prescribed in the Annex.

*Note.* — In pronouncing on this Article, and particular as regards the possibility of a distinct limitation of the expenditure on land, sea and air forces, the Governments will take into account at the Conference the report requested from the Committee of Budgetary Experts, which will have been forwarded to them in order to permit of the drawing up of Annex...

*Note by the Drafting Committee.* — The Preparatory Commission adopted on second reading the following text for Article DA:

“ Each of the High Contracting Parties agrees to limit and, as far as possible, to reduce its total annual expenditure on land, air and sea forces. The relevant figure and the conditions governing such limitation or reduction, in particular as regards the possibility of a distinct limitation of land, naval and air expenditure, are stated in Annex No. . . . to the present Convention. ”

*Note.* — In pronouncing on this Article, the Governments will take into account at the Conference the report requested from the Committee of Budgetary Experts, which will have been forwarded to them in order to permit of the drawing-up of Annex No. . . .

Inasmuch as this text leaves certain questions to be settled in the Annex, which has not yet been drafted, the Drafting Committee has confined itself to reproducing provisionally the text which it proposed, in somewhat similar conditions, for Articles 9 (TA) and 23 (O), and has inserted in the note accompanying the article the reference to the possibility of a distinct limitation of the expenditure of the land, sea and air forces.

**PART IV. — EXCHANGE OF INFORMATION.**

*Article 29 (former Articles IA and IA (2)).*

For each category of effectives defined in the model tables annexed to this Article, the exchange of information each year shall apply to the average daily number of effectives reached during the preceding year in the land, sea and air armed forces and formations organised on a military basis of each of the High Contracting Parties.

For this purpose, each of the High Contracting Parties will forward to the Secretary-General of the League of Nations, within . . . . . months after the end of each year, the necessary information to enable the said tables to be drawn up in the case of such Party. Each Party shall attach to this statement an explanatory note showing the elements on which the figures supplied are based, and stating, in particular, for each sort of effectives (recruits, militiamen, reservists, territorials, etc.) the number of these effectives and the number of day's service they have performed.

The said tables shall be finally drawn up and published with the explanatory note referred to above by the Secretary-General not later than . . . . . in each year.

*Article 30 (former Article IA (1)).*

If any youths have compulsorily received, during any year, preparatory military training within the jurisdiction of any High Contracting Party, such Party shall communicate to the Secretary-General of the League of Nations, at the end of such year, the number of youths who have received such instruction.

The above information shall be published by the Secretary-General not later than . . . . . in each year.

Model Tables annexed to Article 29 (Part IV).

MODEL TABLES OF THE AVERAGE DAILY NUMBER OF EFFECTIVES REACHED  
DURING THE YEAR IN THE LAND ARMED FORCES.

High Contracting Parties	Table I. — Land Armed Forces Stationed in the Home Country.					Table II (See Annex). — Land Armed Forces Stationed Overseas.					Table III. — Total Land Armed Forces.				
	a	b	c	d	e	a	b	c	d	e	a	b	c	d	e
	Total effectives, including the effectives specified separately in this Table.	Officers (Art. H. 1)	Other soldiers who have completed more than $x^1$ months of service (Art.H. 2)	Soldiers whose period of service has exceeded the legal period of service but is less than $x^1$ months (information to be supplied only for effectives recruited by conscription) (Art. H. 3 and 7)	(Optional statement.) Recruits not trained as defined in the national legislation (Art. H. 8)	Total effectives, including the effectives specified separately in this Table	Officers (Art. H. 1)	Other soldiers who have completed more than $x^1$ months of service (Art.H. 2)	Soldiers whose period of service has exceeded the legal period of service but is less than $x^1$ months (information to be supplied only for effectives recruited by conscription) (Art. H. 3 and 7)	(Optional statement.) Recruits not trained as defined in the national legislation (Art. H. 8)	Total effectives, including the effectives specified separately in this Table	Officers (Art. H. 1)	Other soldiers who have completed more than $x^1$ months of service (Art.H. 2)	Soldiers whose period of service has exceeded the legal period of service but is less than $x^1$ months (information to be supplied only for effectives recruited by conscription) (Art. H. 3 and 7)	(Optional statement.) Recruits not trained as defined in the national legislation (Art. H. 8)
A.															
B.															
C.															
D.															
::															
::															

Note. — This figure will be determined by the duration of the longest period of service which is in force in the conscript army of any High Contracting Party at the time of the signature of the Convention.



MODEL TABLES OF THE AVERAGE DAILY NUMBER OF EFFECTIVES REACHED DURING THE YEAR IN THE LAND FORMATIONS ORGANISED ON A MILITARY BASIS.

Table IV. — Formations organised on a Military Basis stationed in the Home Country. Table V (see Annex). — Formations organised on a Military Basis stationed Overseas.

High Contracting Parties	Table IV. — Formations organised on a Military Basis stationed in the Home Country.					Table V (see Annex). — Formations organised on a Military Basis stationed Overseas.				
	a	b	c	d	e	a	b	c	d	e
	Total effectives, including the effectives specified separately in this Table	Officers or officials ranking as officers (Art. H. 1)	Other soldiers or officials who have completed more than $\times 1$ months of service (Art. H. 2)	Soldiers or officials whose period of service has exceeded the legal period of service but is less than $\times 1$ months (information to be supplied only for effectives recruited by conscription (Art. H. 3 and 7))	(Optional statement.) Recruits not trained as defined in the national legislation (Art. H. 8)	Total effectives, including the effectives specified separately in this Table	Officers or officials ranking as officers (Art. H. 1)	Other soldiers or officials who have completed more than $\times 1$ months of service (Art. H. 2)	Soldiers or officials whose period of service has exceeded the legal period of service but is less than $\times 1$ months (information to be supplied only for effectives recruited by conscription (Art. H. 3 and 7))	(Optional statement.) Recruits not trained as defined in the national legislation (Art. H. 8)
A.										
B.										
C.										
D.										
::										
::										

<sup>1</sup> Note. — This figure will be determined by the duration of the longest period of service which is in force in the conscript army of any High Contracting Party at the time of the signature of the Convention.

Annex to Tables II and V.

DISTRIBUTION ACCORDING TO TERRITORIES OF THE AVERAGE DAILY NUMBER OF EFFECTIVES FIGURING IN COLUMN a OF THE MODEL TABLES II AND V.

High Contracting Party .....

Overseas Territory

Total effectives of the armed land forces stationed in the territory

Total effectives of the land formations organised on a military basis stationed in the territory

High Contracting Party .....

MODEL TABLES OF THE AVERAGE DAILY NUMBER OF EFFECTIVES REACHED DURING THE YEAR IN THE NAVAL FORCES. \*

<i>Table VI. — Naval Forces.</i>				<i>Table VII. — Sea Formations organised on a Military Basis.</i>				
High Contracting Parties	<i>a</i> Total effectives, including effectives specified separately in this Table	<i>b</i> Officers (Art. H. 5)	<i>c</i> Other effectives who have completed more than $x$ 1 months of service (Art. H. 5)	<i>d</i> (Optional statement.) Recruits not trained as defined in the national legislation (Art. H. 8)	<i>a</i> Total effectives, including effectives specified separately in this Table	<i>b</i> Officers (Art. H. 5)	<i>c</i> Other effectives who have completed more than $x$ 1 months of service (Art. H. 5)	<i>d</i> (Optional statement.) Recruits not trained as defined in the national legislation (Art. H. 8)
A.								
B.								
C.								
D.								
::								
::								

\* *Note by the Drafting Committee.* — When drawing up the column headings of Tables VIII to XII annexed to Part I, and of the Model Tables VI to XII annexed to Article 29, the Drafting Committee assumed that the Commission had decided to fix the figure  $x$  at a period of service equal to the longest period of service completed in any of the *armies* of the High Contracting Parties by effectives recruited by conscription. In the event of this assumption being erroneous, should the figure  $x$  be different in the case of land, sea and air forces ?

<sup>1</sup> *Note.* — This figure will be determined by the duration of the longest period of service which is in force in the conscript army of any High Contracting Party at the time of the signature of the convention.

MODEL TABLES OF THE AVERAGE DAILY NUMBER OF EFFECTIVES REACHED DURING THE YEAR IN THE AIR ARMED FORCES.

<i>Table VIII. — Air Armed Forces stationed in the Home Country.</i>			<i>Table IX. — Air Armed Forces stationed Overseas.</i>			<i>Table X. — Total Air Armed Forces.</i>			
High Contracting Parties	<i>a</i> Total effectives, including the effectives specified separately in this Table	<i>b</i> Effectives who have completed more than $x^1$ months of service (officers, non-commissioned officers and men) (Art. H. 6 and 7)	<i>c</i> (Optional statement.) Recruits not trained as defined in the national legislation (Art. H. 8)	<i>a</i> Total effectives, including the effectives specified separately in this Table	<i>b</i> Effectives who have completed more than $x^1$ months of service (officers, non-commissioned officers and men) (Art. H. 6 and 7)	<i>c</i> (Optional statement.) Recruits not trained as defined in the national legislation (Art. H. 8)	<i>a</i> Total effectives, including the effectives specified separately in this Table	<i>b</i> Effectives who have completed more than $x^1$ months of service (officers, non-commissioned officers and men) (Art. H. 6 and 7)	<i>c</i> (Optional statement.) Recruits not trained as defined in the national legislation (Art. H. 8)
A.									
B.									
C.									
D.									
::									
::									

<sup>1</sup> Note. — This figure will be determined by the duration of the longest period of service which is in force in the conscript army of any High Contracting Party at the time of the signature of the Convention.

MODEL TABLES OF THE AVERAGE DAILY NUMBER OF EFFECTIVES REACHED DURING THE YEAR  
IN THE AIR FORMATIONS ORGANISED ON A MILITARY BASIS.

<i>Table XI. — Air Formations organised on a Military Basis stationed in the Home Country.</i>				<i>Table XII. — Air Formations organised on a Military Basis stationed Overseas.</i>		
High Contracting Parties	<i>a</i> Total effectives, including the effectives specified separately in this Table	<i>b</i> Effectives who have completed more than $\times^1$ months of service (officers, non-commissioned officers and men and officials of all grades) (Art. H. 6 and 7)	<i>c</i> (Optional statement.) Recruits not trained as defined in the national legislation (Art. H. 8)	<i>a</i> Total effectives, including the effectives specified separately in this Table	<i>b</i> Effectives who have completed more than $\times^1$ months of service (officers, non-commissioned officers and men and officials of all grades) (Art. H. 6 and 7)	<i>c</i> (Optional statement.) Recruits not trained as defined in the national legislation (Art. H. 8)
A. B. C. D. .						

<sup>1</sup> *Note.* — This figure will be determined by the duration of the longest period of service which is in force in the conscript army of any High Contracting Party at the time of the signature of the Convention.

*Article 31 (former Article IZ).*

The High Contracting Parties concerned shall forward to the Secretary-General of the League of Nations at the end of each year the following information as to the provisions of their law relating to the effectives recruited by conscription in their land, sea and air forces and formations organised on a military basis respectively;

- (1) The total number of days comprised in the first period of service;
- (2) The total duration in days of the ensuing periods.

The above information shall be published by the Secretary-General not later than . . . . . in each year.

*Article 32 (former Articles DB\* and IB).*

Each of the High Contracting Parties shall, within . . . . . months from the end of each budgetary year, communicate to the Secretary-General of the League of Nations a statement, drawn up in accordance with a standard model, showing by categories of materials the total actual expenditure in the course of the said year on the upkeep, purchase and manufacture of war materials of the land armed forces and formations organised on a military basis of such Party,

The information contained in this statement shall be published by the Secretary-General not later than . . . . . in each year.

*Note.* — In giving an opinion on this Article, the Governments will take into account the report requested from the Committee of Budgetary Experts regarding the number and nature of the categories to be laid down and the methods of publicity thus adopted in connection with the provisions of the annex regarding limitation referred to in Article 9 of the present Convention.

*Article 33 (former Article I of document C.P.D.260).*

Within one month after the date of laying down and the date of completion respectively of each vessel of war, other than the vessels exempt from limitation under Annex I to Chapter B of Part II, laid down or completed by or for them or within their jurisdiction after the coming into force of the present Convention, the High Contracting Parties shall communicate to the Secretary-General of the League of Nations the information detailed below:

- (a) The date of laying down the keel and the following particulars:

Classification of the vessel and for whom built (if not for the High Contracting Party);  
Standard displacement in tons and metric tons;  
Principal dimensions—namely, length of water-line, extreme beam at or below waterline;  
Mean draught at standard displacement;  
Calibre of the largest gun.

- (b) The date of completion, together with the foregoing particulars relating to the vessel at that date.

The above information shall be immediately communicated by the Secretary-General to all the High Contracting Parties and shall be published by the Secretary-General not later than . . . . . in each year.

*Article 34 (former Article IG).*

There shall be communicated to the Secretary-General of the League of Nations the name and tonnage of any vessel (except vessels completed prior to 1921 which were designed for a speed of less than 12 knots) whose decks have been stiffened as authorised in Article 18 of the present Convention.

As regards vessels whose decks have already been stiffened this communication shall be made by the High Contracting Party whose flag the vessel flies within  $x$  months from the coming into force of the present Convention for such High Contracting Party.

As regards other vessels whose decks are stiffened in future, the said communication shall be made by the High Contracting Party within whose jurisdiction the stiffening has been effected, as soon as the stiffening has been completed.

The above information shall be published by the Secretary-General not later than . . . . . in each year.

*Article 35 (former Article ID).*

For each of the categories of aircraft defined in the model tables annexed to this Article, the exchange of information shall apply to the maximum figures attained in each year in respect of the number and total horse-power, and for dirigibles the total volume, by the aircraft referred to in Articles 24 and 25 of the present Convention.

For this purpose, each of the High Contracting Parties will forward to the Secretary-General of the League of Nations within . . . . . months after the end of each year the necessary information to enable the said tables to be drawn up in the case of such Party.

The tables referred to in the preceding paragraph shall be finally drawn up and published by the Secretary-General not later than . . . . . in each year.

**Model Tables annexed to Article 35 (former Article ID).**

<i>Model Table I. — Aeroplanes of the Land, Sea and Air Armed Forces.</i>								<i>Model Table II. — Aeroplanes of the Land, Sea and Air Formations organised on a Military Basis.</i>						
High Contracting Parties	<i>a</i> Total aeroplanes of the armed forces (former Table A)		<i>b</i> (Optional) Aeroplanes stationed in the home country (former Table A (1))		<i>c</i> (Optional) Aeroplanes stationed overseas (former Table A (2))		<i>d</i> (Optional) Aeroplanes in aircraft carriers (former Table A (3))		<i>a</i> Total aeroplanes of the forces organised on a military basis (former Table B)		<i>b</i> (Optional) Aeroplanes stationed in the home country (former Table B (1))		<i>c</i> (Optional) Aeroplanes stationed overseas (former Table B (2))	
	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power
A.														
B.														
C.														
D.														
::														

<i>Model Table III. — Dirigibles of the Land, Sea and Air Forces.</i>												<i>Model Table IV. — Dirigibles of the Land, Sea and Air Formations organised on a Military Basis.</i>									
High Contracting Parties	<i>a</i> Total dirigibles of the armed forces (former Table A)			<i>b</i> (Optional) Dirigibles stationed in the home country (former Table A (1))			<i>c</i> (Optional) Dirigibles stationed overseas (former Table A (2))			<i>d</i> (Optional) Dirigibles in aircraft carriers (former Table A (3))			<i>a</i> Total dirigibles of the formations organised on a military basis (former Table B)			<i>b</i> (Optional) Dirigibles stationed in the home country (former Table B (1))			<i>c</i> (Optional) Dirigibles stationed overseas (former Table B (2))		
	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume
A.																					
B.																					
C.																					
D.																					
::																					

*Article 36* (former Article IE).

In order to ensure publicity as regards civil aviation, each of the High Contracting Parties shall indicate at the end of each year (to the Secretary-General of the League of Nations) the number and total horse-power of civil aeroplanes and dirigibles registered within the jurisdiction of such Party. Each Party shall also indicate the amounts expended on civil aviation by the Government and by local authorities.

(The above information shall be published by the Secretary-General not later than . . . . . in each year).

*Article 37* (former Articles DA\* and IH).

Each of the High Contracting Parties shall communicate to the Secretary-General of the League of Nations within . . . . . months of the end of each budgetary year a statement drawn up in accordance with the standard model (annexed to this Article) showing the total amounts actually expended in the course of the said year on the land, sea and air armaments of such Party.

The information supplied in this statement shall be published by the Secretary-General not later than . . . . . in each year.

*Note by the Drafting Committee.* — It is for the Preparatory Commission to decide whether the standard model referred to in the first paragraph of the proposed article should be the model statement in document C.P.D.90 or whether further study by experts is necessary: in that case, a note to that effect shall be inserted after this Article as has been done for Articles 9 (TA) and 32 IB.

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**PART V. (FORMER CHAPTER IV). — CHEMICAL ARMS.**

*Article 38.*

The High Contracting Parties undertake, subject to reciprocity, to abstain from the use in war of asphyxiating, poisonous or similar gases, and of all analogous liquids, substances or processes.

They undertake unreservedly to abstain from the use of all bacteriological methods of warfare.

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**PART VI. — MISCELLANEOUS PROVISIONS.**

**CHAPTER A. — PERMANENT DISARMAMENT COMMISSION.**

*Article 39* (New Article OA).

There shall be set up at the seat of the League of Nations a Permanent Disarmament Commission with the duty of following the execution of the present Convention. It shall consist of  $x$  (figure to be fixed by the Conference) members appointed respectively by the Governments of . . . . . (list to be drawn up by the Conference).

Members of the Commission shall not represent their Governments. They shall be appointed for  $x$  years, but shall be re-eligible. During their term of office, they may be replaced only on death or in the case of voluntary resignation or serious and permanent illness.

They may be assisted by technical experts.

*Article 40* (Article OB).

The Commission shall meet for the first time, on being summoned by the Secretary-General of the League of Nations, within three months from the entry into force of the present Convention, to elect a provisional President and Vice-President and to draw up its Rules of Procedure.

Thereafter it shall meet annually in ordinary session on the date fixed in its Rules of Procedure.

It may also, if summoned by its President, meet in extraordinary session in the cases provided for in the present Convention and whenever an application to that effect is made by a High Contracting Party.

*Article 41* (Article OC).

The Commission shall have full power to lay down its own Rules of Procedure on the basis of the provisions of the present Convention.

*Article 42* (Article OD).

The Commission may only transact business if at least two-thirds of its members are present.

*Article 43 (Article OE).*

Any High Contracting Party not having a member of its nationality on the Commission shall be entitled to send a member appointed for the purpose to sit at any meetings of the Commission during which a question specially affecting the interests of that Party is considered.

*Article 44 (Article OF).*

Each member of the Commission shall have only one vote.

All decisions of the Commission shall be taken by a majority of the votes of the members present at the meeting.

In the cases provided for in Articles 49 and 51 the votes of members appointed by the Parties concerned in the discussion shall not be counted in determining the majority.

A minority report may be drawn up.

*Article 45 (Article OG).*

Each member of the Commission shall be entitled on his own responsibility to have any person heard or consulted who is in a position to throw any light on the question which is being examined by the Commission.

*Article 46 (Article OH).*

Each member of the Commission shall be entitled to require that, in any report by the Commission, account shall be taken of the opinions or suggestions put forward by him, if necessary in the form of a separate report.

*Article 47 (Article OI).*

All reports by the Commission shall, under conditions specified in each case in the present Convention, or in the Rules of Procedure of the Commission, be communicated to all the High Contracting Parties and to the Council of the League of Nations, and shall be published.

*Article 48 (Article IF).*

The Permanent Disarmament Commission shall receive all the information supplied by the High Contracting Parties to the Secretary-General of the League in pursuance of their international obligations in this regard.

Each year, the Commission shall make at least one report on the information submitted to it and on any other information that may reach it from a responsible source and that it may consider worth attention, showing the situation as regards the fulfilment of the present Convention.

This report shall be communicated forthwith to all the High Contracting Parties and to the Council of the League and shall be published on the date fixed in the Rules of Procedure of the Commission.

CHAPTER B. — DEROGATIONS.

*Article 49 (Article XA).*

If, during the term of the present Convention, a change of circumstances constitutes, in the opinion of any High Contracting Party, a menace to its national security, such High Contracting Party may suspend temporarily, in so far as concerns itself, from any provision or provisions of the present Convention, other than those expressly designed to apply in the event of war, provided:

(a) That such Contracting Party shall immediately notify the other Contracting Parties and at the same time the Permanent Disarmament Commission, through the Secretary-General of the League of Nations, of such temporary suspension, and of the extent thereof.

(b) That simultaneously with the said notification, the Contracting Party shall communicate to the other Contracting Parties, and at the same time, to the Permanent Disarmament Commission through the Secretary-General, a full explanation of the change of circumstances referred to above.

Thereupon the other High Contracting Parties shall promptly advise as to the situation thus presented.

When the reasons for such temporary suspension have ceased to exist, the said High Contracting Party shall reduce its armaments to the level agreed upon in the Convention, and shall make immediate notification to the other Contracting Parties.

CHAPTER C. — PROCEDURE REGARDING COMPLAINTS.

*Article 50 (Article ZA).*

The High Contracting Parties recognise that any violation of the provisions of the present Conventions is a matter of concern to all the Parties.

*Article 51 (Article ZB).*

If, during the term of the present Convention, a High Contracting Party is of opinion that another Party to the Convention is maintaining armaments in excess of the figures agreed upon



or is in any way violating or endeavouring to violate the provisions of the present Convention, such Party may lay the matter, through the Secretary-General of the League of Nations, before the Permanent Disarmament Commission.

The Commission, after hearing a representative of the High Contracting Party whose action is questioned, should such Party so desire, and the representative of any other Party which may be specially concerned in the matter and which asks to be heard, shall, as soon as possible, present a report thereon to the High Contracting Parties and to the Council of the League. The report and any proceedings thereon shall be published as soon as possible.

The High Contracting Parties shall promptly advise as to the conclusions of the Report.

If the High Contracting Parties directly concerned are Members of the League of Nations, the Council shall exercise the rights devolving upon it in such circumstances in virtue of the Covenant with a view to ensuring the observance of the present Convention and to safeguarding the peace of nations.

#### CHAPTER D. — FINAL PROVISIONS.

*Note by the Drafting Committee.* — The Drafting Committee has inserted in this Chapter with a few formal alterations, the provisions drawn up on the 29th of November by the Special Committee presided over by M. Politis and adopted in plenary session on December 1st.

The Committee desire to point out that a certain number of formal provisions (such, for instance, as those relating to the signature of the Convention) which usually figure in Treaties signed at Geneva, have not been inserted in this Section. The text of any such provisions should in any case be settled by the Conference.

##### *Article 52 (Article EA).*

The present Convention shall not in any way diminish the obligations of previous treaties under which certain of the High Contracting Parties have agreed to limit their land, sea or air armaments, and have thus fixed in relation to one another their respective rights and obligations in this connection.

The following High Contracting Parties . . . signatory to the said treaties declare that the limits fixed for their armaments under the present Convention are accepted by them in relation to the obligations referred to in the preceding paragraph, the maintenance of such obligations being for them an essential condition for the observance of the present Convention.

##### *Article 53 (document C.P.D.282).*

If a dispute arises between two or more of the High Contracting Parties concerning the interpretation or application of the provisions of the present Convention, and cannot be settled either directly between the parties or by some other method of friendly settlement, the parties will, at the request of any one of them, submit such dispute to the decision of the Permanent Court of International Justice or to an arbitral tribunal chosen by them.

##### *Article 54 (Article EB).*

The present Convention shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods. The instruments of ratification shall be deposited with the Secretary-General of the League of Nations.

The present Convention shall come into force, for each Party whose instrument of ratification has been deposited, as soon as the instruments of ratification have been deposited by . . . (list to be drawn up by the Conference).

(Should the present Convention not have come into force in accordance with the preceding paragraph by . . . the High Contracting Parties shall be invited by the Secretary-General of the League of Nations to meet and consider the possibility of putting it into force. They undertake to participate in this consultation, which shall take place before . . . )<sup>1</sup>

##### *Article 55 (Article ED).*

Each of the High Contracting Parties will begin the necessary measures for carrying the provisions of the present Convention into effect as soon as it has come into force for such Party.

##### *Article 56 (Article EF).*

Subject to the provisions of Articles 57 and 58, the present Convention shall remain in force for . . . years. It shall remain in force after the expiration of that period except in so far as it may be amended, superseded or denounced under the conditions specified in the following articles.

##### *Article 57 (Article EG).*

Before the end of the period of  $x$  years provided for in the preceding article, and not less than  $y$  years after its entry into force, the present Convention shall be re-examined by the High Contracting Parties meeting in Conference. The date of this meeting shall be fixed by the Council of the

<sup>1</sup> *Note by the Drafting Committee.*

It will be for the Conference to decide whether this paragraph and any supplementary provisions which may be necessary would not be better placed in a protocol of signature (see document C.P.D.232).

League of Nations, after taking cognisance of the opinion of the Permanent Disarmament Commission and of the intentions of the High Contracting Parties non-members of the League of Nations.

The above-mentioned Conference may, if necessary, revise the present Convention and establish fresh provisions in substitution therefor, fixing their period of duration and laying down general rules regarding their examination and subsequent revision, if the latter is required.

*Article 58 (Article EH).*

Before the end of the period of  $y$  years provided for in the preceding article, but not less than  $z$  years after the entry into force of the present Convention, the procedure for examination and revision laid down in that article may also be carried out at the request of a High Contracting Party, with the concurrence of the Permanent Disarmament Commission, if the conditions under which the engagements stipulated in the Convention were contracted have undergone, as the result of technical transformations or special circumstances, changes justifying a fresh examination and, if necessary, the revision of such engagements.

*Article 59 (Article EJ).*

In the course of a conference held in the circumstances provided for in the two preceding articles, any High Contracting Party shall be entitled to notify its intention to denounce the present Convention.

Such denunciation shall take effect two years after its date, but in no case before the expiration of the period of  $x$  years mentioned in Article 56.

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ANNEX 13.

C.P.D.294.

Geneva, December 4th, 1930.

DRAFT REPORT (FIRST PART).<sup>1</sup>  
M. BOURQUIN and M. COBLÁN (*Rapporteurs*).

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HISTORICAL.

Page 1. The origin of the draft Convention on which we have the honour to report to you is found in the following resolution adopted on September 25th, 1925, by the sixth Assembly of the League of Nations:

“ The Assembly,

“ Taking note of the declarations submitted to the Council and the Assembly of the League of Nations in respect of the Protocol for the Pacific Settlement of International Disputes and of the fact that the said Protocol has not up to the present received the ratifications necessary for putting it into operation immediately;

“ Convinced that the most urgent need of the present time is the re-establishment of mutual confidence between nations;

“ Declaring afresh that a war of aggression should be regarded as an international crime;

“ Regards favourably the effort made by certain nations to attain those objects by concluding arbitration conventions and treaties of mutual security conceived in the spirit of the Covenant of the League of Nations and in harmony with the principles of the Protocol (Arbitration, Security, Disarmament);

“ Records the fact that such agreements need not be restricted to a limited area but may be applied to the whole world;

“ Recommends that, after these conventions and treaties have been deposited with the League of Nations, the Council should examine them in order to report to the seventh Assembly on the progress in general security brought about by such agreements;

“ Undertakes again to work for the establishment of peace by the sure method of arbitration, security and disarmament;

“ And, in conformity with the spirit of Article 8 of the Covenant, requests the Council to make a preparatory study with a view to a Conference for the Reduction and Limitation of Armaments, in order that, as soon as satisfactory conditions have been assured from the point of view of general security as provided for in Resolution XIV of the third Assembly, the said Conference may be convened and a general reduction and limitation of armaments may be realised.”

Page 2. In pursuance of this decision, the Council requested a Committee of Enquiry, under the chairmanship of M. Paul-Boncour, to submit to it proposals for setting up an organ entrusted with the preparation for a conference for the reduction and limitation of armaments. This Committee's conclusions were adopted almost in their entirety by the Council on the report made to it by M. Beneš. This was the origin of the “ Preparatory Commission for the Disarmament Conference.”

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<sup>1</sup> *Note by the Secretariat.* — The page numbers in the margin show the pages in the roneoed document to which reference is made in the Minutes.

The Council was led, naturally, not only to draw up regulations for the composition and working of this new organ, but also to determine to some extent the direction of its work. For this purpose, the Council submitted to it a questionnaire which was based upon suggestions made to the Committee of Enquiry by the representatives of Great Britain, France and Spain.

According to the Council resolution, the Preparatory Commission was to consist of delegates of all States Members of the Council of the League, and invitations to send representatives were also to be addressed to the Governments of Germany, the United States of America, the Union of Soviet Socialist Republics, Bulgaria, Finland, the Netherlands, Poland, Roumania, and Yugoslavia.<sup>1</sup> Finally, the Secretary-General of the League of Nations was requested to bring to the notice of all other Powers, together with the questionnaire which was to be placed before the Preparatory Commission, the means placed at their disposal for stating their points of view.

The Preparatory Commission met for the first time on May 13th, 1926, and elected as President His Excellency Jonkheer Loudon (Netherlands), and as Vice-Presidents M. Cobián (Spain) and M. Buero (Uruguay). In consequence of resignations, certain changes had subsequently to be made in the composition of the Bureau.<sup>2</sup> During the sixth and last session, the places of the two Vice-Presidents were filled respectively by M. Politis (Greece) and M. Cobián (Spain).

\* \* \*

To provide for the preliminary study of the questions on which it had to give its opinion, the Preparatory Commission decided to appoint two Sub-Commissions, each under the chairmanship of one of its Vice-Presidents.

The first—known as Sub-Commission A—was entrusted with the technical examination of military, naval and air questions, and for this purpose split up into sub-committees. It was composed of experts appointed by all the States then represented on the Preparatory Commission; it met three times in 1926, under the chairmanship, first of M. Cobián, and then of M. Buero, M. de Brouckère, and General de Ceuninck. The voluminous report it subsequently submitted to the Commission contained extremely valuable technical observations and very detailed replies to the questions referred to it.

The second Sub-Commission—known as Sub-Commission B—under the chairmanship of M. Buero, and subsequently of M. Veverka, and with the assistance of the Joint Commission set up by the Council<sup>3</sup> for this purpose, studied the other aspects of this problem.

This Commission's deliberations, as did those of Sub-Commission A, furnished valuable material providing a solid basis for the Preparatory Commission's work.

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The Preparatory Commission held six sessions—two in 1926, two in 1927, one in 1928, the sixth, which began on April 15th, 1929, was suspended on May 6th, 1929, was resumed on November 6th, 1930, and lasted until December 9th.

At the opening of its third session, the Commission had before it the technical reports referred to above. The time had come for it to discuss the problem referred to it in its entirety. A general discussion gave the several Governments an opportunity of explaining their points of view in regard to this matter. Two preliminary draft Conventions were submitted to the Commission by the French and British delegations respectively. The Commission examined these jointly and finally adopted at first reading a text which, though it was accompanied by numerous and important reservations, nevertheless remained the basis of its subsequent work and of the draft Convention which we have the honour to lay before you to-day.

At its fourth session, the Union of Soviet Socialist Republics, which was represented at the Preparatory Commission for the first time, submitted a proposal which differed radically from the draft adopted at first reading and aimed at complete and universal disarmament in the immediate future.

This draft, referred to the fifth session, was rejected. A further Soviet proposal was, however, then submitted to the Commission providing for partial disarmament on the basis of a fixed percentage of reduction. It was decided to postpone the consideration of this proposal to the next session.

This session opened in Geneva on April 15th, 1929.

The Commission decided to continue its work on the basis of the 1927 draft, while signifying its readiness, should the Soviet delegation so desire, to annex to the final report the draft Convention submitted by the latter.

This decision having been adopted, the Preparatory Commission began to consider at second reading the text framed as a result of the preceding discussions. It had to interrupt this session, however, after having reached agreement on a certain number of points. At that time the naval problem still gave rise to considerable difficulties.

Wholly divergent proposals had been put forward in regard to the methods of limitation. The statements of certain Powers more directly concerned in the question, however, gave reason to hope that negotiations would be entered into very shortly with a view to removing these

<sup>1</sup> The composition of the Commission was subsequently extended to enable Members retiring from the Council to retain their membership of the Commission. Greece and Turkey were invited, in 1927 and 1928 respectively, to take part in the work of the Commission.

<sup>2</sup> M. de Brouckère (Belgium) and M. Veverka (Czechoslovakia) acted temporarily as Vice-Presidents.

<sup>3</sup> The Joint Commission set up under the Council resolution of December 7th, 1926, was composed of representatives of the technical organisations of the League of Nations and of the Employers' Group and Workers' Group of the Governing Body of the International Labour Office, to whom were added subsequently experts in industrial questions, transport and the chemical industry.

Page 6. divergencies and to reaching an agreement upon a concerted formula. This hope was justified. Negotiations took place and resulted in the convocation of the London Naval Conference on January 21st, 1930.

In these circumstances the Preparatory Commission considered it wiser to postpone to a later date the completion of its work. Before it adjourned, the German representative, considering the resolutions adopted during the first part of the sixth session unsatisfactory and likely to impair the value of the draft, declared that he "found himself obliged to dissociate himself definitely from the programme which the majority of the Commission had drawn up and to leave to it henceforth, as its course was being shaped at that moment, the sole responsibility for the preparation of the Conference".

As soon as the London Conference had completed its work, it communicated the results to the Preparatory Commission through its President. Subject to a general reservation, an agreement had been reached between the naval Powers which were the most immediately concerned on a method of limitation. The formula adopted established the principle of limitation by classes, but gave it greater elasticity by allowing in certain cases the possibility of making transfers from one class to another.

The obstacle which had temporarily brought the work of the Preparatory Commission to a standstill in 1929 having been removed, the President of the Preparatory Commission decided to resume the work of the sixth session which had been suspended. The eleventh Assembly adopted with regard to this matter the following resolution proposed by the Third Committee:

"The Assembly has noted with satisfaction the results obtained at the London Conference and communicated to it by a letter from the President of that Conference dated April 21st, 1930.

"It considers that these results are of a nature to facilitate a general agreement on the occasion of the next meeting of the Preparatory Commission regarding the methods to be applied in the matter of the reduction and limitation of naval armaments.

"It trusts that negotiations, pursued in a spirit of conciliation and mutual confidence and with the determination to arrive at practical solutions, will make it possible to complete and extend the work of the Naval Conference.

"The Assembly accordingly expresses the conviction that, during its session next November, the Preparatory Commission will be able to finish the drawing up of a preliminary draft Convention and will thus enable the Council to convene, as soon as possible, a Conference on the Reduction and Limitation of Armaments.

"The Assembly decides that the proceedings and the report of the Assembly regarding disarmament shall be forwarded to the Preparatory Commission."

The Preparatory Commission therefore met again on November 6th last and was able to bring its delicate task to a successful conclusion.

It is for your Rapporteurs to give you here a concise survey of the results it has achieved. Before analysing them, however, they must outline briefly the results obtained by the Committee on Arbitration and Security, whose terms of reference were merged in those of our Commission.

As soon as it set to work, the Preparatory Commission was faced by the problem of international security. This was inevitable, for the connection between this problem and that of disarmament is obvious. Traces of it are, moreover, to be found in Article 8 of the Covenant, and it has become increasingly evident as the League of Nations has pursued its task.

Page 8. There is no need to recall here the many resolutions in which the Assembly and the Council have emphasised the interdependence of these two factors. It may, however, be appropriate to point out that, at the very time when it invited the Council to set up this Commission, the sixth Assembly affirmed "the fidelity and unanimity with which the Members of the League" remain attached to the triple object which had unceasingly inspired their efforts—namely, arbitration, security and disarmament. The attempts previously made to organise a complete system of mutual assistance had encountered insurmountable obstacles. It was now proposed, not in any sense to abandon the undertaking, but to prepare for its accomplishment on another plane and "to indicate methods or measures by which an approach might be made to this object, pending the achievement of a general settlement which many consider indispensable".

Two years later, pursuing the same course, the eighth Assembly requested the Council to give the Preparatory Commission the necessary instructions for the creation of the "Committee on Arbitration and Security". This Committee, which was to consist 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 . . . 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".

Page 9. The eighth Assembly further directed that these measures should be sought at the same time:

"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 its whole 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. "

Thus, from the outset, a vast programme of enquiry was outlined for the Committee on Arbitration and Security.

The following year (1928), when the Committee had started its work, the ninth Assembly adopted a new resolution. After recalling that " a close connection exists between international security and the reduction and limitation of armaments ", it declared that the time had come to conclude a first General Convention for the Reduction and Limitation of Armaments, which Convention would, moreover, of itself tend to increase international security. It took that opportunity to assert that, after the conclusion of such a Convention, the work relating both to disarmament and to arbitration and security should be pursued " so that, by further steps, armaments may be progressively reduced as the increase of security allows ".

Page 10.

The Committee on Arbitration and Security, which was set up on November 30th, 1927, under the chairmanship of His Excellency M. Ed. Beneš, Czechoslovak Minister for Foreign Affairs, has so far held four sessions.

In the present report, no attempt can be made to analyse, even in summary fashion, the enquiries this Committee has undertaken or the practical effect given to them by the Council and the Assembly. A simple reference to the results achieved is all that can be undertaken here.

These results are, first, in the field of the pacific settlement of international disputes, the three model general conventions which the 1928 Assembly decided to combine in a single Act, this being the origin of the " General Act for the Pacific Settlement of International Disputes ", to which, up to the present, eight States have acceded, thus ensuring its entry into force.

Next, in the same connection, come the three model bilateral conventions which the Assembly proposed for the consideration of States, and which have already served as a basis for the drafting of a large number of treaties.

