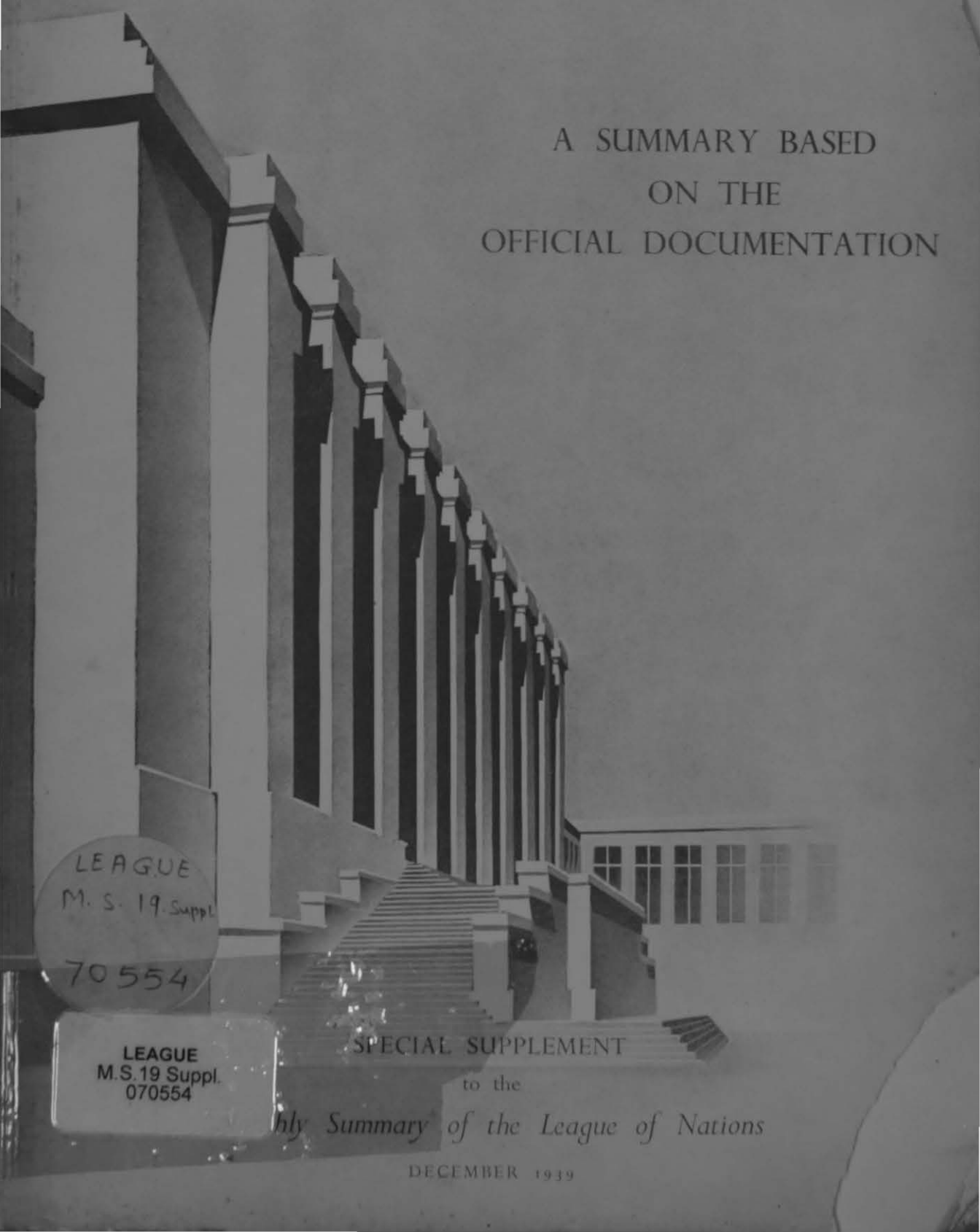


THE APPEAL
OF THE FINNISH GOVERNMENT
TO THE LEAGUE OF NATIONS

A SUMMARY BASED
ON THE
OFFICIAL DOCUMENTATION



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SPECIAL SUPPLEMENT
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Monthly Summary of the League of Nations

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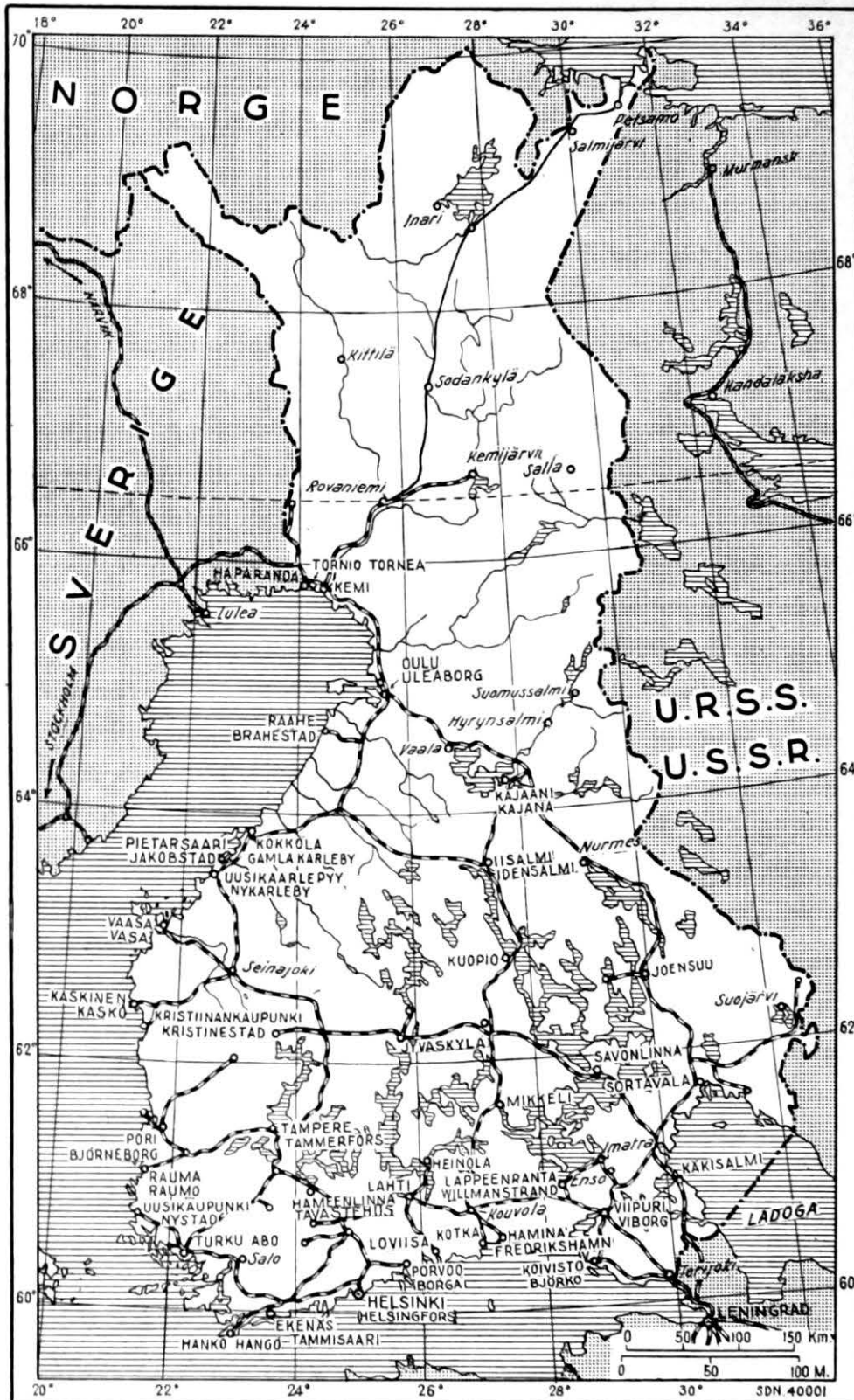
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I. INTRODUCTION

1. BRIEF HISTORY OF FINLAND

The Finns belong to the Finno-Ugrian group, which inhabited the region of the Middle Volga, in Russia, five thousand years before our era and was later dispersed.

While the Hungarians settled in the territory which to-day bears their name, other tribes of the group, the Finns and Estonians, turned towards the north-east of Europe. It is thought that the immigration of the Finns into their present land was completed during the eighth century A.D.

In the early days of their settlement in their new territory, the Finns were fighting among themselves and were also at war with the Swedes and Russians. The Swedes carried out several crusades in Finland and introduced Christianity there between 1100 and 1200. The whole country gradually came under Swedish domination.

The bonds attaching Finland to Sweden in the Middle Ages were relatively weak. Finland was treated, in her relations with Sweden, as an equal and not as a conquered country.

The conversion of the Swedes to Lutheranism, which took place at the beginning of the sixteenth century, extended also to Finland. In 1581, Finland was converted into a Grand-Duchy. The first university was founded at Turku in 1640.

The Finns had been obliged to wage ceaseless warfare against their eastern neighbours, but it was only in the sixteenth century that Russia, expanding towards the west, became a constant menace to the Swedo-Finnish kingdom. In the sixteenth and seventeenth centuries, however, the struggle against Russia was crowned with success, and in 1617, under the Treaty of Stolbova, eastern frontiers of Finland were fixed which were almost identical with those of to-day except in the north near the Arctic Ocean. Little by little, however, the Swedo-Finnish kingdom, weakened by the successive wars of the eighteenth century, lost its military importance, and, during the Napoleonic wars, Finland, already partially annexed by

her eastern neighbours, was invaded by Russian armies and attached to Russia by the Treaty of Hamina of 1809.

Czar Alexander I convened the Finnish States-General at Porvoo, where he solemnly declared that Finland would be administered in conformity with the Swedish constitution, thus conferring on Finland complete internal autonomy. The Czar assumed the title of Grand Duke of Finland.

In 1811, the territory formerly annexed to Russia was restored to Finland. All that Finland had in common with Russia was her sovereign and her foreign policy. In other matters, the administration of the country was completely independent. Finland had her own army, currency, Customs, etc.

With a few exceptions, the autonomy of Finland was respected by the Russian sovereigns up to the end of the nineteenth century. Under Czar Nicholas II, however, Russian oppression began to be felt. In 1899, an illegal manifesto issued by Nicholas II reserved to the sovereign the right to demand the application of common laws to Russia and Finland without hearing the States-General. After that, the national army was disbanded and an attempt was made to incorporate Finns in the Russian army. It was hoped to Russify officials, and the Press was submitted to a severe censorship.

The reverses suffered by the Russians in their war with Japan caused a temporary weakening of the Russian autocratic system. The Czar retreated; the illegal measures were repealed and, in 1906, Parliamentary reform of a distinctly democratic nature was introduced.

The old Diet consisting of four Orders was replaced by a Chamber of Representatives elected by equal universal suffrage based on proportional representation. Women also were entitled to vote.

But, from 1908 onwards, a new wave of oppression, more severe than the first, broke over the country. Several Finnish officials who were regarded as dangerous were deported to Siberia. At this moment, the patriots known as the "Militants" began to work conscientiously for the liberation of their country.

The collapse of Russia at the end of the world war brought the liberation of Finland into the realm of possibilities. On December 6th, 1917, the Finnish Parliament issued a declaration of independence. After this declaration, however, the country still had to be cleared of the numerous Russian garrisons who occupied it as conquered territory, and a Communist revolt which broke out in January 1918 had to be suppressed. It was only in 1918 that the legal Government became master of the situation.

In 1920, a treaty of peace was concluded at Tartto with the U.S.S.R., which ceded to Finland, beyond her former northern frontiers, the territory of Petsamo.

In 1919, Finland adopted a republican constitution under which the President of the Republic holds legislative power in agreement with Parliament, which is elected for three years. The President has a temporary right of veto and can dissolve Parliament.

Finland became a Member of the League of Nations in 1920.

The country has an area of 382,801 square kilometres and about 3,800,000 inhabitants. Among the international instruments concerning her territory may be mentioned the Convention for the Non-fortification and Neutralisation of the Aaland Islands, signed at Geneva in 1921, the upholding of which is entrusted to the Council of the League of Nations.

2. MAIN FEATURES OF FINLAND'S ECONOMIC LIFE

Finland forms a part of the economic system constituted by the Scandinavian States. Natural resources and climate are similar to those of other northern countries, but, until now, the process of industrialisation has not gone as far as in the rest of this region. In 1930, almost 60% of the population was occupied in agriculture, whilst, in the other Scandinavian States, the figures varied between 30 and 35%. In the same year, about 17% of the Finnish population was occupied in mining and industry, some 8% was absorbed by commerce and transport and 16% by other occupations.

The relatively great importance of agriculture in Finnish economic life, together with the comparatively low cost of living, make comparisons of national income with other countries difficult and may easily be misleading; nevertheless, it may be mentioned that, in 1929, the national income was estimated to be little less than £100,000,000.

AGRICULTURE

The cultivated area in Finland represents 9% of the total surface. No less than 75% of the agricultural holdings have a cultivated area of ten hectares or under; but, on the other hand, many of the small farm holdings have comparatively large areas of forest attached to them.

The total area in crop rotation amounts to roughly 2.5 million hectares; of this, some 0.9 million is utilised for cereal crops and 0.1 million for root crops, mainly potatoes, and 1.3 million hectares for green crops and grass fields in rotation. While Finland is not quite self-sufficient as regards cereals, it has, as indicated by these

figures, a highly developed animal-food production and dairy industry. In relation to a population of less than 4 millions, there were, in 1935, 1.8 million head of cattle (1.3 million cows, 0.5 million pigs) and 2.8 million poultry. Consequently, Finland has exportable surpluses of meat, particularly bacon and poultry, as well as of eggs and dairy products. The consumption of milk per head in Finland is higher than in almost any other country, and, in addition, some 10,000 tons of butter and 4,000 tons of cheese were exported in 1935. The co-operative dairy movement has reached a very high degree of development and has actively contributed to the development of dairy farming as well as to the production of bacon and poultry. Agriculture, however, is, to a certain extent, dependent upon the imports of artificial fertilisers.

FORESTRY AND INDUSTRY

In proportion to its size, Finland has the largest forestry resources of any European country; no less than 67% of her area being covered by forest, mainly pine and spruce. Owing to the relative scarcity of other natural resources, the forests represent the basis of Finland's industrial and commercial development. During recent years, as much as 80-90% of the total exports have been composed of timber and wood products.

The Finnish exports of sawn soft-wood were the greatest in the world in 1937, amounting to about 4.7 millions of cubic metres. The production and export of wood-pulp are also rapidly expanding and, in the same year, Finland was the fourth largest producer of chemical wood-pulp in the world and the fifth largest producer of mechanical pulp. The paper industry is also rapidly expanding and is now of great importance. Other branches of Finnish industry are not, as yet, so far advanced, although the development of mechanical industry and textile manufacture is worthy of note.

Generally speaking, Finnish industry is highly dynamic and in a state of rapid quantitative and qualitative expansion. The index of Finnish industrial production (on the basis of 1929=100) was 156 in 1938 as compared with an average of 112 for the whole world. Moreover, since 1929, the process of rationalisation has progressed more rapidly in Finland than in any other country for which such information is available. During the decade 1929-1938, the physical output per working-hour increased by about 50%. The same tendency to expand is shown by the growth of the merchant marine, the tonnage of which increased from some 300,000 tons in 1929 to 580,000 tons in 1938.

PUBLIC FINANCE

The budgetary situation of Finland is strong and, in recent years, has shown an excess of income over expenditure. Receipts on the current budget were estimated at 4.5 milliard Finnish marks and expenditure at 3.5 milliards for 1939; expenditure on the capital budget is estimated at 1.6 milliards, of which 0.6 milliard was covered by loans. The total public debt at the end of 1937 amounted to 4.3 milliards, 1.6 milliard of which was kept in foreign countries.

3. MILITARY ORGANISATION OF FINLAND

Area (including inland waters)	..	..	..	388,000 sq. km.
Population (XII. 1937)	..	..	..	3,630,000
Density per sq. km.	..	..	..	9.4
Length of land frontiers :				
With Sweden	..	..	536 km.	
With Norway	..	..	913 km.	
With U.S.S.R.	..	..	1,566 km.	
			<hr/>	3,015 km.
Length of coast-line	..	..	..	1,646 km.

I. ARMY

Composition of the Army in Peace-time

1. Higher Formations.

Army Corps consisting of :

- 3 divisions of infantry ;
- 1 brigade of cavalry.

2. Arms and Services.

Infantry :

- 9 regiments ;
- 3 battalions of light infantry.

Cavalry :

- 2 cavalry regiments ;
- 1 battalion of light infantry ;
- 1 liaison squadron ;
- 1 tank company ;
- 1 armoured car squadron ;
- 1 independent pioneer company ;
- 1 battery of mounted artillery ;
- 1 school for N.C.O.s ;
- 1 remount school.

Artillery :

Field : 4 regiments.

Coastal : 3 regiments of 4 batteries each ;
2 independent sections.

Air Force, consisting of :

3 aviation regiments ;

1 anti-aircraft regiment ;

1 independent anti-aircraft group ;

1 flying-school ;

1 mechanics' school ;

1 independent squadron ;

1 aviation depot.

The Finnish army further includes : 1 armoured car company, 1 train regiment, 1 signals regiment and 1 pioneer battalion.

The infantry regiment consists of a headquarters staff and 2 battalions (one with headquarters and 3 infantry companies and the other with headquarters and 1 machine-gun company, 1 anti-tank gun and smooth-bore mortar company and 1 signals company). In addition, it has an N.C.O.s' school.

The battalion of light infantry comprises a headquarters staff, 3 cyclists' and 1 machine-gun company, 1 accompanying equipment company, 1 signals company and an N.C.O.s' school.

The cavalry regiment comprises a headquarters staff, 4 squadrons and 1 machine-gun squadron.

The regiment of field artillery comprises a headquarters staff, 3 artillery batteries and 1 signals battery. The regiment has also an N.C.O.s' school. The first artillery regiment has also a range-finding battery.

The pioneer battalion comprises a headquarters staff, 4 companies, an N.C.O.s' school and the pioneers' training course.

The signals regiment consists of a headquarters staff, 4 telephone companies, 1 wireless telegraphy company, an N.C.O.s' school, a training workshop, the signal training course, an iron-working school and a refresher training section.

The train regiment comprises a headquarters staff and 2 battalions (one with headquarters and 1 company, 1 school and a motor-car depot, the other with headquarters and 1 train company, 1 supply company and 1 medical company). In addition, there is an N.C.O.s' school, a medical N.C.O.s' school and 1 training section for reservists.

Summary Table of Units

	Divisions	Brigades	Regiments	Battalions	Companies	Squadrons	Groups	Batteries
Infantry.. ..	3	—	9	22 ¹	92 ²	—	—	—
Cavalry.. ..	—	1	2	—	—	11 ³	—	—
Artillery :								
Field	—	—	4	—	—	—	—	17 ⁴
Coastal	—	—	3	—	—	—	2 ⁵	12
Antiaircraft	—	—	1	—	—	—	—	—
Horse	—	—	—	—	—	—	—	1
Engineers	—	—	1	3	13 ⁶	—	—	—
Train	—	—	1	2	9 ⁷	—	—	—
Tanks	—	—	—	—	1	—	—	—

¹ Including 4 battalions of light infantry.

² Including 13 machine-gun companies, 13 anti-tank gun and smoothbore mortar companies, 12 cyclist companies, 13 signals companies and 1 depot company.

³ Including 2 machine-gun squadrons, 1 signals squadron and 1 armoured-car squadron.

⁴ Including 4 signals batteries and 1 range-finding battery.

⁵ Independent groups.

⁶ Including 1 company of army dogs and 1 independent pioneer company.

⁷ Including 1 independent motor company.

Recruiting System and Period of Service

Military service is compulsory. The annual contingent amounts to about 26,000.

The Finnish regular forces include the active army, the first reserve and the second reserve.

(a) The active army includes professional soldiers and one annual class of conscripts.

(b) After service in the active army, soldiers pass into the first reserve, where they remain until June 1st of the year in which they attain the age of 40; the officers remain in the reserve until the age of 60, and re-enlisted N.C.O.s until 55.

(c) The second reserve comprises three classes :

The first consists of all men who have completed their service in the first reserve; the second consists of all men exempted from service with the colours; and the third consists of young men from 17 to 21 years of age and men whose military service has been postponed or suspended.

Finnish citizens of the male sex are liable for military service from the beginning of the year in which they complete their seventeenth year up to the end of the year in which they complete their sixtieth year. In time of peace, service in the active army only begins with the year in which a conscript is 21.

Conscripts who do not belong to the regular forces or the reserve are attached to the militia from the beginning of the year in which they reach the age of 17 until the end of the year in which they reach the age of 60.

Men fit for service in the active army generally serve for 350 days. Men selected for the schools of reserve officers or N.C.O.s' schools also serve for 440 days.

Reservists must attend for a number of periods of recall to the colours not exceeding 40 days for the men, 50 days for the N.C.O.s and 60 days for the reserve officers.

Militiamen are not liable to any service in peace-time.

Men exempted from combatant service owing to conscientious objections based on religious convictions serve six months over and above the ordinary period, either in the medical corps or as non-combatants, or are employed under military or civil direction on works which directly or indirectly concern national defence.

Civic Guard

The Civic Guard is organised on military lines. Its object is to provide for the military training of its members and, in the event of war, to supply the territorial organisation with the cadres required for the war-time units formed by the latter.

The Civic Guard may be considered as a formation in which military training is given elsewhere than in the army. Apart from its athletic and educational activities, the Civic Guard calls up its members from time to time for drill, short manoeuvres and military training courses.

It consists of about 100,000 men.

The permanent cadres of the Civic Guard amount to 450 officers and 750 officials.

An organisation known as the "Lotta Svärd" is affiliated to the Civic Guard. It is a women's organisation subsidised by the Ministry of National Defence and comprising about 100,000 (in 1938) members responsible for the health services, military administration, and defence against gas and air attacks.

Peace-time Effectives

	1939
Officers	1,803
N.C.O.s	3,633
Regular soldiers (1936)	500
Conscripts (1936)	23,944 ¹

¹ Excluding about 1,500 volunteers.

II. NAVY

List of Units

(1939)

2 coast vessels :

1. *Vainämömen*
(1930-1932) Displacement, 3,900 tons. Length, 305 feet. Beam, $55\frac{1}{2}$ feet.
Draught, $14\frac{3}{4}$ feet. H.p. 5,000 = 15.5 kts.
2. *Ilmarinen*
(1931-1933) Guns : 4 10-inch ; 8 4.1-inch (A.A.).

5 submarines :

1. *Vesikko*
(launched in 1933) Displacement, $\frac{250}{300}$ tons. H.p. $\frac{700}{180} = \frac{13}{7}$ kts.
3 torpedo tubes (21 in.).
 2. *Vetehinen*
(launched in 1930) Displacement, $\frac{490}{715}$ tons. H.p. $\frac{1,060}{600} = \frac{14}{8}$ kts.
4 torpedo tubes (21 in.).
 3. *Vesihäisi*
(launched in 1930)
 4. *Iku-Turso*
(launched in 1931)
 5. *Saukko*
(launched in 1930) Displacement, $\frac{100}{136}$ tons. H.p. $\frac{200}{150} = \frac{9}{6}$ kts.
2 torpedo tubes (18 in.).
- 29 various units (minelayers, gunboats, etc.).

II. APPEAL OF THE FINNISH GOVERNMENT TO THE LEAGUE OF NATIONS

1. LETTER FROM THE PERMANENT DELEGATE OF FINLAND TO THE SECRETARY-GENERAL

On December 3rd, 1939, the Secretary-General received the following letter, dated December 3rd, from the Permanent Delegate of Finland accredited to the League of Nations :

The Union of Soviet Socialist Republics, with which Finland, since the signature of the Treaty of Peace at Tartu in 1920, has maintained neighbourly relations and signed a Pact of Non-aggression which should have expired only in 1945, unexpectedly attacked on the morning of November 30th, 1939, not only frontier positions but also open Finnish towns, spreading death and destruction among the civilian population, more particularly by attacks from the air. Finland has never engaged in any undertaking directed against her powerful neighbour. She has continually made every effort to live at peace with her. Nevertheless, alleging so-called frontier incidents and adducing Finland's alleged refusal to acquiesce in the strengthening of the security of Leningrad, the Union of Soviet Socialist Republics first denounced the above-mentioned Pact of Non-aggression and then refused the Finnish Government's proposal to have recourse to the mediation of a neutral Power. In consequence, acting on instructions from my Government, I have the honour to bring the foregoing facts to your knowledge and to request you, in virtue of Articles 11 and 15 of the Covenant, forthwith to summon a meeting of the Council and the Assembly and to ask them to take the necessary measures to put an end to the aggression. I shall forward to you in due course a complete statement of the reasons and circumstances which have led my Government to request the intervention of the League of Nations in a dispute which has brought two of its Members into conflict with one another.

(Signed) Rudolf HOLSTI.

2. MESSAGE FROM THE PRESIDENT OF COLOMBIA TO THE PRESIDENT OF FINLAND

The Delegate of Colombia to the League of Nations had, in a letter dated December 2nd, communicated to the Secretary-General the text of a message sent by the President of Colombia to the President of Finland, requesting that it should be transmitted to the Members of the League. This message read :

[Translation from the Spanish.]

The distance between our two countries, which are united in their faith in democratic ideals, but whose mutual relations are as yet only beginning to develop, shall not prevent me from assuring Your Excellency, in the sorrowful days through which your country is passing, of the profound sympathy of Colombia. I should be betraying the feelings of

my people and those of the Government of the Republic if I were to keep silence in face of the cruel outrage now being perpetrated, without the slightest justification, upon a free nation that has attained a high degree of civilisation, based upon justice, and of authentic culture. The small nations of the world, those which, ardently desiring peace, pursue the welfare of their children in the possession of inalienable liberties and with strict adherence to the rules of law, are absolutely bound to uphold their complete independence, no matter at what sacrifice, and cannot, without endangering their own existence, remain indifferent when those rules are totally ignored and supplanted by brute force such as is to-day let loose upon Finland and, while filling her cities with bloodshed and ruin, is violating her essential rights under pretexts that but enhance the shocking and scandalous character of this work of iniquity. All Colombia is praying that that work will not prosper, that mankind will not be subjected to violence and to the unbridled spirit of conquest, and that ere long the Finnish Republic will once again enjoy that true freedom and security to which it has full right under every law of morality and every principle of international law.

(Signed) Eduardo SANTOS, President of Colombia.

3. CONVOCAATION OF THE COUNCIL AND ASSEMBLY : ACTION TAKEN BY THE SECRETARY-GENERAL

Article 11 of the Covenant provides that, in the case of any war or threat of war, the Secretary-General shall, on the request of any Member of the League, forthwith summon a meeting of the Council. The Secretary-General therefore communicated the Finnish Government's letter to the Council and the Members of the League on December 3rd, and asked the Members of the Council to meet at Geneva on December 9th. At the same time, he submitted to the President of the Assembly a proposal to convoke the Assembly for December 11th, and, on December 5th, confirmed this date in a telegram to the Members.

Furthermore, the Secretary-General had, on December 4th, sent the following telegram to the Government of the Union of Soviet Socialist Republics :

The Finnish representative accredited to the League of Nations, in his communication of the 3rd instant, which I had the honour to communicate to you yesterday, states that he will forward to me a complete statement of the reasons and circumstances which have led his Government to request the intervention of the League of Nations.

The Finnish Government having invoked, in addition to Article 11, Article 15, which provides that the Secretary-General will make all necessary arrangements for a full investigation and consideration of the dispute, I direct your attention to paragraph 2 of the said Article 15, which provides that the parties will communicate to me, as promptly as possible, a statement of their case with all the relevant facts and papers.

4. REPLY FROM THE GOVERNMENT OF THE U.S.S.R.

On December 5th, he received a telegram, dated December 4th, from the Government of the Union of Soviet Socialist Republics, reading as follows :

[Translation.]

In accordance with instructions from the U.S.S.R. Government, I have the honour to inform you that that Government considers unjustified proposal to convene December 9th

Council League of Nations and December 11th Assembly League of Nations on the initiative of M. Rodolphe Holsti and in virtue of Article 11, paragraph 1, of the League Covenant.

The U.S.S.R. is not at war with Finland and does not threaten the Finnish nation with war. Consequently, reference to Article 11, paragraph 1, is unjustified. Soviet Union maintains peaceful relations with the Democratic Republic of Finland, whose Government signed with the U.S.S.R. on December 2nd Pact of Assistance and Friendship. This Pact settled all the questions which the Soviet Government had fruitlessly discussed with delegates former Finnish Government now divested of its power.

By its declaration of December 1st, the Government of the Democratic Republic of Finland requested the Soviet Government to lend assistance to that Republic by armed forces with a view to the joint liquidation at the earliest possible moment of the very dangerous seat of war created in Finland by its former rulers. In these circumstances, appeal of M. Rodolphe Holsti to the League cannot justify convocation of the Council and the Assembly, especially as the persons on whose behalf M. Rodolphe Holsti has approached the League cannot be regarded as mandatories of the Finnish people.

If, notwithstanding considerations set out above, Council and Assembly are convened to consider the appeal of M. Rodolphe Holsti, U.S.S.R. Government would be unable to take part in these meetings. This decision is also based on the fact that the communication from the Secretary-General of the League concerning convocation Council and Assembly reproduces the text of the letter from M. Rodolphe Holsti which is full of insults and calumnies against the Soviet Government, this being incompatible with the respect due to the U.S.S.R.

MOLOTOV.

5. TELEGRAMS FROM VARIOUS GOVERNMENTS

Subsequent to the convocation of the Council, the following communications were received :

TELEGRAM FROM THE ARGENTINE GOVERNMENT TO THE SECRETARY-GENERAL

[*Translation from the Spanish.*]

Buenos Aires, December 4th, 1939.

Now that the Fourth Committee is in session, the Argentine Government considers that, before it deals with the administrative and budgetary questions coming within its province, a formal protest should be made against the aggression of which the Soviet Union has been guilty against Finland in violation not only of the principles of the League of Nations but also of the most elementary dictates of justice and humanity. This violation, which is all the more odious in view of the enormous difference in material forces, justifies the immediate expulsion of the Soviet Union from the League. The creation of fronts inside countries for the purpose of facilitating the spread of Communism constitutes a danger to which nations that place respect for human life, conscience and liberty above all else cannot remain indifferent.

José Maria CANTILO,
Minister Foreign Affairs.

TELEGRAM FROM THE VENEZUELAN GOVERNMENT TO THE SECRETARY-GENERAL

[*Translation from the Spanish.*]

Caracas, December 4th, 1939.

Although on July 11th, 1938, my Government notified its decision, which will take effect on July 11th, 1940, to withdraw from the League of Nations, and since that date has considered it unnecessary to send representatives to the meetings in view of the facts set forth in the Finnish Government's note, transcribed in your note, my Government approves of the proposal to convene the Assembly for Monday, December 11th, and will appoint a representative to unite his efforts with those of the representatives of the other States with the common aim of considering the means of giving effect to the guarantees of security and peace solemnly inscribed in the Preamble of the Covenant.

E. Gil BORGES,
Minister for Foreign Affairs of Venezuela.



The Imatra Rapids.

TELEGRAM FROM THE URUGUAYAN GOVERNMENT TO THE SECRETARY-GENERAL

[Translation from the Spanish].

Montevideo, December 4th, 1939.

No meeting of the Assembly and Council of the League of Nations having as yet taken place, the Government of the Republic, on the occasion of the convening of the Fourth Committee, considers itself called upon to reiterate its unalterable attachment to the great principles of justice and peace on which the League is based and which led to the foundation of that international institution. It notes, however, at the same time, the strange situation now resulting from the fact that one of the associated Powers has just employed violence as an instrument of national policy, thus breaking the letter and spirit of the Covenant of 1919, which unites all the Members of the League. Uruguay considers this situation essentially irregular, since the existence in the League of States which remain faithful to the principles and ideals above mentioned is neither morally nor juridically compatible with that of other States which continue to belong to it while failing to comply with their fundamental obligations. The fact that the League has been founded and has continued to exist although manifestly devoid of any means of averting war is due to the ardent hope that there may be formed at Geneva a solid *bloc* of States associated in the defence of law and the liberty of nations. It is therefore inadmissible that countries which openly violate the essential principles of the League should continue in it side by side with others which have always been and are still resolved to respect those principles. It is with deepest grief that Uruguay informs the Secretary-General that, if this anomalous situation should persist, Uruguay would be obliged much to her regret to give notice of her intention to withdraw from the institution in conformity with Article 1, paragraph 3, of the Covenant of the League of Nations.

Alberto GUANI,
Minister for Foreign Affairs of the
Republic of Uruguay.

6. STATEMENT BY THE FINNISH GOVERNMENT

The promised statement by the Finnish Government of the reasons and circumstances which had led it to request the intervention of the League was sent to the Secretary-General on December 7th. The statement reads as follows :

[Translation.]

Geneva, December 7th, 1939.

With reference to the last paragraph of the letter which I addressed to you on the 3rd instant, I have the honour to communicate below the promised statement of the reasons and circumstances which have led my Government to request the intervention of the League of Nations in the conflict that has broken out between Finland and the Union of Soviet Socialist Republics.

When, on December 6th, 1917, the Government of Finland declared its independence, it appealed to all the Powers, including Soviet Russia, to recognise its independence *de jure*. The Soviet Government, indeed, was among the first to assent. But no sooner had the Soviet Government, on January 4th, 1918, announced its recognition of Finland's independence, than it hastened, before the end of that same month, to open hostilities against an almost entirely unarmed Finland. Nevertheless, the fighting ended in less than four months with a Finnish victory. Peace was concluded between the two countries at Tartu on October 14th, 1920.

Thereafter, relations between Finland and Russia developed on normal lines. In order to strengthen the ties of neighbourly relations, a Treaty of Non-aggression and Pacific Settlement of Disputes was signed on January 21st, 1932, and, on April 22nd of the same year, a Conciliation Convention which forms an integral part of that Treaty.

Article 5 of the Treaty of Non-aggression reads as follows :

"The High Contracting Parties declare that they will always endeavour to settle in a spirit of justice any disputes of whatever nature or origin which may arise between

them, and will resort exclusively to pacific means of settling such disputes. For this purpose, the High Contracting Parties undertake to submit any disputes which may arise between them after the signature of the present Treaty, and which it may not have been possible to settle through diplomatic proceedings within a reasonable time, to a procedure of conciliation before a joint conciliation commission whose powers, composition and working shall be fixed by a special supplementary Convention, which shall form an integral part of the present Treaty and which the High Contracting Parties undertake to conclude as soon as possible and in any event before the present Treaty is ratified. Conciliation procedure shall also be applied in the event of any dispute as to the application or interpretation of a Convention concluded between the High Contracting Parties, and particularly the question whether the mutual undertaking as to non-aggression has or has not been violated."

As will be seen from this text, the two contracting parties declare in the most conclusive terms that they will settle any disputes of whatever nature or origin which may arise between them, and will resort exclusively to pacific means of settling such disputes.

Attention must also be drawn to Article 8, which provides that: "The present Treaty is concluded for three years. If it is not denounced by either of the High Contracting Parties after previous notice of not less than six months before the expiry of that period, it shall be deemed to be automatically renewed for a further period of two years." Actually, the Treaty was renewed by a Protocol signed on April 7th, 1934, in which the two parties noted "that the conclusion of the Treaty signed on January 21st, 1932, . . . between Finland and the Union of Soviet Socialist Republics has had a beneficent influence on their relations." According to that Protocol, the Treaty was to remain in force until the end of 1945, no provision being made for denunciation before that date. This last clause assumes a quite special importance in the present circumstances.

The Soviet proposals of 1933 concerning the definition of the aggressor should likewise be borne in mind.