Next, there are the " Collective Treaty " of Mutual Assistance and the Collective Treaty and Bilateral Treaty " of Non-Aggression ", the models for which were recommended by the same Assembly.

There is the resolution of September 26th, 1928, in which the Assembly recommends that States should accede to the Optional Clause of Article 36, paragraph 2, of the Statute of the Permanent Court of International Justice, and draws their attention to the elasticity of that clause and to the facilities it offers them. There is the model Treaty to strengthen the Means for preventing War, which the Assembly, in a resolution adopted on September 20th, 1928, recommended for consideration by States, and the " Preliminary Draft General Convention " of which the eleventh Assembly decided to continue the study.

Page 11.

There are the studies on Articles 10, 11 and 16 of the Covenant, which, on the recommendation of the Assembly, the Council adopted as " a useful piece of work ", providing valuable indications as to the possibilities offered, in time of emergency, by the different articles of the Covenant.

There are the resolutions adopted by the Assembly on September 30th, 1930, with a view to ensuring, also at times of emergency, the normal working of the communications of the League of Nations.

Finally, there is the Convention on Financial Assistance, which was approved by the same Assembly, and has already been signed by twenty-eight States, its entry into force being dependent on that of the Convention for the Reduction and Limitation of Armaments.

#### ANNEX 14.

C.P.D. 294 (a).

Page 1.

Geneva, December 5th, 1930.

#### DRAFT REPORT (SECOND PART).<sup>1</sup>

M. BOURQUIN and M. COBIÁN (*Rapporteurs*).

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<sup>1</sup> Note by the Secretariat. — The page numbers in the margin show the pages in the roneoed document to which reference is made in the Minutes.

Page 2. The draft Convention adopted by the Commission preserves the structure of the French and British proposals considered at the third session. It is in six parts, some of which are subdivided into chapters. The numbering of the articles is, however, continuous.

*Article I.*

A first article of a general character governs the whole Convention and defines its scope:

“ The High Contracting Parties agree to limit and, so far as possible, to reduce their respective armaments as provided in the present Convention. ”

The form of this article is due to a suggestion of the Drafting Committee, made after the discussion by the Commission of the various sections of the Convention, particularly that relating to naval material.

The Commission has, therefore recognised the principle laid down by Article 8 of the Covenant which provides for the reduction of armaments to the lowest point consistent with national safety, and the enforcement of international obligations.

The representatives of a number of Governments, while accepting the principle of limitation and reduction in the spirit of this article of the Covenant, desired to state that the reduction of all or some of the categories of armaments was not possible for them, their present armaments being far from sufficient to guarantee national safety. This reservation was made in precise form, particularly in relation to naval and air armaments, the latter being scarcely at all developed in the majority of States.

Page 3. The Soviet delegation made the following statement:

“ The Soviet delegation is opposed to the ambiguous formula ‘ limitation and, as much as possible, reduction ’, in the place of a clear and precise indication that it is absolutely essential for existing armaments to be appreciably reduced. The Soviet delegation notes that the formula adopted leaves a free field for the maintenance and even increase of armaments. ”

The Turkish delegation reserved its Government’s right to submit to the future Disarmament Conference its proposal with regard to standards for the reduction and limitation of armaments, and to require any modification of the text which might be rendered necessary in the event of the adoption of this proposition (see document C.P.D.142).

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PART I. PERSONNEL.

CHAPTER A. — EFFECTIVES.

*Articles 2 and 3.*

Chapter A of Part I of the draft deals with *effectives*, which it defines in the following manner in Article 2:

“ The average daily effectives in the land, sea and air armed forces and formations organised on a military basis of each of the High Contracting Parties shall not exceed in each of the categories of effectives defined in the tables annexed to this chapter the figure laid down for such party in the corresponding column of the said tables. ”

This definition of peace-time effectives did not give rise to lengthy discussion, and the interpretation it should receive is made the clearer by the fact that the articles which follow define the scope of the two conceptions which might be susceptible of question.

Article 3 lays down that “ the average daily effectives are reckoned by dividing the total number of days’ duty performed in each year by the number of days in each year ”.

It is thus laid down clearly and beyond question that the limitation and reduction of effectives applies only to effectives in service.

Page 4. The Minutes of the meetings contain a number of interesting observations on this fundamental point, which was discussed at each session in greater or lesser detail.

At the third session, after simultaneous consideration of the initial proposals of the French and British delegations, the Commission adopted by a majority the solution which appears in the text of the draft. The representative of the British Empire, however, reserved his Government’s opinion as to the limitation of trained reserves, while the representative of the United States formulated a general reserve on the ground of the inclusion of formations organised on a military basis and the exclusion of trained reserves. The German representative made a general reserve with regard to the whole of the chapter, as making no provision for limitation of trained reserves, registered and compelled by law to render military service in case of war, although such reserves in countries with the system of conscription represent (in his view) the main body of the personnel in time of war.

On the second reading (during the first part of the sixth session), the representatives of Great Britain and the United States withdrew their reservations on the subject, observing that the limitation of trained reserves was not a question of primary importance for them.

The Soviet delegation, on the other hand, maintained that, in view of the great military value attaching to trained reserves, a disarmament convention without limitation or reduction of these reserves would be seriously defective.

As regards the effectives of armed forces or formations organised on a military basis at sea, the representatives of the British Empire and the United States stated at the first reading that they only accepted limitation of naval effectives on condition of general adoption of this limitation and on condition of a satisfactory agreement being reached in regard to the limitation of vessels of war; but these reservations were not maintained at the second reading.

It is understood that the armed forces in the sense of Article 2 include all effectives receiving compulsory military training (other than preliminary training), wherever and however given.

It is understood that the effectives in reserve or under training are to be included in the calculation of the effectives in service during the period.

The Polish delegation expressed some doubt as to the practical results of this method of calculation, but agreed to it on the understanding that there would be an opportunity at the Conference of comparing the various systems of military organisation and arriving at practical conclusions.

Page 5.

#### Article 4.

Article 4 contains the following definitions:

“By formations organised on a military basis shall be understood police forces of all kinds, gendarmerie, Customs officials, forest guards, which, whatever their legal purpose, are, in time of peace, by reason of their staff of officers, establishment, training, armament and equipment, capable of being employed for military purposes *without measures of mobilisation*, as well as any organisation complying with the above condition.

“By mobilisation, within the meaning of the present article, shall be understood all the measures for the purpose of providing the whole or part of the various corps, services and units with the personnel and material required to pass from a peace-time footing to a war-time footing.”

The above text takes into account the different views expressed in the course of the discussion. It is understood that the definition in Article 4 of “formations organised on a military basis” does not include organisations which might be mobilised, but would not be effectively employed in the active army, and might, for example, be used for economic purposes.

A certain number of military experts proposed the following additional text to the Sub-Committee:

“Police, gendarmerie, etc., who cannot be used as part of the war army without additional armament or equipment are not included in peace-time armaments.”

It is understood that the Conference itself will be called upon to decide the condition or conditions to be taken into account in determining whether a particular case comes under the category of “formations organised on a military basis”.

The definition of *mobilisation* is so clear and precise that it gave rise to no discussion and requires no comment.

The Commission had adopted a text, provisionally designated as Article H, with all the necessary particulars for drawing up the *tables provided for in Article 2*. The Drafting Committee, while taking account of the rules laid down in Article H in the preparation of these tables, thought it simpler to omit Article H as such. This change of form in no way affects the Commission's previous decisions, and the tables should be interpreted in the light of these decisions.

The Commission considered that, in order to prevent the number of officers and non-commissioned officers exceeding the legitimate requirements of the several armies, it would be desirable to lay down a special limitation for these categories of effectives. As regards the form of such limitation, differences of opinion became apparent, certain delegations proposing to lay down a fixed proportion between the number of officers, etc., and the total effectives, while others proposed to specify the absolute maximum figures. The Commission adopted the latter standpoint. It also decided on the proposal of the Italian delegation that it was desirable to limit the number of professional soldiers of other ranks.

Page 6.

Page 7.

When the question arose of practical measures for the application of these principles, certain difficulties became apparent, as a result partly of the differences between the system of voluntary armies and conscript armies, and partly of the differences between the periods of service in the conscript armies.

The compromise solution, which the Commission accepted, provides, in the case of land forces, for the *limitation (a)* of the number of officers and *(b)* of the number of soldiers other than officers, whose effective service exceeds the longest legal period of service in force in the conscript armies of the contracting Powers at the time of the signature of the Convention. A system of tables of *publicity* has been drawn up in the case of conscript armies to show the number of men whose service exceeds the legal period fixed in their respective countries, while remaining lower than the maximum period specified under *(b)*.

The German delegation proposed that the standard of limitation should be the period of service fixed by the prevailing legislation in each country.

As regards naval armaments, *limitation* will apply to the aggregate figure of effectives (officers, petty-officers and men), while the publicity tables will show separately the number of officers and men who have completed more than  $x$  years of effective active service.

Page 8. The Soviet delegation proposed to limit separately the number (1) of officers, and (2) of non-commissioned officers, including sailors remaining on active service after having exceeded the period of service in force in their navy.

As regards air forces, it was not thought possible or desirable to make a distinction between the officers and men, the functions of the two not being as clearly distinguished in air forces as in land and sea forces.

The French delegation stated that it could not accept specific limitation of professional soldiers in land or air forces, unless provision were made for similar limitation in the case of sea forces.

\* \* \*

Page 9. The Commission, after a discussion, in the course of which divergent views were expressed as to the necessity of limiting separately the forces stationed in the home country and the forces stationed overseas, adopted a compromise under which the contracting parties are to undertake to submit tables in the case of their land forces showing the maximum of armed forces stationed in the home country and the maximum total of their armed forces. The table showing the maximum of armed forces stationed overseas is to be optional. Similarly, in the case of air armaments, the table showing the maximum of armed forces stationed in the home country is to be optional.

\* \* \*

In the light of the above explanations, the effect of the tables attached to Chapter A of Part I appears readily comprehensible.

Page 10. Table No. 1 is to show the maximum total daily effectives in peace-time service in the land armed forces stationed in the home country in the case of each contracting party. This table will also show separately the number of officers and the number of soldiers, other than officers, who have completed a number of months of active service to be determined by the Conference, on the basis of the longest period of service in force in the conscript armies of the contracting parties at the time of the signature of the Convention. A second table, which is "optional", gives the same particulars in the case of the land armed forces stationed overseas. A third table on the same lines as the other two will show the total land armed forces.

Tables IV and V provide for the furnishing of identical particulars in the case of formations organised on a military basis stationed respectively in the home country and overseas.

In the case of sea forces, the Commission proposes two tables, numbered VI and VII, which are to contain in the case of each contracting party the figures of the total effectives of the sea armed forces (Table VI) and the total effectives of the formations organised on a military basis (Table VII). These figures are to include officers, petty officers and men.

Tables VIII to XII inclusive are concerned with the limitation of the effectives of air forces. Tables VIII and IX are optional; they are to contain, one the figures of the air armed forces stationed in the home country, and the other the air armed forces stationed overseas. Table X, which is obligatory, is to show, like the two preceding tables, first, the total effectives of the air forces of each contracting party, and, secondly, the effectives who have completed more than  $x$  months of service. Tables XI and XII are to show the figures of formation organised on a military basis. The arrangement of these tables is similar at all points to that of Tables VIII, IX and X.

\* \* \*

Page 11. A number of reservations were made in regard to the tables attached to Part I, Chapter A. In regard to Tables I, II and III, the German and Italian delegations made the following statement:

"In connection with the distinction between the effectives and armaments of the home country and those overseas, the German and Italian delegations formulated a general reservation to the effect that, for the purposes of the reduction and limitation of armaments, the importance of the forces and materials which one contracting party assigns to its oversea territories may vary in relation to another contracting party by reason of the geographical situation of its territory in relation to the home territories of the two contracting parties. Consequently, one contracting party will have every reason to regard the oversea forces of another contracting party as forming part of the latter's home forces if the proximity of the oversea territories in relation to the home territories of the two parties justifies such an assumption".

The German delegation again draws attention to this reservation in connection with Tables V, IX and XII.



As regards Tables I, II and III, the Italian delegation considers that there should be added to the three columns (b), the words "or officials assimilated to officers", and to the three columns (c), after the words "other soldiers", the words: "or officials, employees or agents assimilated to soldiers".

As regards Tables VIII, IX and X, the Italian delegation is of opinion that no distinction should be made between armed air forces stationed in the home country and armed air forces stationed overseas.

The Turkish delegation has made reservations regarding the tables annexed to Chapter A of Part I, both as regards the optional indication of land and air forces stationed overseas (Tables II and IX) and as regards the non-indication of the maximum forces stationed in each of the overseas territories (Tables II, V and IX).

Page 12.

As regards this last point, the majority of the Commission was of opinion that it was not possible in practice to prescribe a separate limitation of this kind in an international convention.

The German delegation has made the following general reservation on the whole of Chapter I and the annexed table:

"The stipulations do not provide—either directly or by a reduction in the number of the annual contingent, or by a strict determination of the period of active service—for a reduction or limitation of trained reserves who, after having completed their service with the colours, continue to be registered and liable by law for military service, notwithstanding the fact that these reserves, though they do not exist in professional armies in the strict sense of the term, constitute the main body of the personnel in countries possessing conscript armies.

"Moreover, the stipulations do not provide for any method whereby the effectives of conscript armies serving with the colours and in reserve, and professional effectives, whose military value is naturally not capable of comparison, could be reduced to comparable units of calculation."

The Soviet delegation made the following statement:

"The Soviet delegation is opposed to the Commission's decision regarding effectives, and for the following reasons:

"(a) The Commission's refusal to reduce trained reserves, which constitute the main body of the armed forces which are formed in time of peace in order to create, in the event of war, the enormous armies of modern times;

Page 13.

"(b) The Commission's refusal to establish separately for each arm the reduction in the number of professional soldiers, officers, non-commissioned officers and pilots, the high percentage of which ensures the rapid deployment of large armies;

"(c) The inadequacy of the limitation of the period of military service in itself, this being in certain countries a mere artifice designed to increase the trained reserves."

## CHAPTER B. — PERIOD OF SERVICE.<sup>1</sup>

Chapter B of Part I relates to the limitation of the period of service. Its provisions apply—as is specifically stated in Article 5—only to effectives recruited by conscription.<sup>2</sup>

Two different systems were proposed for this purpose. Under one of them, each contracting party would accept a special figure; under the other, the Conference would fix a single maximum limit.

Page 14.

The Commission was of opinion that the first system should be taken as a basis, whilst at the same time a general maximum should be prescribed. Several delegations pointed out that this general maximum would not be satisfactory unless it were fixed at a very moderate figure.

It is understood that the contracting parties will have the option to accept, in respect of special limitations affecting them individually, different figures, not only for land, sea and air effectives, but also for the different services (infantry, artillery, etc.) of their armed forces.

Since the contracting parties undertake not to exceed the figures accepted by each of them, they will always be at liberty to reduce this period, which must be regarded as a maximum.

These principles are set forth in Articles 5 and 6; but, on the proposal of the Belgian delegation, an important exception was provided for in Article 7. This exception is intended to obviate the disadvantage that would ensue in the case of certain countries which have the conscript system from a falling off in the number of births in future years as a consequence of the last war. This exception, which was unanimously agreed to, will allow the limits for the period of service under Article 5 (a) to be exceeded "in so far as, owing to a falling off in the number of births, such an increase may be necessary to enable the maximum total number of effectives fixed by the tables annexed to Chapter A of this part" to be reached. Any contracting parties availing themselves of this option should immediately notify the measures they feel bound to take, together with reasons in support thereof, to the other contracting parties and to the Permanent Disarmament Commission, to be set up under Chapter VI of the Convention.

Page 15.

<sup>1</sup> As regards this chapter, see the German delegation's general reservation concerning Part I.

<sup>2</sup> The Chinese delegation has, on many occasions, proposed the abolition of the conscription system. It has reserved the right to raise this question again at the Conference.

Article 8 provides that, "in any case, the total period of service shall not exceed . . . months".

As regards this limitation, which is a common one, representing a maximum for all contracting parties, the Spanish delegation pointed out (and this view was accepted by the Commission) that the maximum fixed in accordance with this article cannot in any way affect, even indirectly, the figures of the table mentioned in Article 2 without any restriction or reservation to each contracting party.

\* \* \*

During the discussion of the period of service, the German delegation submitted a proposal to the effect that the annual contingent should be limited as well as the period of service.

*The Commission rejected this amendment by twelve votes to six, with certain abstentions.*

Page 16.

## PART II. — MATERIAL.

On this point, as already mentioned, the Commission encountered difficulties which it was unable to surmount either at its third session or even after the second reading of the preliminary draft Convention during the first part of the sixth and last session.

### CHAPTER A. — LAND ARMAMENTS.

#### Article 9.

As regards land armaments, the original position was as follows:

A proposal was made by the German delegation for the limitation of material in service and in reserve in accordance with a table fixing, under separate headings, the maximum number of arms and the quantity of ammunition for the various arms. The French preliminary draft provided only for the limitation of the total expenditure on the upkeep, purchase and manufacture of war material in the strict sense of the term, with the option of carrying forward sums not expended during one year.

The Japanese and Italian representatives formally opposed the first method, while the United States delegation made a general reservation on account of the omission of any provisions regarding the limitation of material of the land and air forces, whether in service or in reserve. Despite the fact that this reservation was withdrawn at the second reading, opinion was divided as to the method of limiting material for land forces.

The following methods were considered:

Page 17.

- (1) Application of the fullest possible publicity to expenditure on land material;
- (2) Limitation of budgetary expenditure on material;
- (3) Direct limitation of material by categories;
- (4) Simultaneous application of the two last-named limitations, either separately or in combination;
- (5) Application of any one of these methods at the choice of the contracting party.

The Commission unanimously approved the principle that there should be the fullest possible interchange of information respecting armaments between the parties to the proposed Convention.

It also recorded the unanimous desire of the members of the Commission to find some method which would provide for the limitation of war material in a more precise manner than can be achieved by publicity alone.

The result of the vote taken on the principle of direct limitation was as follows: nine votes for, nine votes against and seven abstentions.

On a vote being taken on the principle of the simultaneous employment of the two methods proposed by the Italian delegation, nine members of the Commission declared themselves in favour of the system, eleven were against and five abstained from voting.

The principle of indirect limitation, as set forth in Article 9, was adopted by sixteen votes to three, with six abstentions.

As regards the application of this principle the Commission passed the following resolution:

" I. With a view to limiting land material by limiting expenditure on its purchase, manufacture and upkeep, the Preparatory Commission requests its President to instruct the Committee of Budgetary Experts to enquire into the means by which such limitation could be carried out, paying special attention to:

Page 18.

- " (a) The necessity of limiting all the expenditure in question;
- " (b) The variety of ways in which budgets are presented and discussed in different countries;

“ (c) The adjustment of the proposed method of limitation to possible fluctuations in the purchasing power of different countries, especially with regard to the cost of war material.

“ (d) The conditions in which credits for one financial year might be carried over to the following year or years.

“ II. In order that the Governments may be able, before the Conference meets, to come to a decision on this point, the experts' report should be transmitted to them in good time by the Secretary-General of the League of Nations. ”

The Spanish and United States delegations stated that they were prepared to consider the possibility of applying, as far as they themselves were concerned, direct limitation instead of indirect limitation, though the Spanish delegation observed that such limitation would have to be confined to material in service. The Japanese delegation expressed the view that, if the Conference had to contemplate a system involving for some countries the application of direct instead of indirect limitation, the number of such countries would have to be strictly limited.

Several delegations stated that, in the application of the system of indirect limitation, account must be taken of the circumstances peculiar to each State. They urged that preferential treatment should be granted to non-industrial countries, or countries whose budgets were below a figure to be fixed by the Conference.

The first of these arguments was put with particular clearness by the Greek delegate, who spoke as follows: Page 19.

“ It seems essential, in order to determine the budgetary limit for each country, to take into account the particular circumstances of each country, its economic circumstances, its standard of living, the cost of labour there, and above all, its position as regards material at the time of signing the Convention. Obviously, if the material a country possessed at that time were worn out or imperfect; and if, consequently, it were in a clear position of inferiority as compared with the other Signatory States, that would constitute a factor to be taken into account in fixing the budgetary limit binding upon that country. ”<sup>1</sup>

Apart from the reservation in the footnote to the article, the Turkish delegation made its acceptance of any budgetary limitation of material and armaments expressly conditional upon account being taken—as with any other method of limitation, indeed—of the special position of countries in which the industry is not sufficiently developed. Page 20.

The Norwegian delegation observed that the possibility of some combination of direct and indirect methods by budgetary means had not been precluded. The British delegation made the following statement to the same effect:

“ The British delegation was ready to admit that direct limitation may, in theory, be the most effective and the most obvious system, but feared that this method of limitation would, in practice, prove unsatisfactory. Even if adequate definitions and categories could be established, it would be impossible to impose on all countries such a system of verification and control as to give the assurance that the limitation would be properly observed.

“ The British delegation had hoped that it might be possible to limit directly the larger weapons, such as big guns and tanks; but here, again, similar difficulties would be encountered. They would be prepared to accept any practical scheme for direct limitation of the more important weapons that would offer any prospect of general acceptance and reasonable effectiveness. It may be that the Governments at the Disarmament Conference will be able to find such a scheme. Page 21.

“ In the circumstances, the British delegate advocated the adoption of the indirect method of budgetary limitation.

“ The British delegation recognises that such a method is not so complete; but, so far as it goes, it is, it feels, more effective and more reliable. Budgetary expenditure, in all the more important countries, is subject to a number of checks and controls, and cannot, to any serious extent, be evaded. Moreover, it has the additional advantage that it may serve to arrest competition in the development and perfection of weapons. ”

\* \* \*

The German delegation has made a general reservation in regard to this article, since, notwithstanding its extraordinary importance, the material in service, in reserve and in store of land armed forces and of land formations organised on a military basis is only covered—contrary to the method applied to naval and air armaments—by limitation of expenditure, and not by a reduction and limitation of specific articles and of numbers.

As regards the limitation of expenditure, the German delegation reserves the right to take a decision after considering the report of the Committee of Budgetary Experts.

<sup>1</sup> Minutes of the seventh meeting.

Page 22.

The delegation of the Union of Soviet Socialist Republics declared that it was opposed to the Commission's refusal:

(a) To provide for the direct limitation of the material for land armaments in service and in reserve which, in view of the mechanisation of modern armies, might serve to make up for the reduction in the number of men;

(b) To abolish tanks and long-range artillery, since these constitute the most aggressive forms of armaments and the most dangerous for the civil population; and, further, to prohibit the introduction of newly-invented implements of war as fostering the competition in armaments.

ANNEX 15.

C.P.D.294(a), Addendum.

Geneva, December 9th, 1930.

ADDENDUM TO THE DRAFT REPORT, SECOND PART.

[Document C.P.D.294(a) (See Annex 14)].

PART I. — PERSONNEL.

CHAPTER A. — EFFECTIVES.

Page 9. — At the end of the paragraph on page 9 of document C.P.D.294(a) commencing with the words "In the light of..." add an asterisk referring to the following note:

"The question was considered whether it would not be well to add to the expression 'on service' some qualifying adjective such as 'active', 'actual' or 'with the colours'. But as the rules of limitation were based on the idea of average daily effectives, which in its turn was based on the idea of the number of 'actual' 'days' duty' on military service, it was finally decided that such a qualifying adjective was unnecessary.

"Lastly, in order to take into account the frequent cases in which 'service' is performed in several separate periods, often of short duration, the word 'months' was substituted for the word 'years' of service."

ANNEX 16.

C.P.D.294(b).

Geneva, December 6th, 1930.

DRAFT REPORT (THIRD PART).<sup>1</sup>

M. BOURQUIN and M. COBIÁN (*Rapporteurs*).

Part II. — Material (continued):

Chapter B. — Naval Armaments . . . . . Page 542

Page 1.

PART II. — MATERIAL (continued).

CHAPTER B. — NAVAL ARMAMENTS.

At the third session of the Preparatory Commission, two entirely opposite plans were submitted: the British draft suggested the limitation of tonnage and of the number of vessels to be allowed to each of the contracting parties in each of the categories to be specified; the Italian delegation was only prepared to accept the limitation of total (global) tonnage which each contracting party would undertake not to exceed and which it might allocate and organise in the way best suited to its national interests, provided it communicated with the Secretariat of the League of Nations,

<sup>1</sup> Note by the Secretariat. — The page numbers in the margin show the pages in the roneoed document to which reference is made in the Minutes.

at least six months before the laying down of the keel, the characteristics of each warship it intended to construct.

The French delegation, whose views were much nearer to those of the Italian delegation than to those of the British delegation, proposed a three-column table, the figures in the columns indicating for each contracting party:

- (a) The total (global) tonnage it considered indispensable for its security and the defence of its national interests;
- (b) The total (global) tonnage it considered itself obliged to attain before the expiration of the Convention;
- (c) The manner in which it proposed to distribute, in total (global) tonnages for each category, the whole total (global) tonnage indicated by it in the previous column.

In a spirit of conciliation and with a view to reaching a compromise, however, the French delegation was prepared to agree that the special categories of tonnage referred to should consist of four categories of vessels—capital ships, aircraft-carriers, surface vessels of less than 10,000 tons, and submarines, though admitting the possibility of transferring tonnage from one category to another in circumstances which the contracting party considered to be indispensable for its safety, provided it informed the Secretariat of the League of Nations of the change made in the allocation of its total (global) tonnage one year at least before the laying of the keels of the part of this tonnage, the allocation of which would be changed.

Page 2.

In spite of a very reassuring statement made by the United States representative to the Preparatory Commission at the beginning of its sixth session in April 1929, the discussion of the naval problem was deferred. In view of the agreement that had been reached at the London Conference, the discussion was resumed in the second part of the same meeting, on the basis of a proposal submitted by the delegations of seven countries (United States of North America, Great Britain, Canada, France, Irish Free State, Japan, Italy) which submitted a new text for almost all the articles in this section. By adopting this text in its main outline, the Commission was able to overcome the difficulties which had previously arisen, owing chiefly to the presence of two conflicting systems of limitation—*i.e.*, limitation of total (global) tonnage and limitation by categories.

The Italian delegation made a general reservation to the effect that the Italian Government could not finally agree to one specific method before all the Powers had agreed on the proportions and on the levels of maximum tonnage.

The German delegation stated that, in view of the great value of non-floating material, it noted with regret that the latter—unlike floating material—would not be subject to any direct limitation of specific articles and of numbers, and would only be affected indirectly by the limitation of expenditure. With regard to the latter, the German delegation reserved its opinion until it had studied the report of the Committee of Budgetary Experts.

Page 3.

In conformity with the general principles it has followed, the Commission has not proposed to the Conference any figures for tonnage, etc., to be inserted in the articles and in the annexes.

The figures set out therein have been inserted merely as an indication; they are similar to those given in the Washington and London Treaties. It should be observed here that, in several cases, various delegations proposed other figures to the Commission or reserved the right to do so when the Conference met.

#### *Articles 10, 11 and 12.*

These three articles must be regarded as a single whole, embodying the following system of limitation:

- (1) Limitation of the total (global) tonnage of each Power (Article 10), with the exception of certain vessels referred to in Annexes I and II;
- (2) Distribution of total (global) tonnage (Article 11);
- (3) Possibility of transferring tonnage from one category to another (Article 12).

The Italian delegation proposed that these Articles 10 and 11 should be replaced by a single article, worded as follows:

“ The limitation of naval armaments, accepted by each of the High Contracting Parties, is indicated in the following table . . . . ”

like Table II of the text, while Table I would be omitted.

#### *Article 10*

The Chinese, Spanish, Persian, Roumanian and Yugoslav delegations observed that it should be understood that the particulars of total (global) tonnage inserted by the contracting parties in Table I would not be in any way binding on their countries after the expiration of the Convention.

The possibility was considered of providing in the Convention two tables, one of which would indicate the total global tonnage which each contracting party regarded as indispensable for guaranteeing its safety and national interests, whereas the other would contain the figures of the total global tonnage to be obtained before the expiration of the Convention.

Page 4.

In order to give prominence to this idea, the Committee agreed, at the request of the Spanish representative, to alter the wording of the first article proposed by the Powers signatory to the London Agreements. The foregoing, therefore, explains the meaning of the sentence: "Throughout the duration of the present Convention . . ."

Similarly, the Spanish delegation opposed a Soviet proposal to the effect that the limitation of naval forces should involve a reduction for all countries. The Commission finally adopted the principle of such a reduction, but gave it greater elasticity by adding the words "as far as possible". Since the same idea had been accepted in respect of the other armaments, it was thought preferable to embody it in a single clause which should govern the whole Convention. This—as we pointed out—is the object of the first article of the present draft.

Page 5. The Yugoslav delegate also emphasised the difference between recently-created countries, which are at present engaged in elaborating and preparing a minimum naval programme compatible with their national security and countries having a maritime history and tradition and possessing a complete fleet. The figure of the total (global) tonnage to be inserted in Table I would for the former countries represent only the first stage in the execution of their minimum programme, whereas for the latter the figure will really indicate their maximum naval forces in the present state of international relations. In view of this essential difference, the Yugoslav delegation reserved the right to request at the Conference that recently-created countries which are obliged to distribute their expenditure for the construction of a minimum tonnage compatible with their national security over a number of years exceeding the duration of the Convention should be accorded the right to mention separately, within the limits of the agreed total (global) tonnage, what portion of their programme they intended to carry out during the period of the Convention. Similarly, if, under Article 56 of the draft, the Convention remained in force for a further period, such prolongation should not debar the above-mentioned countries from continuing the execution of their naval programme within the limits of the agreed tonnage.

#### *Articles 11 and 12.*

Page 6. The Preparatory Commission's discussions on these articles were directed mainly towards rendering the proposed system of limitation applicable to navies of a small tonnage. With this object the Commission unanimously adopted the rules which appear as the introduction to Table III. This table will be prepared or filled in at the Conference; but the Commission desires to state that it regards the application of the rules proposed as an integral part of the system on which Articles 10 to 12 are based.

On this subject the following statements should be noted :

The representative of the British Empire stated:

" I am glad to be able to inform the Commission that I am now authorised to accept the three proposed rules in Table III of the Naval Clauses. In doing so, I should like to make it clear that I regard the first rule as governing the other two; I understand that was why it was put first—that is to say, though Rules II and III establish certain important principles, yet their application must, in the last resort, depend to some extent upon the considerations set out in Rule I. It is, of course, understood that, in saying this, I am dealing solely with the question of transfer and not suggesting that any limit can be put on the right of any Power to ask the Disarmament Conference for any class of ship as part of its navy. "

The Swedish delegate spoke in the following terms:

" The Swedish delegation is very glad to learn from Viscount Cecil's statement that the British Government approves Table III.

" I should like to take this opportunity of saying that the Swedish delegation cannot accept any interpretation which might weaken the guarantees obtained by the Powers possessing fleets of small tonnage through the inclusion of the three principles contained in Table III as compensation for their acceptance of a large number of rules derived from the Treaties of Washington and London. "

The representatives of Yugoslavia, Greece, Roumania, Turkey and Poland gave this statement their unqualified approval.

Page 7. The Norwegian representative spoke to the same effect, adding that his country would certainly claim from the Conference the utmost freedom for transfer. The Chinese representative agreed with this view. The Finnish delegate stated that he would like the three rules to be interpreted on a footing of equality; none of them should be regarded as taking precedence over the others.

The United States representative explained that, in accepting the three rules, which were drawn up as a compromise text, his delegation assumed that the application of Rule III, Table III, was not intended to apply to Powers which are signatories of the Washington and London Treaties.

The Italian delegate spoke as follows:

" Like the British delegation, we consider that the basic criterion for the application of transfers should be that which was enunciated in principle No. 1. When this principle has to be applied in practice, we should make no difficulty in according complete liberty of transfer from the class of submarines to that of light-surface vessels—*e.g.*, destroyers and small cruisers.

" On the other hand, I desire to state now that we should oppose transfers in the opposite direction—that is to say, from the class of light-surface vessels to that of submarines. "

This statement was formally opposed by the Spanish delegate, who pointed out that the text in question represented a compromise and had been adopted without any reservation other than that of the British delegation.

The Netherlands delegate also pointed out that, if they made the second rule adopted subordinate to the first, they would modify the scope of the system.

The rules contained in Table III annexed to this section are worded as follows:

“ 1. Account must be taken of the special circumstances of each Power, and of the classes of ships involved in the transfer. ”

This must be understood to mean that, before it accords any transfer figure, the Conference must take into account the circumstances of the Power applying for the transfer and the class of vessels whose tonnage may be increased. These will be the factors on which the Conference will base its decision either to grant or refuse the transfer applied for, or to reduce its scope.

“ 2. Powers whose total tonnage does not exceed 100,000 tons<sup>1</sup> will have full freedom of transfer as regards surface ships. ”

This exception in favour of certain navies which the Conference will have to designate, taking into account their total tonnage, will be readily understood. It admits the possibility of unlimited transfer as regards surface vessels, but excludes submarines from this option.

“ 3. As regards the other Powers, the amount of the transfer should vary in inverse ratio to the amount of the total (global) tonnage of each of them. ”

This rule applies to all Powers which do not benefit under the exceptional system established by the preceding clause. It provides that the Conference, when allowing transfers under the conditions laid down in Rule I, should grant them in inverse ratio to the global tonnage of the Powers applying for them.

#### *Article 13.*

The Soviet delegation proposed that the tonnage limit for capital ships should be fixed at 10,000 tons (10,160 metric tons), and the limit for gun calibres at 12 inches (304.8 mm).

Several delegations recommended that the Conference should either abolish capital ships altogether or should reduce the maximum tonnage of their standard displacement.

The Commission confined itself, however, to adopting the text proposed by the signatory Powers of the Washington Naval Treaty, fixing—but by way of indication only—the tonnage limit for capital ships at 35,000 tons (35,560 metric tons), and the limit for the calibre of their guns at 16 inches.

As regards the other articles of the draft submitted by the Powers which took part in the Naval Conference, we may say that they were adopted by the Preparatory Commission without discussion, it being understood that the figures contained in these articles were only given by way of indication and that the adoption of these articles in no way involved the adoption of the numerical data which might be replaced by other figures.

#### *Article 14.*

The Spanish delegation, however, made a reservation regarding the second paragraph of Article 14, which provides for the limitation of the calibre of guns carried by aircraft-carriers whose tonnage does not exceed 10,000 tons. The Spanish delegation considered that certain navies which, for reasons of economy, were compelled to build ships not corresponding exactly to any of the classes specified in Annex III of the draft (Definitions) could hardly be expected not to arm aircraft-carriers of a lower tonnage with guns of the calibre authorised for aircraft-carriers of the heavier tonnage mentioned in the first paragraph of Article 14.

#### *Articles 15 and 16.*

Articles 15 and 16 lay down that the standard displacement and the guns of submarines shall be limited, and that no vessel of war exceeding the limits as to displacement or armament prescribed by the Convention shall be acquired by, or constructed by, for, or within the jurisdiction of any of the contracting parties.

#### *Article 17.*

Article 17 contains a reference to Annex IV of Chapter B, Part III, regarding the rules with which the contracting parties must comply in the matter of the replacement of vessels of war. Annexes IV and V (Rules of Replacement) mentioned in Article 21 reproduce the corresponding provisions of the Naval Treaty of London.

#### *Article 18.*

Article 18 gave rise to a short discussion. This article, which provides that no preparation shall be made in merchant ships for the installation of warlike armaments for the purpose of converting such ships into vessels of war, nevertheless authorises the stiffening of decks for the mounting of guns not exceeding 6.1 inches (155 millimetres) in calibre. This exception to the

<sup>1</sup> This figure is given as an indication.

established rule was finally adopted, since the Commission recognised that it would be equitable to provide merchant vessels, in case of need, with certain means of defence. The Japanese delegation, however, reserved the right to raise the question of the limitation of aircraft equipment on merchant vessels, possibly at the Conference itself. The Soviet delegation emphasised the importance of laying down that no preparation shall be made in merchant ships with a view to converting such ships in war-time into fighting units.

*Articles 19, 20 and 22.*

The following clauses of the draft were adopted without discussion:

(1) The clause prohibiting any contracting party engaged in war from using as a vessel of war any vessel of war which may be under construction within its jurisdiction for any other Power or which may have been constructed within its jurisdiction for another Power and not delivered (Article 19).

(2) The clause prohibiting any contracting party from disposing of any vessel of war in such a manner that such vessel may become a vessel of war in the navy of any foreign Power (Article 20).

(3) The clause authorising the retention of existing ships used as stationary training establishments or hulks (Article 22).

Page 11.

*Article 23.*

On the proposal of the British delegation, the Commission adopted Article 23, providing for limitation of the annual expenditure in the war material of naval armaments on lines similar to the limitation of material of land armaments prescribed in Article 9. The forms of this limitation are to be studied by the Committee of Experts.

Certain delegations objected to the introduction of indirect limitation of naval material in addition to the direct limitation provided for in the other articles of this chapter. The French delegation suggested that budgetary limitation should be applicable only to such categories of material as have not been covered by direct limitation.

The American delegation repeated its general reservation on the subject of budgetary limitation.

The French delegation does not see its way to accept the special limitation of expenditure on upkeep, purchase and manufacture of war material for naval armaments. Apart from the technical difficulties which may be in the way, it observes that the limitation of naval material under satisfactory conditions is assured by the direct limitation of floating material, as well as indirectly by the limitation of the aggregate expenditure on armaments.

Page 12.

The German delegation reserves its opinion until it has studied the report of the Committee of Budgetary Experts.

The Japanese delegation also made a reservation in regard to this article.

The British delegation explained that their acceptance of this article depended on the attitude finally adopted by other maritime Powers.