Again, on September 17th last, the Soviet Government, in a note to the Finnish Legation at Moscow, gave an assurance that, war having broken out between certain European Powers, it would pursue a policy of neutrality in Finno-Soviet relations. In consequence, M. Erkko, Minister for Foreign Affairs of Finland, issued the following statement to the Press: "As the official announcement states, the Government of the Union of Soviet Socialist Republics, when it informed the Finnish Legation at Moscow that it had declared war on Poland, intimated at the same time that it would maintain relations of neutrality with Finland. That intimation has been received in Finland with great satisfaction, and is in harmony with the spirit of the peaceful and friendly relations that Finland has maintained with the Commissariat for Foreign Affairs of the Union of Soviet Socialist Republics."

Notwithstanding the foregoing facts, the Soviet Government informed the Finnish Government on October 5th last that an exchange of views between the two Governments on political questions was desirable; no explanation of the nature and scope of the negotiations was given by the Soviet Government. The Finnish Government, however, ever ready to furnish proof of its sincere desire to maintain neighbourly relations, accepted the invitation and sent delegates to Moscow.

In the course of the negotiations, it soon became apparent that the Soviet Government's intention had been to induce Finland to agree to the cession of Finnish territories to the Union of Soviet Socialist Republics, either permanently or on lease. Although the Soviet Government's proposals, some of them in particular, were of such a nature as to threaten the fundamental conditions of national security, Finland continued the negotiations in the hope that a solution answering fully to the interests of the two countries would finally be found.

The negotiations between the two Governments were suspended on November 13th last, and the Finnish delegates returned to Helsinki for further instructions. On that same day, when receiving the representatives of the international Press, M. Erkko, Minister for Foreign Affairs, expressed his firm conviction that, given good-will, it was

possible to find a solution that would satisfy both parties, and that, in any case, so far as concerned its attitude towards the Union of Soviet Socialist Republics, the Finnish Government was still anxious to bring the matter to a successful conclusion.

Having regard to the fact that the Finnish Government had agreed to institute these negotiations on such a vague basis, it is understandable that it should have wished to reconsider the situation as soon as it knew the Soviet Government's real intentions. In accordance with democratic principles, the Finnish Government also desired to consult Parliament.

These consultations were in progress when suddenly, on Sunday, November 26th, an explosion took place on the Karelian Isthmus, on the Russian side of the frontier, causing, as the Soviet Government alleged, the death of some Russian officers and soldiers. The Soviet Government at once stated that guns had been fired on the Finnish side. An exhaustive investigation carried out by the Finnish authorities, however, showed that no shots had been fired across the frontier from the Finnish side. The Soviet Government nevertheless continued to accuse Finland of violating the integrity of Soviet territory.

But on the Finnish side of the frontier there were only the ordinary frontier guard troops, who had no artillery of any kind. The field artillery was twenty kilometres and the heavy artillery fifty kilometres behind the frontier. It is obvious that in those circumstances Finland could not have been responsible for the accident in question.

As for the Soviet assertion that some Finnish soldiers crossed the frontier near the Arctic coast, the investigations of the Finnish authorities have shown that, on the contrary, Russian soldiers had entered Finnish territory, destroying a Finnish frontier guard post and carrying off three Finnish soldiers as prisoners.

To show its unshakably pacific spirit, the Finnish Government at once proposed to the Soviet Government an exhaustive investigation of the foregoing charges and other even more trifling allegations put forward on the Soviet side. The Soviet Government was less conciliatory. In its view, Finland was to withdraw her troops unilaterally on the Karelian Isthmus for such a distance—twenty-five kilometres from the frontier—as would have endangered Finland's own security. For its part, the Soviet Government did not see its way to accept the Finnish proposal that the troops of both Powers should be withdrawn for the same distance.

In answer to this note, the Finnish Government, on November 29th, sent its reply to the Soviet Government with the utmost despatch through its Minister at Moscow. In this note, the text of which will be communicated to the League in due course, it proposed the conciliation procedure provided for in the Treaty of Non-aggression, to which resort was to be had, in particular, for the purpose of ascertaining whether the obligation of non-aggression had been violated. As an alternative, the Finnish Government intimated its readiness to submit the dispute to neutral arbitration.

For reasons unknown to the Finnish Government, the telegraphic transmission of this note was delayed in Soviet territory. At the same time, the Finnish Minister was summoned at midnight to the Commissariat for Foreign Affairs, where he was informed that the Government of the Union of Soviet Socialist Republics was no longer willing to maintain diplomatic relations with Finland. He had therefore no opportunity of transmitting the note to the Soviet Government. In a note of the same date the above-mentioned Treaty of Non-aggression had already been denounced by the Soviet Government.

Although the Treaty of Non-aggression could not be denounced before 1945 without six months' notice, and although both countries were bound by the provisions of the Peace Treaty of Tartu, the Covenant of the League of Nations, the Kellogg-Briand Pact, and various other treaties and conventions of similar effect, on November 30th, at 8 a.m. (Central European time), hostilities were opened against Finland by the Union of Soviet Socialist Republics.

The Government of the United States hastened to offer its good offices to the two Governments with a view to a peaceful settlement of the dispute. The offer was immediately accepted by the Finnish Government, but the Soviet Government rejected it.

At the same time, a further attempt was made by the Finnish Government, through the

intermediary of the Swedish Government, to secure the continuance of the above-mentioned negotiations with the Union of Soviet Socialist Republics, notwithstanding the fact that hostilities had already begun, but once again the Soviet Government refused its consent.

All these attempts having failed, the Finnish Government decided to submit the dispute to the League of Nations. With this object, the undersigned was instructed to hand you a note requesting you, under Articles 11 and 15 of the Covenant, forthwith to summon a meeting of the Council and the Assembly with a view to putting a stop to the aggression.

In compliance with this request, you were good enough to summon a meeting of the Council and the Assembly.

In reply to your invitation, the Soviet Government sent you a telegram, the tendentious character of which is obvious. In this telegram, M. Molotov, Commissar for Foreign Affairs of the Union of Soviet Socialist Republics, ignores the existence of the Finnish Government, and declares that the Soviet Union maintains peaceful relations with the Democratic Republic of Finland, whose Government is alleged to have signed a pact of assistance and friendship with the Union of Soviet Socialist Republics on December 2nd.

As for the so-called democratic Government of the Finnish Republic, referred to by M. Molotov, it is only a puppet Government set up by the Soviet Government itself, and it consequently has no right to represent the Finnish people. In point of fact, it represents only a number of Finnish refugees who took refuge in Russia after the civil war in 1918 and became Soviet citizens. At the same time, they are regarded in Finland as criminals accused of high treason against their native land.

M. Molotov considers that the request addressed to the League of Nations by the Permanent Delegate of Finland for the convening of the Council and Assembly is unjustifiable, on the ground that that delegate possesses no mandate from persons who are authorised to speak in the name of the Finnish people.

It should, however, be observed that, on July 1st-2nd, 1939, elections were held in Finland, and that the Finnish people freely elects its representatives to Parliament. This expression of the will of the people is of special significance in view of the fact that since 1906 the vote has also been extended to women, who form the majority of the population and whose love of peace is beyond all doubt.

The Government which had started the negotiations with the Union of Soviet Socialist Republics in October had obtained a unanimous vote of confidence from Parliament at the very moment when the Soviet Government broke off diplomatic relations with Finland. Nevertheless, that Government resigned to enable a Government to be formed which would include all the larger parties, from the Conservatives to the Social Democrats. There is no communist party in Finland.

It should be specially emphasised that the Minister for Foreign Affairs of the new Government, M. Tanner, who was Finance Minister in the Government which resigned and one of the delegates taking part in the Moscow negotiations, is the leader of the Social Democratic Party. Even before the opening of hostilities, that party, which is the largest in the country, and the General Labour Confederation, had expressed their full confidence in M. Tanner. As soon as the Union of Soviet Socialist Republics set up the so-called "Democratic Government of Finland" on the 2nd instant, these two Finnish Labour organisations immediately issued a solemn declaration once again affirming their patriotism and their firm resolve to defend the country together with all other parties against this treacherous act of aggression. These facts afford the best proof of the unanimous determination of the whole Finnish people to fight to the end for the independence of their country.

It is in pursuance of the legitimate Government's request that the Council and Assembly of the League of Nations have been convened.

Since the 3rd instant, when I had the honour to send you my note, the Union of Soviet Socialist Republics has continued its ferocious attacks on Finland. The land, naval and air forces of the Soviet Union are in full action, spreading death and destruction among the civilian population and in open towns. According to the latest news, the Soviet army is even using poison gas.

Such are the facts which it is my painful duty to bring, with your kind assistance, to the knowledge of all States Members of the League. In view of the fact that a large number of documents containing information calculated to throw more light on this question have not yet come to hand, I shall venture, in a few days' time, to send you supplementary documentation.

I therefore have the honour, without prejudice to the rights of the Council, and acting on behalf of my Government under the optional right conferred upon it by Article 15, paragraph 9, of the Covenant, to request the Council to refer to the Assembly without delay the dispute which has arisen between my country and the Union of Soviet Socialist Republics, in order that the Assembly may deal with it forthwith.

(Signed) Rudolf HOLSTI.

7. SUPPLEMENTARY INFORMATION SUPPLIED BY THE FINNISH GOVERNMENT

In addition, the Finnish Government forwarded to the Secretary-General on December 9th the following supplementary information referred to in the letter hereunder :

[*Translation.*]

Geneva, December 9th, 1939.

With reference to my letter dated the 7th of this month, I have the honour herewith to communicate to you the supplementary documentation, and would request you to be good enough to have it circulated to the States Members of the League of Nations.

In the above-mentioned letter, there is one point on which, after having examined the documentation, I should now like to make a correction affording further proof of my Government's desire for conciliation until the very end.

I informed you in the letter that my Government, in reply to the Soviet proposals for the withdrawal of Finnish troops to a distance of about 25 kilometres, had suggested the withdrawal of the troops of both Powers to an equal distance.

In point of fact, my Government declared itself willing to enter into negotiations for this withdrawal without determining in advance the distance to which the troops would be withdrawn on each side.

I beg to send you herewith the following documents :

- (1) *Aide-mémoire* ;
- (2) Proposal by the U.S.S.R., dated October 14th ;
- (3) Finnish counter-proposal of October 23rd ;
- (4) Proposal by the U.S.S.R., dated October 23rd ;
- (5) Finnish counter-proposal of October 31st, communicated on November 3rd ;
- (6) Memorandum by M. Paasikivi, dated November 9th ;
- (7) Letter from M. Molotov to M. Paasikivi and M. Tanner, dated November 9th ;
- (8) Letter from M. Paasikivi and M. Tanner to M. Molotov, dated November 10th ;
- (9) Letter from M. Paasikivi and M. Tanner to M. Molotov, dated November 13th ;
- (10) Note from M. Molotov to the Minister of Finland at Moscow, dated November 26th ;
- (11) Note from the Minister of Finland at Moscow to M. Molotov, dated November 27th ;
- (12) Note from M. Molotov to the Minister of Finland at Moscow, dated November 28th ;
- (13) Note from M. Molotov to the Minister of Finland at Moscow, dated November 29th ;
- (14) Note from the Minister of Finland at Moscow to M. Molotov, dated November 29th.

(Signed) Rudolf HOLSTI.

(i) AIDE-MÉMOIRE

[Translation.]

The Frontiers of Finland

By the Treaties of Peace and Non-aggression, the Union of Soviet Socialist Republics expressly, and of its own free will, recognised the political frontiers of Finland. The territorial composition of Finland has, moreover, been fixed for centuries past. The western section of the frontier crossing the Isthmus of Karelia goes back to the year 1323; and the eastern section, to 1618. As regards the frontier running north from Lake Ladoga, the southern section (as far as Nurmes) goes back to 1618; and the northern section, to 1595. The modifications of the frontier on the Arctic coast took place in 1920, when, in accordance with a promise made in 1864, the U.S.S.R. ceded the Petsamo region to Finland in compensation for a territory which was then incorporated in Russia. This arrangement was also intended to compensate Finland for the loss of free access to the Arctic Ocean in 1826, when the territory previously regarded as belonging jointly to Russia, Finland and Norway was partitioned between Russia and Norway. From 1809 to 1917, during which period Finland was united to Russia as a Grand-Duchy enjoying complete internal autonomy, her frontiers with Russia were exactly delimited.

Negotiations between Finland and the Union of Soviet Socialist Republics

In the course of the negotiations in October-November 1939, to which the Government of the U.S.S.R. invited the Government of Finland on October 5th last, the U.S.S.R. made detailed proposals prejudicial to the territorial integrity of Finland.

The majority of the proposals of the U.S.S.R. were actuated by strategic considerations which it was attempted to justify by a desire to guarantee the security of Leningrad. In point of fact, these considerations had already been taken into account in the Treaty of Peace of Tartu, whereby the outer islands in the Gulf of Finland and the Island of Suursaari were demilitarised. The treaty further provided that certain fortifications on the Finnish side of the Isthmus of Karelia were to be destroyed and that freedom of military action on the eastern coast of the Gulf of Finland was to be subject to certain restrictions. Finland has scrupulously observed all her undertakings. Now the U.S.S.R. has made proposals regarding the cession of certain territories by Finland by grant of lease or by exchange. In order to reach an agreement with the U.S.S.R., Finland has adopted the most conciliatory attitude possible. The limit of the concessions beyond which Finland has thought it impossible to go was determined by the two following considerations:

- (1) Compliance with the considerations of security advanced by the U.S.S.R. must not be allowed to prejudice Finland's security or her possibilities of defence;
- (2) The policy of neutrality followed by Finland and recognised even by the U.S.S.R. must not be jeopardised.

The proposals to which the U.S.S.R. firmly adhered were for the cession of a naval base at the entrance to the Gulf of Finland and a modification of the frontier on the Isthmus of Karelia. They would have meant the renunciation of the above-mentioned principle.

In the counter-proposals, whereby Finland endeavoured to discover new means of satisfying the demands of the U.S.S.R., it was finally contemplated—in addition to partial acceptance of the territorial demands of the U.S.S.R. on the coast of the Arctic Ocean—the cession to the U.S.S.R. of five of the outer islands in the Gulf of Finland and the southern part of the Island of Suursaari, together with the removal of the line of demarcation to a distance of approximately 20–25 kilometres from the very ancient frontiers in the Isthmus of Karelia in the north-eastern part of the Gulf of Finland. The cession of these territories, which from the remotest times have been inhabited by a Finnish population, would have meant the renunciation of the principles of nationality recognised by the founders of the U.S.S.R. Nevertheless, the Government of Finland was ready to make this heavy sacrifice, in order to meet the demands of her great neighbour.

There was a limit beyond which the Government of Finland considered it impossible to go in making concessions. The principle that its importance or the size of one of

its towns entitles a State to require the cession of territory from a smaller State is unknown in the political life of the West. A large country is protected by its very size. To require a small State to renounce its means of defence is tantamount to destroying that State's liberty. By giving up its means of defence, the small State either falls under the domination of the great Power by which the demands were presented or becomes the battlefield of great Powers. The U.S.S.R. is not exposed to any danger of indirect aggression by a great Power through Finnish territory. The most effective way of guaranteeing it against such a danger for all time is to allow the Finnish people the possibility of ensuring—as it is firmly determined to do—the application of its policy of neutrality by effective defence designed to maintain the independence of its country, and not to deprive it of that possibility.

The negotiations conducted at Moscow were broken off by the U.S.S.R. on November 13th. In Finland, however, the hope was explicitly expressed that negotiations would be continued and conducted to a successful conclusion. The Soviet allegation that the "intransigent" attitude of Finland towards the territorial demands of the U.S.S.R. was prompted by certain foreign Powers is devoid of all foundation. Indeed, the fundamental instinct of self-preservation obliges every State to organise its defence and independence on solid foundations. The same instinct of self-preservation also obliges the small States to hold aloof from the conflicts of the great Powers and scrupulously to maintain their neutrality. The allegation that in the negotiations Finland gave evidence of intransigence and of a hostile attitude towards the U.S.S.R. is untrue, as Finland advanced no demands and preferred no threats against the U.S.S.R. Far from threatening, she was prepared to make to her neighbour concessions in the national and military spheres which should have afforded a sufficient guarantee for the security of Leningrad.

Even during the negotiations at Moscow, the air forces of the U.S.S.R. committed several violations of the territorial integrity of Finland. Between October 10th and November 14th some thirty such violations were recorded. Finland drew the attention of the U.S.S.R. to this fact through the diplomatic channel, but she was careful not to exaggerate its importance, so as to avoid tension in the relations of the two countries and also in order to facilitate the negotiations then in progress. After the negotiations were broken off, the U.S.S.R. embarked upon a systematic campaign of wireless and Press propaganda against Finland, but it was not until November 26th that the anti-Finnish measures began to take on a more aggressive and cynical tone. This last phase continued until November 30th, on which date the aggression of the U.S.S.R. against Finland took place.

It was on the first-mentioned date—that is, November 26th—that the U.S.S.R. launched an accusation against Finland to the effect that Finnish troops had opened fire with cannon on the Soviet troops lying on the other side of the frontier in the neighbourhood of the village of Mainila, in the Karelian Isthmus. The Government of the U.S.S.R. professed to conclude from this that the concentration of Finnish troops in the vicinity of the frontier threatened the city of Leningrad and constituted a hostile act against the U.S.S.R. It proposed that the Government of Finland should, without delay, withdraw its troops on the Isthmus of Karelia to a distance of 20–25 kilometres from the frontier to preclude the possibility, as it alleged, of the renewal of such provocation.

Finland, being ready to prove her innocence and desiring to avoid any possible misunderstanding, proposed, on November 27th, a joint enquiry to elucidate the circumstances in which the alleged incident had taken place, and declared, *inter alia*, that there was no artillery in the immediate vicinity of the frontier. She further proposed negotiations with a view to the withdrawal of the troops on both sides of the frontier. In reply, the Government of the U.S.S.R., on November 29th, unilaterally denounced the Treaty of Non-aggression, in flagrant contradiction to the treaty's express provisions.

Finland then proposed the conciliation procedure laid down in the treaty, which was to be employed more particularly to ascertain whether the non-aggression obligation had been violated. Alternatively, she declared herself willing to submit the dispute to neutral arbitration, in order to furnish conclusive proof of her desire to reach agreement with the U.S.S.R. and to rebut the latter's allegations. Finland declared herself willing to come to an agreement with the U.S.S.R. for the withdrawal of her defence troops in the Isthmus

of Karelia to such a distance from Leningrad that any possibility of a threat to the safety of that city would be eliminated.

Outbreak of Hostilities

But before the Minister of Finland in Moscow had an opportunity of transmitting Finland's reply to the Commissariat for Foreign Affairs, the U.S.S.R., on the evening of November 29th, broke off diplomatic relations. Nevertheless, the Finnish reply to the notifications of the U.S.S.R. regarding the denunciation of the Non-aggression Treaty was handed to the Commissariat for Foreign Affairs immediately after 12 o'clock on the night of November 29th-30th. The note should have fully convinced the Government of the U.S.S.R. of Finland's unwavering desire to reach an agreement regarding the movement of her troops in the Isthmus of Karelia away from the U.S.S.R. ; but on November 30th, the latter nevertheless began its aggression against Finland.

The wireless propaganda of the U.S.S.R. against Finland reached its climax on the evening of November 29th and during the following night, as Finland was, without foundation, accused of several violations of the frontier, although, to avoid any possibility of incidents, the Finnish troops and frontier guards had been withdrawn to a stated distance from the frontier, and therefore unquestionably remained throughout in Finnish territory, refraining from all military action. The Soviet troops, on the other hand, crossed the frontier near Pummanki, to the north-east of Petsamo, as early as the evening of November 29th and took prisoner three Finnish frontier guards.

The above-mentioned Soviet allegations were denied by Finland the same evening, and the serious violation of the frontier was concisely reported. Little by little, however, it became clear that the U.S.S.R. had decided to open hostilities against Finland, though the latter could not expect them to begin so soon—the following day in fact—particularly as no declaration of war or even ultimatum had been sent. Still less was it to be imagined that the U.S.S.R. would open hostilities, even against the civil population.

On November 30th, Soviet aeroplanes appeared above Helsinki about 9 a.m. and bombarded the city and the neighbouring aerodrome. The attack was repeated the same day about 2.30 p.m., and on this occasion dozens of civilians, chiefly women and children, were killed. The bombs destroyed several private houses and caused numerous fires. The same day, Soviet aeroplanes also bombarded other towns, such as Viipuri, Turku, Lahti and Kotka, together with various places in the interior of the country—*e.g.*, Enso, a large State factory. The destruction and material damage caused by these bombardments chiefly affected the civil population. The bombardments did not even spare the buildings specially protected by Article 27 of the Convention forming part of the Fourth General Hague Convention of 1907 respecting the laws and customs of war on land. A church in Helsinki and a hospital in Enso, were, for example, set on fire by bombs. Altogether, 85 persons, including 65 at Helsinki, were killed during the bombardments carried out on the first day. The following day there was a further bombardment of several towns and other centres of population ; there were several dozen casualties and much damage was done. The sole purpose of these air attacks was, without doubt, to annihilate the civil population and cause material damage. It may perhaps be suggested that the bombs fell accidentally on objectives other than those aimed at. But low-flying aeroplanes were seen to turn the fire of their machine-guns directly against private houses, schools, and women and children rushing to take shelter.

The land and naval forces have shown the same cruelty and the same flagrant disregard for the elementary laws of warfare ; they have spared neither women, children, nor even shipwrecked civilians.

Hostilities in general began on the morning of November 30th, when the troops of the U.S.S.R. crossed the frontier and attacked the Finnish troops at several points in the Karelian Isthmus and on the eastern frontier from Lake Ladoga to Petsamo. Hitherto, the Soviet troops have occupied part of Petsamo and certain other districts in the Karelian Isthmus and on the eastern frontier, the defence of which was abandoned for military reasons. Furthermore, a Soviet warship bombarded the Finnish coast in the neighbourhood of the Island of Russarö, but was obliged to withdraw after sustaining losses. Certain

islands in the Gulf of Finland, which were demilitarised at the demand of the U.S.S.R. under the Treaty of Peace concluded at Tartu in 1920, have now been occupied by the armed forces of the U.S.S.R., which have taken advantage of the position. Hostilities are still proceeding throughout the length of the country's frontiers.

It is clear from the foregoing that the U.S.S.R. has unquestionably undertaken against Finland action within the meaning of Article II, paragraphs 2 and 3, of the International Convention for the Definition of the Aggressor, concluded in London on July 3rd, 1933, on the initiative of the U.S.S.R.; Finland acceded to the Convention in 1934. Hence the U.S.S.R., even in its own view, should be regarded as an aggressor.

As early as the day following the opening of hostilities, the U.S.S.R. broadcast the intimation that it had set up a new "democratic" Government for Finland in the village of Terijoki in Finnish territory in the Isthmus of Karelia, near the Finnish-Soviet frontier. This Government is composed of Finnish Communists who almost all fled to Russia twenty years ago and who had been guilty of high treason and rebellion, of which offences some of them have even been convicted by the courts. Such a body, set up by a foreign Power, Finland—presumably, like any foreign State—regards as devoid of all importance and entirely without standing. The legal Government of Finland is still in the capital of the country, notwithstanding the allegations of the U.S.S.R.

On the day on which the troops of the U.S.S.R. attacked the territory of Finland, the United States offered their good offices with a view to the pacific settlement of the dispute. This offer was arrogantly rejected by the U.S.S.R., whereas Finland, though the injured party, gratefully accepted it. Finland has even gone further in her efforts in favour of peace in the North, and general peace. Attempting to forget the great injustice she had suffered and her irreparable losses of both human lives and property, on December 4th she approached the Government of the U.S.S.R., through the Minister of Sweden in Moscow, with a proposal for the re-opening of negotiations. At the same time, she declared her willingness to make new proposals with a view to the satisfactory settlement of the questions pending between herself and the U.S.S.R. This proposal was also rejected by the latter, which disputed the Swedish Minister's right to represent the interests of Finland, and replied that it was only prepared to negotiate with the above-mentioned Government, which it had itself set up at the frontier of Finland.

The U.S.S.R. has thus clearly demonstrated its intention, regardless of everything, to continue its armed attack by every means until it has Finland at its mercy and can destroy both her independence and her existence, despite the fact that M. Molotov, Commissar for Foreign Affairs of the U.S.S.R., affirmed the contrary in a speech delivered in the course of the negotiations mentioned above.

(ii) PROPOSAL OF THE SOVIET UNION, DATED OCTOBER 14TH, 1939

In the negotiations with Finland, the Soviet Union is mainly concerned with the settling of two questions:

- (a) Securing the safety of Leningrad;
- (b) Becoming satisfied that Finland will have firm, friendly relations with the Soviet Union.

Both points are essential for the purpose of preserving against external hostile aggression the integrity of the Soviet Union coast of the Gulf of Finland and also of the coast of Estonia, whose independence the Soviet Union has undertaken to defend.

In order to fulfil this duty, it is necessary:

- (1) To make it possible to block the opening of the Gulf of Finland by means of artillery fire from both coasts of the Gulf of Finland, in order to prevent warships and transport ships of the enemy from penetrating the waters of the Gulf of Finland;
- (2) To make it possible to prevent the access of the enemy to those islands in the Gulf of Finland which are situated west and north-west of the entrance to Leningrad;

(3) To have the Finnish frontier on the Isthmus of Karelia, which frontier is now at a distance of 32 kilometres from Leningrad—*i.e.*, within the range of shots from a long-distance gun—moved somewhat farther northwards and north-westwards.

A separate question arises with regard to the Kalastajasaarento in Petsamo, where the frontier is unskillfully and artificially drawn and has to be adjusted in accordance with the annexed map.

With the preceding as a basis, it is necessary to settle the following questions by having in view a mutual arrangement and common interests :

(1) Leasing to the Soviet Union for a period of thirty years the port of Hanko and a territory adjoining thereto situated within a radius of 5-6 nautical miles southwards and eastwards and within a radius of 3 nautical miles westwards and northwards, for the purpose of creating a naval base with coastal artillery capable of blocking by artillery fire, together with the naval base Paldiski on the southern coast of the Gulf of Finland, the access to the Gulf of Finland. For the protection of the naval base, the Finnish Government should permit the Government of the Soviet Union to keep in the port of Hanko the following garrison :

- One infantry regiment ;
- Two anti-aircraft batteries ;
- Two air-force regiments ;
- One battalion of armoured cars, altogether not more than 5,000 men.

(2) Granting to the naval forces of the Soviet Union the right of using the bay of Lappohja as anchoring berth.

(3) Ceding to the Soviet Union, in exchange for other territories, the following territories :

The islands Suursaari, Seiskari, Lavansaari, Tytärsaari and Koivisto, part of the Isthmus of Karelia from the village of Lippola to the southern border of the town of Koivisto, and the western parts of the Kalastajasaarento—in total, 2,761 square kilometres, in accordance with the annexed map.

(4) In exchange for the territories mentioned in paragraph 3, the Soviet Union cedes to the Republic of Finland Soviet Union territory of the districts of Repola and Porajärvi to the extent of 5,529 square kilometres, in accordance with the annexed map.

(5) Strengthening the Non-aggression Treaty between the Soviet Union and Finland by including therein a paragraph according to which the Contracting Parties undertake not to join any groups or alliances directly or indirectly hostile to either of the Contracting Parties.

(6) Suppression of the fortified zones situated on both sides of the frontier between Finland and the Soviet Union and leaving frontier-guard troops only at the frontier.

(7) The Soviet Union does not object to the fortifying of the Aaland Islands by Finland's own work, provided that no foreign Power, Sweden included, has anything to do with the question of fortifying the Aaland Islands.

(iii) FINLAND'S COUNTER-PROPOSAL TO THE SOVIET UNION, TRANSMITTED ON
OCTOBER 23RD, 1939

After carefully examining the proposal of the Government of the Soviet Union for the regulation of relations between Finland and the Soviet Union, the Finnish Government hereby define their attitude as follows :

Finland understands the efforts which the Soviet Union is making to render the defence of Leningrad more secure. As she had repeatedly stated before, Finland wishes her relations with the Soviet Union to remain friendly and good. To enable both these objects to be achieved, Finland is willing, for her part, to consider ways and means of meeting the requirements of the Soviet Union. This, of course, is subject to the proviso

that Finland's own security requirements shall be given all due consideration and that care shall be taken to uphold Finland's complete neutrality. Such a policy represents the best possible contribution to the reinforcement of peace in Northern Europe, whilst, in Finland's opinion, it is at the same time the policy most advantageous to her neighbour—the Soviet Union.

The Finnish Government are convinced that, given mutual good-will, it is possible, without detriment to Finland's security and without violating her neutrality, to achieve the objects referred to above and which the Soviet Union's memorandum to Finland itself indicates as the basis of Soviet policy.

To achieve these objects, the Finnish Government are prepared to agree to the arrangements indicated below, subject to their being approved also by the Finnish Parliament :

(1) The Finnish Government are prepared to make an agreement to the effect that the following islands situated in the Gulf of Finland be ceded to the Soviet Union against territorial compensation : Seiskari, Peninsaari, Lavansaari and the Tytärsaari islands. In addition, the Finnish Government are willing to discuss an arrangement concerning Suursaari which shall take due account of the interests of both parties.

(2) In view of the proximity of Leningrad to the Finnish frontier and in order to enable the security of that city to be increased through a frontier adjustment, the Finnish Government are prepared, in return for territorial compensation, to make an agreement providing for the adjustment of the frontier on the Isthmus of Karelia at those points at which the frontier is, in this respect, inconvenient to the Soviet Union. The frontier would run from Rajajoki, east of Haapala, straight to the Gulf of Finland on the eastern side of the church of Kellomäki. Thus the so-called Kuokkala salient would disappear. At the same time, the frontier would be moved 13 kilometres westward at this point. Finland is unable to consider a frontier adjustment of the magnitude of that contemplated in the Soviet Union's proposal, because Finland's own position and security would be thereby endangered. Moreover, the territory in question is a very densely populated district long inhabited by a Finnish population, and its cession would mean dragging tens of thousands of Finnish citizens out of their homes and removing them elsewhere.

(3) So far as the port of Hanko, with the adjoining territory, and the bay of Lappohja are concerned, the Finnish Government are bound to uphold Finland's integrity. The mere cession of military bases to a foreign Power is in itself incompatible with unconditional neutrality, as this is understood in Finland and elsewhere. The idea that armed forces of a foreign Power would be stationed on Finnish territory continuously over a long period cannot be accepted by Finland ; these forces could also be used for an attack upon Finland. Such an arrangement would be a source of constant disagreement and unnecessary irritation, and this would not conduce to an improvement in the relations between the two countries, which is the aim of the present arrangement.

(4) The Soviet Union has intimated her desire to strengthen the Non-aggression Treaty between herself and Finland by an undertaking between the Contracting Parties that they would not join any groups or alliances of States directly or indirectly hostile to either of the Contracting Parties. The Finnish Government are, however, of opinion that Article 3 of the said Non-aggression Treaty, prohibiting adherence to agreements of every kind which are openly hostile to the other Contracting Party and which conflict, either in form or in substance, with the said Treaty, already covers everything which States entertaining friendly relations can reasonably claim from each other in this respect, without endangering their good relations with other States and the attitude of strict neutrality. The Finnish Government are prepared, if the Soviet Union so wishes, to give at any time a further assurance that they will honestly fulfil the said obligation. As regards Article 2, paragraph 1, of the Non-aggression Treaty, in which the Contracting Parties undertake to observe neutrality in cases where the

other Contracting Party becomes the victim of aggression by a third State, the Finnish Government would be prepared, as an earnest of good-will, to have this paragraph redrafted in clearer and more definite terms, so that the Contracting Parties would be pledged not to support such an aggressor State; the term "support" should not, however, be construed to cover any attitude in conformity with the general rules of neutrality such as continuance of normal exchange of goods and transit trade.

(5) The Finnish Government note with satisfaction that the Soviet Union does not object to the fortification of the Aaland Islands at Finland's own undertaking. This being so, the Finnish Government wish to state that it has always been their intention that this fortification should be carried out by Finland herself at her own expense and to such extent as may be required to maintain the neutrality of the said islands, having regard to the neutrality obligations of the Convention of 1921 which are still in force.

(iv) PROPOSAL OF THE SOVIET UNION TRANSMITTED ON OCTOBER 23RD, 1939

With reference to the Finnish Government's memorandum of October 23rd, the Government of the Soviet Union beg to state that, in accordance with the views defined in the memorandum of the Government of the Soviet Union of October 14th, the proposals advanced by them represent their minimum terms, the attitude having been dictated by the fundamental security requirements of the Soviet Union and particularly of the city of Leningrad with its 3½ million inhabitants. These proposals were expressly put forward as minimum terms and, further to this, the Soviet Union withdrew their proposal for the conclusion of a mutual assistance agreement between the Soviet Union and Finland, in order to enable Finland to maintain her strict neutrality. At the same time, the Government of the Soviet Union abandoned their proposal concerning the non-fortification of the Aaland Islands or their fortification in co-operation with the Soviet Union, substituting for these proposals their assent to the fortification of the Aaland Islands by Finland herself. The Soviet Union made these important concessions, as she relied upon Finland's friendly attitude and was also confident that Finland could agree to the minimum proposals made in the Union's memorandum of October 14th.

The exchange of views between the representatives of the Soviet Union (Molotov, Stalin) and those of Finland (Tanner, Paasikivi) on October 23rd enabled both parties to understand each other's views better, but at the same time revealed a divergence between them. Taking into account the results of this conversation and in order to pay due regard to the Finnish Government's wishes, the Government of the Soviet Union wish to make the following statement:

(1) The Government of the Soviet Union are unable to withdraw their proposal that a naval base be placed at the disposal of the Soviet Union in Hanko, since they regard this proposal as an absolutely essential minimum condition for the safeguarding of the defence of Leningrad. In this connection, the Government of the Soviet Union, amending their memorandum of October 14th, would find it possible to limit to 4,000 men the land force for the protection of the naval base, and to maintain this force on the territory of Hanko only up to the end of the war between England, France and Germany in Europe.

(2) The Government of the Soviet Union find it impossible to agree to the proposal that a strip of 10 versts of Finnish territory on the Isthmus of Karelia should—as proposed in the Finnish Government's memorandum of October 23rd—be ceded in return for the territory to be ceded by the Soviet Union. The Government of the Soviet Union find such a step quite inadequate as a means of providing a minimum of security for Leningrad at the eastern end of the Gulf of Finland. Being desirous, however, of meeting Finland in an accommodating spirit, the Government of the Soviet Union would find it possible, as an extreme concession, to amend their original proposal in some measure by reducing, in the manner shown in the annexed map, the area of the Isthmus of Karelia to be ceded by Finland to the Soviet Union against territorial compensation;

in this connection, the original proposal of the Government of the Soviet Union regarding the Island of Koivisto remains unaltered.

(3) The Soviet Government find it necessary to maintain the other proposals contained in the Soviet Government's memorandum of October 14th.

(4) The Soviet Government accept the Finnish Government's proposal regarding the amendment of Article 2, paragraph 1, of the Non-aggression Treaty.

(v) COUNTER-PROPOSALS MADE BY FINLAND TO THE U.S.S.R.

[*Translation.*]

From the negotiations which have taken place between the delegates of the Governments of the Republic of Finland and the U.S.S.R. for the settlement of political relations between the two countries, it is clear that there are considerable differences between the views of the two Governments. These views are set out respectively in the memorandum of the Government of Finland of October 25th and in those of the Government of the U.S.S.R. dated October 14th and October 23rd.