A note inserted in the present draft (after Article 23) quotes two articles of the London Naval Treaty as examples of supplementary restrictions which certain contracting parties might be prepared to accept. It is understood that these articles, which are binding solely upon the signatories of the London Treaty, are only quoted by way of example, the Commission not having expressed any view in regard to them. The representatives of Greece and Spain, however, have made a formal reservation in regard to the possibility of these supplementary restrictions being applied.

The Commission attached several tables to Chapter B. Table I will have the figures of global tonnage allocated to each contracting party. Table II will serve to show the distribution of such tonnage between the categories defined in Annex III in accordance with the scheme fixed in London. A special subdivision has, however, been admitted in the class of capital ships for those contracting parties which have no capital ship of a standard displacement exceeding 8,000 tons. Table III, with regard to transfers, is also to be filled up by the Conference, account being taken of the three principles therein specified.

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ANNEX 17.

C.P.D.294(c).

Geneva, December 7th, 1930.

DRAFT REPORT (FOURTH PART).<sup>1</sup>

M. BOURQUIN and M. COBIÁN (*Rapporteurs*).

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<sup>1</sup> Note by the Secretariat. — The page numbers in the margin show the pages in the roneoed document to which reference is made in the Minutes.



PART II. — MATERIAL (continued).

Page 1.

CHAPTER C. — AIR ARMAMENTS.

The text adopted in the first part of the sixth session provided in a single article for the limitation of air material in service by means of two tables, one for armed forces and the other for formations organised on a military basis, the limitation being applicable to aeroplanes and dirigibles capable of use in war employed in commission in the land, sea and air forces, or in the formations organised on a military basis.

All these provisions have been regrouped by the Drafting Committee. They are the subject of Articles 24 and 25, which the Commission has adopted.

*Articles 24 and 25 (former Article AA).*

The method of limitation fixed in these articles represents a compromise formula taking account of the principal standards of limitation proposed to the Commission. The standard of limitation in the case of aeroplanes is, first, the number, and, secondly, the total horse-power. In the case of dirigibles, it is the number, total horse-power and total volume.

The Commission accepted at the second reading, by nine votes to eight with some abstentions, a British amendment to limit, not only machines in service, but also complete machines in reserve belonging to the State.

The German delegation made a reservation in regard to these articles, on the ground that reduction and limitation do not apply to the aggregate of war material, including material in reserve, and that, in its view, the countries are left free to increase their stocks of aircraft not yet put together, and to arrange their air armaments as they please, without exceeding the limits fixed by the Convention.

The Turkish delegation reserved its opinion on the extension of the direct limitation provided for in Articles 24 and 25 to armaments in reserve.

The tables referred to in these two articles will contain the figures allocated to each contracting party. As regards the aeroplanes of the armed forces (Table I) and those of the formations organised on a military basis (Table II) and dirigibles (Table III, Dirigibles of the Armed Forces, and Table IV, Dirigibles of the Formations organised on a Military Basis), there are certain differences in the make-up of the tables. The two tables relating to the armed forces (Tables I and III) contain an obligatory column for the total of the aeroplanes and dirigibles respectively, and three optional columns for the aeroplanes or dirigibles stationed in the home country, overseas or in aircraft-carriers. In the case of aeroplanes, the figures will show, first, the number and, secondly, the total horse-power. In the case of dirigibles, there will be additional figures showing the total volume.

The tables with regard to the formations organised on a military basis (Table II, Aeroplanes, and Table IV, Dirigibles) have the same columns and the same particulars as the others, without column (d) (Tables I and III), which is irrelevant in the case of formations organised on a military basis.

*Article 26.*

It should be noted in the case of this article that the British and Canadian delegations consider it will not be possible to specify the horse-power figures.

The French delegation had proposed at the first reading to measure horse-power according to the rules laid down by the International Air Navigation Commission. These rules are as follows:

“ The power of an engine is the average power that the engine generates during two trials of one hour each during which it runs without stopping at a pressure of 760 millimetres of mercury in dry air and at a temperature of 15°C. The engine power will be measured in horse-power of 75 kilogramme-metres a second and will be expressed to the nearest horse-power for engines not exceeding 50 horse-power within 5 horse-power for engines between 50 and 200 horse-power and within 10 horse-power for engines exceeding 200 horse-power.”  
(Document C.310.M.109.1927.IX. page 139.)

The delegation of the United States expressed the view that, in the case of a subject on which technical methods change with great rapidity, it was not desirable to adopt a method at the present time which might not be acceptable by the time the Conference meets.

The Commission accepted this standpoint, and decided not to propose particular rules, but to leave the Conference to take a decision on the point.

The Commission is, however, of opinion that it is desirable for the Council to entrust to experts the preparatory studies required for the laying down of such rules.

\* \* \*

The German delegation makes a reservation of a general character in regard to Tables I(c), II(c), III(c), IV(c), attached to Section C of Chapter II. This reservation is to the following effect: for the purposes of reduction of armaments, the material which a contracting party may assign to its oversea territories may be of varying importance in relation to another contracting party

Page 2.

Page 3.

Page 4.

by reason of the geographical situation of its territories in relation to the home country territories of the two contracting parties. One contracting party will therefore have every reason to regard the oversea material of another contracting party as forming part of the home country material of the latter, when such an assumption is justified by the proximity of the oversea territories in relation to the home territories of the two parties.

The Turkish delegation repeated, in regard to the tables attached to Section C, the reservation it had made before in regard to the tables in Chapter I.

*Article 27.*

Page 5. Article 27 deals with the interesting problem of the relation between civil and military aviation. It makes provision for prohibitions and obligations to be imposed on the contracting parties, with a view to avoiding the danger involved in prescribing the embodiment of military features in the construction of civil aeroplanes, and with a view to encouraging the independent development of purely civil aviation. It is not superfluous to reproduce the somewhat complicated text of Article 27:

“ 1. The High Contracting Parties shall refrain from prescribing the embodiment of military features in the construction of civil aviation material, so that this material may be constructed for purely civil purposes, more particularly with a view to providing the greatest possible measure of security and the most economic return. No preparations shall be made in civil aircraft in time of peace for the installation of warlike armaments for the purpose of converting such aircraft into military aircraft.

“ 2. The High Contracting Parties undertake not to require civil aviation enterprises to employ personnel specially trained for military purposes. They undertake to authorise only as a provisional and temporary measure the seconding of personnel to, and the employment of military aviation material in, civil aviation undertakings. Any such personnel or military material which may thus be employed in civil aviation of whatever nature shall be included in the limitation applicable to the High Contracting Party concerned in virtue of Part I, or Articles 24 and 25, of the present Convention, as the case may be.

“ 3. The High Contracting Parties undertake not to subsidise, directly or indirectly, air-lines principally established for military purposes instead of being established for economic, administrative or social purposes.

“ 4. The High Contracting Parties undertake to encourage, as far as possible, the conclusion of economic agreements between civil aviation undertakings in the different countries and to confer together to this end.”

Page 6.

This article was drafted after the work of the Special Committee of Experts on Civil Aviation.

The Preparatory Commission agreed with the Committee of Experts that the Convention should avoid any provision capable of obstructing the development of civil aviation; but it was of opinion that all efforts should be directed towards differentiating more and more definitely between civil and military aviation, and that Governments should be prevented from interfering in civil aviation undertakings in order to divert them from purely civil objects.

The Soviet delegation submitted the following amendment in the course of the discussion:

“ Any adaptation of civil aviation material to the establishment of armaments or to military uses is prohibited.”

Under the terms of this amendment, the Governments would be bound to take steps to prevent the construction for military purposes, or the adaptation to military purposes, of aircraft-carriers, whether constructed by, or belonging to, private companies or private persons.

It should be noted that the text of the article approved by the Commission does not bind the Governments to impose restrictions on the private manufacture or adaptation of aircraft-carriers, but only prohibits them from encouraging the adaptation of civil aircraft-carriers to purposes of war.

Page 7.

An amendment was submitted to the Commission by the Canadian delegation for the omission of the second sentence of paragraph 2 of Article 27, to the effect that the seconding of personnel to, and the employment of military aviation material in, civil aviation undertakings should be authorised only as a provisional and temporary measure.

The Commission, while appreciating the special circumstances of Canada, was not prepared to recede from the general rule to which it had given its approval. It thought that a solution of the difficulty might be found in the establishment of an exceptional arrangement, the forms of which would have to be settled by the Conference.

The Canadian delegation subsequently submitted a reservation in regard to the “ temporary and provisional ” character of the seconding of personnel and the employment of military aviation material in civil aviation undertakings. Canada, because of its special needs and problems, requires, for the reasons given in the Minutes of December 2nd, the unrestricted right of seconding, in order to develop its country of vast distances and to protect its citizens and natural resources. The Canadian delegation, in order to obviate the possibility of abuse in seconding, proposed an amendment, which the Commission accepted unanimously, by which all seconded personnel and material shall be included in the quota allotted to each State.

Page 8.

In the course of the discussion on paragraph 3, the British delegation stated that it must be clearly understood that the proposal did not imply that the Governments committed themselves

to complete internationalisation of aviation, and that on this point the British Government reserved its entire freedom of action.

\* \* \*

The British delegation proposed the insertion of a new article worded as follows:

“ Each of the High Contracting Parties agrees to limit its annual expenditure on the maintenance, purchase and manufacture of war material, for air armaments, to the figures and under the conditions defined in the Annex to the present Convention.”

The voting on this article was as follows: five for; six against; thirteen abstentions.

The British delegation expressed particular regret at the failure of the Commission to adopt a system of budgetary limitation of air material. They felt that the science of aeronautics is still in so early a stage that very great developments in size, cost and destructiveness of military machines are to be apprehended. These developments will in no way be affected by the limitation of the total number of machines, and they fear it is impossible to rely on the limitation of horse-power as a practically effective check. Without budgetary limitation, therefore, they believe that the air arm, potentially the most destructive of civilisation, will be the most free for competitive international development.

Page 9.

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During the first part of the sixth session the German delegation submitted a proposal to prohibit the launching of weapons of offence of any kind from the air, as also the employment of unpowered aircraft controlled by wireless or otherwise, carrying explosive or incendiary gaseous substances.

After a very interesting discussion<sup>1</sup> this proposal was rejected, five delegations voting in its favour. The delegations which did not accept the German proposal stated that they did not thereby imply the authorisation of bombardment from the air of civil populations.

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### PART III. — BUDGETARY EXPENDITURE.

#### *Article 28.*

Page 10.

Upon the proposal of the French delegation, the Commission considered at its third session the limitation of the total annual expenditure by budgetary years for the forces stationed in the home country, and the formations organised on a military basis in the home country, as well as the overseas forces, their reinforcements and overseas formations organised on a military basis.

On this occasion, the delegations of the British Empire, Italy and Japan stated that, in their opinion, budgetary limitation should be effected solely by means of publicity. The delegations of the United States and Germany made a general reservation regarding the inclusion in the draft Convention of stipulations concerning the limitation of budgetary expenditure.

At the sixth session, the Commission accepted the principle of the limitation of the total expenditure on land, sea and air forces.

In adopting this principle (Article 28), the Commission desired to emphasise that such limitation should be applied individually, taking into consideration the conditions peculiar to each country.

The Preparatory Commission, however, is not submitting any final proposal to the Conference regarding the methods of such limitation.

Valuable studies have already been made in this field—in particular, by the Committee of Budgetary Experts set up by the Preparatory Commission; this Committee held several meetings in 1927. The results of its work—to the value of which the Preparatory Commission desires to pay tribute—are embodied in documents C.P.D.40 (Provisional Report) and 90. Some delegations thought that it would be desirable to convene this Committee once more so as to enable it to complete its report in the light of the experience acquired during recent years, and taking into account, in particular, the observations made on this subject during the second part of the sixth session of the Preparatory Commission.

Page 11.

For this purpose the Commission requested its President to reconstitute the Committee of Budgetary Experts, and to convene it in good time to ensure that its report should reach the Governments as soon as possible so as to enable the latter to take it into consideration when preparing for the Conference. The next session of the Committee of Experts will open on December 11th.

The Commission requested the Committee to study, in particular, the following points:

- (a) The necessity of limiting the total expenditure in question;
- (b) To take into account the diversity of methods of presentation and discussion of the budgets customary in the various countries;
- (c) To adapt the method of limitation contemplated to the possible differences in the purchasing power of the various currencies, with particular reference to the cost of war material;
- (d) To determine the conditions under which the carrying forward of credits from one budgetary year to the next year or following years might be effected.

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<sup>1</sup> See Minutes of the Sixth Session (First Part), pages 85 to 93.

The Committee of Experts will have to bear these points in mind when it studies the methods of special limitation of land and naval material (Articles 9 and 23).

The Soviet delegation proposed the insertion of a new article worded as follows:

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“ Secret funds intended in a disguised form for extraordinary expenditure on special preparations for war or an increase in armaments shall be excluded from the national budgets. “ In conformity with the above provision, all expenditure for the upkeep of the armed forces of each State shall be shown in a single chapter of the national budget; their full publicity shall be ensured.”

Since the Commission agreed as to the desirability of asking the budgetary experts to examine the whole problem of the methods of limitation, including that raised by the Soviet delegation, the latter did not press its proposal.

While agreeing to the limitation of budgetary expenditure, several delegations, including the Roumanian delegation, declared that it was essential in this connection to take into account the conditions peculiar to each country—that is to say, economic conditions, the purchasing power of each currency, the industrial development of each country, and, in particular, its position with regard to war material at the time of the signature of the future Convention. If, at that date, a country had not yet been able to carry out its minimum defensive programme in regard to certain categories of armaments, and if it possessed only obsolete, worn or incomplete war material, obviously such a State would be in an inferior position in relation to other signatory States more fortunately situated in this respect.

These are the factors which will have to be taken into account when the budgetary limit imposed upon the contracting States comes to be laid down.

The American delegation made a general reservation on the subject of budgetary limitation and drew attention to its declaration of November 11th, 1930.<sup>1</sup>

The German delegation made a general reservation regarding this chapter pending the Committee of Budgetary Expert's report.

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#### PART IV. — EXCHANGE OF INFORMATION.

Part IV of the draft Convention contains seven articles, providing for the drawing up of twelve tables with a number of columns.

##### *Article 29.*

Article 29 provides for the exchange of information each year in regard to the average daily number of effectives reached during the preceding year in the land, sea and air armed forces and formations organised on a military basis of each of the contracting parties. It also specifies the conditions under which the information, details of which appear in the tables, is to be supplied. The tables are largely similar to those of Chapter I (Limitation of Effectives), but are more detailed.

It is to be noted that the Commission, which did not see its way to propose limitation by *territories* of the armed forces and formations organised on a military basis stationed in the various overseas territories, nevertheless accepted the principle of publicity with regard to their distribution (by five votes to four with a certain number of abstentions). As the Annex to Tables II and V shows, this publicity is limited to land forces.

Page 14.

The Commission recognised that the method of calculating on the basis of the average daily effectives does not give adequate information in all cases. In the case of certain forms of military organisations, the real effectives may be considerably higher than the average effectives. The explanatory note, for which provision is made in the second sentence of the second paragraph, is intended to give publicity to this special feature of certain military systems. It is understood that the words in parentheses, “ recruits, militiamen, reservists, territorials, etc. ”, are only given by way of example. Each State will have to arrange in its own way the enumeration of the categories of effectives to which Article 29 relates.

The following reservations were made in connection with Article 29:

(a) The German delegation made a reservation to the article on the ground that the tables mentioned therein do not provide for publicity regarding trained reserves and the figure of the annual contingent. The general reservation of the German delegation in regard to Chapter I, Table I, applies to the following tables of Part IV: Table II, Table V and the Annex to Tables II and V, Table IX and Table XII. The German reservation in regard to Tables VI and VII annexed to Chapter A of Part I applies to Tables VI and VII of Part IV.

(b) The German delegation also made a reservation in regard to the option allowed to States to show, if they desire, for purposes of information, in a special column of the tables annexed to Chapter IV (Table V<sub>e</sub>), the number of recruits not trained as defined in the national legislation.

<sup>1</sup> Minutes of the Sixth Session, Second Part (Fifth Meeting).

The German delegation considers that this option should not be allowed, unless the contracting parties are under obligation to publish at the same time and in the same tables similar information with regard to the number of their trained reserves. Failing such publicity, the German delegation considers it impossible to judge of the real military situation of the States.

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(c) The Turkish delegation repeated in regard to the tables annexed to Article 29 the reservations made by it in regard to the tables in Chapter I.

(d) The French delegation does not accept publicity for the effectives stationed in *each* overseas territory, as not being called for to any greater extent in the case of overseas territories than in the case of the various districts of the home country. The French delegation also desires to point out that detailed publicity in the case of each overseas territory, with a multitude of distinctions between the different categories of soldiers according to their rank and length of service, is even less acceptable, being materially impossible owing to the constant transfers from one territory to the other and the special conditions of the territories in question. An army of accountants would be required for the purpose. The inclusion in the Convention of such minute rules is calculated to multiply involuntary errors in the information supplied by the contracting parties, and further threatens to lead to unnecessary and provocative discussion, which no one can desire, and which cannot be the object the Commission has in view.

The British delegation concurred in this reservation.

(e) The Japanese delegation also made a reservation as to the desirability of separate publication of the average daily effectives in each overseas territory.

#### Article 30.

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In adopting Article 30, the Commission considered it important to know the number of youths compulsorily receiving preparatory military training. No provision is made for information on this point in Article 29, since Article 29 does not cover training which precedes active service.

On these grounds the Commission considered it desirable that the contracting parties, who have systems of compulsory pre-regimental military training, should state the number of youths who have received such training. The Commission held that the Governments were not in a position to supply statistical information in regard to voluntary pre-regimental military training.

The German and Italian delegations consider that particulars should be given, not only of the youths who have been subjected to compulsory preparatory military training, but of all who have received preparatory military training, whether voluntary or otherwise.

#### Article 31.

Article 31 imposes on the contracting parties the obligation to inform the Secretary-General of the League of Nations each year of the total number of days comprised in the first period of service, and the total duration in days of the ensuing periods; this provision applies only to the effectives recruited by conscription.

The limitation of the period of service laid down in Articles 5 to 8 (former Articles I and XB) did not provide for a precise limitation of the total number of days of service, on the one hand, and the total duration of the periods of training not included in the period of service, on the other.

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The Commission considered, however, that, in order to give a clearer idea of the military organisation of the various countries, tables should be drawn up for purposes of publicity, giving these figures separately.

#### Article 32.

The Commission accepted (by nine votes to seven) the principle of publicity in respect of material by means of the budget. The methods of application of this principle will be determined on the basis of the report requested from the Committee of Budgetary Experts.

The Netherlands delegation, supported by several other delegations, had proposed that each of the contracting parties should, each year, prepare a statement giving the numbers (and for certain categories and for ammunition also the weight) of material in service and reserve of the land, sea and air forces under twelve specific headings. The Committee of Military Experts, which the Preparatory Commission had requested to study the method of application of this principle, prepared a simplified table applicable to land armaments. Some delegations which were ready to accept publicity on the basis of this table in respect of material in service did not see their way to accepting it in respect of material in reserve. In these circumstances, other delegations which advocated direct publicity did not feel that they could press this point.

\* \* \*

The German delegation made a general reservation in regard to Article 32. It considered that, in order to be effective, publicity should be given to the total of the land and air material and of non-floating material of the navies, and that this information should be published by categories and numbers.

Page 18.

As regards publicity in respect of expenditure, it reserved its opinion until it had had an opportunity to study the Committee of Budgetary Experts' report.

*Article 33.*

Article 33 specifies the information to be furnished by each contracting party regarding every vessel of war laid down or completed by or for such party, or within its jurisdiction, after the coming into force of the Convention, except such vessels as are exempt from limitation under the terms of Annex I to Chapter B of Part II.

*Article 34.*

Article 34 lays down that the name and tonnage of any vessel whose decks have been stiffened as authorised in Article 18 shall be communicated to the Secretary-General of the League of Nations; it should be pointed out, however, that this article was approved only by seven delegations, three delegations having voted against it, the others abstaining.

*Article 35.*

Article 35 provides for publicity corresponding to the limitation of air material in service stipulated in Articles 24 and 25.

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The German delegation made a reservation concerning this article. It considers that publicity should apply to the total air material, including material in reserve.<sup>1</sup>

The Turkish delegation repeated, in regard to the tables annexed to Article 35, the reservations it had made concerning the tables in Chapter I.

*Article 36.*

A large majority of the Preparatory Commission recognised the importance, from the point of view of armaments, which the development of the civil aviation of a country might assume. It also considered that the regular and official publication of information regarding civil aviation in the various countries would be extremely useful.

While accepting this principle, and approving the text of Article 36 as it stands at present, certain delegations were doubtful whether the provision contained in this article would not be more suitably included in an international convention other than the Disarmament Convention.

The Commission decided to draw the Conference's attention to this point.

Page 20.

Upon the British Delegation's proposal, the Commission adopted at second reading an addition to Part IV providing that the contracting parties shall be bound to furnish information regarding expenditure incurred on civil aviation by the Governments and local authorities. The delegation of the United States pointed out that it was doubtful whether its Government would be in a position to furnish data on the expenditure incurred for this purpose by local authorities.

On the proposal of the Polish delegation, the Commission adopted an amendment providing that the returns furnished by the Governments should show, not only the number, but also the total horse-power of registered aircraft and dirigibles. The American delegation stated that its Government would probably not be in a position to furnish information of this kind.

The German delegation made a reservation in regard to Article 36. It considered that rules concerning publicity in regard to peace-time means of communication would not properly be included in a purely military convention, and that for this reason they should be dealt with in a special convention.

*Article 37.*

In adopting Article 37, the Commission approved the principles of publicity in regard to the total expenditure on the land, sea and air forces. Each of the contracting parties will undertake to furnish annually a statement of its expenditure in accordance with a standard model. Similarly, it will state the amount actually expended for the upkeep, purchase and manufacture of war material.

The standard model in question will be drawn up by the Conference on the basis of the studies made or to be made of this subject by the Committee of Budgetary Experts.

The German delegation reserved its opinion on the publication of expenditure until it had studied the report of the Committee of Budgetary Experts; it considered, however, that the standard model should not be used for purposes of comparison and limitation.

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<sup>1</sup> See also, in regard to Tables I (c), II (c), III (c) IV (c), the German delegation's general reservation concerning the tables annexed to Section C of Chapter II.

ANNEX 18.

C.P.D.294.(d)

Geneva, December 8th, 1930.

DRAFT REPORT (FIFTH PART).<sup>1</sup>

M. BOURQUIN and M. COBIÁN (*Rapporteurs*).

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PART V. — CHEMICAL ARMS.

*Article 38.*

This part consists of only one article—Article 38—by which the contracting parties undertake, subject to reciprocity, to abstain from the use in war of asphyxiating, poisonous or similar gases and of all analogous liquids, substances or processes, and undertake unreservedly to abstain from the use of all bacteriological methods of warfare.

The insertion in the draft Convention of provisions concerning chemical warfare was proposed by the delegates of Belgium, Poland, Yugoslavia, Roumania and Czechoslovakia.

There was a certain amount of discussion as to whether provisions of this nature were in their right place in a Disarmament Convention which aimed, not at codifying the rules applicable in war-time or prohibiting the use of certain arms, but rather at regulating armaments in peace-time, or whether it would not be preferable to insert these provisions in some other document.

The Commission's attention was also drawn to the existence of other international undertakings on the same question—in particular, the Protocol prepared by the 1925 Conference on the Trade in Arms. As was pointed out, however, the Governments which had acceded to the Protocol and those which would accede to the Convention might not in every case be the same, and thus the Convention would not produce its full effect.

Finally, the Commission adopted this article in the above-mentioned form, by a majority vote. Nevertheless, several delegations expressed the desire to reserve their right to submit to the Conference proposals concerning the chemical and bacteriological weapons, with a view to supplementing the provisions of the 1925 Protocol and amplifying their scope.

The Commission noted that certain Governments had signed and ratified the 1925 Protocol with reservations concerning, in particular, *reciprocity*. Though recognising that the undertaking to abstain from the use of asphyxiating, poisonous or similar gases (paragraph 1 of the draft article) could normally be observed only subject to reciprocity, the Commission thought that the undertaking to abstain from the use of bacteriological methods should be absolute. The use of such methods would in any case constitute a crime against international law, in that this arm necessarily strikes the whole population, and no civilised Government could possibly wish to be guilty of such a crime even against the armies of a criminal Government which had itself resorted to such methods.

The Soviet delegation drew the attention of the Commission to the following article of the draft Convention submitted by it:

“ All methods of and appliances for chemical aggression (all asphyxiating gases used for warlike purposes, as well as all appliances for their discharge, such as gas-projectors, pulverisers, balloons, flame-throwers and other devices) and bacteriological warfare, either available for the use of troops or in reserve or in process of manufacture, shall be destroyed within three months of the date of the entry into force of the present Convention. ”

<sup>1</sup> *Note by the Secretariat.* — The page numbers in the margin show the pages in the roneoed document to which reference is made in the Minutes.

The Polish delegation, though in no way opposed to this proposal, expressed the opinion that the limitation or even destruction of any given appliance used for chemical aggression would merely create an illusion of action without in fact solving the problem of chemical warfare.

In the second part of the sixth session, the British delegation submitted a memorandum concerning the interpretation of certain terms used in the chapter, particularly whether the use of tear-gas was to be regarded as contrary to the 1925 Geneva Protocol and the provisions of Chapter IV of the draft Convention or not.

Page 4. The French delegation submitted certain observations on this memorandum. The Commission felt itself unable to express a definite opinion on this question of interpretation. Very many delegations, however, stated that they were prepared to approve the interpretation suggested in the British Government's memorandum.

The Preparatory Commission thinks that it would be very useful if all the Governments which intend to send representatives to the Disarmament Conference were to devote very careful study to this question—the extreme importance of which the Commission recognises—so that the problem may be settled in all its aspects by the Conference.

The Polish delegation made the following declaration:

Page 5. “ Though recognising the moral value of international instruments forbidding the use of chemical and bacteriological methods in war, we nevertheless feel that it is necessary to make provision, in addition to these instruments, for practical preventive and executory measures. These measures should be such as to render chemical or bacteriological attack, if not impossible, at any rate difficult, and should limit the chances of success and efficacy of such attack. They should also constitute a fresh guarantee that no violation of the undertakings solemnly signed could be committed without involving very unpleasant consequences for the guilty State.

“ In this connection, therefore, it would be desirable to consider the possibility of concluding a Convention for affording international aid on as liberal a scale as possible to any country chemically or bacteriologically attacked. As such aid would be essentially of a humanitarian nature (sanitary, scientific, etc.), it should meet with general approval.

“ The problem might be studied in due course by the League of Nations.”

With regard to Article 38, the German delegation is of opinion that the effect of prohibiting the use of chemical weapons would be incomplete unless it referred also to preparations for the use of those weapons (instruction of troops, etc.).

The same delegation stated that a scheme for the reduction and limitation of armaments should, in the first place, prohibit weapons of an essentially offensive character, the destructive effects of which menaced not only armies but also the civilian population—*i.e.*, bombs from the air, heavy-calibre guns and tanks of every kind.

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## PART VI. — MISCELLANEOUS PROVISIONS.

### CHAPTER A. — PERMANENT DISARMAMENT COMMISSION.

#### *Article 39.*

This article, together with the other provisions of Part VI of the draft, underwent a thorough preliminary examination at the last session, having been entrusted to a Sub-Committee presided over by His Excellency M. Politis. The Sub-Committee's conclusions, having been stated and discussed in plenary meeting, were approved by the Preparatory Commission. The latter unanimously recognised the necessity of setting up at the seat of the League of Nations a Permanent Disarmament Commission to supervise the execution of the Convention.

The object of Article 39 is both to provide for the creation of this organ and to determine its composition.

As regards the latter, several systems were suggested in the course of the debates. Differences of opinion were expressed with regard to the number of members composing the Permanent Commission, and with regard to the capacity in which these members should sit and the conditions in which they would perform their duties.

Page 7. The text adopted lays down that the members of the Permanent Commission will be appointed by the Governments. But which will be the Governments that will appoint them? Some delegations expressed the opinion that this right should be given to all contracting parties. The Commission did not accept this view. It thought that an institution of this kind could not satisfactorily perform its task unless it was of comparatively small size. The rule of universality thus being rejected, it remained to decide how many States should have the right to appoint members and how those States should be selected.

After careful consideration, the Commission came to the conclusion that any decision on this subject, which is a definitely political question, should be left to the Conference itself. It thought it desirable, however, to bring to the notice of the latter the three systems which had been proposed to it: (1) that of the British delegation, consisting in reserving the right of appointment to the States Members of the Council of the League of Nations and to two or three States not members of the League; (2) that of the French delegation, consisting in conferring this right on the States



Members of the Council, on certain States not members of the League of Nations to be designated by the Conference, and, further, on certain States Members of the League of Nations but not represented on the Council, which would also be determined by the Conference; (3) lastly, that of the Chinese delegation<sup>1</sup>, which recommended that the Conference should elect all the countries who should be entitled to nominate members, it being understood, however, that those countries should fulfil certain special conditions to be determined.

The Turkish delegation, while recognising that the great Powers, whether Members of the League or not, should necessarily possess the right of nomination, considered that, as regards the conferring of this right on other States, account should be taken of the defensive military interests of groups of countries which, owing to their contiguity, were directly concerned in maintaining the balance between their armed forces. The Turkish delegation recommended rotation on an equal footing between the countries constituting these groups of defensive interests, a list of which might be submitted to the Conference by a committee of experts.

In any case, whatever system the Conference may agree upon, the selected Governments will only be required to appoint one member each to the Permanent Commission.

Page 8.

The second question on which the Preparatory Commission was called upon to decide was that of the conditions under which members of the Permanent Commission will serve. It pronounced in favour of the solution formulated in the second paragraph of Article 39, which lays down the following principles: (a) Members of the Permanent Commission will not represent the Governments which appointed them; (b) they will hold office for a fixed period to be determined by the Conference, but will be re-eligible; (c) during their term of office, they may be replaced only on death or in the case of voluntary resignation or serious and permanent illness.

The third paragraph provides that members of the Commission may be "assisted by technical experts". The French delegation was in favour of a clause providing that members of the Commission must themselves be technical experts, giving purely technical opinions and not prejudging any political conclusions that the Governments might draw from those opinions. The French delegation stated that it still preferred this system, although the majority of the Commission did not accept it.

The question of payment for members of the Permanent Commission was also raised. It was thought better to come to no decision for the time being, especially as the question will readily settle itself in due course.

#### *Article 40.*

Article 40 and those which follow lay down rules for the procedure of the Permanent Commission.

The first paragraph of Article 40 calls for no comment.

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Paragraphs 2 and 3 provide that the Permanent Commission shall meet annually in ordinary session on the date fixed in its Rules of Procedure, and that, in addition to this compulsory session, extraordinary sessions may be convened by its President (1) in the cases provided for in the Convention and (2) whenever an application to that effect is made by a contracting party.

#### *Article 41.*

This is an important article, for it leaves the Permanent Commission full power to lay down, and consequently to revise, its own Rules of Procedure. The only restriction placed on its power of decision is that it must be guided by the provisions of the Convention; this restriction is so logical that there is no need to lay stress upon it.

In leaving the Permanent Commission such wide latitude in regard to its Rules of Procedure, the Preparatory Commission intended to enable it to change its methods of work and its various forms of action in accordance with the lessons taught by its own experience. Had definite rules on this point been embodied in the Convention, there might have been some danger of the establishment of a rigid theoretical system, to which it might have been difficult to accommodate practical needs.

#### *Articles 42, 43 and 44.*

These three articles form a single system. They specify certain conditions which the Permanent Commission must observe in the conduct of its business.

(1) Two-thirds of the members must be present before the Commission can transact business (Article 42).

(2) In order to be adopted, a decision must be passed by a majority of the votes of the members present at the meeting (Article 44, paragraph 2).

(3) Each member of the Commission shall have only one vote (Article 44, paragraph 1).

(4) When a question brought before the Commission specially affects a contracting party not having a member of its nationality on the Commission, that party shall be entitled to send a member appointed for that purpose to sit on the Commission, and he will accordingly be regarded, so far as concerns the matter in question, as on the same footing as other members of the Commission, and may vote equally with them (Article 43).

(5) In two specified cases, however—those provided for in Article 49 (on "derogations") and in Article 51 (on "complaints")—the votes of members appointed by the parties concerned in the discussion shall not be counted in determining the majority (Article 44, paragraph 3).

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<sup>1</sup> It should be noted that the Chinese delegation had primarily supported the system of universality.

This rule applies, of course, not merely to members specially appointed under Article 43, but also to ordinary members of the Commission.

(6) Lastly, the final paragraph of Article 44 provides that the minority may state its views in a report.

*Article 45.*

Page 11. The Permanent Commission will obtain such information as it requires under the conditions laid down in Article 48. Apart, however, from these regular sources of information, Article 45 entitles any member of the Commission to have any person "heard" or "consulted" who is in a position to throw any light on any question which is being examined by the Commission. At the same time, in establishing this right, the text carefully emphasises that any member availing himself of it does so "on his own responsibility". Indeed, in such delicate questions as those with which the Commission will have to deal, great circumspection must be exercised in selecting sources of information.

Page 12. *Articles 46, 47 and 48.*

These articles have this common feature—that they specify the conditions under which the Permanent Commission is to draw up, communicate and publish its reports.

Article 46 deals with a special point, but one which could not be neglected. It entitles every member of the Commission to require that, in the Commission's reports, account shall be taken of the opinions or suggestions put forward by him personally—if necessary, in the form of a separate report. This provision is analogous to that in the last paragraph of Article 44. Its intention is the same—to ensure that all shades of opinion may be made public.

Article 47 provides that all reports by the Commission shall be *communicated* (a) to the contracting parties and (b) to the Council of the League. It also requires that they shall be *published*. The conditions for this communication and publication will be laid down in the Commission's Rules of Procedure, so far as they are not already fixed in the Convention itself.

Article 48 deals with the reports to be drawn up by the Permanent Commission on the information it receives with regard to the application of the Convention.

Page 13. To examine and judge this information is looked upon as the Permanent Commission's normal function. It is in fulfilling this function that the Commission will become an essential factor in the system of the Convention, being responsible for watching its application, regularly reporting on the situation, noting the increase of mutual confidence among the contracting parties, and calling attention, where necessary, to any errors and omissions which experience may have revealed in the text in force.

In investing the Commission with this function, Article 48 lays down certain rules which it may not be out of place to discuss more fully.

(1) In principle, the information in the Permanent Commission's possession will be sent to it through the Secretary-General of the League by the contracting parties in pursuance of their international obligations. It was thought advisable, however, that the Commission should be able to supplement these statements by information drawn from other sources. Here, however, a difficulty arose. It would be unwise to make this power so elastic as to be indefinite. There must be a certain weeding-out of the reports that might come before the Commission. Who is to do it? It was impossible to organise the matter in detail in the actual text of the Convention, which accordingly leaves the application of the principle to the Commission's own judgment and merely emphasises the fact that this power of discrimination should be exercised with caution. That is the effect of Article 48, which lays down that the "other information" in question is that which "may reach it from an authorised source" and which "it may consider worthy of attention". It will also be remembered that Article 45, which is dealt with above, entitles every member of the Commission, on his own responsibility, to have any person "heard or consulted" who is in a position to enlighten the Commission.

(2) The report to be drawn up by the Commission under Article 48 must be produced at least once a year. It is to be communicated to the contracting parties and to the Council of the League "forthwith". Its publication will take place on a date to be fixed by the Commission's Rules of Procedure.

Page 13.

CHAPTER B. — DEROGATIONS.

*Article 49.*

Despite the Preparatory Commission's desire to give the provisions of the Convention the maximum degree of stability, it felt obliged to provide for the possibility of certain derogations. In a matter such as this, which affects the vital interests of national defence, grave circumstances may arise which would justify the application of exceptional measures.

But while recognising this truth and taking it duly into account, the Commission has endeavoured to find every precaution to avoid the abuses to which a system of derogations might possibly open the door.

The drafts submitted in 1927 by the French and British delegations contained certain provisions in the matter—but the system laid down in both of them gave rise to criticisms, the foundation

for which their authors were the first to recognise. Finally a simpler and more elastic proposal submitted by the United States delegation, which was the subject of certain amendments, met with the approval first of the Sub-Committee and then of the Preparatory Commission, and resulted in the text of Article 49.

Under the terms of this article, any contracting Power will have the right to suspend any provision of the Convention if a change of circumstances constitutes a menace to its national security.

An analysis of the text reveals the following features:

(1) The hypotheses in which the right of suspension shall apply are not *enumerated*, as so rigid a method was not to be recommended. Although, however, Article 49 does not enumerate the circumstances which would justify any suspension, it does lay down that these circumstances must constitute a menace to the national security of the State in question, so that its field of action is considerably restricted thereby. It is only in quite exceptional and really serious cases that any suspension will be possible, cases so serious and so exceptional that one may hope that they will not occur.

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(2) The suspension may effect certain articles of the Convention or all its provisions as a whole, with the exception, however, of those designed to apply in the event of war.

(3) The suspension will in any case be purely temporary, and when the reasons for it have ceased to exist the armaments which have been temporarily increased must be reduced to the level agreed upon in the Convention.

(4) It seemed impossible to make the entry into force of measures implying suspension conditional on previous authorisation, as the menace which justifies it may be so urgent as to call for immediate precautions. The Commission noted this fact with regret, but was obliged to acknowledge the impossibility. Each of the contracting parties may therefore take officially such measures as are necessitated by the circumstances in which it is placed, and will have the right for such purposes to appreciate the gravity of those circumstances. That is what is meant in the text by the words, "a change of circumstances constitutes, *in the opinion of any High Contracting Party* . . . ."