The Government of Finland, being still desirous of reaching a solution of the questions which are still pending, has examined the desiderata put forward by the Government of the U.S.S.R., and in this connection desires to make it clear that, further to what has already been stated, its attitude may be defined as follows :

(1) The Government of Finland feels obliged to maintain the attitude which it has taken up from the outset regarding the proposal that it should lease the port of Hanko and the surrounding district to the Government of the U.S.S.R. and place the bay of Lappohja at the disposal of the naval forces of the U.S.S.R. for use as an anchorage. The Government of Finland takes its stand on the integrity and neutrality of Finland. It cannot consent to the stationing of troops in Finnish territory or to the use of that territory as a naval base, in any way whatsoever. Such proceedings would be incompatible with the sovereignty of Finland, her international position and her attitude of strict neutrality. Furthermore, in its last proposal, the Government of the U.S.S.R. recognised the principle that the absolute neutrality of Finland is to be maintained.

(2) The Government of Finland is still ready to conclude a treaty for the cession to the U.S.S.R., in return for territorial compensation, of certain outer islands in the Gulf of Finland—namely, Seiskari, Peninsaari and Lavansaari, together with both the Tytärsaari and their territorial waters—as it has already intimated in its memorandum of October 23rd. Furthermore, the Government of Finland is prepared to discuss a settlement in regard to Suursaari of such a nature as to allow for the requirements of the security of Leningrad, as stressed by the U.S.S.R., and also for the security of Finland. In this connection, the Government of Finland draws attention to the provisions of Articles 13 and 14 of the Treaty of Peace of Tartu (Dorpat).

(3) The memorandum put forward by the U.S.S.R. on October 23rd slightly modified the line of demarcation in the Isthmus of Karelia proposed by the U.S.S.R. in its memorandum of October 14th. In its desire to give proof of its good-will towards the desiderata of the U.S.S.R. in the matter of increasing the security of the city of Leningrad, the Government of Finland, to reach an agreement, agrees to make very heavy sacrifices whereby the Finnish people will be deeply affected. It cannot, however, possibly accept the new line of demarcation set out in the memorandum of the Government of the U.S.S.R. and in the map annexed thereto. The new line would lie much too close to Finland's chief port of export and to the heart of the whole of Eastern Finland. Apart from these drawbacks, it would mean throwing over considerations essential to the security of Finland. This would imply a departure from the very principle that the purpose of the arrangement demanded is to make proper allowance for the security of both parties. After careful consideration, the Government of Finland desires to state that, in return for acceptable territorial compensation, it could agree to the cession of a somewhat more extensive territory on the

northern coast at the end of the Gulf of Finland than it had previously proposed. The new frontier would follow the line of demarcation indicated on the map attached—namely, the mouth of the Vammeljoki—Vammeljoki—the River Lintula—Kaukjärvi—the present frontier (frontier post No. 70).

(4) The Government of the U.S.S.R. has intimated, as a separate matter, that it desires a modification of the frontier of the Fishermen's Peninsula at Petsamo—now, in its opinion, inconvenient and artificial—which would mean the cession to the U.S.S.R. of the whole of the western part of the Fishermen's Peninsula at present belonging to Finland. The U.S.S.R. has not justified this demand on grounds of military defence, nor have facts been adduced which would call for such a territorial sacrifice on the part of Finland or which could convince the Government of Finland of the real need for a modification of the frontier. Nevertheless, in proof of its good-will, the Finnish Government is prepared to negotiate, in return for territorial compensation, the cession to the U.S.S.R. of the western part of the Fishermen's Peninsula as far as Pummanki Fjord in the south. In this connection, it would be appropriate to revise Articles 6–8 of the Treaty of Peace of Tartu, as they contain provisions which have not in practice been applied or which are no longer compatible with the practical requirements of the present time.

(5) In its first memorandum, the Government of the U.S.S.R. intimated that, as compensation, it contemplated ceding to the Republic of Finland a piece of territory forming part of the districts of Repola and Porajärvi, as indicated on the map handed to the Government of Finland. As regards the question of territorial compensation the Government of Finland feels obliged to draw attention to the following facts, which should not be overlooked in any effort to reach an equitable arrangement :

(a) As the Government of the U.S.S.R. has itself observed, the territories which Finland now considers ceding to the Government of the U.S.S.R. are very different in value from those which the U.S.S.R. has proposed ceding to Finland. Finland will lose mainland and island territory and, in addition, territorial waters of importance to herself. To the U.S.S.R.—as the latter has itself made clear—these territories are of paramount military importance. But, in exchange, Finland would obtain territories of no corresponding value either from the military or the economic point of view. These facts should therefore be taken into account in fixing the extent of the territorial compensation.

(b) When the matter is settled, sufficient time must be allowed for the enumeration and evaluation of the losses sustained by the Finnish State and Finnish citizens in consequence of the exchange of territories. In the territories which Finland considers ceding to the U.S.S.R. are situated buildings, railways, roads, barracks, schools, etc., belonging to the State, and other buildings belonging to private persons. In fixing the extent of the territory to be ceded by the U.S.S.R., allowance will have to be made for the value of the immovable property, situated on the territory, and the U.S.S.R. should also pay to the Finnish State monetary compensation representing the value of the immovable property belonging to private persons, so that the latter may be indemnified. A commission of experts should be set up to work out a practical settlement in these matters, and the commission should be allowed sufficient time for the performance of its duties.

(6) In its memorandum of October 23rd, the Government of the U.S.S.R. intimated its agreement with the proposal made by the Government of Finland for the amplification of the Treaty of Non-aggression between the two countries. The draft protocol is annexed hereto.

(7) The Government of the U.S.S.R. proposes that the fortified zone along the frontier between Finland and the U.S.S.R. in the Karelian Isthmus be destroyed and that no troops be stationed there other than those belonging to the ordinary frontier guard. The measures taken by the Government of Finland on the frontier are dictated solely by considerations of defence and security, and Finland cannot, for these reasons,

abandon them. But she is also obliged to provide for the safety of her frontiers by the strict neutrality on which the policy of her Government is based. The measures adopted by Finland in the matter of fortifications are also dictated by that principle. In normal times, the only troops stationed by the Government of Finland in the frontier-zone have been frontier guards.

(8) The Government of Finland notes that the U.S.S.R. is not opposed to Finland's fortifying the Aaland Islands by her own means, in its efforts to guarantee the neutrality of those islands, as the Government of Finland had intended.

The Government of Finland has examined the above proposals with the greatest care. Its negative attitude towards certain proposals of the U.S.S.R. does not mean that it would have refused to take a sympathetic view of the U.S.S.R. Government's desires in the matter of increasing the security of Leningrad. The Government of Finland has indeed taken those desires into account in accepting the proposals of the Government of the U.S.S.R. as fully as practical possibilities allow.

The Government of Finland, acting in the name of a unanimous people, has thus given the U.S.S.R. positive proof of its desire to understand the considerations of security to which the U.S.S.R. attaches importance and, similarly, in its efforts to reach a satisfactory settlement of political relations, it has gone as far as its independence, security and neutrality permit. The concessions which Finland agrees to make to the U.S.S.R. in order to improve neighbourly relations and ensure peace represent a very heavy sacrifice for the Finnish people, as they affect an area which has been inhabited by a Finnish population since very ancient date and which, for centuries, has formed part of Finland's political territory.

Finally, the Finnish Government desires to state that the conclusion of such a treaty would require the approval of the Finnish House of Representatives, in accordance with the procedure laid down by the Finnish Constitution.

* * *

ANNEX

PROTOCOL

The President of the Republic of Finland and the Central Executive Committee of the Union of Soviet Socialist Republics,

Being anxious to establish as sound a basis as possible for the development of relations between their countries,

Desirous of giving one another a further proof of the soundness of the pacific and friendly relations happily established between them,

Prompted by the desire to contribute to the maintenance of general peace and the stability between States in Eastern Europe, and

Noting that the conclusion of the Treaty regarding Non-aggression and the Pacific Settlement of Disputes, signed on January 21st, 1932, at Helsinki, between Finland and the Union of Soviet Socialist Republics and renewed by the Protocol signed on April 7th, 1934, has had a beneficent influence on their relations and on the solution of the above-mentioned problems, and also that certain territorial and political questions between Finland and the Union of Soviet Socialist Republics have now been revised and settled by a treaty based on mutual understanding, concluded between the two countries in Moscow on the, 1939.

In order to comply with the provisions of the said treaty in this respect and to complement certain provisions of the Treaty regarding Non-aggression and Pacific Settlement of Disputes, as well as make them more explicit,

Have decided to sign the present Protocol and have for that purpose appointed as their Plenipotentiaries :

The President of the Republic of Finland :

The Central Executive Committee of the Union of Soviet Socialist Republics :

Who, having exchanged their full powers, found in good and due form, have agreed on the following provisions :

Article 1

The frontiers referred to in Article 1, paragraph 1, of the Treaty of Non-aggression and Pacific Settlement of Disputes between Finland and the Union of Soviet Socialist Republics, signed at Helsinki on January 21st, 1932, and fixed by the Treaty of Peace concluded at Dorpat on October 17th, 1920, have now been revised and adjusted in such a way as appears from Article . . . of the Agreement between the two countries signed in Moscow on . . . , 1939.

Article 2

The obligation which, under Article 2, paragraph 1, of the Treaty of Non-aggression and Pacific Settlement of Disputes, mentioned in the preceding Article, devolves on the Contracting Parties of maintaining neutrality throughout the duration of a conflict which is due to the aggression on the part of one or more third Powers, refers to the necessity for the Contracting Party remaining outside the conflict to refrain from supporting the said act of aggression in any way; thereby, such an attitude towards the said third Powers as is compatible with the general neutrality rules, as, for instance, carrying on normal exchange or transit of goods with the aggressor State, is not considered a support of an act of aggression within the meaning of this Article.

Article 3

The present Protocol, which is drawn up in duplicate in French, shall be ratified at the earliest possible date, and the instruments of ratification thereof shall be exchanged between the High Contracting Parties at Helsinki, on which exchange the Protocol shall come into force.

In faith whereof the above-mentioned Plenipotentiaries have signed the present Protocol and have affixed thereto their seals.

Moscow,, 1939.

* * *

(vi) MEMORANDUM PRESENTED ON NOVEMBER 9TH, 1939, BY M. PAASIKIVI

[*Translation.*]

At the last meeting, a proposal was made by the U.S.S.R. that Finland, in the event of her not being able to grant the U.S.S.R. a military base at Hanko, should grant such a base in the islands situated in the vicinity of Hanko—namely, Hermansö, Koö and Hästöbusö—together with an anchorage in the port of Lappohja.

Having submitted this proposal to our Government, we are now in a position to present its reply. Our Government is of opinion that the reasons which prevent our granting a military base at Hanko apply also to the islands in question. Finland cannot grant to a foreign Power military bases on her own territory and within the confines of her frontiers. In the course of the previous meetings, we explained these reasons repeatedly. In the circumstances, the Finnish Government does not find it possible to accept the proposal in question.

(vii) MEMORANDUM PRESENTED ON NOVEMBER 9TH, 1939, BY M. MOLOTOV TO
M. PAASIKIVI AND M. TANNER

[*Translation.*]

Having taken note of the memorandum of the Finnish Government which you handed to me to-day (November 9th), I find that in this memorandum the declaration of the Government of the U.S.S.R. dated November 3rd, has been incorrectly set forth.

In point of fact, on the 3rd instant, the Government of the U.S.S.R. made the following proposals:

(1) The Government of the U.S.S.R., taking into consideration the declaration of the Finnish Government that it cannot consent to a garrison or naval base of another Power being situated "on the territory of Finland," proposed to the Finnish Government that a corresponding piece of territory situated in the vicinity of the port of Hanko should be sold to the U.S.S.R. This solution would mean that the objection that such a piece of land formed part of the territory of Finland would cease to apply, since, after having been sold to the U.S.S.R., it would, *ipso facto*, become Soviet territory.

(2) Furthermore, the Government of the U.S.S.R. stated that it would propose to the Finnish Government that if, for any reason, a piece of land situated in the vicinity of Hanko could not be sold or exchanged, the islands of Hermansö, Koö, Hästobusö, Långskär, Furuskär, Ekö, and certain other islands situated near them should be sold or exchanged, as the Finnish Government agreed to do on a previous occasion, when it ceded to the U.S.S.R. certain islands in the Gulf of Finland and some territory on the Karelian Isthmus.

By reason of the foregoing, I consider that the objection contained in the memorandum of M. Paasikivi and M. Tanner, dated the 9th instant, that "Finland cannot grant to a foreign Power military bases on its territory and within the confines of its frontiers" is unfounded and indicates a misinterpretation of the attitude of the Government of the U.S.S.R.

It is obvious that if either the region of Hanko or the islands situated to the east of Hanko were sold or exchanged for a corresponding piece of territory in the U.S.S.R., they could no longer form part of the territory of Finland or be situated within the confines of the Finnish frontiers.

Accordingly, I return your memorandum of November 9th:

(Signed) V. MOLOTOV.

(viii) MEMORANDUM HANDED ON NOVEMBER 10TH, 1939, BY M. PAASIKIVI AND M. TANNER TO M. MOLOTOV

[Translation.]

To M. V. Molotov, President of the Council of People's Commissars of the Union of Soviet Socialist Republics.

We have the honour to acknowledge the receipt, last night, of your letter relating to the negotiations now proceeding between us, together with the memorandum enclosed, which we had handed to you at the last meeting and which you have returned to us. We now beg to state as follows:

After the meeting held on the 3rd (or, more correctly, the 4th) of this month, we informed our Government that the U.S.S.R. was still desirous of obtaining in the Hanko peninsula territory for a military base, and that the cession of that territory could be effected, as the Finnish Government might prefer, by grant of lease, or by sale or exchange.

We stated furthermore that the U.S.S.R. proposed alternatively, and under the same conditions, the cession of the islands situated in the vicinity of Hanko—namely, Hermansö, Koö and Hästobusö—together with an anchorage in the port of Lappohja. The attitude of the Government of the U.S.S.R. was thus explained to the Finnish Government in a perfectly correct manner.

On November 8th, we received a reply, according to which the Finnish Government does not consider it possible to agree to cede in any form whatsoever territories situated at Hanko or in any other regions of the Finnish coast with a view to their being employed for the establishment of military bases. It was in virtue of these instructions that we drew up the brief memorandum referred to above.

The three islands mentioned by the U.S.S.R. at the meeting on November 3rd (4th) (Hermansö, Koö and Hästobusö) are surrounded by Finnish territory and territorial waters. They would thus be within the confines of the Finnish frontiers, even in the event of Finland having ceded them to another Power. As regards the other islands (Långskär, Furuskär, Ekö, etc.) referred to in your letter of yesterday, which would further considerably increase the territory in question, these were not mentioned at the meeting on the 3rd (4th) of this month.

In its reply, dated October 31st, 1939, the Finnish Government briefly explained the reasons for which, having regard to the international situation of Finland, her policy of absolute neutrality, and her firm resolve to remain outside any group of great Powers and to hold aloof from any wars and conflicts between them, it cannot consent to the cession of Hanko or any islands situated in the immediate proximity of the Finnish mainland as military bases to any foreign Power.

The Finnish Government, which is sincerely desirous of strengthening its relations with the U.S.S.R., has declared its readiness to make substantial concessions in order to meet the wishes of the U.S.S.R. In this connection, however, it cannot go so far as to renounce the vital interests of its country, as would be the case if a military base situated at the entry to the Gulf of Finland were ceded to a foreign Power.

Lastly, we desire to express on behalf of the Finnish Government our sincere hope that an agreement may be concluded between Finland and the U.S.S.R. on the basis of the concessions proposed to the U.S.S.R. by Finland.

(ix) LETTER FROM M. PAASIKIVI AND M. TANNER, DATED NOVEMBER 13TH, 1939,
TO M. MOLOTOV

[*Translation.*]

Monsieur le Président,

In view of the fact that, during the negotiations which we have been conducting with yourself and M. Stalin, we have unfortunately not succeeded in finding a basis for the projected treaty between the U.S.S.R. and Finland, we have felt it desirable to leave this evening for Helsinki.

In informing you of this and thanking you for the kindness which has been shown us, we would express the hope that at some future date the negotiations may bring about a result satisfactory to both parties.

(Signed) PAASIKIVI.
TANNER.

(x) NOTE HANDED BY M. MOLOTOV ON NOVEMBER 26TH, 1939, TO THE MINISTER
OF FINLAND AT MOSCOW

[*Translation.*]

Monsieur le Ministre,

According to information received from the headquarters of the Red Army, our troops posted on the Karelian Isthmus, in the vicinity of the village of Mainila, were the object to-day, November 26th, at 3.45 p.m., of unexpected artillery fire from Finnish territory. In all, seven cannon-shots were fired, killing three privates and one non-commissioned officer and wounding seven privates and two men belonging to the military command. The Soviet troops, who had strict orders not to allow themselves to be provoked, did not retaliate. In bringing the foregoing to your knowledge, the Soviet Government considers it desirable to stress the fact that, during the recent negotiations with M. Tanner and M. Paasikivi, it had directed their attention to the danger resulting from the concentration of large regular forces in the immediate proximity of the frontier near Leningrad. In consequence of the provocative firing on the Soviet troops from Finnish territory, the Soviet Government is obliged to declare now that the concentration of Finnish troops in the vicinity of Leningrad, not only constitutes a menace to Leningrad, but is, in fact, an act hostile to the U.S.S.R. which has already resulted in aggression against the Soviet troops and caused casualties. The Government of the U.S.S.R. has no intention of exaggerating the importance of this revolting act committed by troops belonging to the Finnish Army—owing perhaps to a lack of proper guidance on the part of their superiors—but it desires that revolting acts of this nature shall not be committed in future. In consequence, the Government of the U.S.S.R., while protesting energetically against what has happened, proposes that the Finnish Government should, without delay, withdraw its troops on the Karelian Isthmus from the frontier to a distance of 20-25 kilometres, and thus preclude all possibility of a repetition of provocative acts.

(Signed) MOLOTOV,
People's Commissar for Foreign Affairs of
the U.S.S.R.

November 26th, 1939.

(xi) NOTE HANDED ON NOVEMBER 27TH, 1939, BY THE MINISTER OF FINLAND AT MOSCOW TO M. MOLOTOV, PRESIDENT OF THE COUNCIL OF PEOPLE'S COMMISSARS OF THE UNION OF SOVIET SOCIALIST REPUBLICS

[Translation.]

Monsieur le Commissaire du Peuple,

In reply to your letter of the 26th instant, I have the honour, acting on instructions from my Government, to inform you as follows :

After the alleged violation of the frontier, the Government of Finland immediately ordered an enquiry. It was found that the cannon-shots mentioned in your letter were not fired from the Finnish side. It appears, on the contrary, on investigation, that there was firing on November 26th from 15.45 to 16.05 o'clock (Soviet time) on the Soviet side of the frontier in the vicinity of the village of Mainila, which you mentioned. On the Finnish side could be seen the points where the shots had fallen, close to the village of Mainila, situated not more than 800 metres from the frontier, beyond an open field. From the explosions caused by the seven shots which were heard, it was clear that the point at which the arm or arms in question were fired was at a distance of about $1\frac{1}{2}$ –2 kilometres south-east of the place where the shots exploded. The competent frontier guard post made a note of the shots, in the official record, at the actual moment of the incident.

In view of these circumstances, it seems possible that this may have been an accident, which occurred, in the course of firing practice on the Soviet side and which, according to your communication, unfortunately caused the loss of human lives. In consequence, it is my duty to reject your protest and to state that Finland has committed no hostile act against the U.S.S.R. such as you allege to have taken place.

In your letter you also alluded to the declarations, addressed to M. Paasikivi and M. Tanner during their visit to Moscow, concerning the danger resulting from the concentration of regular troops in the immediate vicinity of the frontier near Leningrad. In this connection, I desire to direct your attention to the fact that, on the Finnish side, it is principally troops belonging to the frontier guard who are stationed in the immediate vicinity of the frontier ; on the other hand, no guns, for instance, have been placed in position whose range would reach beyond the frontier. Although there are thus no concrete grounds for withdrawing the troops from the frontier line, as you propose, my Government is prepared, none-the-less, to open conversations with a view to the mutual withdrawal of troops to a certain distance from the frontier.

It was with pleasure that I noted your statement that the Government of the U.S.S.R. has no intention of exaggerating the importance of the frontier incident which, according to your letter, it alleges to have taken place. I am happy to have been able to dispel this misunderstanding the very day after the receipt of your proposal. Nevertheless, in order that no misunderstanding may persist in the matter, my Government proposes that the frontier commissioners of the two countries on the Karelian Isthmus should be instructed to carry out a joint enquiry into the incident in question, in conformity with the Convention concerning Frontier Commissioners, concluded on September 24th, 1928.

(Signed) A. S. YRJÖ-KOSKINEN.

(xii) NOTE FROM M. MOLOTOV, DATED NOVEMBER 28TH, 1939, TO THE MINISTER OF FINLAND AT MOSCOW

[Translation.]

Monsieur le Ministre,

The Finnish Government's reply to the note from the Government of the U.S.S.R., dated November 26th, 1939, is a document which reflects the deep-rooted hostility of the Finnish Government towards the U.S.S.R. and is the cause of extreme tension in the relations between the two countries.

(1) The fact that the Finnish Government denies that Finnish troops fired cannon-shots against Soviet troops and caused casualties can be explained only by a desire to mislead



M. RUDOLF HOLSTI,
Permanent Delegate of Finland to the League
of Nations.

M. HARRI G. HOLMA,
Envoy Extraordinary and Minister Plenipotentiary
of Finland in Paris.

public opinion and make light of those casualties. Nothing but a lack of responsibility and disdain for public opinion can account for the attempt to explain away this reprehensible incident by alleging firing practice by the Soviet artillery on the actual frontier-line within sight of the Finnish troops.

(2) The refusal of the Finnish Government to withdraw the troops who committed this hostile act of firing on the Soviet troops, and the demand of that Government for the simultaneous withdrawal of the Finnish and Soviet troops, a demand which would appear to be based on the principle of equality, reveals clearly the hostile desire of the Finnish Government to expose Leningrad to danger. There can, indeed, be no question of equality in the situation of the Finnish and Soviet troops. The Soviet troops do not constitute a menace to Finland's vital centres, as these troops are posted hundreds of kilometres away from those places, whereas the Finnish troops, stationed at a distance of 32 kilometres from Leningrad—a vital centre of the U.S.S.R., with a population of $3\frac{1}{2}$ millions—menace that town directly. It is needless to stress the fact that actually the Soviet troops cannot be withdrawn anywhere, since their withdrawal to a distance of 20–25 kilometres from the frontier would mean that they would have to be posted in the suburbs of Leningrad, which would be absurd from the point of view of the safety of that city.¹ The proposal of the Government of the U.S.S.R. that the Finnish troops should be withdrawn to within a distance of 20–25 kilometres from Leningrad represents a minimum, since it is not designed to create equality of situation as between the Finnish and Soviet troops, but simply to attenuate the disproportion that now exists. If the Finnish Government refuses to accept this minimum proposal, that means that its intention is that Leningrad should remain under a direct threat from its troops.

(3) In concentrating a large number of regular troops in the immediate vicinity of Leningrad and subjecting that important vital centre of the U.S.S.R. to a direct threat, the Finnish Government has committed against the U.S.S.R. a hostile act which is incompatible with the Treaty of Non-aggression concluded between the countries. The refusal of the Finnish Government, after the criminal gun-fire directed against the Soviet troops, to withdraw its own troops to a distance of 20–25 kilometres shows that the Government is desirous of persisting in its hostile attitude towards the U.S.S.R., that it has no intention of complying with the provisions of the Treaty of Non-aggression and that it has decided to keep Leningrad under a perpetual menace. The Government of the U.S.S.R. cannot, however, admit that one of the parties should be allowed to violate the Treaty of Non-aggression, while the other party respects it. In consequence, the Government of the U.S.S.R. is obliged to state that it considers itself, as from to-day, released from the obligations ensuing from the Treaty of Non-aggression concluded between the U.S.S.R. and Finland, obligations which are being systematically violated by the Finnish Government.

(Signed) MOLOTOV.

(xiii) NOTE HANDED ON NOVEMBER 29th, 1939, BY M. POTEMKIN, DEPUTY
COMMISSAR, TO THE MINISTER OF FINLAND AT MOSCOW

[Translation.]

Monsieur le Ministre,

Attacks on the Soviet troops by the Finnish troops are known to be continuing, not only on the Karelian Isthmus but also in other parts of the frontier between the U.S.S.R. and Finland. The Government of the U.S.S.R. can no longer tolerate such a situation. As a result of the situation thus created, for which the Finnish Government alone is responsible, the Government of the U.S.S.R. can no longer maintain normal relations with Finland and finds itself compelled to recall its political and economic representatives from Finland.

(Signed) MOLOTOV.

¹ NOTE.—M. Molotov has distorted the proposal of the Finnish Government, which had suggested negotiations with a view to the withdrawal of the troops, on either side, to a certain distance from the frontier.

(xiv) NOTE HANDED ON NOVEMBER 29TH, 1939, BY THE MINISTER OF FINLAND
AT MOSCOW TO M. MOLOTOV

[*Translation.*]

Monsieur le Commissaire du Peuple,

In reply to your letter of the 28th instant, I have the honour to inform you as follows :

It is clear from my letter of November 27th that Finland has not violated the territorial integrity of the U.S.S.R. With the object of establishing this fact in a manner admitting of no doubt, my Government proposed that the frontier commissioners of the two countries on the Karelian Isthmus should be instructed to carry out a joint enquiry into the incident in question, as provided in the Convention concerning Frontier Commissioners concluded on September 24th, 1928. In my letter, I also directed attention to the fact that the troops posted in the vicinity of the frontier on the Finnish side consist principally of regular troops belonging to the frontier guard who cannot constitute a menace of any kind to the security of Leningrad. My Government considers that the denunciation of the Treaty of Non-aggression was not justified ; under the Protocol of 1934, this treaty is to remain in force, without any possibility of denunciation, until the end of the year 1945.

My Government desires to stress more particularly Article 5 of the Treaty of Non-aggression, in which the two Contracting Parties have declared that they will endeavour to settle in a spirit of justice any dispute of whatever nature or origin which may arise between them and will resort exclusively to pacific means of settling such disputes. For this purpose, the two Contracting Parties undertook to submit any disputes which may arise between them, and which it may not have been possible to settle through diplomatic proceedings within a reasonable time, to a procedure of conciliation before a joint conciliation commission. According to the said Article, conciliation procedure must also be applied more particularly in the event of any dispute as to the question whether the mutual undertaking as to non-aggression has or has not been violated.

Referring to the foregoing, my Government proposes that, in conformity with Article 5 of the Treaty of Non-aggression and the provisions of the Convention of Conciliation annexed to that treaty, a conciliation commission should be convened without delay to examine the dispute which has just arisen. Finland is prepared, alternatively, to submit the settlement of the dispute to neutral arbitration.

In order to furnish a signal proof of its sincere desire to reach an agreement with the Government of the U.S.S.R. and with the object of disproving the Soviet Government's allegation that Finland has adopted a hostile attitude towards the U.S.S.R. and is desirous of menacing the safety of Leningrad, my Government is prepared to come to an understanding with the Government of the U.S.S.R. concerning the withdrawal of the defence troops on the Karelian Isthmus, with the exception of the units of frontier guards and Customs officials, to a distance from Leningrad such that it can no longer be claimed that they threaten the security of that town.

(Signed) A. S. YRJÖ-KOSKINEN.

III. THE QUESTION BEFORE THE COUNCIL AND ASSEMBLY

1. THE COUNCIL EXAMINES THE QUESTION

The Council considered the Finnish Government's appeal at its meeting on December 9th, when the Secretary-General described the procedure he had followed, in conformity with the provisions of the Covenant, in response to the Finnish Government's request.

The representative of Finland, invoking Article 15, paragraph 9, of the Covenant, asked the Council to refer the dispute to the Assembly without delay. Article 15 provides that "the Council may, in any case under this Article, refer the dispute to the Assembly. The dispute shall be so referred at the request of either party to the dispute, provided that such request be made within fourteen days after the submission of the dispute to the Council."

The Council therefore found that it was incumbent upon it to accede to the Finnish representative's request, and asked the Assembly to place the question on its agenda.

2. CONSTITUTION OF THE GENERAL COMMITTEE OF THE ASSEMBLY

At the opening meeting of the twentieth session, on December 11th, 1939, the Assembly elected M. Hambro (Norway) President of the Assembly. It also decided that the General Committee of the Assembly should consist of the President of the Assembly, the eight Vice-Presidents and the Chairman of the Credentials Committee. The General Committee was therefore composed as follows: The President of the Assembly: M. C. J. Hambro (Norway); Vice-Presidents of the Assembly: Count Carton de Wiart (Belgium), Mr. R. A. Butler (United Kingdom), Mr. H. Hume Wrong (Canada), Fakhry Pasha (Egypt), M. J. Paul-Boncour (France), M. S. Polychroniadis (Greece), M. J. Caeiro da Matta (Portugal), M. W. Rappard (Switzerland); Chairman of the Credentials Committee: M. A. Costa du Rels (Bolivia).

3. THE ASSEMBLY'S EXAMINATION OF THE FINNISH APPEAL

On December 11th, the Assembly began its consideration of the Finnish Government's appeal.

M. Rudolf Holsti, representative of Finland, reminded the Assembly that a full description of the situation had been given in the documents placed before it. He would not repeat the details; he wished rather to consider the conflict from the moral standpoint. He contrasted the actions of the Soviet Government in regard to Finland with the principles which that Government had frequently upheld before the League; in particular, he referred to the proposals for the definition of the aggressor and the application of the principle of non-aggression, and to the Soviet delegate's statement on September 28th, 1937, that, "obviously, in accordance with international law, the duty of other Governments was to give no help to the rebels against the lawful Government. Any help given to such rebels in the form of supplies of arms, or, more particularly, of men, would be a flagrant breach of international law. Recognition of the head of the rebels as the head of a new Government would not improve the position. If that view is held, any revolt or rebellion could be legalised by simply stating that the rebels are henceforth the Government. Recognition of the rebels as a Government is in itself intervention." Finland was grateful for the expressions of sympathy which she had received from the whole civilised world; but manifestations of friendship, marks of encouragement and a judgment based upon aggression were not sufficient. The Finnish people could not be protected against bullets, bombs, shrapnel and gas by international resolutions. They needed all possible practical support and assistance to enable them to struggle against perfidious aggression.

4. CONSTITUTION OF A SPECIAL COMMITTEE

The Assembly decided not to proceed with the discussion of this question, but, in the first place, to set up a Special Committee to study the appeal from Finland. The representatives of Bolivia, the United Kingdom, Canada, Egypt, France, India, Ireland, Norway, Portugal, Sweden, Thailand, Uruguay and Venezuela were appointed to form this Committee.

5. THE ARGENTINE PROPOSES THE EXCLUSION OF THE U.S.S.R. FROM THE LEAGUE OF NATIONS

At the following meeting of the Assembly, held on December 13th, the delegate of the Argentine Republic, *M. Rodolfo Freyre*, demanded the expulsion of the Soviet Union from the League of Nations.

Having regard, he said, to the present state of the world—the decline of the political and international institutions wrung, by dint of the most ardent efforts, from a past filled with violence and arbitrary action, broken promises, annexations by force or guile, the division of territory, military occupations, invasions, the partition of countries, religious and racial persecution, the shutting-up of large numbers of human beings in concentration camps or their forcible removal from their homes, bombardment of open towns, submarine warfare, reprisals affecting the trade of neutrals, the moral crisis undermining the very foundations of society, the decay of culture—some people considered that the voice of the League should not be heard, and that that tribune erected in honour of right and justice placed at the service of peace among nations should remain empty. The Argentine

Government was not of that opinion. On the contrary, it considered that, in reaffirming once again those ideals which had been ignored and the elementary duties formerly regarded as sacred for humanity, it was both fulfilling an inescapable duty and rendering a further service to the League.

They were faced with a fact which was capable of only one interpretation: a State Member of the League, in flagrant violation of the Covenant and the Pact of Non-aggression it had concluded with another Member, had unexpectedly attacked the latter, invading its territory and spreading death and destruction. This violation constituted a veritable challenge to the League. It was by no means a question of ideology or régime. It was the right of countries to have the government they chose or that which was imposed upon them. The question before the Assembly was whether they were going to continue to allow the perpetrator of this act of aggression to sit among them. That his Government considered impossible.

It was true that this was not the first time that a State Member of the League had been unjustifiably attacked. But the present case was attended by circumstances which compelled his Government to pass the most severe judgment. On this occasion, the aggression was committed by a Member of the League. The State which was the victim of the aggression had appealed to the League, and had already shown its heroic determination to live and to fight. Disdaining even the outward form of legality, the aggressor had denied that it was at war, and to this end had referred to the normal relations which it was maintaining with a puppet Government set up by itself on the eve of the aggression on its own territory. The Soviet Union had thus placed itself outside the Covenant.

In those circumstances, what was the duty of the League? Moral sanctions—the only ones possible—were meaningless unless they were preceded by the exclusion of the guilty Government. The Assembly need not, as in other cases, be restrained by the desire to act cautiously with a view to the preservation of peace. Peace no longer existed. The duty and attitude of the Argentine Republic were therefore imposed upon it by its own tradition at Geneva and elsewhere.

The Argentine delegate outlined the history of his country's collaboration with the League. The Argentine delegation had come to the first Assembly with the firm intention of uniting its efforts with those of the majority of countries with a view to the organisation of a new international order. Rejecting the idea of a League of victors, it had wished the doors of the League to be thrown open to all nations recognised by the international community. But its proposals were not accepted and his country had felt obliged to leave the new institution. On the occasion of the Sino-Japanese conflict, although she had not resumed full participation in the work of the League and was absent when the Assembly affirmed the principle of non-recognition of territorial gains acquired by force, the Argentine Republic had taken an active part in an American declaration to the same effect a few months later. She had certainly not at any time opposed the various measures which the League decided to take in the Far-Eastern conflict.

When the League had included among its Members the States vanquished in the last war, had established a majority of non-permanent seats on the Council and contributed to the progress of the Permanent Court of International Justice, the Argentine Republic had resumed its full rights and obligations as a Member. Later, when the absence of certain large States had weakened the League, it was the Argentine that took the initiative of establishing, in cases in which peace was threatened, consultations between the League and non-member States, linked to States Members by general pacts of non-aggression.

On the outbreak of war between Italy and Ethiopia, the Argentine had, on the one hand, very close ties with Italy, and, on the other, the inescapable duty imposed by her pledge to an ideal in the shape of a higher law. There was no doubt as to which alternative she would choose, however heart-breaking it might be. To the consternation of the world, this great moral force established twenty years ago then began to collapse.

Next, it was the turn of Spain to occupy the forefront of the Geneva scene. The civil war there soon gave rise to incidents which made it a grave international problem. There was, on all sides, a desire to defend the last hopes of world peace. The League had been

weakened by the experiment of sanctions. Everyone was then agreed on the advisability of setting up an *ad hoc* independent body and the Non-Intervention Committee was established in London. But the same fear of letting loose a general conflict which had paralysed the Geneva institution now rendered the Non-Intervention Committee's action equally ineffectual.

The international situation rapidly grew worse. A number of States made formal declarations that they no longer considered themselves bound by obligations of mutual assistance, and no State raised any objection to this new attitude. Since that time there had been what amounted to a tacit agreement to refrain from entrusting the League with any fresh political activity and to restrict its action to the performance of technical work.

Then came the last phase. Certain States withdrew from the League and denounced the Covenant. Other States Members were victims of aggression by non-member States, and surrendered to them without appealing to the League. Even in the case of Poland, the spark which set alight the European conflagration, the League was not asked to intervene. The Argentine, like other American and European States, declared her neutrality. That neutrality was accepted without objection, notwithstanding the Covenant, which imposed on League Members the duty of intervening and of giving mutual assistance.