(5) Article 49, however, after recognising this right, subjects its exercise to a series of precautions which constitute a powerful check against any attempted abuse.

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It provides, first, that any contracting party which suspends any provision of the Convention shall immediately notify such suspension and the extent thereof not only to the other contracting parties but also, through the Secretary-General of the League of Nations, to the Permanent Disarmament Commission.

Further, it makes it incumbent upon the said contracting party to accompany the notification by "a full explanation of the change of circumstances" determining its action.

It provides, lastly, that the other contracting parties shall promptly advise as to the situation thus presented.

In addition to these guarantees there is the guarantee under Article 53, the effect of which, as will be noted later, is to establish the principle of compulsory arbitration for all disputes concerning the interpretation or application of the Convention.

In this way there is built up a system of precautions to obviate all risk of abuse.

In providing for this system the Commission, it need hardly be said, had no intention of restricting in any way the rights and obligations of States Members of the League of Nations under the provisions of the Covenant. Those provisions naturally retain their full force, and will help in their particular sphere of application to reinforce the guarantees laid down in the Convention.

## CHAPTER C. — PROCEDURE REGARDING COMPLAINTS.

Page 16.

### *Articles 50 and 51.*

Article 50 embodies an important principle, in that it lays down that any violation of the Convention is a matter of concern to all the contracting parties. Should such a violation occur, any one of them, therefore, would have the right to act and set in motion the procedure in the matter of complaints provided for in Article 51.

This article provides that a complaint may be lodged, not only when one of the contracting States violates the Convention (for example—this is the most typical case, though there may be others—by maintaining armaments in excess of the figures agreed upon), but also when it *endeavours* to violate it.

The complaint must be brought, through the Secretary-General of the League of Nations, before the Permanent Commission, which, after hearing the contracting party whose action is questioned and any other party which may be specially concerned and which asks to be heard, will draw up a report. This report, like all others framed by the Permanent Commission, must be presented to the contracting parties and to the Council of the League of Nations and published, together with any proceedings.

The Permanent Commission, being only a consultative body, cannot itself decide on the action to be taken on its report. That duty will devolve upon (1) the contracting parties, who shall advise on the subject, and (2) the Council of the League of Nations, within the limit of its powers under the Covenant. It is understood, moreover, in this connection, that the various pacific procedures provided for by the existing international agreements would, if necessary, be employed. The procedure laid down in Article 53 of the draft Convention is naturally included among the various solutions that might be employed.

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When Article 51 was discussed, the United States delegation expressed certain doubts as to the expediency of the provisions which it contains, and reserved the right to study the question in greater detail.

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bis.

#### CHAPTER D. — FINAL PROVISIONS.

Certain formal provisions (such, for instance, as those relating to the signature of the Convention) do not figure in the present draft. It seemed preferable to leave it to the Conference to add them.

Further, the text makes no mention of a clause which generally figures in multilateral conventions and which provides for the possible accession of third Powers. The reason is that the present situation is somewhat peculiar. The Convention is intended not only to lay down rules for collective application but is to embody individual figures fixing the limit of the armaments for each State. Naturally, if a Power which is not an original party to the Convention wished subsequently to accede to it, it would have to submit concrete and detailed proposals, which would form the subject of difficult and complicated negotiations. Such being the case, the Commission decided that it was preferable not to establish formal rules of procedure for this somewhat theoretical hypothesis.

#### Article 52.

The first paragraph of this article is based on a proposal by the British delegation. The second is the outcome of an amendment submitted by the French delegation.

The article first of all embodies the principle that the present Convention does not affect the provisions of previous treaties under which certain of the contracting parties have agreed to limit their land, sea or air armaments.

Page 18. It also contains a provision enabling the contracting parties which so desire to declare, when signing the Convention, that the limits fixed under the latter for their armaments are accepted by them in relation to the provisions referred to in the preceding paragraph and that the maintenance of such provisions constitutes for them an essential condition for the observance of the present Convention.

Article 52 is designed in the interests of greater clearness. It seemed necessary to a large number of delegations, in view of disputes that might arise concerning the interpretation of the Convention, disputes which, under the terms of Article 53, would come within the competence of the Permanent Court of International Justice, that there should be no possible doubt as to the conditions under which the Convention had been concluded.

Moreover, in the matter of disarmament, every attempt should be made to avoid anything in the nature of a retrograde measure; accordingly, the provisions of the Convention must not restrict the scope of previous treaties on the same subject.

Further, certain Governments will estimate the position of their armaments according to the situation resulting from such treaties. The maintenance in force of these treaties is thus an essential condition for the Governments for their contractual undertaking under the Convention. It will be for the Conference, if necessary, to define this principle in order to prevent any abusive interpretation in the event of a failure to comply with the provisions of the said treaties or any temporary and unimportant suspension of the provisions.

At the third session, the German delegation made the following reservation concerning Article 52 (described at the time by the letters EA).

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“ The German delegation makes a general reservation with regard to Article EA, in view of the fact that the draft Convention does not yet show whether certain fundamental conditions will be fulfilled; these conditions were formulated during the proceedings at the third session of the Preparatory Commission and, without them, Germany could not regard the Convention as a first step towards general disarmament. In addition, guarantees should be given that this first step will be followed, at suitable intervals, by other steps towards the progressive reduction of armaments. ”

The German representative confirmed this reservation at the last session and referred in this connection to the new reservation of a general character which he formulated in 1929 concerning his Government's attitude towards the work of the Preparatory Commission (*vide supra*).

#### Article 53.

This article, which owes its origin to the Belgian delegation, lays down the principle of compulsory arbitration for all disputes concerning the interpretation or application of the provisions of the present Convention, when such disputes have not been settled by direct negotiations or by some other method of friendly settlement. It provides that, in such cases, the dispute shall be submitted to the Permanent Court of International Justice or to an arbitral tribunal chosen by the parties to the dispute.

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The principle underlying Article 53 met at once with the unanimous approval of the Commission. Certain delegations had, however, wondered on first examination whether the proposed

text might not lead to a conflict of powers between the Permanent Disarmament Commission and the tribunals to which disputes concerning the application of the Convention might be referred. It was pointed out to them that this risk need not be considered, as the Permanent Commission is not a tribunal competent to settle disputes, but an examining body responsible simply for drawing up reports and giving opinions. The provisions of Article 53, which was finally adopted without opposition, thus leave the powers conferred on the Permanent Commission intact.

*Article 54.*

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The first paragraph of this article concerns the ratification of the Convention and does not call for any comment.

Paragraphs 2 and 3 concern the entry into force of the Treaty. The Conference will have to establish the list of ratifications required to ensure its entry into force. If, however, by a date to be fixed in the Convention itself, the necessary instruments have not been deposited with the Secretary-General of the League of Nations, the latter would invite the signatory Powers to meet and decide whether it is possible, notwithstanding, to put the Convention into force. This special procedure, the purpose of which is so clear as to require no emphasis, was suggested by the British delegation. It is based on the resolution concerning ratifications adopted by the eleventh Assembly of the League of Nations.

The last sentence of Article 54 provides that the contracting parties undertake to participate in this consultation, which will take place within a period to be fixed by the Conference. Such an undertaking is so natural that it might quite well not have been formulated. The Commission decided, however, that it would be preferable to mention it, leaving it to the Conference to decide whether it might not be better to insert it in the Final Act or in a Protocol to be annexed.

In the text adopted at the first reading, Article 54 (former EB) was followed by an Article EC as follows:

“ The High Contracting Parties agree to accept reservations which may be made by Estonia, Finland, Latvia, Poland, and Roumania at the moment of their signature of the present Convention, and which shall suspend, in respect of these States, the application of Articles . . . of the present Convention until the accession of Russia to the present Convention under the same conditions as the above-named Powers. ”

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It should be noted that the Swedish delegation had reserved the full right to give its opinion on this article at the second reading.

The Commission, while noting the importance which certain delegations attached to this provision, decided to hold it over for examination by the Conference. This decision was dictated by two reasons. The first was that the text raises an essentially political question, and the second that it brings up a very complex problem—the effect of the reservations which the contracting Powers will be allowed to formulate at the time of signature. What will be the conditions for such reservations? How can they be reconciled with the reservations of the other contracting parties? etc. This implies a mass of legal and technical difficulties which the Commission did not feel able to settle for the time being.

*Article 55.*

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This article could, if necessary, have been omitted from the draft. Naturally, directly the Convention comes into force each of the contracting parties must, in so far as concerns itself, take the measures necessary to ensure its execution. The insertion of an express provision to this effect is designed simply to direct the special attention of the contracting parties to their duty of exhibiting the greatest diligence in the performance of their obligations. It will be for the Conference to decide whether this text is to be kept in the body of the Convention or whether it should be placed either in the Final Act or in a Protocol to be annexed.

*Article 56.*

Article 56 provides for the period of validity of the Convention. The Commission could not itself suggest how long it should remain in force, as this will depend on the circumstances at the time of the conclusion of the Convention, and the Conference alone can judge of such circumstances. It is important, however, to note that, as regards the States Members of the League of Nations, Article 8 of the Covenant provides for a maximum limit, in that it lays down that the “ plans ” for the reduction of armaments “ shall be subject to reconsideration and revision at least every ten years ”. The period laid down in Article 56 cannot, therefore, exceed ten years. It might be less, but the general feeling of the Commission is that it should not be too short.

The British delegation directed attention to the desirability of establishing some agreement between the period of validity of the Convention and that of other agreements concerning the limitation of armaments, such as the Washington Convention.

Moreover, even when fixed, the period of validity of the Convention will not be at all rigid. Two categories of provisions will have the effect of rendering it more elastic—namely, Articles 56 and 57, which will be examined below, and the effect of which may be to shorten it; and, further, the rule laid down in the last sentence of Article 53, the effect of which may be to extend it. In virtue of this rule, the Convention will not be extinguished by the expiry of the period laid down. It will remain in force except in so far as it may be amended, suspended or denounced.

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bis.

The Commission's purpose in instituting this system was to prevent the work of the future Disarmament Conference, which will constitute a first stage, from coming suddenly to an end

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without there being anything else ready to replace it. In an undertaking such as this, continuity is essential if the results already achieved are to be consolidated.

*Article 57.*

This article provides that the contracting parties shall re-examine the Convention before the expiration of the period fixed in Article 56. The Conference must, however, see that such examination is not premature, and the text accordingly provides for the fixing of a minimum date. The re-examination of the Convention must take place within these two limits. There will be a certain elasticity which will make it possible to select the most suitable moment. In order to ensure successful results, the new Conference, which will be responsible for the re-examination, will have to be convened at the moment when the circumstances are most favourable to the accomplishment of its work. To fix the date of the meeting in advance would be imprudent. The Commission thought it preferable to leave the proper organs to decide on the most suitable moment, while restricting their freedom of choice by means of maximum and minimum dates.

Who are these proper organs? The Council of the League of Nations, which will have been responsible for convening the first Disarmament Conference, seems eminently fitted to convene the others. Accordingly, the draft Convention entrusts this duty to it, adding, however, that, before passing the necessary resolution, the Council shall consult the Permanent Disarmament Commission and also the contracting parties non-Members of the League of Nations.

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This Conference will examine the position and will, if it thinks fit, revise the Convention wholly or in part. Should its proceedings lead to the establishment of a new Convention, it will itself fix the duration of that Convention and determine the conditions in which the latter will again be examined and possibly revised.

*Article 58.*

The procedure instituted by the previous article cannot, therefore, in principle, be set in motion before a certain date. Article 58, however, makes an exception to the principle.

It covers the case in which the conditions under which the engagements stipulated in the Convention were contracted have undergone, as the result of technical transformations or special circumstances, changes justifying a fresh examination, and possibly the revision of such engagements. It may be that, before the date fixed by Article 57 as the starting-point of the period during which the Convention normally *must* be re-examined, the conditions under which it was drawn up may undergo such radical changes that it would be difficult, or even impossible, to await the prescribed date before reconsidering the situation and making any alterations it may entail. In such a case—but in such a case only—it is allowable under Article 58 for the procedure to be set in motion before the normal date. Here again, however, the Conference will have to fix a new limit. The Commission felt that it was inadvisable to authorise the immediate re-examination of the Convention, and that, after its entry into force, a certain period ought to elapse during which the option provided for in Article 58 could not be made use of.

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Thus three periods are contemplated by Articles 56, 57 and 58 of the draft. The first (*x* years) determines the duration of the Convention; the second (*y* years) is the period during which, in principle, the Conference to re-examine the Convention cannot be called; and the third (*z* years) is that during which the Convention can in no case be examined, even in the exceptional circumstances contemplated in Article 58.

These circumstances might include, for example, an unforeseen development of civil aviation. Indeed, the British, French, Japanese and Polish delegations definitely stated that they had this case, in particular, in mind.

The text of the draft adopted at first reading included, in Section III of Chapter II (Material, Air Armaments), an Article AD, which read as follows:

“ The limitations laid down are accepted by each High Contracting Party in the light of the present development of civil aviation in other countries. ”

In view of Article 58, and subject to the statements which they made, the above-mentioned delegations agreed that the old Article AD should be omitted from the draft, but pointed out that its omission did not imply any change in their attitude; and that, when they submitted to the Conference figures for the limitation of military aviation, they would take into consideration the development of civil aviation in other countries up to that time.

On the other hand, the German delegation submitted the following reservation:

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“ The German delegation is of opinion that the development of a peaceful means of communication must in no case be made a basis for armaments, especially as no account has been taken of the essential and purely military factors of material in reserve or in stock, trained reserves, etc., and other important means of communication, such as the merchant marine, on which, indeed, preliminary warlike fittings have been authorised. ”

The exceptional procedure provided for in Article 58 may be followed, says the text, “ at the request of a High Contracting Party, with the approval of the Permanent Disarmament

Commission". In other words, the initiative will come from a contracting Government, but will have no effect unless it is favourably received by the Permanent Commission.

The United States delegation, while entirely approving the intention of Article 58, thinks that it might be possible to secure the aim in view by a better method, and calls the attention of Governments to the desirability of investigating this question before the Conference.

*Article 59.*

The final article of the draft deals with the right of denunciation.

This is always a delicate question in multilateral treaties, and it is particularly delicate here, where the system implies a balance of mutual engagements which is in danger of being disturbed if one of the parties withdraws.

The Commission nevertheless considered it impossible to refuse the parties the right to denounce the Convention. It was careful, however, to make this right dependent on various conditions which, to some extent, correct its disadvantages.

In this connection, Article 59 provides, in the first place, that the right of denunciation can only be exercised in the course of one of the Conferences held in virtue of the preceding articles to re-examine, and possibly revise, the Agreement. It further lays down that denunciation, when thus notified, shall not take effect until two years after its date, and in no case before the expiration of the normal period of duration of the Convention, as to be fixed by Article 56.

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If any State avails itself of this right, awkward questions will arise. At the present juncture, they can only be settled by formulæ which would be both highly complicated and highly theoretical. It seems better not to settle them at all, but to defer consideration to the problematical day when an actual case arises.

\* \* \*

The Preparatory Commission could only establish a draft Convention, or it would perhaps be more accurate to say a collection of rules, to form the framework of the future Convention.

Page 29.

In the reservations which have been reproduced in this report, certain delegates expressed the view that, even within those limits, the results were disappointing. The great majority of the Commission, however, so far from sharing this attitude, regards what has been done as marking an important advance on the path of disarmament.

Be that as it may, it will be for the Conference not only to decide as to the final adoption of the draft that will be laid before it, but also to define its practical scope by fixing in figures the extent of the undertakings it involves.

This delicate and complicated task can only be successfully discharged on certain conditions, first and foremost among which we must place the thorough and systematic preparation of the Conference itself. The German delegation proposed that the Preparatory Commission should ask the various Governments, with this object in view, to furnish detailed particulars of the present position of their armaments. The Commission welcomed the spirit in which this suggestion was made, but felt that certain correctives must be supplied. In the first place, it held that, as the preparation of the Conference was a matter for the Council of the League, it was for the Council to take the necessary steps to that end. It also regarded the German proposal as too restricted. Indeed, the preliminary work of study and investigation which will have to be done cannot be limited to scheduling existing armaments. It will have to cover every factor, technical or otherwise, which may help to inform the Conference, and to justify such concrete proposals as the Governments may lay before it.

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The Commission further decided to ask the Council of the League to fix the date of the Conference at its next session. The German delegation had proposed that a definite date (Thursday, November 5th) should be recommended. The Commission felt that it would be exceeding its sphere by doing this. It is, of course, anxious that the utmost despatch compatible with practical necessities should be employed; but it took the view that the Council, with which it rests to fix the date, was the only authority qualified to weigh the various factors that must be taken into consideration.

While the final result depends in part on the preparatory work that has still to be done, it also depends in large measure on the atmosphere that will prevail during the subsequent proceedings. In such a matter, mutual confidence among peoples is an essential condition of progress. It is our hope that that mutual confidence will be strengthened, and will enable the aim to which our efforts have been directed to be completely attained.

ANNEX 19.

REPORT BY THE COMMISSION

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I. HISTORICAL.

1. The origin of the draft Convention is found in the following resolution adopted on September 25th, 1925, by the Sixth Assembly of the League of Nations:

“ The Assembly,

“ Taking note of the declarations submitted to the Council and the Assembly of the League of Nations in respect of the Protocol for the Pacific Settlement of International Disputes and of the fact that the said Protocol has not, up to the present, received the ratifications necessary for putting it into operation immediately;

“ Convinced that the most urgent need of the present time is the re-establishment of mutual confidence between nations;

“ Declaring afresh that a war of aggression should be regarded as an international crime:

“ Regards favourably the effort made by certain nations to attain those objects by concluding arbitration conventions and treaties of mutual security conceived in the spirit of the Covenant of the League of Nations and in harmony with the principles of the Protocol (Arbitration, Security, Disarmament);

“ Records the fact that such agreements need not be restricted to a limited area but may be applied to the whole world;

“ Recommends that, after these conventions and treaties have been deposited with the League of Nations, the Council should examine them in order to report to the Seventh Assembly on the progress in general security brought about by such agreements;

“ Undertakes again to work for the establishment of peace by the sure method of arbitration, security and disarmament;

“ And, in conformity with the spirit of Article 8 of the Covenant, requests the Council to make a preparatory study with a view to a Conference for the Reduction and Limitation of Armaments, in order that, as soon as satisfactory conditions have been assured from the



point of view of general security as provided for in Resolution XIV of the Third Assembly, the said Conference may be convened and a general reduction and limitation of armaments may be realised."

2. In pursuance of this decision, the Council requested a Committee of Enquiry, under the chairmanship of M. Paul-Boncour, to submit to it proposals for setting up an organ entrusted to prepare for a conference for the reduction and limitation of armaments. This Committee's conclusions were adopted almost in their entirety by the Council on the report made to it by M. Beneš. This was the origin of the "Preparatory Commission for the Disarmament Conference".

3. The Council naturally felt called upon, not only to draw up regulations for the composition and working of this new organ, but also to determine to some extent the direction of its work. For this purpose, the Council submitted to it the questionnaire—see below—which was based upon suggestions made to the Committee of Enquiry by the representatives of Great Britain, France and Spain.

4. This questionnaire was as follows:

*Question I.*

What is to be understood by the expression "armaments"?

- (a) Definition of the various factors—military, economic, geographical, etc.—upon which the power of a country in time of war depends.
- (b) Definition and special characteristics of the various factors which constitute the armaments of a country in time of peace; the different categories of armaments—military, naval and air—the methods of recruiting, training, organisations capable of immediate military employment, etc.

*Question II (a).*

Is it practicable to limit the ultimate war strength of a country, or must any measures of disarmament be confined to the peace strength?

*Question II (b).*

What is to be understood by the expression "reduction and limitation of armaments"?

The various forms which reduction or limitation may take in the case of land, sea and air forces; the relative advantages or disadvantages of each of the different forms or methods—for example, the reduction of the larger peace-time units or of their establishment and their equipment, or of any immediately mobilisable forces; the reduction of the length of active service, the reduction of the quantity of military equipment, the reduction of expenditure on national defence, etc.

*Question III.*

By what standards is it possible to measure the armaments of one country against the armaments of another—e.g., numbers, period of service, equipment, expenditure, etc.?

*Question IV.*

Can there be said to be "offensive" and "defensive" armaments?

Is there any method of ascertaining whether a certain force is organised for purely defensive purposes (no matter what use may be made of it in time of war), or whether, on the contrary, it is established in a spirit of aggression?

*Question V (a).*

On what principle will it be possible to draw up a scale of armaments permissible to the various countries, taking into account particularly:

1. Population;
2. Resources;
3. Geographical situation;
4. Length and nature of maritime communications;
5. Density and character of the railways;
6. Vulnerability of the frontiers and of the important vital centres near the frontiers;
7. The time required, varying with different States, to transform peace armaments into war armaments?

*Question VI.*

(a) Is there any device by which civil and military aircraft can be distinguished for purposes of disarmament?

If this is not practicable, how can the value of civil aircraft be computed in estimating the air strength of any country?

- (b) Is it possible or desirable to apply the conclusions arrived at in (a) above to parts of aircraft and aircraft engines ?
- (c) Is it possible to attach military value to commercial fleets in estimating the naval armaments of a country ?

*Question VII.*

Admitting that disarmament depends on security, to what extent is regional disarmament possible in return for regional security ? Or is any scheme of disarmament impracticable unless it is general ? If regional disarmament is practicable, would it promote or lead up to general disarmament ?

5. According to the Council resolution, the Preparatory Commission was to consist of delegates of all States Members of the Council of the League, and invitations to send representatives were also to be addressed to the Governments of Germany, the United States of America, the U.S.S.R., Bulgaria, Finland, the Netherlands, Poland, Roumania, and Yugoslavia.<sup>1</sup> Finally, the Secretary-General of the League of Nations was requested to bring to the notice of all other Powers, together with the questionnaire which was to be placed before the Preparatory Commission, the means placed at their disposal for stating their points of view.

6. The Preparatory Commission met for the first time on May 13th, 1926, and elected as President His Excellency Jonkheer Loudon (Netherlands), and as Vice-Presidents M. Cobián (Spain) and M. Buero (Uruguay). In consequence of resignations, certain changes had subsequently to be made in the composition of the Bureau.<sup>2</sup> During the sixth and last session, the places of the two Vice-Presidents were filled respectively by M. Politis (Greece) and M. Cobián (Spain).

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7. To provide for the preliminary study of the questions on which it had to give its opinion, the Preparatory Commission decided to appoint two Sub-Commissions, each under the chairmanship of one of its Vice-Presidents.

8. The first—known as Sub-Commission A—was entrusted with the technical examination of military, naval and air questions, and for this purpose split up into sub-committees. It was composed of experts appointed by all the States then represented on the Preparatory Commission; it met three times in 1926, under the chairmanship, first of M. Cobián, and then of M. Buero, M. de Brouckère, and General de Ceuninck. The voluminous report it subsequently submitted to the Commission contained extremely valuable technical observations and detailed replies to the questions referred to it.

9. The second Sub-Commission—known as Sub-Commission B—under the chairmanship of M. Buero, and subsequently of M. Veverka, and with the assistance of the Joint Commission set up by the Council<sup>3</sup> for this purpose, studied the other aspects of this problem.

10. This Commission's deliberations, as did those of Sub-Commission A, furnished valuable material for the Preparatory Commission's work.

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11. The Preparatory Commission held six sessions—two in 1926, two in 1927, one in 1928; the sixth, which began on April 15th, 1929, was suspended on May 6th, 1929, was resumed on November 6th, 1930, and lasted until December 9th. The report of the Commission on the work of its first session is annexed to this document.

12. At the opening of its third session the Commission had before it the technical reports referred to above. The time had come for the Commission to discuss as a whole the problem referred to it. A general discussion gave the several Governments an opportunity of explaining their points of view in regard to this matter. Two preliminary draft Conventions were submitted to the Commission by the French and British delegations respectively. The Commission examined these simultaneously and finally adopted at first reading a text which, though it was accompanied by numerous and important reservations, nevertheless remained the basis of its subsequent work and of the draft Convention which we have the honour to lay before you to-day.

13. At its fourth session, the Union of Soviet Socialist Republics, which was represented at the Preparatory Commission for the first time, submitted a proposal which differed radically

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<sup>1</sup> The composition of the Commission was subsequently extended to enable Members retiring from the Council to retain their membership of the Commission. The Argentine Republic and Chile were invited to join the Commission by a resolution of the Council dated March 18th, 1926. Greece and Turkey were also invited, in 1927 and 1928 respectively, to take part in the work of the Commission.

<sup>2</sup> M. de Brouckère (Belgium) and M. Veverka (Czechoslovakia) acted temporarily as Vice-Presidents.

<sup>3</sup> The Joint Commission set up under the Council resolution of December 7th, 1926, was composed of representatives of the technical organisations of the League of Nations and of the Employers' Group and Workers' Group of the Governing Body of the International Labour Office, to whom were added subsequently experts in industrial questions, transport and the chemical industry.

from the draft adopted at first reading and aimed at complete and universal disarmament in the immediate future.

14. This draft, referred to the fifth session, was rejected. A further Soviet proposal was, however, then submitted to the Commission providing for partial disarmament on the basis of a fixed percentage of reduction. It was decided to postpone the consideration of this proposal to the next session. This session opened in Geneva on April 15th, 1929.

15. The Commission decided to continue its work on the basis of the 1927 draft, while signifying its readiness, should the Soviet delegation so desire, to annex to the final report the draft Convention submitted by the latter.

16. This decision having been adopted, the Preparatory Commission began to consider at second reading the text framed as a result of the preceding discussions. It had to interrupt this session, however, after having reached agreement on a certain number of points. At that time the naval problem still gave rise to considerable difficulties. Wholly divergent proposals had been put forward in regard to the methods of limitation. The statements of certain Powers more directly concerned in the question, however, gave reason to hope that negotiations would be entered into very shortly with a view to removing these divergencies and to reaching an agreement upon a concerted formula. This hope proved to be justified. Negotiations took place and resulted in the convocation of the London Naval Conference on January 31st, 1930.

17. In these circumstances, the Preparatory Commission considered it wiser to postpone to a later date the completion of its work. Before it adjourned, the German representative, considering the resolutions adopted during the first part of the sixth session, unsatisfactory and likely to impair the value of the draft, declared that he "found himself obliged to dissociate himself definitely from the programme which the majority of the Commission had drawn up and to leave to it henceforth—seeing how its course was being shaped at that moment—the sole responsibility for the preparation of the Conference".

18. As soon as the London Conference had completed its work, it communicated the results to the Preparatory Commission through its President. Subject to a general reservation, an agreement had been reached between the Naval Powers which were the most immediately concerned on a method of limitation; the formula adopted established the principle of limitation by classes, but gave it greater elasticity by allowing, in certain cases, transfers from one class to another.

19. The obstacle which had temporarily brought the work of the Preparatory Commission to a standstill in 1929 having been removed, the President of the Preparatory Commission decided to resume the work of the sixth session. The Eleventh Assembly adopted, with regard to this matter, the following resolution proposed by the Third Committee:

"The Assembly,

"Has noted with satisfaction the results obtained at the London Conference and communicated to it by a letter from the President of that Conference dated April 21st, 1930.

"It considers that these results are of a nature to facilitate a general agreement on the occasion of the next meeting of the Preparatory Commission regarding the methods to be applied in the matter of the reduction and limitation of naval armaments.

"It trusts that negotiations, pursued in a spirit of conciliation and mutual confidence and with the determination to arrive at practical solutions, will make it possible to complete and extend the work of the Naval Conference.

"The Assembly accordingly expresses the conviction that, during its session next November, the Preparatory Commission will be able to finish the drawing up of a preliminary draft Convention and will thus enable the Council to convene, as soon as possible, a Conference on the Reduction and Limitation of Armaments.

"The Assembly decides that the proceedings and the report of the Assembly regarding disarmament shall be forwarded to the Preparatory Commission."

20. The Preparatory Commission therefore met again on November 6th last and was able to conclude the task assigned to it with the co-operation of twenty-seven<sup>1</sup> countries, including Norway and the Irish Free State, who were represented for the first time.

21. The present report is intended to give a concise survey of the results the Commission has achieved. Before analysing them, however, the Commission must outline briefly the results obtained by the Committee on Arbitration and Security, whose terms of reference were merged in those of the Commission.

22. As soon as it set to work, the Preparatory Commission was faced by the problem of international security. This was inevitable, for the connection between this problem and that

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<sup>1</sup> Belgium, British Empire, Bulgaria, Canada, China, Cuba, Czechoslovakia, Finland, France, Germany, Greece, Italy, Irish Free State, Japan, Netherlands, Norway, Peru, Persia, Poland, Roumania, Spain, Sweden, Turkey, United States of America, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

The following countries were not represented at the second half of the sixth session of the Preparatory Commission for the Disarmament Conference: the Argentine, Chile, Colombia, Guatemala, Uruguay.

of disarmament is obvious. Traces of it are, moreover, to be found in Article 8 of the Covenant, and it became increasingly evident as the work of the League of Nations proceeded.

23. There is no need to recall here the many resolutions in which the Assembly and the Council have emphasised the interdependence of these two factors. It may, however, be appropriate to point out that, at the very time when it invited the Council to set up this Commission, the Sixth Assembly affirmed "the fidelity and unanimity with which the Members of the League" remain attached to the triple object which had always inspired their efforts—namely, arbitration, security and disarmament. The attempts previously made to organise a complete system of mutual assistance had encountered insurmountable obstacles. It was now proposed, not in any sense to abandon the undertaking, but to prepare for its accomplishment on another plane and "to indicate methods or measures by which an approach might be made to this object, pending the achievement of a general settlement which many consider indispensable".

24. Two years later, pursuing the same course, the Eighth Assembly requested the Council to give the Preparatory Commission the necessary instructions for the creation of the "Committee on Arbitration and Security". This Committee, which was to consist 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", ". . . 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".

25. The Eighth Assembly further directed that these measures should be sought at the same time:

"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 its whole 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."

26. Thus, from the outset, a vast programme of enquiry was outlined for the Committee on Arbitration and Security.

27. The following year (1928), when the Committee had started its work, the Ninth Assembly adopted a new resolution. After recalling that "a close connection exists between international security and the reduction and limitation of armaments" and that "the present conditions of security set up by the Covenant of the League of Nations, by the Treaties of Peace, and in particular by the reductions in the armaments of certain countries under these Treaties, and also by the Locarno Agreements, would allow of the conclusion at the present time of a first General Convention for the Reduction and Limitation of Armaments", it declared that the time had come to conclude a first General Convention for the Reduction and Limitation of Armaments, which Convention would, moreover, of itself tend to increase international security. It took that opportunity to declare that, after the conclusion of such a Convention, the work relating both to disarmament and to arbitration and security should be pursued "so that, by further steps, armaments may be progressively reduced as the increase of security allows".

28. The Committee on Arbitration and Security, which was set up on November 30th, 1927, under the chairmanship of His Excellency M. Ed. Beneš, Czechoslovak Minister for Foreign Affairs, has so far held four sessions. In the present report, no attempt can be made to analyse, even in summary fashion, the enquiries this Committee has undertaken or the practical effect given to them by the Council, the Assembly, and by States Members of the League. A simple reference to the results achieved—to be appreciated by the Conference—is all that can be undertaken here.

29. These results are, first, in the field of the pacific settlement of international disputes, the three model general conventions which the 1928 Assembly decided to combine in a single Act, this being the origin of the "General Act for the Pacific Settlement of International Disputes", to which, up to the present, eight States have acceded, thus ensuring its entry into force.

30. In the same connection, come the three model bilateral conventions which the Assembly proposed for the consideration of States, and which have already served as a basis for the drafting of a large number of treaties.

31. Next, there are the "Collective Treaty of Mutual Assistance" and the collective treaty and bilateral treaty of "non-aggression", the models for which were recommended by the same Assembly.

32. There is the resolution of September 26th, 1928, in which the Assembly recommends that States should accede to the Optional Clause of Article 36, paragraph 2, of the Statute of the Permanent Court of International Justice, and draws their attention to the elasticity of that clause and to the facilities it offers them. There is the model treaty "to strengthen the means for preventing war" which the Assembly, in a resolution adopted on September 20th, 1928, recommended for consideration by States and the "preliminary draft General Convention" of which the Eleventh Assembly decided to continue the study.

33. There are the studies on Articles 10, 11 and 16 of the Covenant which, on the recommendation of the Assembly, the Council adopted as "a useful piece of work" providing valuable indications as to the possibilities offered, in time of emergency, by the different articles of the Covenant.

34. There are the resolutions adopted by the Assembly on September 30th, 1930, with a view to ensuring, also at times of emergency, the normal working of the communications of the League of Nations.

35. Finally, there is the Convention on Financial Assistance, which was approved by the same Assembly, and has already been signed by twenty-eight States, its entry into force being dependent on that of the Convention for the Reduction and Limitation of Armaments.

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## II. COMMENTARY ON THE DRAFT CONVENTION.

36. The draft Convention adopted by the Commission preserves the structure of the French and British proposals considered at the third session. It is in six parts, some of which are subdivided into chapters. The numbering of the articles is, however, continuous.

### *Article I.*

37. A first Article of a general character governs the whole Convention and defines its scope:

"The High Contracting Parties undertake to limit and, so far as possible, to reduce their respective armaments as provided in the present Convention."

38. The form of this article is due to a suggestion of the Drafting Committee, made after the discussion by the Commission of the various sections of the Convention, particularly that relating to naval material.

39. The Commission has therefore recognised the principle laid down by Article 8 of the Covenant, which provides for the reduction of armaments to the lowest point consistent with national safety, and the enforcement of international obligations.

40. The representatives of a number of Governments, while accepting the principle of limitation and reduction in the spirit of this article of the Covenant, desired to state that the reduction of all or some of the categories of armaments was not possible for them, their present armaments being far from sufficient to guarantee national safety. This reservation was made in precise form, particularly in relation to naval and air armaments, the latter being scarcely developed in the majority of States.

41. The Turkish delegation reserved its Government's right to submit to the future Disarmament Conference the proposal it made with regard to standards for the reduction and limitation of armaments, and to require any modification of the text which might be rendered necessary in the event of the adoption of this proposal.<sup>1</sup>

42. The German delegation reserved its Government's right to submit to the future Disarmament Conference any proposals regarding the standards of reduction and limitation of armaments which it might consider likely to promote these aims.<sup>2</sup>

43. Norway not having taken part in the earlier work of the Commission, in particular the first part of the second reading of the draft Convention, the Norwegian delegate made a general reservation concerning the attitude his Government might adopt at the Conference. The delegate of the Irish Free State made a similar statement.

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<sup>1</sup> See Minutes of the Sixth Session (first part), pages 206-208.

<sup>2</sup> See Minutes of the Sixth Session (first part), pages 203-206.

**Part I. — Personnel.**

**CHAPTER A. — EFFECTIVES.**

*Articles 2 and 3.*

44. Chapter A of Part I of the draft deals with *effectives*, which it defines in the following manner in Article 2:

“The average daily effectives in the land, sea and air armed forces and formations organised on a military basis of each of the High Contracting Parties shall not exceed, in each of the categories of effectives defined in the tables annexed to this Chapter, the figure laid down for such Party in the corresponding column of the said tables.”

45. This definition of peace-time effectives did not give rise to lengthy discussion, and the interpretation it should receive is made the clearer by the fact that the articles which follow define the scope of the two conceptions which might be open to question.

46. Article 3 lays down that “the average daily effectives are reckoned by dividing the total number of days’ duty performed in each year by the number of days in such year”. It is thus laid down, clearly and beyond question, that the limitation and reduction of effectives applies only to effectives in service. The Minutes of the meetings contain a number of interesting observations on this fundamental point, which was discussed at each session in greater or lesser detail.

47. At the third session, after simultaneous consideration of the initial proposals of the French and British delegations, the Commission adopted, by a majority, the solution which appears in the text of the draft. The representative of the British Empire, however, reserved his Government’s opinion as to the limitation of trained reserves, while the representative of the United States formulated a general reservation in regard to the inclusion of formations organised on a military basis and the exclusion of trained reserves. The German representative made a general reservation with regard to the whole of the chapter, as making no provision for limitation of trained reserves, registered and compelled by law to render military service in case of war, although such trained reserves in countries with the system of conscription represent (in his view) the main body of the personnel in time of war.

48. Some delegations on the other hand, maintained at the first reading that, in view of the great military value attaching to trained reserves, a disarmament convention without limitation or reduction of these reserves would present a serious defect.

49. On the second reading (during the first part of the sixth session) the representatives of Great Britain and the United States withdrew their opposition on the subject of trained reserves for reasons which were expressed then and on subsequent occasions.

50. As regards the effectives of armed forces or formations organised on a military basis at sea, the representatives of the British Empire and the United States stated at the first reading that they only accepted limitation of naval effectives on the conditions of general adoption of this limitation and of a satisfactory agreement being reached in regard to the limitation of vessels of war; these reservations, however, were not maintained at the second reading.

51. It is understood that the armed forces, in the sense of Article 2, include all effectives receiving military training (other than preliminary training) wherever and however given. It is also understood that the effectives in reserve undergoing a period of training are to be included in the calculation of the effectives in service during this period.

52. The Polish delegation expressed some doubt as to the practical results of this method of calculation, but agreed to it on the understanding that there would be an opportunity at the Conference of comparing the various systems of military organisation and arriving at practical conclusions.

*Article 4.*

53. Article 4 contains the following definitions:

“By formations organised on a military basis shall be understood police forces of all kinds, gendarmerie, Customs officials, forest guards, which, whatever their legal purpose, are, in time of peace, by reason of their staff of officers, establishment, training, armament, equipment, capable of being employed for military purposes *without measures of mobilisation*, as well as any other organisation complying with the above condition.”

54. “By mobilisation, within the meaning of the present article, shall be understood all the measures for the purpose of providing the whole or part of the various corps, services and units with the personnel and material required to pass from a peace-time footing to a war-time footing.”

55. The above text takes into account the different views expressed in the course of the discussion.

56. It is understood that the Conference itself will be called upon to decide the condition or conditions to be taken into account in determining whether a particular case comes under the category of "formations organised on a military basis".

57. The definition of *mobilisation* is so clear and precise that it gave rise to no discussion and requires no comment.

58. The Commission had adopted a text, provisionally designated as Article H, with all the necessary particulars for drawing up the *tables provided for in Article 2*. The Drafting Committee, while taking account of the rules laid down in Article H for the preparation of these tables, thought it simpler to omit Article H as such. This change of form in no way affects the Commission's previous decisions, and the table should be interpreted in the light of these decisions.

59. The Commission considered that, in order to prevent the number of officers exceeding the legitimate requirements of the several armies, it would be desirable to lay down a special limitation for this category of effectives. There were differences of opinion as to the form of such limitation, certain delegations proposing to lay down a fixed proportion between the number of officers and the total effectives, while others proposed to specify the absolute maximum figures of the average daily effectives for these categories. The Commission adopted the latter standpoint. It also decided, on the proposal of the Italian delegation, that it was desirable to limit the number of professional soldiers of other ranks.

60. When the question arose of practical measures for the application of these principles, certain difficulties became apparent, as a result partly of the differences between the system of voluntary armies and conscript armies, and partly of the differences between the periods of service in the conscript armies.

61. The compromise solution, which the Commission accepted, provides in the case of land forces for the *limitation (a)* of officers and *(b)* of other effectives whose effective service exceeds the longest legal period of service in force in the conscript army of any contracting Power at the time of the signature of the Convention. A system of tables of *publicity* has been drawn up in the case of conscript armies to show the number of men whose service exceeds the legal period fixed in their respective countries, while remaining lower than the maxima period specified under *(b)*.

62. The German delegation proposed that the standard of limitation should be the period of service fixed by the prevailing legislation in each country.

63. As regards naval armaments, *limitation* will apply to the aggregate figure of effectives (officers, petty officers and men), while the publicity tables will show separately the number of officers and men who have completed more than  $\gamma$  months of effective active service.

64. As regards air forces, it was not thought possible or desirable to make a distinction between the officers and men, the functions of the two not being as clearly distinguished in air forces as in land and sea forces.

65. The French delegation stated that it could not accept specific limitation of professional soldiers in land or air forces unless provision was made for similar limitation in the case of sea forces.

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66. The Commission, after a discussion, in the course of which divergent views were expressed as to the necessity of limiting separately the forces stationed in the home country and the forces stationed overseas, adopted a compromise under which the contracting parties are to limit, in the case of their land forces, the maximum armed forces stationed in the home country and the maximum total of their armed forces. The table showing the maximum of armed forces stationed overseas is to be optional. Similarly, in the case of air armaments, the table showing the maximum of armed forces stationed in the home country is to be optional.

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67. In the light of the above explanations, the effect of the tables attached to Chapter A of Part I appears readily comprehensible.<sup>1</sup>

68. Table I is to fix the maximum total daily effectives in peace-time service in the land armed forces stationed in the home country in the case of each contracting party. This table will also show separately the officers and other effectives who have completed a number of months of service to be determined by the Conference, on the basis of the longest period of service in force in the conscript army of any contracting party at the time of the signature of the

<sup>1</sup> The question was considered whether it would not be well to add to the expression "service" some qualifying adjective such as "active", "actual" or "with the colours". But as the rules of limitation were based on the idea of average daily effectives, which in its turn was based on the idea of the number of actual "days' duty" on military service, it was finally decided that such a qualifying adjective was unnecessary.

Convention. Table II, which is "optional", gives the same particulars in the case of the maximum land armed forces stationed overseas. Table III, on the same lines as Tables I and II, will fix the total maximum land armed forces.

69. Tables IV and V are to give in the same way particulars of formations organised on a military basis stationed respectively in the home country and overseas.

70. In the case of sea forces, the Commission proposes two tables, numbered VI and VII, which are to fix in the case of each contracting party the figures of the total maximum effectives of the sea armed forces (Table VI) and the total effectives of the sea formations organised on a military basis (Table VII). These figures are to include officers, petty officers and men.

71. Tables VIII to XII inclusive are concerned with the limitation of the effectives of air forces. Tables VIII and IX are optional: they are to contain, Table VIII, the figures of the air armed forces stationed in the home country, and Table IX the air armed forces stationed overseas. Table X, which is obligatory, is to fix, like the two preceding tables, first the total effectives of the air forces of each contracting party, and, secondly, the effectives who have completed more than *z* months of service. Tables XI and XII are to fix similar figures for formations organised on a military basis. The arrangement of these tables is similar at all points to that of Tables VIII, IX and X.

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72. A number of reservations were made in regard to the tables attached to Part I, Chapter A.

73. In regard to Tables I, II and III, the German and Italian delegations made the following statement:

"In connection with the distinction between the effectives and armaments of the home country and those stationed overseas, the German and Italian delegations formulated a general reservation to the effect that, for the purposes of the reduction and limitation of armaments, the importance of the forces and materials which one contracting party assigns to its oversea territories may vary, in relation to another contracting party, by reason of the geographical situation of its territory in relation to the home territories of the two contracting parties. Consequently, one contracting party will have every reason to regard the oversea forces of another contracting party as forming part of the latter's home forces, if the proximity of the oversea territories in relation to the home territories of the two parties justifies such an assumption."

74. The German delegation again draws attention to this reservation in connection with Tables V, IX and XII.

75. As regards Tables I, II and III, the Italian delegation considers that there should be added to the three columns (*b*), the words "or officials assimilated to officers", and to the three columns (*c*), after the words "other soldiers" the words: "or officials, employees or agents assimilated to soldiers".

76. As regards Tables VIII, IX and X, the Italian delegation is of opinion that no distinction should be made between armed air forces stationed in the home country and armed air forces stationed overseas.

77. The Turkish delegation has made reservations regarding the tables annexed to Chapter A of Part I, both as regards the optional indication of land and air forces stationed overseas (Tables II and IX) and as regards the non-indication of the maximum forces stationed in each of the overseas territories (Tables II, V and IX).

78. As regards this last point, the majority of the Commission was of opinion that it was not possible in practice to prescribe a separate limitation of this kind in an international convention.

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79. The German delegation has made the following general reservation on the whole of Part I and the annexed table:

"The stipulations do not provide—either directly or by a reduction in the number of the annual contingent, or by a strict determination of the period of active service—for a reduction or limitation of trained reserves who, after having completed their service with the colours, continue to be registered and liable by law for military service, notwithstanding the fact that these reserves, though they do not exist in professional armies in the strict sense of the term, constitute the main body of the personnel in countries possessing conscript armies.

"Moreover, the stipulations do not provide for any method whereby the effectives of conscript armies serving with the colours and in reserve, and professional effectives, whose military value is naturally not capable of comparison, could be reduced to comparable units of calculation."



CHAPTER B. — PERIOD OF SERVICE.<sup>1</sup>

80. Chapter B of Part I relates to the limitation of the period of service. Its provisions apply—as is specifically stated in Article 5—only to effectives recruited by conscription.<sup>2</sup>

81. Two different systems were proposed for this purpose: under one of them each contracting party would accept a special figure; under the other the Conference would fix a single maximum limit. The Commission was of opinion that the first system should be taken as a basis, whilst, at the same time, a general maximum should be prescribed. Several delegations pointed out that this general maximum would not be satisfactory unless it were fixed at a very moderate figure. It is understood that the contracting parties will have the option to accept, in respect of special limitations affecting them individually, different figures, not only for land, sea and air effectives, but also for the different services (infantry, artillery, etc.) of their armed forces. Since the contracting parties undertake not to exceed the figures accepted by each of them, they will always be at liberty to reduce this period, which must be regarded as a maximum.

82. These principles are set forth in Articles 6 and 7; but, on the proposal of the Belgian delegation, an important exception was provided for in Article 8. This exception is intended to obviate the disadvantage that would ensure, in the case of certain countries which have the conscript system, from a falling-off in the number of births as a consequence of the last war. This exception, which was unanimously agreed to, will allow the limits for the period of service under Article 6 to be exceeded “in so far as, owing to a falling-off in the number of births, such an increase may be necessary to enable the maximum total number of effectives fixed by the tables annexed to Chapter A of this Part” to be reached. Any contracting parties availing themselves of this option should immediately notify the measures they feel bound to take, together with reasons in support thereof, to the other contracting parties, and to the Permanent Disarmament Commission, to be set up under Chapter VI of the Convention.

83. Article 9 provides that “in any case the total period of service shall not exceed . . . months”.<sup>3</sup> As regards this limitation, which is applicable to all contracting parties and represents a maximum that may not be exceeded, the Spanish delegation pointed out (and this view was accepted by the Commission) that the maximum fixed in accordance with this article cannot in any way effect, even indirectly, the figures given in the table provided for in Article 2, which are allowed to each contracting party without any restriction or reservation whatever.

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84. During the discussion of the period of service,<sup>4</sup> the German delegation submitted a proposal to the effect that the annual contingent should be limited, as well as the period of service. The Commission rejected this amendment by twelve votes to six with certain abstentions.

Part II. — Material.

85. On this point, as already mentioned, the Commission encountered difficulties which it was unable to surmount either at its third session or even after the second reading of the preliminary draft Convention during the first part of the sixth and last session.

CHAPTER A. — LAND ARMAMENTS.

Article 10.

86. As regards land armaments, the original position was as follows:

A proposal was made by the German delegation for the limitation of material in service and in reserve, in accordance with a table fixing under separate headings the maximum number of arms and the quantity of ammunition for the various arms. The French preliminary draft provided only for the limitation of the total expenditure on the upkeep, purchase and manufacture of war material in the strict sense of the term, with the option of carrying forward sums not expended during one year.

87. The Japanese and Italian representatives formally opposed the first method, while the United States delegation made a general reservation on account of the omission of any provisions regarding the limitation of material of the land and air forces, whether in service or in reserve. Despite the fact that this reservation was withdrawn at the second reading, opinion was divided as to the method of limiting material for land forces.

<sup>1</sup> As regards this chapter, see the German delegation's general reservation concerning Part I.

<sup>2</sup> The Chinese delegation has, on many occasions, proposed the abolition of the conscription system. It has reserved the right to raise this question again at the Conference.

<sup>3</sup> In order to take into account the frequent cases in which “service” is performed in several separate periods often of short duration, the word “months” was substituted for the word “years” of service.

<sup>4</sup> See reservation by the German delegation, paragraph 79.

88. The following methods were considered:

- (1) Application of the fullest possible publicity to expenditure on land material;
- (2) Limitation of expenditure on material;
- (3) Direct limitation of material by categories;
- (4) Simultaneous application of the two last-named limitations, either separately or in combination;
- (5) Application of any one of these methods at the choice of the Contracting parties.

89. The Commission unanimously approved the principle that there should be the fullest possible interchange of information respecting armaments between the parties to the proposed Convention. It also recorded the unanimous desire of the members of the Commission to find some method which would provide for the limitation of war material in a more precise manner than can be achieved by publicity alone.

90. The result of the vote taken on the principle of direct limitation as proposed by the German delegation was as follows: nine votes for, nine votes against, and seven abstentions.

91. On a vote being taken on the principle of the simultaneous employment of the two methods proposed by the Italian delegation, nine members of the Commission declared themselves in favour of the system, eleven against, and five abstained from voting.

92. The principle of indirect limitation as set forth in Article 10 was adopted by sixteen votes to three, with six abstentions.

93. As regards the application of this principle the Commission passed the following resolution:

"I. With a view to limiting land material by limiting expenditure on its purchase, manufacture and upkeep, the Preparatory Commission requests its President to instruct the Committee of Experts on Budgetary questions to enquire into the means by which such limitation could be carried out, paying special attention to:

- "(a) The necessity of limiting all the expenditure in question;
- "(b) The variety of ways in which budgets are presented and discussed in different countries;
- "(c) The adjustment of the proposed method of limitation to possible fluctuations in the purchasing power of different currencies, especially with regard to the cost of war material.
- "(d) The conditions in which credits for one financial year might be carried over to the following year or years.

"II. In order that the Governments may be able, before the Conference meets, to come to a decision on this point, the experts' report should be transmitted to them in good time by the Secretary-General of the League of Nations."

94. The American delegation stated that, whereas they were unable to accept budgetary limitation in any form as far as the United States was concerned (see American reservations, paragraphs Nos. 171 and 181), they did not wish their attitude to constitute an obstacle to agreement on the part of other Powers. They therefore stated that they were prepared to apply, as far as they were themselves concerned, direct limitation instead of indirect limitation, provided that some practical budgetary method were generally agreed upon, which would be sufficiently detailed and precise to constitute an effective means of limitation.

95. The Spanish delegation associated itself with this point of view, but observed that the direct limitation would have to be confined to material in service.

96. The Japanese delegation, while supporting the method of indirect limitation, nevertheless expressed the view that the adoption of this method did not necessarily exclude recourse to direct limitation in the case of a certain number of countries which cannot accept indirect limitation. But the number of such countries in this case should be strictly limited.

97. Several delegations stated that, in the application of the system of indirect limitation, account must be taken of the circumstances peculiar to each State. They urged that preferential treatment should be granted to non-industrial countries or countries whose budgets were below a figure to be fixed by the Conference.

98. The first of these arguments was put with particular clearness by the Greek delegate, who spoke as follows:

"It seems essential, in order to determine the budgetary limit for each country, to take into account the particular circumstances of each country, its economic circumstances, its standard of living, the cost of labour there, and, above all, its position as regards material at the time of signing the Convention. Obviously, if the material a country possessed at that time were worn out or incomplete; if, consequently, it were in a clear position of inferiority as compared with the other signatory States, that would constitute a factor to be taken into account in fixing the budgetary limit binding upon that country."

99. Apart from the reservation in the footnote to the article, the Turkish delegation made its acceptance of any budgetary limitation of material and armaments expressly conditional upon account being taken—as also with any other method of limitation—of the special position of countries in which industry is not adequately developed.

100. The Norwegian delegation observed that the possibility of some combination of direct and indirect methods by budgetary means had not been precluded.

101. The British delegation were ready to admit that direct limitation may, in theory, be the most effective and the most obvious system, but feared that this method of limitation would, in practice, prove unsatisfactory. Even if adequate definitions and categories could be established, it would be impossible to impose on all countries such a system of verification and control as to give the assurance that the limitation would be properly observed. The British delegation had hoped that it might be possible to limit directly the larger weapons such as big guns and tanks, but here again similar difficulties would be encountered. They would be prepared to accept any practical scheme for direct limitation of the more important weapons that would offer any prospect of general acceptance and reasonable effectiveness. It may be that the Governments at the Disarmament Conference will be able to find such a scheme. In the circumstances, the British delegate advocated the adoption of the indirect method of budgetary limitation. The British delegation recognise that such a method is not so complete; but, so far as it goes, it is, they feel, more effective and more reliable. Budgetary expenditure, in all the more important countries, is subject to a number of checks and controls, and cannot to any serious extent be evaded. Moreover, it has the additional advantage that it may serve to arrest competition in the development and perfection of weapons.”

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102. The German delegation has made a general reservation in regard to Article 10 since, notwithstanding its extraordinary importance, the material in service and in reserve of land armed forces and of land formations organised on a military basis is only covered—contrary to the method applied to air armaments and to naval floating material—by limitation of expenditure, and not by a reduction and limitation of specific articles and of numbers.

103. As regards the limitation of expenditure, the German delegation reserves the right to take a decision after considering the report of the Committee of Budgetary Experts.

#### CHAPTER B. — NAVAL ARMAMENTS.

104. At the third session of the Preparatory Commission, two opposite schemes for the limitation of naval armaments were submitted: the British draft provided for the limitation of the tonnage, and of the number of vessels to be allowed to each of the High Contracting Parties; in each of the categories to be specified; the Italian delegation could only agree to the limitation of total (global) tonnage which each High Contracting Party would undertake not to exceed and which it might allocate and arrange in the way best suited to its national interests, provided it communicated to the Secretariat of the League of Nations, at least six months before the laying down of the keel, the characteristics of each warship it intended to construct.

105. The French delegation, whose views were much nearer to those of the Italian delegation than to those of the British delegation after having first submitted a two-column table indicating in Column I the tonnage required for the security and defence of its national interests, and in column II the tonnage which should be reached before the expiration of the Convention, later, in an attempt at conciliation, proposed a three-column table, the figures in the columns indicating for each High Contracting Party: (a) the total (global) tonnage it considered indispensable for its security and the defence of its national interests; (b) the total (global) tonnage it considered itself obliged to attain before the expiration of the Convention; (c) the manner in which it proposed to distribute, in total (global) tonnages for each category, the whole total (global) tonnage indicated by it in the previous column.

106. Four categories were provided: capital ships, aircraft-carriers, surface vessels of less than 10,000 tons, and submarines, with the power of transfer between categories when the High Contracting Party concerned considered this to be indispensable, provided that High Contracting Party informed the Secretariat of the League of Nations of the changes made in its allocation of its total (global) tonnage one year at least before laying down the keels of the tonnage to be transferred.

107. In spite of a reassuring statement made by the United States representative to the Preparatory Commission at the beginning of its sixth session in April 1929, the discussion of the naval problem was deferred. In view of the agreement reached at the London Naval Conference, the discussion was resumed in the second part of the same session, on the basis of a proposal submitted by the delegations of seven countries (United States, Great Britain, Canada, France, Irish Free State, Japan and Italy) which submitted a new text for almost all the articles in this

section. By adopting this text in its main outline, the Commission was able to overcome the difficulties which had previously arisen, owing chiefly to the presence of two conflicting systems of limitation—*i.e.*, limitation of total (global) tonnage and limitation by categories.

108. The Italian delegation made a general reservation to the effect that the Italian Government could not finally agree to any specific method before all the Powers had agreed on the proportions and the levels of maximum tonnage.

109. The German delegation made a reservation in view of the great value of non-floating material, on the ground that the latter—unlike floating material—would not be subject to any direct limitation by specific articles and by numbers, and would only be affected indirectly by limitation by expenditure. With regard to the latter, the German delegation reserved its opinion until it had studied the report of the Committee of Budgetary Experts.

110. In conformity with the general principles it has followed, the Commission has not proposed to the Conference any figures for tonnage, etc., in the articles and annexes of the Draft Convention. The figures set out therein have been inserted merely as an illustration; they are similar to those given in the Washington and London Treaties. It should be observed here that, in several cases, delegations proposed other figures to the Commission or reserved the right to do so when the Conference meets.

*Articles 11, 12 and 13.*

111. These three articles must be regarded as a single whole, embodying the following system of limitation:

- (1) Limitation of the total (global) tonnage of each High Contracting Party (Article 11), with the exception of the tonnage of certain vessels referred to in Annexes I and II.
- (2) Distribution of total (global) tonnage (Article 12);
- (3) Power of transferring tonnage from one category to another (Article 13).

112. The Italian delegation proposed that Articles 11 and 12 should be replaced by a single Article worded as follows:

“ The limitation of naval armaments, accepted by each of the High Contracting Parties, is indicated in the following table . . . . ”

in the form of Table II of the text, Table I being omitted.

*Article 11.*

113. The Chinese, Spanish, Persian, Roumanian and Yugoslav delegations observed that it should be understood that the particulars of total (global) tonnage inserted by the High Contracting Parties in Table I would not be in any way binding on their countries even as a precedent after the expiration of the Convention.

114. The possibility was considered of providing two tables in the Convention, one to indicate the total (global) tonnage which each High Contracting Party regarded as indispensable for guaranteeing its safety and national interests, the other to show the figures of the total (global) tonnage to be completed before the expiration of the Convention. In order to give prominence to this idea, the Commission agreed, at the request of the Spanish delegate, to alter the wording of the first article proposed by the Powers signatory to the London Naval Treaty. This explains the meaning of the sentence: “ Throughout the duration of the present Convention . . . . ”

115. Similarly, the Spanish delegation opposed a Soviet proposal to the effect that the limitation of naval forces should involve a reduction for all countries. The Commission finally adopted the principle of such a reduction, but with the addition of the words “ so far as possible ”. Since the same idea had been accepted in respect of the other armaments, it was thought preferable to embody it in a single clause which should govern the whole Convention. This—as has been pointed out—is the object of the first article of the present Draft Convention.

116. The Yugoslav delegate emphasised the difference between recently created countries at present engaged in preparing a minimum naval programme compatible with their national security, and countries having a maritime history and tradition and possessing a complete fleet. The figure of the total (global) tonnage to be inserted in Table I would, for the former countries, represent only the first stage in the execution of their minimum programme, whereas for the latter, the figure will really indicate their maximum naval forces in the present state of international relations. In view of this essential difference, the Yugoslav delegation reserved the right to request at the Conference that recently created countries, which are obliged to distribute their expenditure for the construction of a minimum tonnage compatible with their national security over a number of years exceeding the duration of the Convention, should be accorded the right to mention separately, within the limits of the agreed total (global) tonnage, what portion of their programme they intended to carry out during the period of the Convention. Similarly, if, under Article 57 of the draft Convention, the Convention remained in force for a

further period, such prolongation should not debar the above-mentioned countries from continuing the execution of their naval programme within the limits of the agreed tonnage.

The Finnish delegate associated himself with this reservation.

*Articles 12 and 13.*

117. The Preparatory Commission's discussions on these articles were directed mainly towards rendering the proposed system of limitation applicable to navies of a small tonnage. With this object the Commission unanimously adopted the rules below, which appear as the introduction to Table III:

(1) Account must be taken of the special circumstances of each Power, and of the classes of ships involved in the transfer.

(2) Powers whose total tonnage does not exceed 100,000 tons<sup>1</sup> will have full freedom of transfer as regards surface ships.

(3) As regards the other Powers, the amount of the transfer should vary in inverse ratio to the amount of the total (global) tonnage of each of them.

This Table will be prepared or filled in at the Conference; but the Commission desires to state that it regards the application of the rules proposed as an integral part of the system on which Articles 11-13 are based.

On this subject the following statements should be noted:

118. The representative of the British Empire stated:

"I am glad to be able to inform the Commission that I am now authorised to accept the three proposed rules in Table III of the Naval Clauses. In doing so, I should like to make it clear that I regard the first rule as governing the other two—I understand that was why it was put first—that is to say, that though rules 2 and 3 establish certain important principles, yet their application must in the last report depend to some extent upon the considerations set out in Rule 1. It is, of course, understood that in saying this I am dealing solely with the question of transfer and not suggesting that any limit can be put on the right of any Power to ask the Disarmament Conference for any class of ship as part of its navy."

119. The Swedish delegate spoke in the following terms:

"The Swedish delegation is glad to learn from Viscount Cecil's statement that the British Government approves the text of Table III.

"I wish to take this opportunity of saying that the Swedish delegation cannot accept any interpretation which might weaken the guarantees obtained by the Powers possessing fleets of small tonnage through the inclusion of the three principles in Table III as compensation for their acceptance of a large number of rules derived from the Treaties of Washington and London."

120. The representatives of Yugoslavia, Greece, Roumania, Turkey and Poland gave this statement their unqualified approval.

121. The Norwegian representative spoke to the same effect, adding that his country would certainly claim the utmost freedom of transfer at the Conference. The Chinese representative agreed with this view.

122. The Finnish delegate stated that he would like the three rules to be interpreted on a footing of equality; none of them should be regarded as taking precedence over the others.

123. The United States representative explained that, in accepting the three rules, which were drawn up as a compromise text, his delegation assumed that the application of Rule 3, Table III, was not intended to apply to Powers which are signatories of the Washington and London Treaties.

124. The Italian delegate spoke as follows.

"Like the British delegation, we consider that the basic criterion for the application of transfers should be that which was enunciated in principle No. 1. When this principle has to be applied in practice, we should make no difficulty in according complete liberty of transfer from the class of submarines to that of light surface vessels—*e.g.* destroyers and small cruisers.

"On the other hand, I desire to state now that we should oppose transfers in the opposite direction—that is to say, from the class of light surface vessels to that of submarines."

125. This statement was formally opposed by the Spanish delegate, who pointed out that the text in question represented a compromise and had been adopted without any reservation other than that of the British delegation.

126. The Netherlands delegate also pointed out that, if they made the second rule adopted subordinate to the first, they would modify the scope of the system and in that connection he made a formal reservation.

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<sup>1</sup> This figure is given as an illustration.

*Article 14.*

127. The Soviet delegation proposed that the tonnage limit for capital ships should be fixed at 10,000 tons (10,160 metric tons), and the limit for gun calibres at 12 inches (304.8 mm.).

128. Several delegations recommended that the Conference should either abolish capital ships altogether or should reduce the maximum tonnage of their standard displacement.

129. The Commission confined itself, however, to inserting—but by way of illustration only—the figures given in the text proposed by the signatory Powers of the Washington Treaty, fixing the tonnage limit for capital ships at 35,000 tons (35,560 metric tons) and the limit for the calibre of their guns at 16 inches (406 mm.).

130. The other articles of the draft submitted by the Powers which took part in the London Naval Conference, practically were adopted by the Preparatory Commission without discussion, it being understood that the figures contained in these articles were only given by way of illustration, and that the adoption of these articles in no way involved the adoption of the numerical data, which might be replaced by other figures.

*Article 15.*

131. The Spanish delegation, however, made a reservation regarding the second paragraph of Article 15, which provides for the limitation of the calibre of guns carried by aircraft-carriers whose tonnage does not exceed 10,000 tons. The Spanish delegation considered that certain navies which, for reasons of economy, were compelled to build ships not corresponding exactly to any of the classes specified in Annex III Definitions to Chapter B, Part II, could hardly be expected not to arm aircraft-carriers of a lower tonnage with guns of the calibre authorised for aircraft-carriers of the heavier tonnage mentioned in the first paragraph of Article 15.

*Articles 16 and 17.*

132. Articles 16 and 17 lay down that the standard displacement and the guns of submarines shall be limited and that no vessel of war exceeding the limits as to displacement or armament prescribed by the Convention shall be acquired by, or constructed by, for, or within the jurisdiction of any of the High Contracting Parties.

*Article 18.*

133. Article 18 contains a reference to Annex IV of Chapter B, Part II, regarding the rules with which the High Contracting Parties must comply in the matter of the replacement of vessels of war. Annexes IV (Rules for Replacement) and V (Rules for Disposal), mentioned in Article 22, reproduce the corresponding provisions of the London Naval Treaty.

*Article 19.*

134. Article 19 gave rise to a short discussion. This Article, which provides that no preparation shall be made in merchant ships for the installation of warlike armaments for the purpose of converting such ships into vessels of war, nevertheless authorises the stiffening of decks for the mounting of guns not exceeding 6.1 inches (155 millimetres) in calibre. This exception to the rule as stated was finally adopted. The Japanese delegation, however, reserved the right to raise the question of the limitation of aircraft equipment on merchant vessels, possibly at the Conference itself. The Soviet delegation emphasised the importance of laying down that no preparations shall be made in merchant ships with a view to converting such ships in wartime into fighting units.

135. The following Articles of the draft were adopted without discussion:

(1) *Article 20*, prohibiting any High Contracting Party engaged in war from using as a vessel of war any vessel of war which may be under construction within its jurisdiction for any other Power or which may have been constructed within its jurisdiction for another Power and not delivered.

(2) *Article 21*, prohibiting any High Contracting Party from disposing of any vessel of war in such a manner that such vessel may become a vessel of war in the navy of any foreign Power.

(3) *Article 22*, disposal of vessels of war surplus to the tonnage figures allowed by the present Convention.

(4) *Article 23*, authorising the retention of existing ships used as stationary training establishments or hulks.

*Article 24.*

136. On the proposal of the British delegation, the Commission adopted Article 24, providing for the limitation of the annual expenditure on the war material of naval armaments on lines similar to the limitation of material for land armaments prescribed in Article 10. The forms of this limitation are to be studied by the Committee of Budgetary Experts.

137. Certain delegations objected to the introduction of indirect limitation of naval material in addition to its direct limitation as provided for in the other articles of this Chapter.

138. The American delegation repeated its general reservation on the subject of budgetary limitation.

139. The French delegation does not see its way to accept the special limitation of expenditure on upkeep, purchase and manufacture of war material for naval armaments. Apart from the technical difficulties, it observes that the limitation of naval material under satisfactory conditions is assured by the direct limitation of floating material, as well as indirectly by the limitation of the aggregate expenditure on armaments.

140. The Japanese delegation also made a reservation in the same sense.

141. The German delegation reserves its opinion until it has studied the report of the Committee of Budgetary Experts.

142. The British and Italian delegations explained that their acceptance of this article depended on the attitude finally adopted by other maritime Powers.

143. A note inserted in the Draft Convention (after Article 24) quotes two Articles of the London Naval Treaty as examples of supplementary restrictions which certain High Contracting Parties might be prepared to accept. It is understood that these articles, which are binding solely upon the signatories of Part III of the London Treaty, are only quoted by way of example, the Commission not having expressed any view in regard to them. The representatives of Greece and Spain, however, have made a formal reservation in regard to the possibility of these supplementary restrictions being applied.

144. The Commission attached several Tables to Chapter B. Table I will have the figures of global tonnage allocated to each High Contracting Party. Table II will serve to show the distribution of such tonnage between the categories defined in Annex III in accordance with the scheme fixed in London. A special subdivision has, however, been admitted in the class of capital ships for those High Contracting Parties which have no capital ship of a standard displacement exceeding 8,000 tons.<sup>1</sup> Table III, regarding transfers, is also to be filled up by the Conference, account being taken of the three principals therein specified.

#### CHAPTER C. — AIR ARMAMENTS.

145. The text adopted in the first part of the sixth session provided in a single article for the limitation of air material in service by means of two tables, one for armed forces and the other for formations organised on a military basis, the limitation being applicable to aeroplanes and dirigibles capable of use in war employed in commission in the land, sea and air forces, or in the formations organised on a military basis. All these provisions have been re-grouped by the Drafting Committee. They are the subject of Articles 25 and 26, which the Commission has adopted.

##### *Articles 25 and 26.*

146. The method of limitation fixed in these articles represents a compromise formula taking account of the principal standards of limitation proposed to the Commission. The standard of limitation in the case of aeroplanes is first the number, and secondly the total horse-power. In the case of dirigibles it is the number, total horse-power and total volume.

147. The Commission accepted at the second reading, by 9 votes to 8 with some abstentions, a British proposal to limit, not only machines in service, but also complete machines in immediate reserve belonging to the State.

148. The German delegation made a reservation in regard to these articles, on the ground that reduction and limitation do not apply to the aggregate of war material, including material in reserve, and that in its view the countries are left free to increase their stocks of aircraft not yet put together, and to arrange their air armaments as they please, without exceeding the limits fixed by the Convention.

149. The Turkish delegation reserved its opinion on the extension of the direct limitation provided for in Articles 25 and 26 to armaments in reserve.

150. The tables referred to in these two articles will contain the figures allocated to each contracting party. As regards the aeroplanes of the armed forces (Table I) and those of the formations organised on a military basis (Table II) and dirigibles (Table III—Dirigibles of the armed forces, and Table IV—Dirigibles of the formations organised on a military basis), there are certain differences in the make-up of the tables. The two tables

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<sup>1</sup> As regards Table II, it should be noted that the High Contracting Parties non-signatories of Part III of the Treaty of London have the option of including cruisers of subdivision (ii) and destroyers in a single category.

relating to the armed forces (Tables I and III) contain an obligatory column for the total of the aeroplanes and dirigibles respectively, and three optional columns for the aeroplanes or dirigibles stationed in the home country, overseas or in aircraft-carriers. In the case of aeroplanes, the figures will show first the number and secondly the total horse-power. In the case of dirigibles, there will be additional figures showing the total volume. The tables with regard to the formations organised on a military basis (Table II—Aeroplanes, and Table IV—Dirigibles) have the same columns and the same particulars as the others, without column (d) (Tables I and III), which is irrelevant in the case of formations organised on a military basis.

*Article 27.*

**151.** It should be noted in the case of this article that the British and Canadian delegations consider that it is impracticable to find any standard of horse-power measurement that would afford a satisfactory basis of limitation.

**152.** The French delegation had proposed at the first reading to measure horse-power according to the rules laid down by the International Air Navigation Commission. These rules are as follows :

“ The power of an engine is the average power that the engine generates during two trials of one hour each during which it runs without stopping at a pressure of 760 millimetres of mercury in dry air and at a temperature of 15°C. The engine power will be measured in horse-power of 75 kilogramme-metres a second and will be expressed to the nearest lower horse-power for engines not exceeding 50 horse-power within 5 horse-power for engines between 50 and 200 horse-power and within 10 horse-power for engines exceeding 200 horse-power.”

**153.** The delegation of the United States expressed the view that, in the case of a subject on which technical methods change with great rapidity, it was not desirable to adopt a method at the present time which might not be acceptable by the time the Conference meets.

**154.** The Commission accepted this standpoint, and decided not to propose particular rules. The Commission is, however, of opinion that it is desirable for the Council to entrust to experts the preparatory studies required for the laying down of such rules, and that such rules should be communicated to the Governments, which might be invited to accept them as a preliminary basis for calculating the figures to be inserted in the table.

**155.** The German delegation makes a reservation of a general character in regard to Tables Ic, IIc, IIIc, IVc, attached to Chapter C of Part II. This reservation is to the following effect : for the purposes of reduction of armaments, the material which a contracting party may assign to its oversea territories may be of varying importance in relation to another contracting party by reason of the geographical situation of its territories in relation to the home country territories of the two contracting parties. One contracting party will therefore have every reason to regard the oversea material of another contracting party as forming part of the home country material of the latter, when such an assumption is justified by the proximity of the oversea territories in relation to the home territories of the two parties.<sup>1</sup>

**156.** The Turkish delegation repeated in regard to the tables attached to Chapter C the reservation it had made before (see paragraph 77 above) in regard to the tables in Part I (Chapter A).

*Article 28.*

**157.** Article 28 deals with the interesting problem of the relation between civil and military aviation.<sup>2</sup> It makes provision for prohibitions and obligations to be imposed on the contracting parties, with a view to avoiding the danger involved in prescribing the embodiment of military features in the construction of civil aeroplanes, and with a view to encouraging the independent development of purely civil aviation. It is not superfluous to reproduce the somewhat complicated text of Article 28 :

“ I. The High Contracting Parties shall refrain from prescribing the embodiment of military features in the construction of civil aviation material, so that this material may be constructed for purely civil purposes, more particularly with a view to providing the greatest possible measure of security and the most economic return. No preparations shall be made in civil aircraft in time of peace for the installation of warlike armaments for the purpose of converting such aircraft into military aircraft.

<sup>1</sup> The Italian delegation called attention to the reservation presented by it with reference to the tables annexed to Part I, Chapter A (see paragraph 73 above).

<sup>2</sup> The Commission, in the course of its proceedings, examined on several occasions the problem of the relations between civil and military aviation.

The draft Convention submitted on first reading contained the following article :

“ The limitations laid down are accepted by each High Contracting Party in the light of the present development of civil aviation in other countries.”

On the second reading, the Commission was of opinion that as this article simply noted a *de facto* situation it was not necessary to retain it in the draft Convention, and decided that it would be sufficient to mention in the report that various delegations reserved the right to bring the whole question of civil aviation before the Conference.



" 2. The High Contracting Parties undertake not to require civil aviation enterprises to employ personnel specially trained for military purposes. They undertake to authorise only as a provisional and temporary measure the seconding of personnel to, and the employment of military aviation material in, civil aviation undertakings. Any such personnel or military material which may thus be employed in civil aviation of whatever nature shall be included in the limitation applicable to the High Contracting Party concerned in virtue of Part I, or Articles 25 and 26 of the present Convention, as the case may be.

" 3. The High Contracting Parties undertake not to subsidise, directly or indirectly, air lines principally established for military purposes instead of being established for economic, administrative or social purposes.

" 4. The High Contracting Parties undertake to encourage as far as possible the conclusion of economic agreements between civil aviation undertakings in the different countries and to confer together to this end."

**158.** This article was drafted after the work of the Special Committee of Experts on Civil Aviation. The Preparatory Commission agreed with the Committee of Experts that the Convention should avoid any provision capable of obstructing the development of civil aviation; but it was of opinion that all efforts should be directed towards differentiating more and more definitely between civil and military aviation, and that Governments should be prevented from interfering in civil aviation undertakings in order to divert them from purely civil objects.

**159.** The Soviet delegation submitted the following amendment in the course of the discussion :

" Any adaptation of civil aviation material to the establishment of armaments or to military uses is prohibited."

Under the terms of this amendment, the Governments would be bound to take steps to prevent the construction for military purposes, or the adaptation to military purposes, of aircraft, whether constructed by, or belonging to, private companies or private persons.

**160.** It should be noted that the text of the article approved by the Commission does not bind the Governments to impose restrictions on the private manufacture or adaptation of civil aircraft to purposes of war, but only prohibits them from encouraging such adaptation.

**161.** An amendment was submitted to the Commission by the Canadian delegation to delete paragraph 2 of Article 28 and to substitute the following :

" Personnel seconded to, and military material employed in, civil aviation, whether Government or commercial, shall be counted in the agreed quota."

The effects of this amendment would have been to set out clearly that all seconded personnel and machines would be counted in the quota allotted to each State, and also to eliminate the temporary and provisional character of seconding.