But a new case arose, which brought the League face to face with a clear-cut situation, devoid of all ambiguity. That case, which had been tried and judged already by the world's conscience, placed the Argentine Government under the imperative necessity of demanding the expulsion of the Soviet Union from the League of Nations.

M. Freyre passed on to a consideration of the consequences which this involved for the League. The Covenant contained a triple undertaking: that of non-aggression, that of conciliation and that of mutual assistance. The last-named had remained devoid of force and of substance in consequence of the precedents he had described. Conciliation had been rejected from the outset by the manner in which the Soviet Union had replied to the League's appeal. There only remained the undertaking in regard to non-aggression implied by Article 10 of the Covenant. The League no longer possessed the strength required for the application of economic and military sanctions. It had, no doubt, lost all coercive force. But there was one gesture that it had to make. That gesture consisted in excluding from its midst those who, after having proclaimed themselves the defenders of the essential principles for whose establishment the League was founded, had repudiated those same principles without exhibiting the slightest scruple and without giving their reasons.

If they were to bring about the rebirth of international law, the time had come to set aside material considerations and rally those moral forces which had fallen into oblivion. The Argentine Republic had entered the League with a noble tradition of international integrity. She had offered the League her most disinterested and zealous efforts with a view to fulfilling her duty of creating a new world order. She had been loth to withdraw from the League when that body proved ineffective, lest it be thought that the Argentine had abandoned all those principles which she had accepted on becoming a Member of the League, and which were, moreover, the very substance of her own national political organisation. She had endeavoured to confer on the League a world spirit linking up the League's principles with those of Pan-Americanism. She had, in point of fact, had in common with the Soviet Union only such relations as were implied by the duty of fulfilling the same international ideal within the framework of the League.

In view of all these considerations, it was his duty to state with the greatest regret, but voicing his Government's unalterable decision, that the Argentine Republic could no longer consider itself a Member of the League of Nations as long as the Soviet Union was able to claim that title.

On the President's suggestion the Assembly decided to refer the Argentine delegate's proposal to the Special Committee and to adjourn its discussion.

6. ATTEMPT AT MEDIATION

The Special Committee, under the Chairmanship of M. Caeiro da Matta, delegate of Portugal, had meanwhile begun by endeavouring, in fulfilment of its duty under Article 15 of the Covenant, to effect a settlement of the dispute. With this object in view it had addressed an appeal to the Government of the U.S.S.R. and to the Finnish Government to cease hostilities and open immediate negotiations under the mediation of the Assembly with a view to restoring peace. Finland accepted this appeal forthwith. When the answer received from the Soviet Government¹ made it clear beyond any doubt that such attempts were fruitless, the Special Committee proceeded to establish the circumstances of the dispute and to consider the commitments by which the two countries were bound, as well as the attitudes and acts of the two Governments with reference to those commitments.

7. DECLARATIONS AND COMMUNICATIONS OF VARIOUS GOVERNMENTS

In the course of the Special Committee's deliberations, the following declarations and communications were received and brought to the knowledge of the Assembly and Council by the Secretary-General :

STATEMENT MADE IN THE SPECIAL COMMITTEE ON DECEMBER 12TH, 1939, BY
HIS EXCELLENCY, M. BENAVIDES, DELEGATE OF URUGUAY

On the basis of information received, my Government addressed to the Secretary-General, on December 4th, a communication which you have seen, and with reference to which it has since drawn up the proposal that the delegation will have the honour to lay before you in a moment, after the Committee's examination of the reports submitted by the Secretary-General.

I may remind you that the communication to which I have just referred contains the following passage: "the fact that the League has been founded and has continued to exist although manifestly devoid of any means of averting war is due to the ardent hope that there may be formed at Geneva a solid *bloc* of States associated in the defence of law and the liberty of nations. It is therefore inadmissible that countries which openly violate the essential principles of the League should continue in it side by side with others which have always been and are still resolved to respect those principles."

It is still upon the same basis that my Government has instructed me to make the following proposal to the Assembly in connection with the conflict between Finland and the Soviets :

- (1) Every act of war between two Members of the League must cease ;
- (2) The armed forces of one country in the other country must be withdrawn within a reasonable time ;
- (3) The existing dispute must be submitted to the procedure of conciliation, to arbitration, to judicial settlement, or to some other peaceful procedure.

¹ The text of this reply is given on page 49.

Should either of the contending States refuse to accept the application of the above-mentioned procedure, it shall be deemed guilty of a breach of one of the undertakings involved by the application of paragraph 4 of Article 16 of the Covenant.

It was in harmony with the proposal that I have just laid before you that the delegation of Uruguay yesterday supported the Swedish delegate's proposal that the telegram with which you are familiar should be sent to the Government in Moscow with a time-limit fixed for this evening, because its purport is to exhaust all the possibilities of agreement between the two contending States, and, in any case, it should lead us along the path of justice to condemn the violation of the principles of the Covenant and the aggression that has been committed.

COMMUNICATION FROM THE GOVERNMENT OF PANAMA TO THE SECRETARY-GENERAL ¹

[*Translation from the Spanish.*]

Panama, December 9th, 1939.

Although this Government is not sending delegates to the League Assembly which is opening on Monday next it wishes to confirm its agreement with the proposal which will be submitted by Uruguay concerning cessation hostilities between Finland and Russia as communicated to this Chancellery by the Legation of Uruguay.

NARCISO GARAY,
Secretary for Foreign Affairs,
Panama.

STATEMENT BY M. G. DE BLANCK, DELEGATE OF CUBA

The Cuban Government, faithful to the League of Nations and to its guiding principles, desires to make its voice heard on the side of those Governments which condemn the invasion of Finland and the unjust violation of her neutrality.

In so doing, it is convinced that since, like all American countries, it is remote from the continent of Europe, its attitude in the matter which has brought us here is a just and disinterested one.

My country is aware that the tragedy of Finland is not the first in recent times ; it is aware that other tragedies have taken place and are still going on ; nor has it forgotten the various appeals that have been made to the League of Nations. It holds an opinion which is almost a commonplace and no longer questioned—that peace can only be established in the world if equal respect is paid to the sovereignty of the great armed nations and that of the small nations, some of which have extensive territories but no means of defence ; in other words, that, in order to live in freedom and peace, it is necessary to respect others and to be respected. For that reason, being convinced of the justice of Finland's cause, it considers that, in view of the grounds on which the Finnish appeal is based, it is essential to reach a definite decision—especially when it is borne in mind that the aggression of which Finland is the victim was defined and condemned in an instrument signed in London on July 3rd, 1933, by Finland and the country which has to-day encroached upon her territory. Furthermore, opinion throughout the world, or almost throughout the world, on this question is so definitely unanimous—even when, for reasons which we must respect, it is not frankly proclaimed—that we are not obliged by any particular article of the Covenant or any principle of international law to adopt, in this matter, the plain attitude to which I have referred ; it is forced upon us by the most elementary rules of morality—that is to say, by the consciousness of our duty and of the nature of duty in general. It has been said that there can be no morality without an effort of self-control ; and indeed there are so many obligations in existence that we cannot help seeing that an anxious humanity, forgetful of that axiom, fearful of the disturbances to which it might lead, weary of tolerance, forgiveness, and even forgetfulness, feels obliged to bring them to an end.

¹ This telegram, which refers to the proposals put forward by the Uruguayan representative at a meeting of the Special Committee on December 12th (document A.40.1939), was communicated to the Commission by its President.

None the less—not out of any desire to evade its responsibilities, but in the interests of the League of Nations—my Government would not wish us to be led, by excessive zeal for the cause of justice, to adopt decisions impossible to enforce. With the best of intentions, appeals have sometimes been made to the League to do things that it could not do, the sole result being to weaken it still more and perhaps to discredit it. The best service we can do to the League is to spare it inevitable failures and help it, so far as justice allows, to win successes. A success to-day—and we are not forgetting Finland's need of material support—would consist, at the very least, in giving full satisfaction to the desire for justice and morality that is being so strongly manifested in every quarter. It is for that reason that we have resolved to support the attitude taken up by the Government of the Argentine Republic, while prepared to vote in favour of any decision that may appear desirable to the majority of the Members of the League.

STATEMENT MADE IN THE SPECIAL COMMITTEE ON DECEMBER 13TH, 1939, BY
HIS EXCELLENCY M. NIETO CABALLERO, DELEGATE OF COLOMBIA

1. Finland's appeal raises a moral question, on which Colombia has no hesitation, and which requires that the Assembly declare that Finland has been the victim of unjust and unprovoked aggression on the part of the U.S.S.R.
2. According to the principles of the Covenant, that declaration should be followed by a demand for the withdrawal of the invading Soviet troops from Finnish territory, in order that the aggression may be brought to an end and that the dispute may be submitted to the procedures provided for in the Covenant.
3. Colombia is anxious that the establishment of the aggression and the designation of the aggressor should be couched in strong, clear, unambiguous terms, so that the final resolution may produce the desired effects.
4. To demand *a priori* the expulsion of the U.S.S.R. from the League of Nations, which would require a unanimous vote of the Council, would perhaps be a mistake, inasmuch as the U.S.S.R. would in that case be released from the obligations imposed by the Covenant and would be placed outside the scope of the Covenant by a binding decision of the Members of the League—which would make it easier for the U.S.S.R. to achieve its aims, and would afford it an opportunity of committing further crimes.
5. Expulsion, the fourth and last possibility contemplated in Article 16, which defines sanctions, should be looked upon as a last resort, and should not be the first measure adopted, before the procedure prescribed by the Covenant has been unavailingly exhausted.
6. Colombia feels as profound an indignation as any other country, and would not desire to be less severe than any other Member of the League in applying the punitive clauses of the Covenant; but, at the same time, she is anxious that the immense dangers that might be involved for other countries by a hasty decision should be carefully borne in mind. The moral and legal problem is the same for all, but the geographical position is different. In the unexampled complexity of the present juncture in international affairs, Colombia will act with equal firmness and tact, leaving not the slightest opening for doubt of her loyal support for Finland and Finland's cause.

DECLARATION BY THE DELEGATE OF THE DOMINICAN REPUBLIC

On behalf of the Government of the Dominican Republic, I have the honour to protest most vigorously against the incredible and treacherous act of aggression that has been committed upon the Finnish Republic by the Soviet Union.

This aggression is a flagrant violation of the Covenant of the League of Nations, to which the Dominican Government is profoundly attached. Observing invariably a policy of conciliation, respecting in all sincerity the right of peoples to decide their own destinies, to live according to their national ideals, and to exercise their sovereign rights in the most complete equality, this Government ardently desires the final triumph of those principles throughout the world.

The Dominican Government associates itself in advance with any measures that it may be decided to take against the author of the aggression upon the brave Finnish Republic.

The Government of the Dominican Republic and the whole of its people express their profound and sorrowful sympathy to the noble and heroic people of Finland, and their most sincere and heartfelt wishes for the triumph of its just cause.

8. REPORT AND CONCLUSIONS OF THE SPECIAL COMMITTEE

The Special Committee finally issued a report, reproduced below, which included a draft resolution for submission to the Assembly.

REPORT OF THE ASSEMBLY PROVIDED FOR IN ARTICLE 15, PARAGRAPHS 4 AND 10, OF THE COVENANT SUBMITTED BY THE SPECIAL COMMITTEE OF THE ASSEMBLY

INTRODUCTION

The first duty of the Assembly, which is seized in virtue of Article 15 of the Covenant, is to endeavour "to effect a settlement of the dispute" referred to it.

The Government of the U.S.S.R. having announced that it had decided not to send representatives to the Assembly, the following telegram was despatched to Moscow on December 11th after the first meeting of the Committee set up by the Assembly :

"The Committee set up by the Assembly, which is seized in virtue of Article 15 of the Covenant, addresses an urgent appeal to the Government of the U.S.S.R. and to the Finnish Government to cease hostilities and open immediate negotiations under the mediation of the Assembly with a view to restoring peace. Finland, which is present, accepts. Should be grateful if you would inform me before to-morrow (Tuesday) evening if the Government of the U.S.S.R. is prepared to accept this appeal and cease hostilities forthwith."

The Government of the U.S.S.R. replied on December 12th as follows :

"The Government of the U.S.S.R. thanks you, Monsieur le Président, for kind invitation to take part in discussion of the Finnish question. At the same time, the Government of the U.S.S.R. begs to inform you that it cannot accept this invitation for the reasons set out in the telegram of December 4th from the Commissariat for Foreign Affairs sent in reply to Monsieur Avenol's communication."¹

In view of the absence of a delegation of the Government of the U.S.S.R. and as a result of the examination of the reasons it adduces in explanation of that absence, it is unfortunately clear that to attempt at the present time to obtain the cessation of hostilities and the restoration of normal peaceful relations between Finland and the U.S.S.R. through mediation and conciliation would be fruitless.

The Assembly has therefore the duty of publishing the report provided for in the Covenant "containing a statement of the facts of the dispute and the recommendations which are deemed just and proper in regard thereto."

I

To establish the circumstances of the dispute, the Assembly has had before it the documents furnished by the Finnish delegation. As the Secretary-General has been apprised of the views of the Soviet Government only through the brief telegram from M. Molotov, dated December 4th, 1939, it has been thought desirable, in order to ensure the impartiality of this statement, to refer to the official documents published in the *communiqués* of the Tass Agency.

¹ The reply of the U.S.S.R. Government dated December 4th to the invitation addressed to it by the Secretary-General is reproduced on page 17.

Below will be found a statement of the undisputed facts that emerge from the Finnish and Soviet documents and, in the case of disputed points, the versions given by both Governments.

The Moscow Negotiations between Finland and the U.S.S.R. (October 12th–November 13th, 1939).

1. On October 5th, the Finnish Government was invited by the Soviet Government to exchange views on political questions. Finland decided to accept the invitation and send delegates to Moscow.

2. In the circumstances, the news that the Soviet Government had invited the Finnish Government to negotiate with it made a certain impression, not only in Finland, but in many other countries.

On October 11th, just as the Finnish delegation was arriving in Moscow, President Roosevelt sent a personal letter to M. Kalinin, President of the Presidium of the Supreme Soviet, expressing "the earnest hope that the Soviet Union will make no demands on Finland which are inconsistent with the maintenance and development of amicable and peaceful relations between the two countries and the independence of each."

The Soviet Government replied on October 12th: "I think I should remind you, Mr. President, that the independence of the Finnish Republic as a State was recognised spontaneously by the Soviet Government on December 31st, 1917, and that the sovereignty of Finland is guaranteed by the Treaty of Peace between the R.S.F.S.R. and Finland signed on October 14th, 1920. The above-mentioned acts on the part of the Soviet Government determined the fundamental principles of the relations between the Soviet Union and Finland. It is in accordance with those principles that the present negotiations between the Soviet Government and the Finnish Government are being conducted. Notwithstanding the tendentious versions put about by some who evidently have not the peace of Europe at heart, the sole object of the negotiations in question is to establish closer relations between the Soviet Union and Finland and to strengthen the friendly co-operation between the two countries, in order to ensure the security of the Soviet Union and that of Finland."

3. The Finno-Soviet negotiations opened on October 12th.

The Soviet Government proposed to the Finnish Government the conclusion of a pact of mutual assistance on the same lines as those it had lately concluded with other Baltic States. Finland pointed out that the conclusion of such a pact would be inconsistent with her policy of strict neutrality.

The Soviet Government withdrew this first proposal. Making reference to the safety of the U.S.S.R., and more particularly of Leningrad, it then put forward proposals involving the cession of Finnish territories to the Soviet Union (leasing of the port of Hanko and, in exchange for other territories in Soviet Karelia, cession of certain islands in the Gulf of Finland and of part of the Isthmus of Karelia, to the north of Leningrad, and cession of the western part of the Rybachi Peninsula, on the Arctic Ocean).

At the moment when negotiations were broken off (November 13th), the Finnish Government had announced that it was prepared to make various concessions to meet the wishes of the Soviet Government. Nevertheless, "having regard to the international situation of Finland, her policy of absolute neutrality, and her firm resolve to remain outside any group of great Powers and to hold aloof from any wars and conflicts between them," the Finnish Government could not "consent to the cession of Hanko or any islands situated in the immediate proximity of the Finnish mainland as military bases to any foreign Power."

Nor had the two Governments been able to agree upon the extent of the Finnish territories which should be ceded to the U.S.S.R. in exchange for certain compensations offered by the latter in Soviet Karelia. The difference of opinion concerned the frontier-line which the Soviet Government wished to obtain in the Isthmus of Karelia, to the north of Leningrad.

The Finnish Government considers that it took due account of the desire that the Government of the U.S.S.R. might have to increase the security of Leningrad, that it accepted

the proposals made to it so far as practicable possibilities allowed, and that it went as far as it could with proper regard to its own independence, security and neutrality. When, on November 3rd, it submitted its counter-proposals, it pointed out that "the concessions which Finland agrees to make to the U.S.S.R. in order to improve neighbourly relations and ensure peace represent a very heavy sacrifice for the Finnish people, as they affect an area which has been inhabited by a Finnish population since very ancient date and which, for centuries, has formed part of Finland's political territory."

The point of view of the Soviet Government, as expressed in a declaration which the Tass Agency was "authorised" to make on November 11th, is that the Finns not merely showed no inclination to accept the minimum proposals of the U.S.S.R., but, on the contrary, increased their "irreconcilability." The Tass Agency's statement adds that the Finns had increased the number of their divisions in the neighbourhood of Leningrad from two or three to seven, thus "giving proof of their intransigent spirit."

4. On November 13th, the Finno-Soviet negotiations were broken off. The Finnish Government stated that its delegates were returning to Helsinki for fresh instructions. It also wished to discuss the question with Parliament. It was convinced that with good-will it would be possible to find a solution satisfactory to both parties. In any case, as regards its attitude to the U.S.S.R., the Finnish Government "was still anxious to bring the matter to a successful conclusion".

The Mainila Incident : the Soviet Government demands the Withdrawal of the Finnish Troops.