**162.** The Commission, while appreciating the special circumstances of Canada, was not prepared to recede from the general rule to which it had given its approval—namely, that seconding should be only of a provisional and temporary character. It was thought that a solution of the difficulty might be found in the establishment of an exceptional arrangement, the form of which would have to be settled by the Conference. The Commission, while disallowing the deletion of the second sentence of paragraph 2 of Article 28, accepted unanimously the insertion of the Canadian amendment by which all seconded personnel and material should be included in the quota allotted to each State.

**163.** The Canadian delegation subsequently submitted a reservation in regard to the " temporary and provisional " character of the seconding of personnel to, and the employment of military aviation material in, civil aviation undertakings. Canada, because of its special needs and problems, requires, for the reasons given in the Minutes of December 2nd 1930, the unrestricted right of seconding, in order to develop its country of vast distances and to protect its citizens and natural resources.

**164.** In the course of the discussion on paragraph 3 the British delegation stated that it must be clearly understood that the proposal did not imply that the Governments committed themselves to complete internationalisation of aviation, and that on this point the British Government reserved its entire freedom of action.

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**165.** The British delegation proposed the insertion of a new article worded as follows :

" Each of the High Contracting Parties agrees to limit its annual expenditure on the maintenance, purchase and manufacture of war material, for air armaments, to the figures and under the conditions defined in the Annex to the present Convention."

The voting on this article was as follows :

5 for ; 6 against ; 13 abstentions.

**166.** The British delegation expressed particular regret at the failure of the Commission to adopt a system of budgetary limitation of air material. They felt that the science of aeronautics is still in so early a stage that very great developments in size, cost and destructiveness of military machines are to be apprehended. These developments will in no way be affected by the limitation of the total number of machines, and they fear it is impossible to rely on the limitation of horse-power as a practically effective check. Without budgetary limitation, therefore, they believe that the air arm, potentially the most destructive to civilisation, will be the most free for competitive international development.

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**167.** During the first part of the sixth session the German delegation submitted a proposal to prohibit the launching of weapons of offence of any kind from the air, as also the employment of unpiloted aircraft controlled by wireless or otherwise, carrying explosive or incendiary gaseous substances.

**168.** After a very interesting discussion,<sup>1</sup> this proposal was rejected, five delegations voting in its favour. In the discussion, the German delegate explained that he regarded these methods as essentially offensive, their destructive effects threatening the civilian population. The delegations which did not accept the German proposal stated that they did not thereby imply the authorisation of bombardment from the air of civil populations.

### Part III. — Budgetary Expenditure.

#### Article 29.

**169.** Upon the proposal of the French delegation the Commission considered at its third session the limitation of the total annual expenditure by budgetary years for the forces stationed in the home country, and the formations organised on a military basis in the home country, as well as the overseas forces, their reinforcements and overseas formations organised on a military basis.

**170.** On this occasion the delegations of the British Empire, Italy and Japan stated that in their opinion budgetary limitation should be effected solely by means of publicity.

**171.** The delegations of the United States and Germany made a general reservation regarding the inclusion in the draft Convention of stipulations concerning the limitation of budgetary expenditure.

**172.** At the sixth session the Commission accepted the principle of the limitation of the total expenditure on land, sea and air forces. In adopting this principle the Commission desired to emphasise that such limitation should be used for checking the growth of the armaments of each country, and not as a method of comparison between one country and another, since the cost and conditions of manufacture vary very much in different countries.

The Preparatory Commission, however, is not submitting any final proposal to the Conference regarding the method of such limitation.

**173.** Valuable studies have already been made in this field, in particular by the Committee of Budgetary Experts set up by the Preparatory Commission ; this Committee held several meetings in 1927. The results of its work—to the value of which the Preparatory Commission desires to pay tribute—are embodied in documents C.P.D. 40 (Provisional Report) and C.P.D. 90. Some delegations thought that it would be desirable to convene this Committee once more so as to enable it to complete its report in the light of the experience acquired during recent years, and taking into account, in particular, the observations made on this subject during the second part of the sixth session of the Preparatory Commission.

**174.** For this purpose the Commission requested its President to reconstitute the Committee of Budgetary Experts, and to convene it in good time to ensure that its report should reach the Governments as soon as possible so as to enable the latter to take it into consideration when preparing for the Conference. The next session of the Committee of Experts will open on December 11th, 1930.

**175.** The Commission requested the Committee to study, in particular, the following points :

- (a) The necessity of limiting the total expenditure in question ;
- (b) To take into account the diversity of methods of presentation and discussion of the budgets customary in the various countries ;
- (c) To adapt the method of limitation contemplated to the possible differences in the purchasing power of the various currencies, with particular reference to the cost of war material ;
- (d) To determine the conditions under which the carrying forward of credits from one budgetary year to the next year or following years might be effected.

<sup>1</sup> See Minutes of the Sixth Session (First Part), pages 85-93.

**176.** The Committee of Experts will have to bear these points in mind when it studies the methods of special limitation of land and naval material (Articles 10 and 24).

**177.** They will also, in accordance with the resolution adopted on December 6th, have to examine the possibility of a separate limitation of expenditure on land, naval and air forces.

**178.** The Soviet delegation proposed the insertion of a new article worded as follows :

“ Secret funds intended in a disguised form for extraordinary expenditure on special preparations for war or an increase in armaments shall be excluded from the national budgets.

“ In conformity with the above provision, all expenditure for the upkeep of the armed forces of each State shall be shown in a single chapter of the national budget ; their full publicity shall be ensured.”

**179.** Since the Commission agreed as to the desirability of asking the Budgetary Experts to examine the whole problem of the methods of limitation, including that raised by the Soviet delegation, the latter did not press its proposal.

**180.** While agreeing to the limitation of budgetary expenditure, several delegations, including the Roumanian delegation, declared that it was essential in this connection to take into account the conditions peculiar to each country—that is to say, economic conditions, the purchasing power of each currency, the industrial development of each country, and in particular its position with regard to war material at the time of the signature of the future Convention. If at that date a country had not yet been able to carry out its minimum defensive programme in regard to certain categories of armaments, and if it possessed only obsolete, worn or incomplete war material, obviously such a State would be in an inferior position in relation to other signatory States more fortunately situated in this respect. These are the factors which will have to be taken into account when the budgetary limit imposed upon the contracting States comes to be laid down.

**181.** The American delegation made a general reservation on the subject of budgetary limitation and drew attention to its declaration of November 11th, 1930.<sup>1</sup>

**182.** The German delegation made a general reservation regarding this chapter pending the Committee of Budgetary Experts' report.

#### Part IV. — Exchange of Information.

**183.** Part IV of the draft Convention contains nine articles, providing for the drawing up of sixteen tables with a number of columns.

##### Article 30.

**184.** Article 30 provides for the exchange of information each year in regard to the average daily number of effectives reached during the preceding year in the land, sea and air armed forces and formations organised on a military basis of each of the contracting parties. It also specifies the conditions under which the information, details of which appear in the tables, is to be supplied. The tables are largely similar to those of Chapter I (limitation of effectives), but are more detailed.

**185.** It is to be noted that the Commission, which did not see its way to propose limitation by *territories* of the armed forces and formations organised on a military basis stationed in the various overseas territories, nevertheless accepted the principle of publicity with regard to their distribution (by 5 votes to 4 with a certain number of abstentions). As Tables II and V show, this publicity is limited to land forces.

**186.** The Commission recognised that the method of calculating on the basis of the average daily effectives does not give adequate information in all cases. In the case of certain forms of military organisations the real effectives may be considerably higher than the average effectives. The explanatory note, for which provision is made in the second sentence of the second paragraph, is intended to give publicity to this special feature of certain military systems. It is understood that the words in brackets “ recruits, militiamen, reservists, territorials, etc.,” are only given by way of example. Each State will have to arrange the enumeration of the categories of effectives to which Article 30 relates, having regard to its special methods of organisation.

**187.** The following reservations were made in connection with Article 30 :

(a) The German delegation made a reservation to the article on the ground that the tables mentioned therein do not provide for publicity regarding trained reserves and the figure of the annual contingent.

The general reservation of the German delegation in regard to Chapter A, Part I (Table I<sup>2</sup>), applies to the following Tables of Part IV—Table II, Table V and the Annex to Tables II and V, Table IX and Table XII.

<sup>1</sup> Minutes of the Sixth Session, Second Part (Fifth Meeting).

<sup>2</sup> See paragraph 73 above.

(b) The German delegation also made a reservation in regard to the option allowed to States to show, if they desire, for purposes of information, in a special column of the Tables annexed to Part IV (Table V $\epsilon$ ) the number of recruits not trained as defined in the national legislation.

The German delegation considers that this option should not be allowed, unless the Contracting Parties are under obligation to publish at the same time and in the same tables similar information with regard to the number of their trained reserves. Failing such publicity, the German delegation considers it impossible to judge of the real military situation of the States.

188. (c) The Turkish delegation repeated in regard to the Tables annexed to Article 29 the reservations made by it in regard to the Tables in Chapter A. Part I<sup>1</sup>.

189. (d) The French delegation does not accept publicity for the effectives stationed in each overseas territory, as not being called for to any greater extent in the case of overseas territories than in the case of the various districts of the home country. The French delegation also desires to point out that detailed publicity in the case of each overseas territory, with a multitude of distinctions between the different categories of soldiers according to their rank and length of service, is even less acceptable, being materially impossible owing to the constant transfers from one territory to the other and the special conditions of the territories in question. An army of accountants would be required for the purpose. The inclusion in the Convention of such minute rules is calculated to multiply involuntary errors in the information supplied by the Contracting Parties, and further threatens to lead to unnecessary and provocative discussion, which no one can desire, and which cannot be the object the Commission has in view.

190. The British delegation concurred in the substance of this reservation.

191. (e) The Japanese delegation also made a reservation as to the desirability of separate publication of the average daily effectives in each oversea territory.

#### *Article 31.*

192. In adopting Article 31 the Commission considered it important to know the number of youths compulsorily receiving preparatory military training. No provision is made for information on this point in Article 30, since Article 30 does not cover training which precedes active service.

193. On these grounds the Commission considered it desirable that the Contracting Parties, who have systems of compulsory pre-regimental military training, should state the number of youths who have received such training. The Commission held that the Governments were not in a position to supply statistical information in regard to voluntary pre-regimental military training.

194. The German and Italian delegations consider that particulars should be given, not only of the youths who have been subjected to compulsory preparatory military training, but of all who have received preparatory military training, whether voluntary or otherwise.

#### *Article 32.*

195. Article 32 imposes on the Contracting Parties the obligation to inform the Secretary-General of the League of Nations each year of the total number of days comprised in the first period of service, and the total duration in days of the ensuing periods: this provision applies only to the effectives recruited by conscription.

196. The limitation of the period of service laid down in Articles 6 to 9 (former Articles I and XB) did not provide for a separate limitation of the total number of days of the first period of service on the one hand, and the total duration of the periods of training not included in the first period of service, on the other.

197. The Commission considered, however, that, in order to give a clearer idea of the military organisation of the various countries, tables should be drawn up for purposes of publicity, giving these figures separately.

#### *Article 33.*

198. The Commission accepted (by 9 votes to 7) the principle of publicity in respect of land material by means of the budget. The Contracting Parties will state the amount actually expended for the upkeep, purchase and manufacture of land and naval war material. The methods of application of this principle will be determined on the basis of the report requested from the Committee of Budgetary Experts.

199. The Netherlands delegation, supported by several other delegations, had proposed that each of the Contracting Parties should, each year, prepare a statement giving the numbers (and for certain categories and for ammunition also the weight) of material in service and reserve of the land, sea and air forces under twelve specific headings.

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<sup>1</sup> See paragraph 77 above.

**200.** A Committee of Military Experts, which the Preparatory Commission had requested to study the method of application of this principle, if agreed to, adopted by a majority vote a simplified table applicable to land armaments. But the Commission, without discussing the principle involved on the table in question, adopted the French proposal and as a consequence the text of the article. Some delegations which were ready to accept publicity on the basis of this table in respect of material in service, did not see their way to accepting it in respect of material in reserve.

**201.** The German delegation made a general reservation in regard to Article 33. It considered that, in order to be effective, publicity should be given to the total of the land and air material and of non-floating material of the navies, and that this information should be published by categories and numbers.

As regards publicity in respect of expenditure, it reserved its opinion until it had had an opportunity to study the Committee of Budgetary Experts' report.

*Article 34.*

**202.** Article 34 specifies the information to be furnished by each Contracting Party regarding every vessel of war laid down or completed by or for such Party, or within its jurisdiction, after the coming into force of the Convention, except such vessels as are exempt from limitation under the terms of Annex I to Chapter B of Part II.

*Article 35.*

**203.** Article 35 lays down that the name and tonnage of any vessel whose decks have been stiffened as authorised in Article 19 shall be communicated to the Secretary-General of the League of Nations.

**204.** The Delegation of the United States pointed out that the obligation of this Article might be difficult to carry out in practice, and suggested that the Governments study the question between now and the General Conference in order to be in a position to devise a workable text.

*Article 36.*

**205.** Article 36 provides for publicity corresponding to the limitation of air material in service stipulated in Articles 25 and 26.

\* \* \*

**206.** The German delegation made a reservation concerning this article. It considers that publicity should apply to the total Air material, including material in reserve.<sup>1</sup>

**207.** The Turkish delegation repeated, in regard to the tables annexed to Article 36, the reservations it had made concerning the tables in Chapter A, Part I.<sup>2</sup>

*Article 37.*

**208.** Certain members of the Preparatory Commission urged the importance, from the point of view of armaments, which the development of the civil aviation of a country might assume. The Commission considered that the regular and official publication of information regarding civil aviation in the various countries would be extremely useful.

**209.** While accepting this principle, and approving the text of Article 5 as it stands at present, certain delegations were doubtful whether the provision contained in this Article would not be more suitably included in an international convention other than the Disarmament Convention.

A desire was expressed during the discussion that attention should be drawn to this point.

**210.** Upon the British delegation's proposal, the Commission adopted at second reading an addition to Part IV providing that the Contracting Parties shall be bound to furnish information regarding expenditure incurred on civil aviation by the Governments and local authorities. The delegation of the United States points out that it was doubtful whether its Government would be in a position to furnish data on the expenditure incurred for this purpose by local authorities.

**211.** On the proposal of the Polish delegation the Commission adopted an amendment providing that the returns furnished by the Governments should show not only the number but also the total horse-power of registered aircraft and dirigibles. The American delegation stated that its Government would probably not be in a position to furnish information of this kind.

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<sup>1</sup> See also, in regard to Tables I*c*, II*c*, III*c*, IV*c*, the German delegation's general reservation concerning the tables annexed to Chapter C of Part II (Paragraph 155 above).

<sup>2</sup> See paragraph 77 above.

212. The German delegation made a reservation in regard to Article 37. It considered that rules concerning publicity in regard to peace-time means of communication could not properly be included in a purely military convention, and that for this reason they should be dealt with in a special convention.

*Article 38.*

213. In adopting Article 38, the Commission approved the principles of publicity in regard to the total expenditure on the land, sea and air forces. Each of the Contracting Parties will undertake to furnish annually a statement of its expenditure in accordance with a standard model.

214. The standard model in question will be drawn up by the Conference on the basis of the studies made or to be made of this subject by the Committee of Budgetary Experts.

215. The German delegation reserved its opinion on the publication of expenditure until it had studied the report of the Committee of Budgetary Experts; it considered, however, that the standard model should not be used for purposes of comparison and limitation.

**Part V. — Chemical Arms.**

*Article 39.*

216. This part consists of only one article—Article 39—by which the contracting parties undertake, subject to reciprocity, to abstain from the use in war of asphyxiating, poisonous or similar gases and of all analogous liquids, substances or processes and undertake unreservedly to abstain from the use of all bacteriological methods of warfare.

217. The insertion in the draft Convention of provisions concerning chemical warfare was proposed by the delegates of Belgium, Poland, Yugoslavia, Roumania and Czechoslovakia.

218. There was a certain amount of discussion as to whether provisions of this nature were in their right place in a Disarmament Convention which aimed, not at codifying the rules applicable in wartime or at prohibiting the use of certain arms, but rather at regulating armaments in peace time, and whether it would not be preferable to insert these provisions in some other document.

219. The Commission's attention was also drawn to the existence of other international undertakings on the same question—in particular, the Protocol prepared by the 1925 Conference on the Trade in Arms. As was pointed out, however, the Governments which had acceded to the Protocol and those which would accede to the Convention might not in every case be the same, and thus the Convention would not produce its full effect.

220. Finally, the Commission adopted this article in the above-mentioned form, by a majority vote. Nevertheless, several delegations expressed the desire to reserve their right to submit to the Conference proposals concerning the chemical and bacteriological weapons, with a view to supplementing the provisions of the 1925 Protocol and amplifying their scope.

221. The Commission noted that certain Governments had signed and ratified the 1925 Protocol with reservations concerning, in particular, *reciprocity*. Though recognising that the undertaking to abstain from the use of asphyxiating, poisonous or similar gases (paragraph 1 of the draft article) could normally be observed only subject to reciprocity, the Commission thought that the undertaking to abstain from the use of bacteriological methods should be absolute. The use of such methods would, in any case, constitute a crime against international law, in that this arm necessarily strikes the whole population, and no civilised Government could possibly wish to be guilty of such a crime even against the armies of a criminal Government which had itself resorted to such methods.

222. The Soviet delegation drew the attention of the Commission to the following article of the draft Convention submitted by it:

“ All methods of and appliances for chemical aggression (all asphyxiating gases used for warlike purposes, as well as all appliances for their discharge, such as gas-projectors, pulverisers, balloons, flame-throwers and other devices) and bacteriological warfare, either available for the use of troops or in reserve or in process of manufacture, shall be destroyed within three months of the date of the entry into force of the present Convention.”

223. The Polish delegation, though in no way opposed to this proposal, expressed the opinion that the limitation or even destruction of any given appliance used for chemical aggression would merely create an illusion of action without in fact solving the problem of chemical warfare.

224. In the second part of the sixth session, the British delegation submitted a memorandum<sup>1</sup> concerning the interpretation of certain terms used in the chapter, particularly whether the use of tear-gas was to be regarded as contrary to the 1925 Geneva Protocol and the provisions of Part V of the Draft Convention or not.

<sup>1</sup> See Annexes to the Minutes of the Sixth Session (Second Part).

225. The French delegation submitted certain observations on this memorandum.<sup>1</sup> The Commission felt itself unable to express a definite opinion on this question of interpretation. Very many delegations, however, stated that they were prepared to approve the interpretation suggested in the British Government's memorandum.

226. The Preparatory Commission thinks that it would be very useful if all the Governments which intend to send representatives to the Disarmament Conference were to devote very careful study to this question—the extreme importance of which the Commission recognises—so that the problem may be settled in all its aspects by the Conference.

227. The Polish delegation made the following declaration:

“ Though recognising the moral value of international instruments forbidding the use of chemical and bacteriological methods in war, we nevertheless feel that it is necessary to make provision, in addition to these instruments, for practical preventive and executory measures. These measures should be such as to render chemical or bacteriological attack, if not impossible, at any rate difficult, and should limit the chances of success and efficacy of such attack. They should also constitute a fresh guarantee that no violation of the undertakings solemnly signed could be committed without involving very unpleasant consequences for the guilty State.

“ In this connection, therefore, it would be desirable to consider the possibility of concluding a Convention for affording international aid on as liberal a scale as possible to any country chemically or bacteriologically attacked. As such aid would be essentially of a humanitarian nature (sanitary, scientific, etc.), it should meet with general approval.

“ This problem might be studied in due course by the League of Nations.”

228. The delegations of Finland, Roumania, Yugoslavia, associated themselves with this statement.

229. With regard to Article 39, the German delegation is of opinion that the effect of prohibiting the use of chemical weapons would be incomplete unless it referred also to preparations for the use of those weapons (instruction of troops, etc.).

230. The same delegation stated that a scheme for the reduction and limitation of armaments should, in the first place, prohibit weapons of an essentially offensive character, the destructive efforts of which menaced not only armies but also the civilian population—*i.e.*, bombs from the air, large calibre guns and tanks of every kind.

231. The German delegation's proposals regarding the prohibition of bombing from the air (see paragraph 230 above), the suppression and destruction of all large guns and tanks, were rejected by the Commission.

## Part VI. — Miscellaneous Provisions.

### CHAPTER A. — PERMANENT DISARMAMENT COMMISSION.

#### Article 40.

232. This article, together with the other provisions of Part VI of the draft, underwent a thorough preliminary examination at the last session, having been entrusted to a Sub-Committee presided over by His Excellency M. Politis. The Sub-Committee's conclusions, having been stated and discussed in plenary meeting, were approved by the Preparatory Commission. The latter unanimously recognised the necessity of setting up at the seat of the League of Nations a Permanent Disarmament Commission to follow the execution of the Convention.

233. The object of Article 40 is both to provide for the creation of this organ and to determine its composition.

234. As regards the latter, several systems were suggested in the course of the debates. Differences of opinion were expressed with regard to the number of members composing the Permanent Commission, and with regard to the capacity in which these members should sit and the conditions in which they would perform their duties.

235. The text adopted lays down that the members of the Permanent Commission will be appointed by the Governments. But which will be the Governments that will appoint them? Some delegations expressed the opinion that this right should be given to all the contracting parties. The Commission did not accept this view. It thought that an institution of this kind could not satisfactorily perform its task unless it were of comparatively small size. The rule of universality thus being rejected, it remained to decide how many States should have the right to appoint members, and how these States should be selected.

236. After careful consideration, the Commission came to the conclusion that any decision on this subject, which is a definitely political question, should be left to the Conference itself. It thought it desirable, however, to bring to the notice of the latter the three systems which had

<sup>1</sup> See Annexes to the Minutes of the Sixth Session (Second Part).

been proposed to it: (1) that of the British delegation, consisting in reserving the right of appointment to the States Members of the Council of the League of Nations and to two or three States not Members of the League; (2) that of the French delegation, consisting in conferring this right on the States Members of the Council, on certain States not Members of the League of Nations to be designated by the Conference, and further on certain States Members of the League of Nations but not represented on the Council, which would also be determined by the Conference; (3) lastly that of the Chinese delegation,<sup>1</sup> which recommended that the Conference should elect all the countries which should be entitled to nominate members, it being understood, however, that those countries should fulfil certain special conditions to be determined.

In any case, whatever system the Conference may agree upon, the selected Governments will only be required to appoint one member each to the Permanent Commission.

237. The second question on which the Preparatory Commission was called upon to decide was that of the conditions under which members of the Permanent Commission will serve. It pronounced in favour of the solution formulated in the second paragraph of Article 40, which lays down the following principles: (a) Members of the Permanent Commission will not represent the Governments which appointed them; (b) they will hold office for a fixed period to be determined by the Conference, but will be re-eligible; (c) during their term of office they may be replaced only on death or in the case of voluntary resignation or serious and permanent illness.

238. The third paragraph provides that members of the Commission may be "assisted by technical experts". The French delegation was in favour of a clause providing that members of the Commission must themselves be technical experts, giving purely technical opinions and not prejudging any political conclusions that the Governments might draw from those opinions. The French delegation stated that it still preferred this system, although the majority of the Commission did not accept it.

239. The question of payment for members of the Permanent Commission was also raised: It was thought better to come to no decision for the time being, especially as the question will readily settle itself in due course.

#### *Article 41.*

240. Article 41 and those which follow lay down rules for the procedure of the Permanent Commission.

The first paragraph of Article 41 calls for no comment.

Paragraphs 2 and 3 provide that the Permanent Commission shall meet annually in ordinary session on the date fixed in its Rules of Procedure, and that, in addition to this compulsory session, extraordinary sessions may be convened by its President (1) in the cases provided for in the Convention and (2) whenever an application to that effect is made by a contracting party.

#### *Article 42.*

241. This is an important article, for it leaves the Permanent Commission full power to lay down, and consequently to revise, its own Rules of Procedure. The only restriction placed on its power of decision is that it must be guided by the provisions of the Convention: this restriction is so logical that there is no need to lay stress upon it.

242. In leaving the Permanent Commission such wide latitude in regard to its Rules of Procedure, the Preparatory Commission intended to enable it to change its methods of work and its various forms of action in accordance with the lessons taught by its own experience. Had definite rules on this point been embodied in the Convention, there might have been some danger of the establishment of a rigid theoretical system, to which it might have been difficult to accommodate practical needs.

#### *Articles 43, 44 and 45.*

243. These three articles must be read together. They specify certain conditions which the Permanent Commission must observe in the conduct of its business.

(1) Two-thirds of the members must be present before the Commission can transact business (Article 43).

(2) In order to be adopted, a decision must be passed by a majority of the votes of the members present at the meeting (Article 45, paragraph 2).

(3) Each member of the Commission shall have only one vote (Article 45, paragraph 1).

(4) When a question brought before the Commission specially affects a contracting party not having a member of its nationality on the Commission, that party shall be entitled to send a member appointed for that purpose to sit on the Commission, and he will accordingly be regarded, so far as concerns the matter in question, as on the same footing as other members of the Commission, and may vote equally with them (Article 44).

(5) In two specified cases, however—those provided for in Article 50 (on "derogations") and in Article 52 (on "complaints")—the votes of members appointed by the parties concerned in the discussion shall not be counted in determining the majority (Article 45,

<sup>1</sup> It should be noted that the Chinese delegation had primarily supported the system of universality.



paragraph 3). This rule applies, of course, not merely to members specially appointed under Article 44, but also to ordinary members of the Commission.

(6) Lastly, the final paragraph of Article 45 provides that the minority may state its views in a report.

#### *Article 46.*

244. The Permanent Commission will obtain such information as it requires under the conditions laid down in Article 49. Apart, however, from these regular sources of information, Article 46 entitles any member of the Commission to have any person "heard" or "consulted" who is in a position to throw any light on any question which is being examined by the Commission. At the same time, in establishing this right, the text carefully emphasises that any member availing himself of it does so "on his own responsibility". Indeed, in such delicate questions as those with which the Commission will have to deal, great circumspection must be exercised in selecting sources of information.

#### *Articles 47, 48 and 49.*

245. These articles have this common feature—that they specify the conditions under which the Permanent Commission is to draw up, communicate and publish its reports.

246. Article 47 deals with a special point, but one which could not be neglected. It entitles every member of the Commission to require that, in the Commission's reports, account shall be taken of the opinions or suggestions put forward by him personally, if necessary in the form of a separate report. This provision is analogous to that in the last paragraph of Article 45. Its intention is the same—to ensure that all shades of opinion may be made public.

247. Article 48 provides that all reports by the Commission shall be *communicated* (a) to the contracting parties and (b) to the Council of the League. It also requires that they shall be *published*. The conditions for this communication and publication will be laid down in the Commission's Rules of Procedure, so far as they are not already fixed in the Convention itself.

248. Article 49 deals with the reports to be drawn up by the Permanent Commission on the information it receives with regard to the application of the Convention.

249. To examine and judge this information is looked upon as the Permanent Commission's normal function. It is in fulfilling this function that the Commission will become an essential factor in the system of the Convention, being responsible for watching its application, regularly reporting on the situation, and calling attention, where necessary, to any errors and omissions which experience may have revealed in the text in force.

250. In investing the Commission with this function, Article 49 lays down certain rules which it may not be out of place to consider more fully:

(1) In principle the information in the Permanent Commission's possession will be sent to it through the Secretary-General of the League by the contracting parties in pursuance of their international obligations. It was thought advisable, however, that the Commission should be able to supplement these statements by information drawn from other sources. Here, however, a difficulty arose. It would be unwise to make this power so elastic as to be indefinite. There must be a certain weeding-out of the reports that might come before the Commission. Who is to do it? It was impossible to settle the matter in detail in the actual text of the Convention, which accordingly leaves the application of the principle to the Commission's own judgment and merely emphasises the fact that this power of discrimination should be exercised with caution. That is the effect of Article 49, which lays down that the "other information" in question is that which "may reach it from a responsible source" and which "it may consider worthy of attention". The Rules of Procedure will give a definition of what should be understood by such sources. It will also be remembered that Article 46, which is dealt with above, entitled every member of the Commission, on his own responsibility, to have any person "heard or consulted" who is in a position to enlighten the Commission.

(2) The report to be drawn up by the Commission under Article 49 must be produced at least once a year. It is to be communicated to the High Contracting Parties and to the Council of the League "forthwith". Its publication will take place on a date to be fixed by the Commission's Rules of Procedure.

### CHAPTER B. — DEROGATIONS.

#### *Article 50.*

251. Despite the Preparatory Commission's desire to give the provisions of the Convention the maximum degree of stability, it felt obliged to provide for the possibility of certain derogations. In a matter such as this, which affects the vital interests of national defence, grave circumstances may arise which would justify the application of exceptional measures.

252. But while recognising this truth and taking it duly into account, the Commission has endeavoured to take every precaution to avoid the abuses to which a system of derogations might possibly open the door.

253. The drafts submitted in 1927 by the French and British delegations contained certain provisions in the matter—but the system laid down in both of them gave rise to criticisms, the foundation for which their authors were the first to recognise. Finally, a simpler and more elastic proposal submitted by the United States delegation, which was the subject of certain amendments, met with the approval first of the Sub-Committee and then of the Preparatory Commission, and resulted in the text of Article 50.

254. Under the terms of this article, any contracting Power will have, on certain conditions, the right to suspend any provision of the Convention if a change of circumstances constitutes a menace to its national security.

255. An analysis of the text reveals the following features:

(1) The hypotheses in which the right of suspension shall apply are not *enumerated*, as so rigid a method was not to be recommended. Although, however, Article 50 does not enumerate the circumstances which would justify any suspension, it does lay down that these circumstances must constitute a menace to the national security of the State in question, so that its field of action is considerably restricted thereby. It is only in quite exceptional and really serious cases that any suspension will be possible, cases so serious and so exceptional that one may hope that they will not occur.

(2) The suspension may effect certain articles of the Convention or all its provisions as a whole, with the exception, however, of those designed to apply in the event of war.

(3) The suspension will in any case be purely temporary, and, when the reasons for it have ceased to exist, the armaments which have been temporarily increased must be reduced to the level agreed upon in the Convention.

(4) It seemed impossible to make the entry into force of measures implying suspension conditional on previous authorisation, as the menace which justifies it may be so urgent as to call for immediate precautions. The Commission noted this fact with regret but was obliged to acknowledge the impossibility. Each of the contracting parties may therefore take officially such measures as are necessitated by the circumstances in which it is placed, and will have the right for such purposes to appreciate the gravity of those circumstances. That is what is meant in the text by the words: “a change of circumstances constitutes, *in the opinion of any High Contracting Party* . . . .”

(5) Article 50, however, after recognising this right, subjects its exercise to a series of precautions which constitute a powerful check against any attempted abuse.

256. It provides first that any contracting party which suspends any provision of the Convention shall immediately notify such suspension and the extent thereof not only to the other contracting parties but also, through the Secretary-General of the League of Nations, to the Permanent Disarmament Commission.

257. Further, it makes it incumbent upon the said contracting party to accompany the notification by “a full explanation of the change of circumstances” determining its action.

258. It provides lastly that the other contracting parties shall promptly advise as to the situation thus presented.

259. In addition to these guarantees there is the guarantee under Article 54, the effect of which, as will be noted later, is to establish the principle of compulsory arbitration for all disputes concerning the interpretation or application of the Convention.

In this way there is built up a system of precautions to obviate all risk of abuse.

260. In providing for this system the Commission, it need hardly be said, had no intention of restricting in any way the rights and obligations of States Members of the League of Nations under the provisions of the Covenant. Those provisions naturally retain their full force, and will help in their particular sphere of application to reinforce the guarantees laid down in the Convention.

#### CHAPTER C. — COMPLAINTS.

##### *Articles 51 and 52.*

261. Article 51 embodies an important principle in that it lays down that any violation of the Convention is a matter of concern to all the contracting parties. Should such a violation occur, any one of them, therefore, would have the right to act and set in motion the procedure in the matter of complaints provided for in Article 52.

262. This article provides that a complaint may be lodged, not only when one of the contracting States violates the Convention (for example—this is the most typical case, though there may be others—by maintaining armaments in excess of the figures agreed upon), but also when it *endeavours* to violate it.

263. The complaint must be brought, through the Secretary-General of the League of Nations, before the Permanent Commission, which, after hearing the contracting party whose action is questioned, and any other party which may be specially concerned and which asks to be heard, will draw up a report. This report, like all others framed by the Permanent Commission, must be presented to the contracting parties and to the Council of the League of Nations and published, together with any proceedings.

264. The Permanent Commission, being only a consultative body, cannot itself decide on the action to be taken on its report. But the High Contracting Parties will advise on the situation, and the Council of the League of Nations will take action, within the limit of its powers under the Covenant. It is understood, moreover, in this connection, that the various pacific procedures provided for by the existing international agreements would, if necessary, be employed. The procedure laid down in Article 54 of the draft Convention is naturally included among the various solutions that might be employed.

#### CHAPTER D. — FINAL PROVISIONS.

265. Certain formal provisions (such, for instance, as those relating to the signature of the Convention) do not figure in the present draft. It seemed preferable to leave it to the Conference to add them.

266. Further, the text makes no mention of a clause which generally figures in multilateral conventions and which provides for the possible accession of third Powers. The reason is that the present situation is somewhat peculiar. The Convention is intended, not only to lay down rules for collective application, but is to embody individual figures fixing the limit of the armaments for each State. Naturally, if a Power which is not an original Party to the Convention wished subsequently to accede to it, it would have to submit concrete and detailed proposals, which would form the subject of difficult and complicated negotiations. Such being the case, the Commission decided that it was preferable not to establish formal rules of procedure for this somewhat theoretical hypothesis.

#### *Article 53.*

267. The first paragraph of this article is based on a proposal by the British delegation. The second is the outcome of an amendment submitted by the French delegation.

268. The article first of all embodies the principle that the present Convention does not affect the provisions of previous treaties under which certain of the contracting parties have agreed to limit their land, sea, or air armaments.

269. It also contains a provision enabling the contracting parties which so desire, to declare, when signing the Convention, that the limits fixed under the latter for their armaments are accepted by them in relation to the provisions referred to in the preceding paragraph and that the maintenance of such provisions constitutes for them an essential condition for the observance of the present Convention.

270. Article 53 is designed in the interests of greater clearness. It seemed necessary to a large number of delegations, in view of disputes that might arise concerning the interpretation of the Convention—disputes which, under the terms of Article 54, would come within the competence of the Permanent Court of International Justice—that there should be no possible doubt as to the conditions under which the Convention had been concluded.

271. Moreover, in the matter of disarmament; every attempt should be made to avoid anything in the nature of a retrograde measure; accordingly, the provisions of the Convention must not restrict the scope of previous treaties on the same subject.

272. Further, certain Governments will estimate the position of their armaments according to the situation resulting from such treaties. The maintenance in force of these treaties is thus an essential condition for the Governments for their contractual undertaking under the Convention. It will be for the Conference if necessary to define this principle in order to prevent any abusive interpretation, in the event of any temporary and unimportant breach or suspension of the provisions of the said Treaties.

273. The German delegation stated, in connection with Article 53, that, in so far as it does not refer to the Washington and London Treaties, the German delegation would vote against the draft Convention as a whole. The draft, as drawn up by the majority of the Preparatory Commission, excludes essential elements from the limitation and reduction of land armaments. Instead of leading to real disarmament, this draft would serve only to conceal the real state of world armaments or would even allow armaments to be increased. To accept it would at the same time be tantamount to a renewal of the German signature to the disarmament clauses of the Treaty of Versailles.

#### *Article 54.*

274. This article, which owes its origin to the Belgian delegation, lays down the principle of compulsory arbitration for all disputes concerning the interpretation or application of the provisions of the present Convention, when such disputes have not been settled by direct

negotiations or by some other method of friendly settlement. It provides that, in such cases, the dispute shall be submitted to the Permanent Court of International Justice or to an arbitral tribunal chosen by the parties to the dispute.

275. The principle underlying Article 54 met at once with the unanimous approval of the Commission. Certain delegations had, however, wondered on first examination whether the proposed text might not lead to a conflict of powers between the Permanent Disarmament Commission and the tribunals to which disputes concerning the application of the Convention might be referred. It was pointed out to them that this risk need not be considered, as the Permanent Commission is not a tribunal competent to settle disputes, but an examining body responsible simply for drawing up reports and giving opinions. The provisions of Article 54, which was finally adopted without opposition, thus leave the powers conferred on the Permanent Commission intact.

#### *Article 55.*

276. The first paragraph of this article concerns the ratification of the Convention and does not call for any comment.

277. Paragraphs 2 and 3 concern the entry into force of the Treaty. The Conference will have to establish the list of ratifications required to ensure its entry into force. If, however, by a date to be fixed in the Convention itself, the necessary instruments have not been deposited with the Secretary-General of the League of Nations, the latter would invite the signatory Powers to meet and decide whether it is possible, notwithstanding, to put the Convention into force. This special procedure, the purpose of which is so clear as to require no emphasis, was suggested by the British delegation. It is based on the resolution concerning ratifications adopted by the eleventh Assembly of the League of Nations.

278. The last sentence of Article 55 provides that the contracting parties undertake to participate in this consultation, which will take place within a period to be fixed by the Conference. The Commission decided that it would be better to leave it to the Conference to decide whether it might not be better to insert such an undertaking in the Final Act or in a Protocol to be annexed.

279. The text adopted at the first reading contained an Article EC<sup>1</sup> by which Estonia, Finland, Latvia, Poland and Roumania set out certain conditions on which their acceptance of the Convention would depend.

280. The Commission decided that the study of this question should be left for the Conference. This decision was dictated by two reasons. The first was that the text raised an essentially political question, and the second that it brings up a very complex problem: the effect of the reservations which the contracting powers will be allowed to formulate at the time of signature.

#### *Article 56.*

281. This article could, if necessary, have been omitted from the draft. Naturally, directly the Convention comes into force, each of the contracting parties must, in so far as concerns itself, take the measures necessary to ensure its execution. The insertion of an express provision to this effect is designed simply to direct the special attention of the contracting parties to their duty of exhibiting the greatest diligence in the performance of their obligations. It will be for the Conference to decide whether this text is to be kept in the body of the Convention or whether it should be placed either in the Final Act or in a Protocol to be annexed.

#### *Article 57.*

282. Article 57 provides for the period of validity of the Convention. The Commission could not itself suggest how long it should remain in force, as this will depend on the circumstances at the time of the conclusion of the Convention, and the Conference alone can judge of such circumstances. It is important, however, to note that, as regards the States Members of the League of Nations, Article 8 of the Covenant provides for a maximum limit, in that it lays down that the "plans" for the reduction of armaments "shall be subject to reconsideration and revision at least every ten years". The period laid down in Article 57 cannot therefore exceed ten years. It might be less, but the general feeling of the Commission is that it should not be too short.

283. The British delegation directed attention to the desirability of establishing some agreement between the period of validity of the Convention and that of other agreements concerning the limitation of armaments, such as the Treaties of Washington and London.

284. Moreover, even when fixed, the period of validity of the Convention will not be at all rigid. Two categories of provisions will have the effect of rendering it more elastic—namely, Articles 57 and 58 which will be examined below and the effect of which may be to shorten it, and further the rule laid down in the last sentence of Article 57, the effect of which may be to extend it. In virtue of this rule, the Convention will not be extinguished by the expiry of the period laid down. It will remain in force except in so far as it may be amended, suspended or denounced.

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<sup>1</sup> See Minutes of the Third Session, page 416.

285. The Commission's purpose in instituting this system was to prevent the work of the coming Disarmament Conference, which will constitute a first stage, from coming suddenly to an end without there being anything else ready to replace it. In an undertaking such as this, continuity is essential if the results already achieved are to be consolidated.

*Article 58.*

286. This article provides that the contracting parties shall re-examine the Convention before the expiration of the period fixed in Article 57. The Conference must, however, see that such examination is not premature and the text accordingly provides for the fixing of a minimum date. The re-examination of the Convention must take place within these two limits. There will be a certain elasticity which will make it possible to select the most suitable moment. In order to ensure successful results, the new Conference, which will be responsible for the re-examination, will have to be convened at the moment when the circumstances are most favourable to the accomplishment of its work. To fix the date of the meeting in advance would be imprudent. The Commission thought it preferable to leave the proper organs to decide on the most suitable moment, while restricting their freedom of choice by means of maximum and minimum dates.

287. Who are these proper organs? The Council of the League of Nations, which will have been responsible for convening the first Disarmament Conference, seems eminently fitted to convene the others. Accordingly, the draft Convention entrusts this duty to it, adding, however, that, before passing the necessary resolution, the Council shall consult the Permanent Disarmament Commission and also the contracting parties, non-Members of the League of Nations.

288. This Conference will examine the position and will, if it thinks fit, revise the Convention wholly or in part. Should its proceedings lead to the establishment of a new Convention, it will itself fix the duration of that Convention and determine the conditions in which the latter will again be examined and possibly revised.

*Article 59.*

289. The procedure instituted by the previous article cannot, therefore, in principle, be set in motion before a certain date. Article 59, however, makes an exception to the principle.

290. It covers the case in which the conditions under which the engagements stipulated in the Convention were contracted have undergone, as the result of technical transformations or special circumstances, changes justifying a fresh examination and possibly the revision of such engagements. It may be that, before the date fixed by Article 58 as the starting-point of the period during which the Convention normally *must* be re-examined, the conditions under which it was drawn up may undergo such radical changes that it would be difficult, or even impossible to await the prescribed date before reconsidering the situation and making any alterations it may entail. In such a case—but in such a case only—it is allowable under Article 59 for the procedure to be set in motion before the normal date. The Commission felt that it was inadvisable to authorise the immediate re-examination of the Convention, and that after its entry into force a certain period ought to elapse during which the option provided for in Article 59 could not be made use of.

291. Thus, three periods are contemplated by Articles 57, 58 and 59 of the draft. The first ( $x$  years) determines the normal duration of the Convention; the second ( $y$  years) is the period during which, in principle, the Conference to re-examine the Convention cannot be called; and the third ( $z$  years) is that during which the Convention can, in no case, be re-examined, even in the exceptional circumstances contemplated in Article 59.

292. These circumstances might include, for example, an unforeseen development of civil aviation. Indeed, the British, French, Japanese and Polish delegations definitely stated that they had this case, in particular, in mind.

293. The text of the draft adopted at first reading included, in Section III of Chapter II (material, air armaments), an Article AD, which read as follows:

“ The limitations laid down are accepted by each High Contracting Party in the light of the present development of civil aviation in other countries. ”

294. In view of Article 59, and subject to the statements which they made, the above-mentioned delegations agreed that the old Article AD should be omitted from the draft, but pointed out that its omission did not imply any change in their attitude, and that when they submitted to the Conference figures for the limitation of military aviation they would take into consideration the development of civil aviation in other countries up to that time.

295. On the other hand, the German delegation submitted the following reservation:

“ The German delegation is of opinion that the development of a peaceful means of communication must in no case be made a basis for armaments, especially as no account has been taken of the essential and purely military factors of material in reserve or in stock,

trained reserves, etc., and other important means of communication, such as the mercantile marine, on which, indeed, preliminary warlike fittings have been authorised."

296. The exceptional procedure provided for in Article 59 may be followed, says the text, "at the request of a High Contracting Party, with the concurrence of the Permanent Disarmament Commission". In other words, the initiative will come from a contracting Government, but will have no effect unless it is favourably received by the Permanent Commission.

*Article 60.*

297. The final article of the draft deals with the right of denunciation.

This is always a delicate question in multilateral treaties, and it is particularly delicate here, where the system implies a balance of mutual engagements which is in danger of being disturbed if one of the parties withdraw.

298. The Commission nevertheless considered it impossible to refuse the parties the right to denounce the Convention. It was careful, however, to make this right dependent on various conditions, which to some extent correct its disadvantages.

299. In this connection, Article 60 provides, in the first place, that the right of denunciation can only be exercised in the course of one of the Conferences held in virtue of the preceding articles to re-examine, and possibly revise, the Agreement. It further lays down that denunciation, when thus notified, shall not take effect until two years after its date, and in no case before the expiration of the normal period of duration of the Convention, as fixed under Article 57.

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300. The Preparatory Commission could only establish a draft Convention, or it would perhaps be more accurate to say the framework of the future Convention.

301. In the reservations which have been reproduced in this report, certain delegates expressed the view that, even within those limits, the results were disappointing. The great majority of the Commission, however, so far from sharing this attitude, regards what has been done as marking an important advance on the path of disarmament.

302. Be that as it may, it will be for the Conference not only to decide as to the final adoption of the draft that will be laid before it, but also to define its practical scope by fixing in figures the extent of the undertakings it involves.

303. This delicate and complicated task can only be successfully discharged on certain conditions, first and foremost among which we place the thorough and systematic preparation of the Conference itself. The German delegation proposed—and this proposal was seconded by the Italian delegation—that the Preparatory Commission should ask the various Governments, with this object in view, to furnish detailed particulars of the present position of their armaments. The Commission welcomed the spirit in which this suggestion was made, but felt that certain correctives must be supplied. In the first place, it held that, as the preparation of the Conference was a matter for the Council of the League, it was for the Council to take the necessary steps to that end. It also regarded the German proposal as too restricted. Indeed, the preliminary work of study and investigation which will have to be done cannot be limited to scheduling existing armaments. It will have to cover every factor, technical or otherwise, which may help to inform the Conference, and to justify such concrete proposals as the Governments may lay before it.

304. The Commission further decided to ask the Council of the League to fix the date of the Conference at its next session. The German delegation, with reference to the resolution adopted by the Council on December 8th, 1926, had proposed that a definite date (Thursday, November 5th, 1931) should be recommended. The Commission felt that it would be exceeding its sphere by doing this. It is, of course, anxious that the utmost despatch compatible with practical necessities should be employed, but it took the view that the Council, with which it rests to fix the date, was the only authority qualified to weigh the various factors that must be taken into consideration.

305. While the final result depends in part on the preparatory work that has still to be done, it also depends, in large measure, on the atmosphere that will prevail during the subsequent proceedings. In such a matter, mutual confidence among peoples is an essential condition of progress. It is our hope that that mutual confidence will be strengthened, and will enable the aim to which our efforts have been directed to be completely attained.

### III. APPENDIX.

#### REPORT TO THE COUNCIL ON THE WORK OF THE FIRST SESSION OF THE PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE.

*Held at Geneva from May 18th to 26th, 1926.*

The Preparatory Commission convened by resolution of the Council dated March 18th, 1926, met at Geneva from May 18th-26th, 1926. It elected as Chairman H. E. Jonkheer J. LOUDON and, as Vice-Chairmen, M. COBIÁN and M. BUERO, delegates of Spain and Uruguay respectively.

From the outset the Preparatory Commission realised that the study of the questions submitted to it by the Council would be facilitated by the constitution of two special Sub-Commissions composed of persons directly attached to the delegations forming part of the Preparatory Commission and consequently representing the opinion of their respective Governments. The Preparatory Commission intended to entrust one of these Sub-Commissions with the study of the military, naval and air aspects of the questions under consideration, while the other would devote its attention to the non-military aspect of these questions.

Presided over by the two Vice-Chairmen of the Commission itself, these two Sub-Commissions, which would thus be in close touch with the Commission, would be in a position to observe faithfully the principles laid down for their guidance by the latter.

The Sub-Commission entrusted with the study of non-military questions has been authorised by the Preparatory Commission to ascertain the opinion of the organisations or persons it may judge advisable to consult on these questions, and particularly that of the Joint Commission set up by resolution of the Council. The Military, Naval and Air Sub-Commission has identically the same composition as the Permanent Advisory Commission as enlarged by the decision of the Council. The system thus set up by the Preparatory Commission therefore follows the main outlines of the organisation established by the Council.

The Preparatory Commission does not doubt that the Council will see fit to endorse its decisions, in which it has been guided by its desire to do all in its power to ensure the success of the task entrusted to it.

#### 1.

On the proposal of the French delegation, the Preparatory Commission considers that the task entrusted to it by the Council should be undertaken on the understanding that every Government should have in view for the proposed Conference for the preparation of a disarmament agreement, definite and quantitative proposals accompanied by reasons in support calculated with reference to the degree of security existing at the date when the Conference meets.

#### 2.

A. The Commission refers to its Technical Sub-Commissions the points stated below in order that it may be informed on the technical aspect of the questions submitted to it by the Council. The Commission is alone competent to deal with the political aspects of these questions in the same way that it has sole responsibility for the final answers to be given to the questions.

The Chairman and the Vice-Chairmen may take the necessary steps to co-ordinate the work of the two Sub-Commissions and to enable each to consult the other on any particular point.

#### *Question I.*

What is to be understood by the expression "armaments" ?

- (a) Definition of the various factors — military, economic, geographical, etc. — upon which the power of a country in time of war depends.
- (b) Definition and special characteristics of the various factors which constitute the armaments of a country in time of peace: the different categories of armaments — military, naval and air — the methods of recruiting, training, organisations capable of immediate military employment, etc.

The Commission refers Question No. I to Sub-Commission A.

#### *Question II (a).*

Is it practicable to limit the ultimate war strength of a country, or must any measures of disarmament be confined to the peace strength ?

With regard to Question II (a), the Commission is of opinion that it would not be practicable at the present time to limit the ultimate war strength of a country. On the other hand, it affirms that it is possible to limit the land, sea and air forces permanently maintained in peace-time by

the various countries or capable of immediate use without preliminary mobilisation measures. This principle is in any case without prejudice to the conditions of such limitation as determined by an examination of the remaining questions, notably Question V.

The Commission refers to Sub-Commission A the definition of the forces mentioned in the preceding paragraph and the study of the possibility of a wider limitation than that referred to above.

*Question II (b).*

What is to be understood by the expression "reduction and limitation of armaments"?

The various forms which reduction or limitation may take in the case of land, sea and air forces; the relative advantages or disadvantages of each of the different forms or methods: for example, the reduction of the larger peace-time units or of their establishment and their equipment, or of any immediately mobilisable forces; the reduction of the length of active service, the reduction of the quantity of military equipment, the reduction of expenditure on national defence, etc.

*Question III.*

By what standards is it possible to measure the armaments of one country against the armaments of another—e.g., numbers, period of service, equipment, expenditure, etc.?

The Commission refers to Sub-Commission A the two following questions for its opinion:

- (a) What are the standards by which it is possible to measure the (a) military, (b) naval, (c) air armaments of one country against the corresponding armaments of another country?
- (b) What are the methods by which the reduction and limitation of (a) land, (b) naval, (c) air armaments can be effected, and what are the comparative advantages and disadvantages of each?

*Note.* — The following methods, amongst others, have been suggested: the reduction of the larger peace-time units or of their establishment and their equipment, or of any immediately mobilisable forces; the reduction of the length of active service; the reduction of munitions of war.

It has also been suggested that a limitation of armed forces might be effected by the reduction or limitation of expenditure on national defence.

The Commission wishes to have the opinion of the two Sub-Commissions on this last subject and on the conditions in which the above method might be applied, should they consider that it is practicable.

*Question IV.*

Can there be said to be "offensive" and "defensive" armaments?

Is there any method of ascertaining whether a certain force is organised for purely defensive purposes (no matter what use may be made of it in time of war), or whether, on the contrary, it is established for the purposes in a spirit of aggression?

The Commission refers to Sub-Commission A the following questions:

Are there any armaments (and, if so, what) which are only capable of being used for the defence of a State's territory?

Is there any method of ascertaining whether a certain force is organised for purely defensive purposes (no matter what use may be made of it in time of war), or whether, on the contrary, it is established in a spirit of aggression?

*Question V (a).*

On what principle will it be possible to draw up a scale of armaments permissible to the various countries, taking into account particularly:

1. Population;
2. Resources;
3. Geographical situation;
4. Length and nature of maritime communications;
5. Density and character of the railways;
6. Vulnerability of the frontiers and of the important vital centres near the frontiers;
7. The time required, varying with different States, to transform peace armaments into war armaments?



As the armaments to be maintained in each country cannot be determined on the basis of mathematical considerations alone, the Commission, in order to allow of a profitable examination of the basis on which the reduction and limitation of armaments is possible, requests the two Sub-Commissions to investigate how far armaments in general are affected by factors 1, 2, 3, 4, 5 and 7 enumerated in Question V (a) and refers factor 6 to Sub-Commission A.

*Question VI.*

- (a) Is there any device by which civil and military aircraft can be distinguished for purposes of disarmament? If this is not practicable, how can the value of civil aircraft be computed in estimating the air strength of any country?
- (b) Is it possible or desirable to apply the conclusions arrived at in (a) above to parts of aircraft and aircraft engines?
- (c) Is it possible to attach military value to commercial fleets in estimating the naval armaments of a country?

The Commission refers Question VI to Sub-Commission A for its opinion.

*Question VII.*

Admitting that disarmament depends on security, to what extent is regional disarmament possible in return for regional security? Or is any scheme of disarmament impracticable unless it is general? If regional disarmament is practicable, would it promote or lead up to general disarmament?

The Commission asks Technical Sub-Commissions A and B to consider whether regional military, naval and air disarmament can be regarded as an important step towards general disarmament, and should general disarmament not prove immediately practicable, what regions could be considered separately, from the point of view of the limitation of armaments.

Sub-Commissions A and B are requested to consider what factors the term "region" should connote from the point of view of security and from the point of view of disarmament.

B. The Commission has examined the attached proposal submitted by the Belgian delegate.

Without expressing a definite opinion regarding the measures suggested in this proposal concerning which certain delegations have reserved their decision, the Commission has decided to refer this matter to the Technical Sub-Commissions, on the understanding that such reference does not prejudice the question in any way, either as regards the practicability of these measures or as regards any subsequent decision which the Preparatory Commission itself may take when it comes to examine the question from the general and political point of view.

The delegate of Italy reiterated his opinion that supervision would be ineffective and was inadmissible, and asked to have his view placed on record.

*Proposal.*

"The last paragraph of Article 8 of the Covenant of the League stipulates that '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'.

"With a view to organising this exchange of information, Sub-Commission A has been requested to consider the advantages and disadvantages from the military point of view of the various methods which might be employed and in particular:

- "(a) The organisation at Geneva of a permanent service for the collection of information received from the different Governments;
- "(b) The conclusion of an international convention making it compulsory to publish all inventions which can be used in chemical or bacteriological warfare and in general all forms of warfare which are condemned by the opinion of the civilised world.

"Sub-Commission A is requested to investigate what would be the consequences from the military point of view of inserting in the Convention relative to disarmament, or in that regarding the prohibition of certain forms of warfare, of provisions similar to those contained in the statute of the International Labour Office (Articles 411 to 420 of the Treaty of Versailles).

"Sub-Commission B is requested to ascertain the consequences of such insertion from the economic point of view.

"Sub-Commission A is requested to consider to what extent the experience acquired regarding the supervision of disarmament points to the possibility from the military point of view of general supervision.

“ Sub-Commission B is requested to state if such supervision offers any difficulties from the economic point of view and, if so, what difficulties. ”

C. On the proposal of the delegate of the British Empire, the Commission decided to refer to the competent Sub-Commissions the questions defined below without prejudice to any Convention or Rule of International Law on the subject:

*To Sub-Commissions A and B.*

- I. (a) Can factories normally and legitimately employed for chemical purposes, including dyeworks, be quickly adapted to manufacture poison gases ?
- (b) If the answer to the above is in the affirmative, how long would it take to effect the change ?
- (c) Can any proposals be made to prevent or hinder chemical factories from being used for the production of poisonous gases ?

*To Sub-Commission A.*

2. (a) What are the means which would probably be employed for spreading gas and what would be the apparatus required ?
- (b) How long would it take to manufacture this apparatus, and how long would it take to superimpose this apparatus on the normal equipment of an aeroplane ?
- (c) Would the length of time referred to immediately above vary in the case of military or civilian aircraft ?
3. (a) What is the information in existence as to the effect of the distribution of poisonous gas over closely populated districts ?
- (b) Have any experiments been carried out on this subject ?
- (c) Apart from the difficulty of equipping the entire population of a city with gas masks, are there any gases known against which a gas mask affords no protection ?

Sub-Commission A is invited to consider what effective sanctions can be proposed for the enforcement of the international undertaking not to employ poison gas or bacteria in warfare.

3.

A. *Questions V (a) and V (b).*

8. 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 ?
- (b) Can the reduction of armaments be promoted by examining possible means for ensuring that the mutual assistance, economic and military, contemplated in Article 16 of the Covenant shall be brought quickly into operation as soon as an act of aggression has been committed ?

The following very important proposal has been laid before the Commission by the French delegation:

*Proposal.*

“ With reference to Question V (a) 8 and V (b), the Commission considers that in order that a State should be able to calculate to what extent it can consent to the reduction or limitation of its armaments, it is essential to determine what method and what machinery are best calculated to give help to that State when attacked.

“ The Commission therefore proposes to suggest to the Council:

“ 1. That *methods* or *regulations* should be investigated which would:

“ (a) Facilitate the meeting of the Council at very brief notice in case of war or threat of war;

“ (b) Enable the Council to take such decisions as may be necessary to enforce the obligations of the Covenant as expeditiously as possible.

“ 2. That the Permanent Advisory Commission should be instructed:

“ (a) To define the measures necessary to comply with paragraph (a), No. 8;

“ (b) To investigate the procedure which would allow of the rapid drafting of recommendations regarding the military assistance provided for in the second paragraph of Article 16 of the Covenant, *when the Council shall have decided to make such recommendations;*

“ (c) To investigate what measures should be taken in case of a conflict of which the Council shall have been notified, *and when the latter shall have taken a decision*, in order to prevent the development or preparation of hostilities, according to the precedent of the Greco-Bulgarian dispute.

“ 3. That the Joint Commission should be instructed:

“ (a) To investigate the question of the improvement of the telegraphic and the telephonic communications of the different countries with the Secretariat of the League;

“ (b) To study what measures would be most appropriate, *when the Council shall have so decided*, to give most rapidly such economic and financial help as may be necessary to a State which has been attacked;

“ (c) To determine the composition and procedure of the Committees for the supply and allocation of resources which the League might set up for that purpose.”

It has been objected that the aim of the proposal was to define and elaborate the machinery for carrying into effect the decisions taken by the Council of the League of Nations in virtue of Article 16 of the Covenant, and that constructive proposals of this nature belonged rather to the competence of the organs of the League of Nations than to that of the present Commission.

Without pronouncing any opinion on the validity of this objection, the Commission feels that there are obvious inconveniences in asking a body comprising representatives of countries not members of the League of Nations to discuss new means of carrying out the provisions of an instrument which they have not signed.

The Commission has accordingly decided to forward the French delegation's proposal to the Council with a request that it should be immediately taken into consideration.

B. The Commission also decided to forward to the Council the following proposal of the Polish delegation, which is closely related to that of the French delegation:

*Proposal.*

"The Commission suggests to the Council that it would be well to consider whether a special organisation of regional assistance within the scope of the Covenant of the League would be likely to give the organs of the League effective help in supplying the assistance required and would thereby render the execution of the relevant articles of the Covenant easier and more expeditious (study of the machinery, form and procedure of regional assistance)."

C. The Commission has decided also to send to the Council the following proposal by the delegation of Finland:

*Proposal.*

"The Commission proposes that the Council should undertake the examination of special arrangements whereby a reduction of armaments agreed to by States unfavourably placed, owing to geographical or other exceptional circumstances, might be compensated in order to meet their requirements for security."

\* \* \*

The United States delegation stated that it was anxious to favour every effort made with a view to disarmament, and that it therefore had no objection to certain proposals being discussed in connection with the obligations entered into by the Members of the League of Nations; but it naturally could not be bound in any way by such discussions in which it could not properly take part. This observation refers, in particular, to certain phases of the proposals reproduced in Nos. 1, 2 B and 3 above.

\* \* \*

The German delegation stated that its exceptional position did not at present allow of its being heard before the Council, and therefore desired to be in a position to submit an opinion to the Council on the proposals which were referred to it in regard to Questions V (a) 8, V (b).

The suggested examination of the methods likely to bring rapid assistance to a country attacked should not, in the opinion of the delegation, be based on the present position of armaments, which is only temporary. This examination should have as a starting-point a state of disarmament resulting from the Conference such that no country would be powerful enough to be in a position to assert its strength against that of the League of Nations. The examination of Questions V (a) 8 and V (b) could only give provisional results if it took as a starting-point the present position of armaments (see Minutes of the Seventh Meeting of the Drafting Committee).

C.687.M.288.1930.IX.

[C.P.D.292(2).]

Geneva, December 9th, 1930.

ANNEX 20.

DRAFT CONVENTION<sup>1</sup>.

*Article 1.*

The High Contracting Parties agree to limit and, so far as possible, to reduce their respective armaments as provided in the present Convention.

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<sup>1</sup> See general reservations by the Turkish Delegation, paragraph No. 41 of the Report.

German	"	"	No. 42	"
Norwegian	"	"	No. 43	"
Irish Free State	"	"	No. 43	"

PART I. — PERSONNEL.<sup>1</sup>

CHAPTER A. — EFFECTIVES.

Article 2.

The average daily effectives in the land, sea and air armed forces and formations organised on a military basis of each of the High Contracting Parties shall not exceed, in each of the categories of effectives defined in the tables annexed to this Chapter, the figure laid down for such party in the corresponding column of the said tables.

Article 3.

The average daily effectives are reckoned by dividing the total number of days' duty performed in each year by the number of days in such year.

Article 4.

By formations organised on a military basis shall be understood police forces of all kinds, gendarmerie, Customs officials, forest guards, which, whatever their legal purpose, are, in time of peace, by reason of their staff of officers, establishment, training, armament, equipment, capable of being employed for military purposes without measures of mobilisation, as well as any other organisation complying with the above condition.

By mobilisation, within the meaning of the present article, shall be understood all the measures for the purpose of providing the whole or part of the various corps, services and units with the personnel and material required to pass from a peace-time footing to a war-time footing.

Tables annexed to Chapter A of Part I.<sup>2</sup>

TABLES OF THE AVERAGE DAILY EFFECTIVES WHICH ARE NOT TO BE EXCEEDED  
IN THE LAND ARMED FORCES.

Table I. — Maximum Land Armed Forces stationed in the Home Country.			Table II (optional). — Maximum Land Armed Forces stationed Overseas.			Table III. — Maximum of the total Land Armed Forces.			
High Contracting Parties	a Total effectives, including the effectives specified in columns b and c	b Officers	c Other effectives who have completed at least x <sup>3</sup> months of service	a Total effectives, including the effectives specified in columns b and c	b Officers	c Other effectives who have completed at least x <sup>3</sup> months of service	a Total effectives, including the effectives specified in columns b and c	b Officers	c Other effectives who have completed at least x <sup>3</sup> months of service
A.									
B.									
C.									
D.									
.									
.									

<sup>1</sup> See reservation by the German Delegation, paragraph No. 79 of the Report.

<sup>2</sup> On certain tables annexed to Chapter A of Part I,  
see reservations by the French Delegation, paragraph No. 65 of the Report.

German	„	„	No. 73, 74	„
Italian	„	„	No. 73, 75, 76	„
Turkish	„	„	No. 77	„

<sup>3</sup> Note. — This figure will be determined by the duration of the longest period of service which is in force in the conscript land army of any High Contracting Party at the time of the signature of the Convention.

TABLES OF THE AVERAGE DAILY EFFECTIVES WHICH ARE NOT TO BE EXCEEDED IN THE LAND FORMATIONS ORGANISED ON A MILITARY BASIS.

Table IV. — Maximum Formations organised on a Military Basis stationed in the Home Country.				Table V. — Maximum formations organised on a Military Basis stationed Overseas.		
High Contracting Parties	a Total effectives, including the effectives specified in columns b and c	b Officers or officials ranking as officers	c Other effectives or officials who have completed at least x <sup>1</sup> months of service	a Total effectives, including the effectives specified in columns b and c	b Officers or officials ranking as officers	c Other effectives or officials who have completed at least x <sup>1</sup> months of service
A.						
B.						
C.						
D.						
.						
.						

TABLES OF THE AVERAGE DAILY EFFECTIVES WHICH ARE NOT TO BE EXCEEDED IN THE SEA ARMED FORCES.

Table VI. — Maximum Sea Armed Forces.		Table VII. — Maximum Sea Formations organised on a Military Basis.
High Contracting Parties	Total effectives (officers, petty officers and men)	Total effectives (officers, petty officers and men and officials of every grade)
A.		
B.		
C.		
D.		
.		
.		

TABLES OF THE AVERAGE DAILY EFFECTIVES WHICH ARE NOT TO BE EXCEEDED IN THE AIR ARMED FORCES.

Table VIII (Optional). — Maximum Air Armed Forces stationed in the Home Country.		Table IX (optional). — Maximum Air Armed Forces stationed Overseas		Table X. — Maximum of the Total Air Armed Forces		
High Contracting Parties	a Total effectives, including the effectives specified in column b	b Effectives who have completed at least z <sup>2</sup> months of service (officers, non-commissioned officers and men)	a Total effectives, including the effectives specified in column b	b Effectives who have completed at least z <sup>2</sup> months of service (officers, non-commissioned officers and men)	a Total effectives, including the effectives specified in column b	b Effectives who have completed at least z <sup>2</sup> months of service (officers, non-commissioned officers and men)
A.						
B.						
C.						
D.						
.						
.						

<sup>1</sup> Note. — This figure will be determined by the duration of the longest period of service which is in force in the conscript land army of any High Contracting Party at the time of the signature of the Convention.

<sup>2</sup> Note. — This figure will be determined by the duration of the longest period of service which is in force in the conscript air army of any High Contracting Party at the time of the signature of the Convention.

TABLES OF THE AVERAGE DAILY EFFECTIVES WHICH ARE NOT TO BE EXCEEDED IN THE AIR FORMATIONS ORGANISED ON A MILITARY BASIS.

Table XI. — Maximum Air Formations organised on a Military Basis stationed in the Home Country.			Table XII. — Maximum Air Formations organised on a Military Basis stationed Overseas.	
High Contracting Parties	a Total effectives, including the effectives specified in column b	b Effectives or officials who have completed at least z <sup>1</sup> months of service (officers, non-commissioned officers, men and officials of every grade)	a Total effectives, including the effectives specified in column b	b Effectives or officials who have completed at least z <sup>1</sup> months of service (officers, non-commissioned officers, men and officials of every grade)
A.				
B.				
C.				
D.				
.				
.				
.				

CHAPTER B. — PERIOD OF SERVICE.

Article 5.

The provisions of this Chapter apply only to effectives recruited by conscription.

Article 6.

For each of the High Contracting Parties concerned, the maximum total periods of service to which the effectives recruited by conscription are liable in the land, sea or air armed forces or formations organised on a military basis respectively, shall not exceed the figures laid down for such party in the table annexed to this Chapter.

Article 7.

For each man, the total period of service is the total number of days comprised in the different periods of service which he is liable under the national law to perform.

Article 8.

As an exception, each of the High Contracting Parties concerned may exceed the limits which he has accepted by the table annexed to this Chapter in so far as, owing to a falling-off in the number of births, such an increase may be necessary to enable the maximum total number of effectives fixed in his case by the tables annexed to Chapter A of this part to be attained.

It is understood that any High Contracting Party which avails itself of this option will immediately notify the measures taken and the reasons justifying them to the other High Contracting Parties and to the Permanent Disarmament Commission referred to in Part VI of the present Convention.

Article 9.

In any case, the total period of service shall not exceed . . . months.

Table annexed to Chapter B of Part I.

High Contracting Parties	Maximum total period of service to which the effectives recruited by conscription are liable in the armed forces or formations organised on a military basis		
	Land	Sea	Air
A.			
B.			
C.			
D.			
.			
.			
.			

<sup>1</sup> Note. — This figure will be determined by the duration of the longest period of service which is in force in the conscript air army of any High Contracting Party at the time of the signature of the Convention.

PART II. — MATERIAL.

CHAPTER A. — LAND ARMAMENTS.<sup>1</sup>

Article 10.<sup>2</sup>

(Provisional text subject to the drafting of the Annex.)

The annual expenditure of each High Contracting Party on the upkeep, purchase and manufacture of war material for land armaments shall be limited to the figures laid down for such Party, and in accordance with the conditions prescribed, in the annex .... to this Article.

CHAPTER B. — NAVAL ARMAMENTS.<sup>3 4</sup>

Article 11.<sup>5 6</sup>

Throughout the duration of the present Convention, the global tonnage of the vessels of war of each of the High Contracting Parties, other than the vessels exempt from limitation under Annex I to this Chapter and the special vessels enumerated in Annex II, shall not exceed the figure laid down for such Party in Table I annexed to this Chapter.

Article 12.<sup>6</sup>

Table II annexed to this Chapter shows, by tonnage per category, the way in which each High Contracting Party intends to distribute during the period of application of the present Convention the global tonnage which is limited in the case of such Party to the figure laid down in Table I.

Article 13.

Within the limits of the global tonnage fixed for such Party in Table I, and failing any stricter conditions resulting from special conventions to which it is or may become a party, each of the High Contracting Parties may modify the distribution shown for it in Table II, subject to the following conditions :

(1) The tonnages by category shown for each High Contracting Party in Table II shall in no case be the object of increase beyond the figures shown for it in Table III annexed to this Chapter.

(2) Before the laying-down of the ship or ships for the construction of which the transferred tonnage has been assigned, due notice must be given to all the other High Contracting Parties and the Secretary-General and the Permanent Disarmament Commission, of the amount of tonnage transferred, the length of such notice being that laid down for each of the High Contracting Parties in Table III.

Article 14.

No capital ship shall exceed 35,000 tons (35,560 metric tons) standard displacement or carry a gun exceeding 16 inches (406 mm.) in calibre.

Article 15.

No aircraft carrier shall exceed 27,000 tons (27,432 metric tons) standard displacement or carry a gun with a calibre in excess of 8 inches (203 mm.).

No aircraft carrier of 10,000 tons (10,160 metric tons) or less standard displacement shall carry a gun exceeding 6.1 inches (155 mm.) in calibre.

<sup>1</sup> See reservation by the American Delegation, paragraph No. 94 of the Report.

German	„	„	No. 102 and 103	„
Turkish	„	„	No. 99	„

<sup>2</sup> Note. — In pronouncing on this Article, the Governments will take into account at the Conference the report requested from the Committee of Budgetary Experts, which will have been forwarded to them in order to permit of the drawing up of the annex to this Article.

The Preparatory Commission, by sixteen votes to three and six abstentions, adopted the principle of limitation by expenditure. It also discussed the following resolution:

“ The Preparatory Commission is of opinion that the principle of direct limitation should be applied to land war material. ”

When this resolution was put to the vote, there were nine votes in favour, nine against and seven abstentions.

Lastly, it examined the principle of a combination of the two methods. Nine members of the Commission voted in favour of this principle; eleven voted against and five abstained.

<sup>3</sup> Note. — Such figures and dates as appear in this Chapter are only given as an illustration; most of them correspond to the figures and dates laid down in the Treaties of Washington and London.

<sup>4</sup> See general reservation by the German Delegation, paragraph No. 109 of the Report.

Italian	„	„	No. 108	„
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<sup>5</sup> See reservation by the Yugoslav and Finnish Delegations, paragraph No. 116 of the Report.

<sup>6</sup> See reservation by the Italian Delegation, paragraph No. 112 of the Report.

If the armament carried includes guns exceeding 6.1 inches (155 mm.) in calibre, the total number of guns carried, except anti-aircraft guns and guns not exceeding 5.1 inches (130 mm.), shall not exceed ten. If, alternatively, the armament contains no guns exceeding 6.1 inches (155 mm.) in calibre, the number of guns is not limited. In either case, the number of anti-aircraft guns and of guns not exceeding 5.1 inches (130 mm.) in calibre, is not limited.

*Article 16.*

No submarine shall exceed 2,000 tons (2,032 metric tons) standard displacement or carry a gun exceeding 5.1 inches (130 mm.) in calibre.

*Article 17.*

No vessel of war exceeding the limitations as to displacement or armament prescribed by the present Convention shall be acquired by, or constructed by, for or within the jurisdiction of any of the High Contracting Parties.

*Article 18.*

In regard to the replacement of the vessels of war limited by the present Convention, the High Contracting Parties will comply with the rules set out in Annex IV to this Chapter.

*Article 19.<sup>1</sup>*

No preparation shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6.1 inches (155 mm.) in calibre.

*Article 20.*

In the event of a High Contracting Party's being engaged in war, such Party shall not use as a vessel of war any vessel of war which may be under construction within its jurisdiction for any other Power, or which may have been constructed within its jurisdiction for another Power and not delivered.

*Article 21.*

Each of the High Contracting Parties undertakes not to dispose, by gift, sale, or any mode of transfer, of any vessel of war in such a manner that such vessel may become a vessel of war in the navy of any foreign Power.

*Article 22.*

Any vessels of war which have to be disposed of as being surplus to the tonnage figures allowed by the present Convention shall be disposed of in accordance with the rules set out in Annex V to this Chapter.

*Article 23.*

Existing ships of various types, which, prior to April 1st, 1930, have been used as stationary training establishments or hulks, may be retained in a non-seagoing condition.

*Article 24.<sup>2 3</sup>*

(Provisional text, subject to the drafting of the Annex.)

The annual expenditure of each High Contracting Party on the upkeep, purchase and manufacture of war material for naval armaments shall be limited to the figures laid down for such Party, and in accordance with the conditions prescribed, in Annex . . .

\* \* \*

*Note.* — The two following articles appear in Part III of the London Naval Treaty, and are quoted as examples of supplementary restrictions which certain High Contracting Parties may be prepared to accept:<sup>4</sup>

" *Article ...*

" Not more than 25 per cent of the allowed total tonnage in the cruiser category may be fitted with a landing-on platform or deck for aircraft."

" *Article ...*

" In the destroyer category, not more than 16 per cent of the allowed total tonnage shall be employed in vessels of over 1,500 tons (1,524 metric tons) standard displacement."

\* \* \*

<sup>1</sup> See reservation by the Japanese Delegation, paragraph No. 134 of the Report.

<sup>2</sup> In pronouncing on this Article, the Governments will take into account at the Conference the report requested from the Committee of Budgetary Experts, which will have been forwarded to them in order to permit of the drawing up of the Annex to this Article.

<sup>3</sup> See reservation by the French Delegation, paragraph No. 139 of the Report.

Japanese	"	No. 140	"
German	"	No. 141	"

British and Italian Delegations, paragraph No. 142 of the Report.

<sup>4</sup> See reservation by the Greek and Spanish Delegations, paragraph 143 of the Report.



Tables annexed to Chapter B of Part II.

Table I.

High Contracting Party	Global Tonnage
A.	
B.	
C.	
D.	
E.	
F.	
G.	
.	
.	
.	

Table II.

Categories (defined in Annex III)	High Contracting Parties									
	A	B	C	D	E	F	G	.	.	
(a) Capital ships.										
(i)										
(ii) <sup>1</sup>										
(b) Aircraft-carriers.										
(cd) Light surface vessels										
	(c) Cruisers.									
	(i) Guns of more than 6.1 inches (155 mm.)									
(ii) Guns of 6.1 inches and less (155 mm.)										
(d) Destroyers.										
(e) Submarines.										

Table III. — Rules for Transfer.

The figures to be entered in this table will be calculated on the following principles:

1. Account must be taken of the special circumstances of each Power, and of the classes of ships involved in the transfer.
2. Powers whose total tonnage does not exceed 100,000 tons<sup>2</sup> will have full freedom of transfer as regards surface ships.
3. As regards the other Powers, the amount of the transfer should vary in inverse ratio to the amount of the total (global) tonnage of each of them.

<sup>1</sup> For Parties who do not possess any capital ship of a standard displacement exceeding 8,000 tons (8,128 metric tons).

<sup>2</sup> This figure is given as an illustration.

**Annexes to Chapter B of Part II.**

**Annex I.**

**EXEMPT VESSELS.**

Subject to any special agreements which may submit them to limitation, the following vessels are exempt from limitation:

- (a) Naval surface combatant vessels of 600 tons (610 metric tons) standard displacement and under;
- (b) Naval surface combatant vessels exceeding 600 tons (610 metric tons), but not exceeding 2,000 tons (2,032 metric tons) standard displacement, provided they have none of the following characteristics:
  - (1) Mount a gun above 6.1-inch (155 mm.) calibre;
  - (2) Mount more than four guns above 3-inch (76 mm.) calibre;
  - (3) Are designed or fitted to launch torpedoes;
  - (4) Are designed for a speed greater than twenty knots.

(c) Naval surface vessels not specifically built as fighting ships which are employed on fleet duties or as troop transports or in some other way than as fighting ships, provided they have none of the following characteristics:

- (1) Mount a gun above 6.1-inch (155 mm.) calibre;
- (2) Mount more than four guns above 3-inch (76 mm.) calibre;
- (3) Are designed or fitted to launch torpedoes;
- (4) Are designed for a speed greater than twenty knots;
- (5) Are protected by armour plate;
- (6) Are designed or fitted to launch mines;
- (7) Are fitted to receive aircraft on board from the air;
- (8) Mount more than one aircraft-launching apparatus on the centre line: or two, one on each broadside;
- (9) If fitted with any means of launching aircraft into the air, are designed or adopted to operate at sea more than three aircraft.

**Annex II.**

**LIST OF SPECIAL VESSELS.**

.....  
.....  
.....

**Annex III.**

**DEFINITIONS.**

For the purposes of the present Convention, the following expressions are to be understood in the sense defined in this Annex:

**(a) Capital Ships.**

(i) Vessels of war, not aircraft carriers, whose displacement exceeds 10,000 tons (10,160 metric tons) standard displacement, or which carry a gun with a calibre exceeding 8 inches (203 mm.).

(ii) For Parties who do not possess any capital ship exceeding 8,000 tons (8,128 metric tons) standard displacement:

Vessels of war not exceeding 8,000 tons (8,128 metric tons) standard displacement and the calibre of whose guns exceeds 8 inches (203 mm.).

**(b) Aircraft Carriers.**

Surface vessels of war, whatever their displacement, designed for the specific and exclusive purpose of carrying aircraft and so constructed that aircraft can be launched therefrom and landed thereon.

**(c) Cruisers.**

Surface vessels of war, other than capital ships or aircraft carriers, the standard displacement of which exceeds 1,850 tons (1,880 metric tons) or with a gun above 5.1 inches (130 mm.) calibre.

The cruiser category is divided into two sub-categories as follows:

- (i) Cruisers carrying a gun above 6.1 inches (155 mm.) calibre.
- (ii) Cruisers not carrying a gun above 6.1 inches (155 mm.) calibre.

**(cd) Light Surface Vessels.**

Surface vessels of war, other than aircraft carriers, the standard displacement of which does not exceed 10,000 tons (10,160 metric tons), and with guns not exceeding 8 inches (203 mm.) calibre.

The category of light surface vessels is divided into two categories, as follows:

- (i) Vessels carrying a gun above 6.1 inches (155 mm.) calibre.
- (ii) Vessels not carrying a gun above 6.1 inches (155 mm.) calibre.

**(d) Destroyers.**

Surface vessels of war, the standard displacement of which does not exceed 1,850 tons (1,880 metric tons) and with a gun not above 5.1 inches (130 mm.) calibre.

**Standard Displacement.**

1. The standard displacement of a surface vessel is the displacement of the vessel complete, fully manned, engined and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel or reserve feed water on board.

2. The standard displacement of a submarine is the surface displacement of the vessel complete (exclusive of the water in non-watertight structure), fully manned, engined and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel, lubricating oil, fresh water or ballast water of any kind on board.

3. Each naval combatant vessel shall be rated at its displacement tonnage when in the standard condition. The word "ton", except in the expression "metric tons", shall be understood to be the ton of 2,240 pounds (1,016 kilos.).

#### Annex IV.

##### RULES FOR REPLACEMENT.

1. Except as provided in paragraph 4 of this Annex, no vessel limited by this Convention shall be replaced until it becomes "over-age".

2. A vessel shall be deemed to be "over-age" when the following number of years have elapsed since the date of its completion:

(a) Capital ships: 20<sup>1</sup> years, subject to special provision as may be necessary for the replacement of existing ships.

(b) Aircraft-carriers: 20 years, subject to special provision as may be necessary for existing ships.

(c) Surface vessels exceeding 3,000 tons (3,048 metric tons) but not exceeding 10,000 tons (10,160 metric tons) standard displacement:

(i) If laid down before January 1st, 1920, 16 years;

(ii) If laid down after December 31st, 1919, 20 years.

(d) Surface vessels not exceeding 3,000 tons (3,048 metric tons) standard displacement:

(i) If laid down before January 1st, 1921, 12 years;

(ii) If laid down after December 31st, 1920, 16 years.

(e) Submarines: 13 years.

3. The keels of replacement tonnage shall not be laid down more than three years before the year in which the vessel to be replaced becomes "over-age": but this period is reduced to two years in the case of any replacement surface vessel not exceeding 3,000 tons (3,048 metric tons) standard displacement.

The right of replacement is not lost by delay in laying down replacement tonnage.

4. In the event of loss or accidental destruction, a vessel may be replaced immediately; but such replacement tonnage shall be subject to the limits of displacement and to the other provisions of this Convention.

#### Annex V.

##### RULES FOR DISPOSAL OF VESSELS OF WAR.

The present Convention provides for the disposal of vessels of war in the following way:

- (1) By scrapping (sinking or breaking up);
- (2) By converting the vessel to a hulk;
- (3) By converting the vessel to target use exclusively;
- (4) By retaining the vessel exclusively for experimental purposes;
- (5) By retaining the vessel exclusively for training purposes.

Any vessel of war to be disposed of may either be scrapped or converted to a hulk at the option of the High Contracting Party concerned.

Vessels which have been retained for target, experimental or training purposes, shall finally be scrapped or converted to hulks.

##### Section I. — Vessels to be scrapped.

(a) A vessel to be disposed of by scrapping, by reason of its replacement, must be rendered incapable of warlike service within six months of the date of the completion of its successor, or of the first of its successors if there are more than one. If, however, the completion of the new vessel or vessels be delayed, the work of rendering the old vessel incapable of warlike service shall, nevertheless, be completed within four and a-half years from the date of laying the keel of the new vessel, or of the first of the new vessels; but should the new vessel, or any of the new vessels, be a surface vessel not exceeding 3,000 tons (3,048 metric tons) standard displacement, this period is reduced to three and a half years.

(b) A vessel to be scrapped shall be considered incapable of warlike service when there shall have been removed and landed or else destroyed in the ship:

- (1) All guns and essential parts of guns, fire control tops and revolving parts of all barbets and turrets;
- (2) All hydraulic or electric machinery for operating turrets;
- (3) All fire-control instruments and range-finders;
- (4) All ammunition, explosives, mines and mine rails;
- (5) All torpedoes, war heads, torpedo-tubes and training-racks;
- (6) All wireless telegraphy installations;
- (7) All main propelling machinery, or alternatively the armoured conning-tower and all side armour-plate;
- (8) All aircraft cranes, derricks, lifts and launching apparatus. All landing-on or flying-off platforms and decks, or alternatively all main propelling machinery;
- (9) In addition, in the case of submarines, all main storage batteries, air compressor plants and ballast pumps.

<sup>1</sup> Under the London Treaty, certain Powers agreed not to exercise their rights to lay down the keels of capital ship replacement tonnage during the years 1931 to 1936 inclusive, as provided in the Washington Treaty.

(c) Scrapping shall be finally effected in either of the following ways, within twelve months of the date of which the work of rendering the vessel incapable of warlike service is due for completion:

- (1) Permanent sinking of the vessel;
- (2) Breaking the vessel up; this shall always include the destruction or removal of all machinery, boilers and armour, and all deck, side and bottom-plating.

*Section II. — Vessels to be converted to Hulks.*

A vessel to be disposed of by conversion to a hulk shall be considered finally disposed of when the condition, prescribed in Section I, paragraph (b), of this Annex, have been complied with, omitting sub-paragraphs (6), (7) and (8)s and when the following have been effected:

- (1) Mutilation beyond repair of all propeller-shafts, thrust-blocks, turbine-gearing or main propelling-motors and turbines or cylinders of main engines;
- (2) Removal of propeller-brackets;
- (3) Removal and breaking up of all aircraft-lifts, and the removal of all aircraft-cranes, derricks and launching apparatus.

The vessel must be put in the above condition within the same limits of time as provided in Section I for rendering a vessel incapable of warlike service.

*Section III. — Vessels to be converted to Target Use.*

(a) A vessel to be disposed of by conversion to target use exclusively shall be considered incapable of warlike service when there have been removed and landed, or rendered unserviceable on board, the following:

- (1) All guns;
- (2) All fire-control tops and instruments and main fire-control communication wiring;
- (3) All machinery for operating gun-mountings or turrets;
- (4) All ammunition, explosives, mines, torpedoes and torpedo-tubes;
- (5) All aviation facilities and accessories.

The vessel must be put into the above conditions within the same limits of time as provided in Section I for rendering a vessel incapable of warlike service.

(b) Each High Contracting Party is permitted to retain, for target use exclusively, at any one time:

- (1) Not more than three vessels (cruisers or destroyers), but of these three vessels only one may exceed 3,000 tons (3,048 metric tons) standard displacement;
- (2) One submarine.

(c) On retaining a vessel for target use, the High Contracting Party concerned undertakes not to re-condition it for warlike service.

*Section IV. — Vessels retained for Experimental Purposes.*

(a) A vessel to be disposed of by conversion to experimental purposes exclusively shall be dealt with in accordance with the provisions of Section III (a) of this Annex.

(b) Without prejudice to the general rules, and provided that due notice be given to the other High Contracting Parties, reasonable variation from the conditions prescribed in Section III (a) of this Annex, in so far as may be necessary for the purposes of a special experiment, may be permitted as a temporary measure.

Any High Contracting Party taking advantage of this provision is required to furnish full details of any such variation and the period for which they will be required.

(c) Each High Contracting Party is permitted to retain for experimental purposes exclusively at any one time:

- (1) Not more than two vessels (cruisers or destroyers), but of these two vessels only one may exceed 3,000 tons (3,048 metric tons) standard displacement;
- (2) One submarine.

(d) On retaining a vessel for experimental purposes, the High Contracting Party concerned undertakes not to re-condition it for warlike service.

*Section V. — Vessels retained for Training Purposes.*

(a) The following vessels may be retained, for training purposes exclusively, by the High Contracting Parties concerned:

.....  
.....

(b) Vessels retained for training purposes under the provisions of paragraph (a) shall, within six months of the date on which they are required to be disposed of, be dealt with as follows:

1. *Capital Ships.*

The following is to be carried out:

- (1) Removal of main-armament guns, revolving parts of all barbets and turrets; machinery for operating turrets; but three turrets with their armament may be retained in each ship;

- (2) Removal of all ammunition and explosives in excess of the quantity required for target-practice training for the guns remaining on board;
- (3) Removal of conning-tower and the side-armour belt between the foremost and aftermost barbets;
- (4) Removal or mutilation of all torpedo-tubes;
- (5) Removal or mutilation on board of all boilers in excess of the number required for a maximum speed of eighteen knots.

2. *Other Surface Vessels.*

The following is to be carried out:

- (1) Removal of one-half of the guns, but four guns of main calibre may be retained on each vessel;
- (2) Removal of all torpedo-tubes;
- (3) Removal of all aviation facilities and accessories;
- (4) Removal of one-half of the boilers.

(c) The High Contracting Party concerned undertakes that vessels retained in accordance with the provision of this Section shall not be used for any combatant purpose.

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CHAPTER C. — AIR ARMAMENTS.

*Article 25.*<sup>1 2</sup>

The number and total horse-power of the aeroplanes, capable of use in war, in commission and in immediate reserve in the land, sea and air armed forces of each of the High Contracting Parties shall not exceed the figures laid down for such Party in the corresponding columns of Table I annexed to this Chapter.

The number and total horse-power of the aeroplanes, capable of use in war, in commission and in immediate reserve in the land, sea and air formations organised on a military basis of each of the High Contracting Parties shall not exceed the figures laid down for such Party in the corresponding columns of Table II annexed to this Chapter.

*Article 26.*<sup>1 2</sup>

The number, total horse-power and total volume of dirigibles, capable of use in war, in commission in the land, sea and air armed forces of each of the High Contracting Parties shall not exceed the figures laid down for such Party in the corresponding columns of Table III annexed to this Chapter.

The number, total horse-power and total volume of dirigibles capable of use in war, in commission in the land, sea and air formations organised on a military basis of each of the High Contracting Parties shall not exceed the figures laid down for such Party in the corresponding columns of Table IV annexed to this Chapter.

*Article 27.*

Horse-power shall be measured according to the following rules . . .  
The volume of dirigibles shall be expressed in cubic metres.

*Article 28.*

1. The High Contracting Parties shall refrain from prescribing the embodiment of military features in the construction of civil aviation material, so that this material may be constructed for purely civil purposes, more particularly with a view to providing the greatest possible measure of security and the most economic return. No preparations shall be made in civil aircraft in time of peace for the installation of warlike armaments for the purpose of converting such aircraft into military aircraft.

2. The High Contracting Parties undertake not to require civil aviation enterprises to employ personnel specially trained for military purposes. They undertake to authorise only as a provisional and temporary measure the seconding of personnel to, and the employment of military aviation material in, civil aviation undertakings. Any such personnel or military material which may thus be employed in civil aviation of whatever nature shall be included in the limitation applicable to the High Contracting Party concerned in virtue of Part I, or Articles 25 and 26, of the present Convention, as the case may be.<sup>3</sup>

3. The High Contracting Parties undertake not to subsidise, directly or indirectly, air lines principally established for military purposes instead of being established for economic, administrative or social purposes.

4. The High Contracting Parties undertake to encourage as far as possible the conclusion of economic agreements between civil aviation undertakings in the different countries and to confer together to this end.

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<sup>1</sup> See reservation by the German Delegation, paragraph No. 148 of the Report.

<sup>2</sup> See reservation by the Turkish Delegation, paragraph No. 149 of the Report.

<sup>3</sup> See reservation by the Canadian Delegation, paragraph No. 163 of the Report.

Tables annexed to Chapter C of Part II.<sup>1</sup>

Table I. — Aeroplanes of the Land, Sea and Air Armed Forces.								Table II. — Aeroplanes of the Land, Sea and Air Formations organised on a Military Basis.						
High Contracting Parties	a Total aeroplanes of the armed forces		b <i>(Optional)</i> Aeroplanes stationed in the home country		c <i>(Optional)</i> Aeroplanes stationed overseas		d <i>(Optional)</i> Aeroplanes in aircraft carriers		a Total aeroplanes of the forces organised on a military basis		b <i>(Optional)</i> Aeroplanes stationed in the home country		c <i>(Optional)</i> Aeroplanes stationed overseas	
	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power	Number	Total horse-power
A.														
B.														
C.														
D.														

Table III. — Dirigibles of the Land, Sea and Air Forces.												Table IV. — Dirigibles of the Land, Sea and Air Formations organised on a Military Basis.									
High Contracting Parties	a Total dirigibles of the armed forces			b <i>(Optional)</i> Dirigibles stationed in the home country			c <i>(Optional)</i> Dirigibles stationed overseas			d <i>(Optional)</i> Dirigibles in aircraft carriers			a Total dirigibles of the formations organised on a military basis			b <i>(Optional)</i> Dirigibles stationed in the home country			c <i>(Optional)</i> Dirigibles stationed overseas		
	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume	Number	Total horse-power	Total volume
A.																					
B.																					
C.																					
D.																					

<sup>1</sup> See reservations concerning the tables annexed to Chapter C of Part II by the German Delegation, paragraph No. 155 of the Report.  
 Turkish " " No. 156 "  
 Italian " " No. 73 and 155 "

**PART III. — BUDGETARY EXPENDITURE.<sup>1</sup>**

*Article 29.<sup>2</sup>*

(Provisional text subject to the drafting of the Annex.)

The total annual expenditure of each of the High Contracting Parties on his land, sea and air forces and formations organised on a military basis shall be limited to the figure laid down for such Party and in accordance with the conditions prescribed in the Annex. . . .

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**PART IV. — EXCHANGE OF INFORMATION.**

*Article 30.*

For each category of effectives defined in the model tables annexed to this Article, the exchange of information each year shall apply to the average daily number of effectives reached during the preceding year in the land, sea and air armed forces and formations organised on a military basis of each of the High Contracting Parties.

For this purpose, each of the High Contracting Parties will forward to the Secretary-General of the League of Nations, within . . . . . months after the end of each year, the necessary information to enable the said tables to be drawn up in the case of such Party. Each Party shall attach to this statement an explanatory note showing the elements on which the figures supplied are based, and stating, in particular, for each sort of effectives (recruits, militiamen, reservists, territorials, etc.) the number of these effectives and the number of days' service they have performed.

The said tables shall be drawn up and published with the explanatory note referred to above by the Secretary-General not later than . . . . . in each year.

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<sup>1</sup> See reservation by the German Delegation, paragraph No. 182 of the Report.  
American " " No. 181 "

<sup>2</sup> Note. — In pronouncing on this Article, and in particularly as regards the possibility of a distinct limitation of the expenditure on land, sea and air forces, the Governments will take into account at the Conference the report requested from the Committee of Budgetary Experts, which will have been forwarded to them in order to permit of the drawing up of the Annex to this Article.

Model Tables annexed to Article 30 (Part IV).<sup>1</sup>

MODEL TABLES OF THE AVERAGE DAILY NUMBER OF EFFECTIVES REACHED DURING THE YEAR IN THE LAND ARMED FORCES AND LAND FORMATION ORGANISED ON A MILITARY BASIS.

	Table I. — Land Armed Forces Stationed in the Home Country.					Table III. — Total Land Armed Forces.					Table IV. — Formations organised on a Military Basis.				
	a.	b.	c.	d.	e.	a.	b.	c.	d.	e.	a.	b.	c.	d.	e.
High Contracting Parties	Total effectives, including the effectives specified separately in this Table	Officers	Other effectives who have completed at least $x^2$ months of service	Soldiers whose period of service has exceeded the legal period of service but is less than $x^2$ months ( <i>information to be supplied only for effectives recruited by conscription</i> )	(Optional statement.) <i>Recruits not trained as defined in the national legislation</i>	Total effectives, including the effectives specified separately in this Table	Officers	Other effectives who have completed at least $x^2$ months of service	Soldiers whose period of service has exceeded the legal period of service but is less than $x^2$ months ( <i>information to be supplied only for effectives recruited by conscription</i> )	(Optional statement.) <i>Recruits not trained as defined in the national legislation</i>	Total effectives, including the effectives specified separately in this Table	Officers or officials ranking as officers	Other effectives or officials who have completed at least $x^2$ months of service	Soldiers or officials whose period of service has exceeded the legal period of service but is less than $x^2$ months ( <i>information to be supplied only for effectives recruited by conscription</i> )	(Optional statement.) <i>Recruits not trained as defined in the national legislation</i>
A.															
B.															
C.															
D.															
.															
.															

<sup>1</sup> See reservations concerning the tables annexed to Article 30 by the British Empire Delegation, paragraph No. 190 of the Report.

French	"	"	No. 189	"
German	"	"	No. 187	"
Japanese	"	"	No. 191	"
Turkish	"	"	Nos. 188 and 77	"

<sup>2</sup> Note. — This figure will be determined by the duration of the longest period of service which is in force in the conscript army of any High Contracting Party at the time of the signature of the Convention.



MODEL TABLES OF THE AVERAGE DAILY NUMBER OF EFFECTIVES REACHED DURING THE YEAR IN THE LAND ARMED FORCES  
AND LAND FORMATION ORGANISED ON A MILITARY BASIS (continued).

Table II. — Land Armed forces Stationed Overseas.

Table V. — Formations organised on a Military Basis stationed Overseas.

High Contracting Parties	Overseas territory	a	b	c	d	e	a	b	c	d	e
		Total effectives, including the effectives specified separately in this Table	Officers	Other effectives who have completed at least $x^1$ months of service	Soldiers whose period of service has exceeded the legal period of service but is less than $x^1$ months (information to be supplied only for effectives recruited by conscription)	(Optional statement.) (Recruits not trained as defined in the national legislation)	Total effectives, including the effectives specified separately in this Table	Officers or officials ranking as officers	Other effectives or officials who have completed at least $x^1$ months of service	Soldiers or officials whose period of service has exceeded the legal period of service but is less than $x^1$ months (information to be supplied only for effectives recruited by conscription)	(Optional statement.) (Recruits not trained as defined in the national legislation)
A	M N O P ::										
B	:: R S T ::										

<sup>1</sup> Note. — This figure will be determined by the duration of the longest period of service which is in force in the conscript army of any High Contracting Party at the time of the signature of the Convention.

MODEL TABLES OF THE AVERAGE DAILY NUMBER OF EFFECTIVES REACHED DURING THE YEAR IN THE NAVAL FORCES.

Table VI. — Naval Forces.				Table VII. — Sea Formations organised on a Military Basis.				
High Contracting Parties	a Total effectives, including effectives specified separately in this Table	b Officers	c Other effectives who have completed at least y <sup>1</sup> months of service	d <i>(Optional statement.) Recruits not trained as defined in the national legislation</i>	a Total effectives, including effectives specified separately in this Table	b Officers	c Other effectives who have completed at least y <sup>1</sup> months of service	d <i>(Optional statement.) Recruits not trained as defined in the national legislation</i>
A. B. C. D. . . .								

<sup>1</sup> Note. — This figure will be determined by the duration of the longest period of service which is in force in the conscript Navy of any High Contracting Party at the time of the signature of the Convention.

MODEL TABLES OF THE AVERAGE DAILY NUMBER OF EFFECTIVES REACHED DURING THE YEAR IN THE AIR ARMED FORCES.

Table VIII. — Air Armed Forces stationed in the Home Country.				Table IX. — Air Armed Forces stationed Overseas.			Table X. — Total Air Armed Forces.		
High Contracting Parties.	a	b	c	a	b	c	a	b	c
	Total effectives, including the effectives specified separately in this Table	Effectives who have completed at least $x^1$ months of service (officers, non-commissioned officers and men)	(Optional statement.) <i>Recruits not trained as defined in the national legislation</i>	Total effectives, including the effectives specified separately in this Table	Effectives who have completed at least $x^1$ months of service (officers, non-commissioned officers and men)	(Optional statement.) <i>Recruits not trained as defined in the national legislation</i>	Total effectives, including the effectives specified separately in this Table	Effectives who have completed at least $x^1$ months of service (officers, non-commissioned officers and men)	(Optional statement.) <i>Recruits not trained as defined in the national legislation</i>
A.									
B.									
C.									
D.									

MODEL TABLES OF THE AVERAGE DAILY NUMBER OF EFFECTIVES REACHED DURING THE YEAR IN THE AIR FORMATIONS ORGANISED ON A MILITARY BASIS.

Table XI. — Air Formations organised on a Military Basis stationed in the Home Country.				Table XII. — Air Formations organised on a Military Basis stationed Overseas.		
High Contracting Parties	a	b	c	a	b	c
	Total effectives, including the effectives specified separately in this Table.	Effectives who have completed at least $x^1$ months of service (officers, non-commissioned officers and men and officials of all grades)	(Optional statement.) <i>Recruits not trained as defined in the national legislation</i>	Total effectives, including the effectives specified separately in this Table.	Effectives who have completed at least $x^1$ months of service (officers, non-commissioned officers and men and officials of all grades)	(Optional statement.) <i>Recruits not trained as defined in the national legislation</i>
A.						
B.						
C.						
D.						

<sup>1</sup> Note. — This figure will be determined by the duration of the longest period of service which is in force in the conscript air force of any High Contracting Party at the time of the signature of the Convention.

*Article 31.*<sup>1</sup>

If any youths have compulsorily received, during any year, preparatory military training within the jurisdiction of any High Contracting Party, such Party shall communicate to the Secretary-General of the League of Nations, within . . . . . *x* months after the end of each year, the number of youths who have received such instruction.

The above information shall be published by the Secretary-General not later than . . . . . in each year.

*Article 32.*

The High Contracting Parties concerned shall forward to the Secretary-General of the League of Nations at the end of each year the following information as to the provisions of their law relating to the effectives recruited by conscription in their land, sea and air forces and formations organised on a military basis respectively;

- (1) The total number of days comprised in the first period of service;
- (2) The total duration in days of the ensuing periods.

The above information shall be published by the Secretary-General not later than . . . . . in each year.

*Article 33*<sup>2 3</sup>.

Each of the High Contracting Parties shall, within . . . . . months from the end of each budgetary year, communicate to the Secretary-General of the League of Nations a statement drawn up in accordance with a standard model, showing by categories of materials the total actual expenditure in the course of the said year on the upkeep, purchase and manufacture of war materials of the land and sea armed forces and formations organised on a military basis of such Party.

The information contained in this statement shall be published by the Secretary-General not later than . . . . . in each year.

*Article 34.*

Within one month after the date of laying down and the date of completion respectively of each vessel of war, other than the vessels exempt from limitation under Annex I to Chapter B of Part II, laid down or completed by or for them or within their jurisdiction after the coming into force of the present Convention, the High Contracting Parties shall communicate to the Secretary-General of the League of Nations the information detailed below:

- (a) The date of laying down the keel and the following particulars:
  - Classification of the vessel and for whom built (if not for the High Contracting Party);
  - Standard displacement in tons and metric tons;
  - Principal dimensions—namely, length of water-line, extreme beam at or below water-line;
  - Mean draught at standard displacement;
  - Calibre of the largest gun.
- (b) The date of completion, together with the foregoing particulars relating to the vessel at that date.

The above information shall be immediately communicated by the Secretary-General to all the High Contracting Parties and shall be published by the Secretary-General not later than . . . . . in each year.

*Article 35.*

Each of the High Contracting Parties shall communicate to the Secretariat of the League of Nations the name and the tonnage of any vessel constructed in accordance with Article 19. (Chapter II). With regard to existing vessels of this type, this communication shall be made within two months after ratification of the present Convention. With regard to vessels to be constructed, the communication shall be made on the date of completion.

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<sup>1</sup> See reservation by the German Delegation, paragraph No. 194 of the Report.  
Italian " " No. 194 " "

<sup>2</sup> See reservation by the German Delegation, paragraph No. 201 of the Report.

<sup>3</sup> Note. — In giving an opinion on this Article, the Governments will take into account the report requested from the Committee of Budgetary Experts regarding the number and nature of the categories to be laid down and the methods of publicity thus adopted in connection with the provisions of the annex regarding limitation referred to in Article 9 of the present Convention.

*Article 36.*<sup>1</sup>

For each of the categories of aircraft defined in the model tables annexed to this Article, the exchange of information shall apply to the maximum figures attained in each year in respect of the number and total horse-power, and for dirigibles the total volume, by the aircraft referred to in Articles 25 and 26 of the present Convention.

For this purpose, each of the High Contracting Parties will forward to the Secretary-General of the League of Nations within ..... months after the end of each year the necessary information to enable the said tables to be drawn up in the case of such Party.

The tables referred to in the preceding paragraph shall be drawn up and published by the Secretary-General not later than ..... in each year.

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<sup>1</sup> See reservations by the German Delegation, paragraph No. 206 of the Report.



*Article 37.*<sup>1</sup>

In order to ensure publicity as regards civil aviation, each of the High Contracting Parties shall indicate within  $x$  months after the end of each year to the Secretary-General of the League of Nations the number and total horse-power of civil aeroplanes and dirigibles registered within the jurisdiction of such Party. Each Party shall also indicate the amounts expended on civil aviation by the Government and by local authorities.

The above information shall be published by the Secretary-General not later than..... in each year.

*Article 38.*<sup>2</sup>

Each of the High Contracting Parties shall communicate to the Secretary-General of the League of Nations within..... months of the end of each budgetary year a statement drawn up in accordance with the standard model annexed to this Article<sup>3</sup> showing the total amounts actually expended in the course of the said year on the land, sea and air armaments of such Party.

The information supplied in this statement shall be published by the Secretary-General not later than..... in each year.

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PART V. — CHEMICAL ARMS.<sup>4</sup>

*Article 39.*

The High Contracting Parties undertake, subject to reciprocity, to abstain from the use in war of asphyxiating, poisonous or similar gases, and of all analogous liquids, substances or processes.

They undertake unreservedly to abstain from the use of all bacteriological methods of warfare.

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PART VI. — MISCELLANEOUS PROVISIONS.

CHAPTER A. — PERMANENT DISARMAMENT COMMISSION.

*Article 40.*<sup>5</sup>

There shall be set up at the seat of the League of Nations a Permanent Disarmament Commission with the duty of following the execution of the present Convention. It shall consist of  $x$  (figure to be fixed by the Conference) members appointed respectively by the Governments of ..... (list to be drawn up by the Conference).

Members of the Commission shall not represent their Governments. They shall be appointed for  $x$  years, but shall be re-eligible. During their term of office, they may be replaced only on, death or in the case of voluntary resignation or serious and permanent illness.

They may be assisted by technical experts.

*Article 41.*

The Commission shall meet for the first time, on being summoned by the Secretary-General of the League of Nations, within three months from the entry into force of the present Convention, to elect a provisional President and Vice-President and to draw up its Rules of Procedure.

Thereafter it shall meet annually in ordinary session on the date fixed in its Rules of Procedure.

It may also, if summoned by its President, meet in extraordinary session in the cases provided for in the present Convention and whenever an application to that effect is made by a High Contracting Party.

*Article 42.*

The Commission shall have full power to lay down its own Rules of Procedure on the basis of the provisions of the present Convention.

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<sup>1</sup> See reservation by the German Delegation, paragraph No. 212 of the Report.

<sup>2</sup> See reservation by the German Delegation, paragraph No. 215 of the Report.

<sup>3</sup> Note. — In drawing up this annex, the Conference will have before it the standard model statement which will be submitted to it by the Committee of Budgetary Experts.

<sup>4</sup> See reservations by the German Delegation, paragraph No. 229 and 230 of the Report.

<sup>5</sup> See reservation by the French Delegation, paragraph No. 238 of the Report.

*Article 43.*

The Commission may only transact business if at least two-thirds of its members are present.

*Article 44.*

Any High Contracting Party not having a member of its nationality on the Commission shall be entitled to send a member appointed for the purpose to sit at any meetings of the Commission during which a question specially affecting the interests of that Party is considered.

*Article 45.*

Each member of the Commission shall have only one vote.

All decisions of the Commission shall be taken by a majority of the votes of the members present at the meeting.

In the cases provided for in Articles 50 and 52 the votes of members appointed by the Parties concerned in the discussion shall not be counted in determining the majority.

A minority report may be drawn up.

*Article 46.*

Each member of the Commission shall be entitled on his own responsibility to have any person heard or consulted who is in a position to throw any light on the question which is being examined by the Commission.

*Article 47.*

Each member of the Commission shall be entitled to require that, in any report by the Commission, account shall be taken of the opinions or suggestions put forward by him, if necessary in the form of a separate report.

*Article 48.*

All reports by the Commission shall, under conditions specified in each case in the present Convention, or in the Rules of Procedure of the Commission, be communicated to all the High Contracting Parties and to the Council of the League of Nations, and shall be published.

*Article 49.*

The Permanent Disarmament Commission shall receive all the information supplied by the High Contracting Parties to the Secretary-General of the League in pursuance of their international obligations in this regard.

Each year, the Commission shall make at least one report on the information submitted to it and on any other information that may reach it from a responsible source and that it may consider worth attention, showing the situation as regards the fulfilment of the present Convention.

This report shall be communicated forthwith to all the High Contracting Parties and to the Council of the League and shall be published on the date fixed in the Rules of Procedure of the Commission.

CHAPTER B. — DEROGATIONS.

*Article 50.*

If, during the term of the present Convention, a change of circumstances constitutes, in the opinion of any High Contracting Party, a menace to its national security, such High Contracting Party may suspend temporarily, in so far as concerns itself, any provision or provisions of the present Convention, other than those expressly designed to apply in the event of war, provided:

(a) That such Contracting Party shall immediately notify the other Contracting Parties and at the same time the Permanent Disarmament Commission, through the Secretary-General of the League of Nations, of such temporary suspension, and of the extent thereof.

(b) That simultaneously with the said notification, the Contracting Party shall communicate to the other Contracting Parties, and at the same time, to the Permanent Disarmament Commission through the Secretary-General, a full explanation of the change of circumstances referred to above.

Thereupon the other High Contracting Parties shall promptly advise as to the situation thus presented.

When the reasons for such temporary suspension have ceased to exist, the said High Contracting Party shall reduce its armaments to the level agreed upon in the Convention, and shall make immediate notification to the other Contracting Parties.

CHAPTER C. — PROCEDURE REGARDING COMPLAINTS.

*Article 51.*

The High Contracting Parties recognise that any violation of the provisions of the present Convention is a matter of concern to all the Parties.



*Article 52.*

If, during the term of the present Convention, a High Contracting Party is of opinion that another Party to the Convention is maintaining armaments in excess of the figures agreed upon or is in any way violating or endeavouring to violate the provisions of the present Convention, such Party may lay the matter, through the Secretary-General of the League of Nations, before the Permanent Disarmament Commission.

The Commission, after hearing a representative of the High Contracting Party whose action is questioned, should such Party so desire, and the representative of any other Party which may be specially concerned in the matter and which asks to be heard, shall, as soon as possible, present a report thereon to the High Contracting Parties and to the Council of the League. The report and any proceedings thereon shall be published as soon as possible.

The High Contracting Parties shall promptly advise as to the conclusions of the Report.

If the High Contracting Parties directly concerned are Members of the League of Nations, the Council shall exercise the rights devolving upon it in such circumstances in virtue of the Covenant with a view to ensuring the observance of the present Convention and to safeguarding the peace of nations.

CHAPTER D. — FINAL PROVISIONS.

*Article 53.<sup>1</sup>*

The present Convention shall not affect the provisions of previous treaties under which certain of the High Contracting Parties have agreed to limit their land, sea or air armaments, and have thus fixed in relation to one another their respective rights and obligations in this connection.

The following High Contracting Parties . . . signatory to the said treaties declare that the limits fixed for their armaments under the present Convention are accepted by them in relation to the obligations referred to in the preceding paragraph, the maintenance of such provisions being for them an essential condition for the observance of the present Convention.

*Article 54.*

If a dispute arises between two or more of the High Contracting Parties concerning the interpretation or application of the provisions of the present Convention, and cannot be settled either directly between the parties or by some other method of friendly settlement, the parties will, at the request of any one of them, submit such dispute to the decision of the Permanent Court of International Justice or to an arbitral tribunal chosen by them.

*Article 55.*

The present Convention shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods. The instruments of ratification shall be deposited with the Secretary-General of the League of Nations.

The present Convention shall come into force, for each Party whose instrument of ratification has been deposited, as soon as the instruments of ratification have been deposited by . . . (list to be drawn up by the Conference).

(Should the present Convention not have come into force in accordance with the preceding paragraph by . . . the High Contracting Parties shall be invited by the Secretary-General of the League of Nations to meet and consider the possibility of putting it into force. They undertake to participate in this consultation, which shall take place before . . . )<sup>2</sup>

*Article 56.*

Each of the High Contracting Parties will take the necessary measures for carrying the provisions of the present Convention into effect as soon as it has come into force for such Party.

*Article 57.*

Subject to the provisions of Articles 58 and 59, the present Convention shall remain in force for . . . years. It shall remain in force after the expiration of that period except in so far as it may be amended, superseded or denounced under the conditions specified in the following articles.

*Article 58.*

Before the end of the period of  $x$  years provided for in the preceding article, and not less than  $y$  years after its entry into force, the present Convention shall be re-examined by the High Contracting Parties meeting in Conference. The date of this meeting shall be fixed by the Council of the League of Nations, after taking cognisance of the opinion of the Permanent Disarmament Commission and of the intentions of the High Contracting Parties non-members of the League of Nations.

<sup>1</sup> See reservation by the German Delegation, paragraph No. 273 of the Report.

<sup>2</sup> Note. It will be for the Conference to decide whether this paragraph and any supplementary provisions which may be necessary would not be better placed in a protocol of signature.

The above-mentioned Conference may, if necessary, revise the present Convention and establish fresh provisions in substitution therefor, fixing their period of duration and laying down general rules regarding their examination and subsequent revision, if the latter is required.

*Article 59.<sup>1</sup>*

Before the end of the period of  $y$  years provided for in the preceding article, but not less than  $z$  years after the entry into force of the present Convention, the procedure for examination and revision laid down in that article may also be carried out at the request of a High Contracting Party, with the concurrence of the Permanent Disarmament Commission, if the conditions under which the engagements stipulated in the Convention were contracted have undergone, as the result of technical transformations or special circumstances, changes justifying a fresh examination and, if necessary, the revision of such engagements.

*Article 60.*

In the course of a conference held in the circumstances provided for in the two preceding articles, any High Contracting Party shall be entitled to notify its intention to denounce the present Convention.

Such denunciation shall take effect two years after its date, but in no case before the expiration of the period of  $x$  years mentioned in Article 57.

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<sup>1</sup> See reservation by the German Delegation, paragraph No. 295 of the Report.