5. On November 26th, the first incident occurred on the frontier in the Isthmus of Karelia.

According to the Soviet version, Finnish artillery suddenly opened fire on Soviet troops near the village of Mainila. Seven shots were fired. There were 4 killed and 9 wounded on the Soviet side. The Soviet troops, however, having received strict orders not to give way to provocation, refrained from retaliating.

According to the Finnish version, the Finnish frontier guard observed the seven gunshots mentioned, which were fired, not from the Finnish, but from the Soviet side. It may have been "an accident which occurred in the course of firing practice".

6. By a note of the same date (November 26th), the People's Commissar for Foreign Affairs informed the Finnish Minister at Moscow of the incident, and concluded in these terms :

"In bringing the foregoing to your knowledge, the Soviet Government considers it desirable to stress the fact that, during the recent negotiations with MM. Tanner and Paasikivi, it had directed their attention to the danger resulting from the concentration of large regular forces in the immediate proximity of the frontier near Leningrad. In consequence of the provocative firing on the Soviet troops from Finnish territory, the Soviet Government is obliged to declare now that the concentration of Finnish troops in the vicinity of Leningrad not only constitutes a menace to Leningrad, but is, in fact, an act hostile to the Union of Soviet Socialist Republics which has already resulted in aggression against the Soviet troops and caused casualties. The Government of the Union of Soviet Socialist Republics has no intention of exaggerating the importance of this revolting act committed by troops belonging to the Finnish Army—owing perhaps to a lack of proper guidance on the part of their superiors—but it desires that revolting acts of this nature shall not be committed in future. In consequence, the Government of the Union of Soviet Socialist Republics, while protesting energetically against what has happened, proposes that the Finnish Government should, without delay, withdraw its troops on the Karelian Isthmus from the frontier to a distance of 20 to 25 kilometres and thus preclude all possibility of a repetition of provocative acts."

7. On November 27th, the Finnish Minister, on the basis of the findings of the enquiry carried out by his Government, "rejected the protest" of the Soviet Government in connection with the Mainila incident, and stated that the alleged hostile act had not been committed by Finland.

Referring to the passage in the Soviet Government's note which alluded to the danger resulting from the concentration of regular forces in the immediate proximity of the frontier near Leningrad, the Minister pointed out that, on the Finnish side, it was principally troops belonging to the frontier guard who were stationed there, and that there were no guns in that area whose range would reach beyond the frontier.

With reference to the Soviet proposal for the withdrawal of troops, the Finnish Government, although there were "no concrete grounds" for such withdrawal, was prepared to open conversations with a view to a mutual withdrawal to a certain distance from the frontier.

Lastly, in order that full light might be thrown on the Mainila incident, the Finnish Government proposed that the frontier commissioners of the two countries on the Karelian Isthmus should be instructed to carry out a joint enquiry, in conformity with the Convention of September 24th, 1928.

The U.S.S.R. declares itself no longer bound by the Pact of Non-aggression.

8. The Soviet Government's reply, dated November 28th, opened with these words: "The Finnish Government's reply to the note from the Government of the Union of Soviet Socialist Republics, dated November 26th, 1939, is a document which reflects the deep-rooted hostility of the Finnish Government towards the Union of Soviet Socialist Republics and is the cause of extreme tension in the relations between the two countries."

The Finnish version of the Mainila incident "can be explained only by a desire to mislead public opinion and make light of those casualties."

The refusal to withdraw the Finnish "troops who committed this hostile act," and the demand for the simultaneous withdrawal of the Finnish and Soviet troops in accordance with the formal principle of the equality of the parties revealed the hostile desire to expose Leningrad to danger. While the Soviet troops did not constitute a menace to Finland's vital centres, which were hundreds of kilometres away, the Finnish troops constituted a direct menace to Leningrad, a vital centre of the U.S.S.R. The withdrawal of the Soviet troops by 25 kilometres would mean posting them in the suburbs of Leningrad. The Soviet Government's proposal for the withdrawal of the Finnish troops by 20 to 25 kilometres represented a minimum, since it was not designed to create equality of situation as between the Finnish and Soviet troops, but simply to attenuate the existing disproportion. If the Finnish Government refused to accept that minimum proposal, that meant that its intention was that Leningrad should remain under a direct threat from its troops.

The concentration of a large number of Finnish regular troops near Leningrad was a hostile act against the U.S.S.R., and was incompatible with the Pact of Non-aggression concluded between the two countries.

The Soviet Government's note concluded in the following terms:

"The refusal of the Finnish Government, after the criminal gunfire directed against the Soviet troops, to withdraw its own troops to a distance of 20 to 25 kilometres shows that the Government is desirous of persisting in its hostile attitude towards the Union of Soviet Socialist Republics, that it has no intention of complying with the provisions of the Treaty of Non-aggression and that it has decided to keep Leningrad under a perpetual menace.

"The Government of the Union of Soviet Socialist Republics cannot, however, admit that one of the Parties should be allowed to violate the Treaty of Non-aggression, while the other Party respects it. In consequence, the Government of the Union of Soviet Socialist Republics is obliged to state that it considers itself, as from to-day, released from the obligations ensuing from the Treaty of Non-aggression concluded between the Union of Soviet Socialist Republics and Finland, obligations which are being systematically violated by the Finnish Government."

9. On the same day, November 28th, according to a telegram from the Tass Agency dated the 29th, a frontier incident took place between two patrols in the neighbourhood of the Isthmus of Karelia. In consequence of this incident, the Soviet Government announced that it had strengthened the protection of the frontier in that sector. The Soviet General Staff also reported two other frontier incidents on the same day.

10. On this question of frontier incidents, the responsibility for which is attributed by the Soviet *communiqués* to the Finnish troops, the Finnish Government points out that, "even during the negotiations at Moscow, the air forces of the U.S.S.R. committed several violations of the territorial integrity of Finland. Between October 10th and November 14th, some thirty such violations were recorded." Finland drew the attention of the U.S.S.R. to this fact through the diplomatic channel, but she was careful not to exaggerate its importance, so as to avoid tension and also in order to facilitate the negotiations then in progress.

With regard to the frontier incidents that took place in the last days of November, it denies the Soviet accusations, and points out that the Finnish troops and frontier guards had been withdrawn to a stated distance from the frontier.

11. November 29th was marked by the following events :

(a) *Reply from the Finnish Government to the Note of November 28th by which M. Molotov rejected the Finnish Proposal for the Mutual Withdrawal of Troops and declared that the U.S.S.R. was thenceforward released from the Obligations of the Pact of Non-aggression.*

The Finnish Government regarded the denunciation of that Treaty as unjustified. Under the 1934 Protocol, the Treaty was to remain in force without the possibility of denunciation until the end of 1945.

Article 5 of the Treaty provided that the procedure of conciliation should be applied in the case of a dispute concerning the question whether the mutual undertaking as to non-aggression had or had not been violated.

The Finnish Government accordingly proposed that a conciliation commission should be summoned. Alternatively, it stated that it was prepared to submit the settlement of the dispute to neutral arbitration.

It was also prepared to come to an understanding with the Government of the U.S.S.R. concerning the withdrawal of the defence troops on the Karelian Isthmus, with the exception of the units of frontier guards and Customs officials, to a distance from Leningrad such that it could no longer be claimed that they threatened the security of that town.

(b) *Rupture of Relations between Finland and the U.S.S.R.*

In its statement, the Finnish Government explains that this note could not be handed to the Soviet Government because its telegraphic transmission was delayed in Soviet territory and because in the meantime the Finnish Minister was sent for at midnight to the Commissariat for Foreign Affairs and informed that the U.S.S.R. no longer proposed to maintain diplomatic relations with Finland.

The rupture of relations was stated to be due to the fact that the Government of the U.S.S.R. could no longer tolerate "attacks on the Soviet troops by the Finnish troops," which were continuing not only on the Karelian Isthmus but also in other frontier regions.

(c) *M. Molotov's Speech.*

At the moment when the Finnish Minister was notified of the rupture of relations, M. Molotov delivered a broadcast speech, in which he said :

"The hostile policy that the present Finnish Government is pursuing towards our country obliges us to take immediate steps to ensure the external security of the State. . . . From such a Government and from its mad military clique there is nothing now to be expected but fresh violent provocations. . . . The Soviet Government has come to the conclusion that it can no longer maintain normal relations with the Finnish Government, and for that reason it has thought it necessary to recall its political and economic representatives immediately from Finland."

The President of the Council of People's Commissars then proceeded to deny the "ill-intentioned calumnies" of the foreign Press hostile to the U.S.S.R. The Soviet Government had no intention of taking and annexing Finnish territory and, had Finland's

policy towards it been friendly, would have been prepared to discuss in a favourable sense even such questions as that of the union of the Karelian people living in the principal districts of the present Soviet Karelia with the nearly-related Finnish people in a single independent Finnish State. Nor had the Government of the U.S.S.R. any intention of infringing the independence of Finland or of interfering in her domestic and foreign affairs.

"We regard Finland," he said, "whatever may be the régime in existence there, as an independent State, sovereign in all its domestic and foreign policy. We are most anxious that the Finnish people should itself decide its internal and external affairs as it thinks best. The peoples of the U.S.S.R. did all that was necessary in the past to create an independent Finland. In the future, too, the peoples of our country are ready to help the Finnish people to secure its free and independent development.

"Nor has the U.S.S.R. any intention of injuring in any degree the interests of other States in Finland. The question of the relations between Finland and other States is entirely one for Finland herself, and not a matter in which the U.S.S.R. considers that it has any right to interfere. The object of the steps we are taking is solely to ensure the security of the U.S.S.R., and particularly of Leningrad, with its $3\frac{1}{2}$ million inhabitants. In the present atmosphere, raised to white heat by the war, we cannot allow the solution of this vital and urgent problem to depend upon the ill-will of those who at present govern Finland. That problem must be solved by the efforts of the U.S.S.R. itself, in friendly co-operation with the Finnish people. We are sure that the favourable solution of this problem of the security of Leningrad will lay the foundations of an indissoluble friendship between the U.S.S.R. and Finland."

Soviet Troops cross the Frontier.

12. On November 30th, at 8 a.m., the troops of the Leningrad military area crossed the frontier on the Isthmus of Karelia and in several other regions. The order had been given by the High Command of the Red Army, on account, according to the Tass Agency's *communiqué*, of "fresh armed provocations on the part of the Finnish military clique."

According to the same *communiqué*, these provocations had taken place during the night at various points on the frontier. While Soviet troops were entering Finland, Soviet aircraft "dropped bombs on the aerodromes at Viipuri and Helsinki."

The Finnish Government gives a different version of these events; the Soviet troops crossed the frontier as early as the evening of November 29th, near Pummanki, on the Rybachi Peninsula, and on the morning of the 30th, while the Soviet troops were crossing the frontier at various points, Soviet aircraft bombed not merely the aerodromes but the towns of Helsinki and Viipuri, as well as several other places.

13. On December 2nd, the Tass Agency announced that "M. Kuusinen, President of the Popular Government and Minister for Foreign Affairs of Finland, has addressed an official declaration to the Presidium of the Supreme Soviet of the U.S.S.R. concerning the formation of the Popular Government of Finland and has proposed to establish diplomatic relations between the Democratic Republic of Finland and the Soviet Union. The Presidium of the Supreme Soviet of the U.S.S.R. has decided to recognise the Popular Government of Finland and to establish diplomatic relations between the U.S.S.R. and the Democratic Republic of Finland."

The Finnish Government points out that the reference is to a "phantom Government" set up by the U.S.S.R. in the village of Terijoki, near the frontier. It is composed of Finnish communists, most of whom took refuge in Soviet territory after the civil war of 1918.

14. Since that date, while the Soviet Government maintains diplomatic relations and has concluded a "pact of mutual assistance and friendship" with this "popular Government," whose powers are limited to the portion of Finnish territory occupied by the Soviet troops, the Finnish Government, reconstituted on the basis of the national union of all parties, and still recognised by all the Powers except the U.S.S.R., is directing the Finnish nation's resistance to the Soviet forces.

Offers of Good Offices and Offers of Negotiations subsequent to the Outbreak of Hostilities.

15. A few hours after the entry of the Soviet troops into Finland, the diplomatic representatives of the United States at Helsinki and at Moscow communicated to the Finnish and Soviet Governments the text of a statement made on the previous day by the United States Secretary of State. According to this statement, the United States Government, "without in any way becoming involved in the merits of the dispute and limiting its interest to the solution of the dispute by peaceful processes only . . . would, if agreeable to both Parties, gladly extend its good offices."

This offer was accepted by Finland alone.

The Soviet Government also rejected, on December 4th, a Finnish proposal transmitted by the Minister of Sweden at Moscow for the opening of fresh negotiations with a view to an agreement. The Soviet Government replied that it only recognised the "Popular Government of the Republic of Finland."

16. The existence of this "Popular Government" was also one of the reasons given by the Soviet Government for its refusal to sit on the Council or in the Assembly if they examined Finland's appeal.

II

The facts set forth above have to be considered in relation to the legal situation arising from the commitments by which the two countries are bound.

Since the recognition of the independence and sovereignty of the Finnish State, the latter has concluded with the U.S.S.R. a number of treaties. Moreover, both States are Parties to the Pact of Paris of 1928 and the Convention of 1933 defining the aggressor, and both are Members of the League of Nations.

(1) The Treaty of Peace signed at Dorpat on October 14th, 1920, between Finland and the Russian Socialist Federal Soviet Republic recalls in its Preamble that in 1917 Finland was proclaimed an independent State and that Russia had recognised the independence and sovereignty of the Finnish State within the frontiers of the Grand-Duchy of Finland. This Treaty fixes, *inter alia*, the frontier "between the States of Russia and Finland," the limit of the territorial waters of the contracting Powers, the military neutralisation of certain Finnish islands in the Gulf of Finland, etc.

(2) As regards the territorial frontier between the two States from Lake Ladoga to the Arctic Ocean, the Republic of Finland and the Russian Socialist Federal Soviet Republic signed at Helsinki on June 1st, 1922, a Convention regarding measures taken in order to ensure peace at the frontier. This Convention established and delimited a zone on both sides of and along the frontier. Each of the two contracting Parties undertook, *inter alia*, with a view to ensuring the inviolability of the frontier, not to maintain within the limits of its zone armed forces other than the regular military units or groups belonging to the regular frontier guard, whose total strength might not exceed 2,500 men on either side. The distribution of the armed forces in the frontier zones was to be carried out under the supervision of each country, which was to communicate to the other Party information regarding such distribution. The establishment of organisations in the frontier zones for the avowed purpose of preparing, encouraging or supporting attacks on the territory of the other Party was unconditionally prohibited. The Russo-Finnish Central Mixed Commission was to have the duty of supervising the carrying-out of the provisions of the Convention; it was to act through the Frontier Sub-Commissions and Local Supervisory Committees.

(3) As regards the frontier on the Karelian Isthmus, the two Governments exchanged at Helsinki on September 24th, 1928, notes whereby Finland and the Union of Soviet Socialist Republics each appointed a frontier commissioner in order to prevent the occurrence of local incidents on the common frontier on that Isthmus or to facilitate their prompt settlement. The frontier commissioners of the two Parties were to deal jointly with frontier incidents, including cases where shots had been fired from the territory of one of the Parties at persons belonging to the frontier guard, or at other persons, or into the territory of the other Party. When such incidents occurred, the commissioners were

to take appropriate measures to settle them in the easiest and quickest way. Incidents regarding which the commissioners were unable to agree were to be dealt with through diplomatic channels.

(4) Under the General Pact for the Renunciation of War dated August 27th, 1928 (Paris Pact), the Parties solemnly declared in the names of their respective peoples that they condemned recourse to war for the solution of international controversies and renounced it as an instrument of national policy in their relations with one another. They further agreed that the settlement or solution of all disputes or conflicts of whatever nature or whatever origin they might be, which might arise among them, should never be sought except by pacific means.

(5) Desirous "of confirming and completing the General Pact of August 27th, 1928, for the Renunciation of War," the Union of Soviet Socialist Republics and Finland signed at Helsinki on January 21st, 1932, a Treaty of Non-aggression and Pacific Settlement of Disputes. Under the terms of Article 1 of this Treaty, the "High Contracting Parties mutually guarantee the inviolability of the existing frontiers between the Union of Soviet Socialist Republics and the Republic of Finland, as fixed by the Treaty of Peace concluded at Dorpat on October 14th, 1920, which shall remain the firm foundation of their relations, and reciprocally undertake to refrain from any act of aggression directed against each other. Any act of violence attacking the integrity and inviolability of the territory or the political independence of the other High Contracting Party shall be regarded as an act of aggression, even if it is committed without declaration of war and avoids warlike manifestations." A "Protocol to Article 1" maintains fully in force "the Agreement of June 1st, 1922, regarding Measures ensuring the inviolability of the Frontiers." Under Article 5, the High Contracting Parties declare that they will always endeavour to settle in a spirit of justice any disputes of whatever nature or origin which may arise between them, and will resort exclusively to pacific means of settling such disputes. For this purpose, the High Contracting Parties undertake to submit any disputes which may arise between them after the signature of the Treaty, and which it may not have been possible to settle through diplomatic proceedings within a reasonable time, to a procedure of conciliation before a joint conciliation commission. Conciliation procedure shall also be applied in the event of any dispute as to the application or interpretation of a convention concluded between the High Contracting Parties, and particularly the question whether the mutual undertaking as to non-aggression has or has not been violated.

In the Protocol of Signature, the High Contracting Parties declare that subsequent denunciation of the Treaty before its termination or annulment shall neither cancel nor restrict the undertakings arising from the Pact for the Renunciation of War signed at Paris on August 27th, 1928.

(6) The Conciliation Commission provided for in Article 5 of the Treaty of Non-aggression of January 21st, 1932, was set up by a Convention signed at Helsinki on April 22nd, 1932.

(7) Finland acceded on January 31st, 1934, to the Convention for the Definition of Aggression concluded in London on July 3rd, 1933, between the Union of Soviet Socialist Republics and various other Powers immediately adjacent to it. In the Preamble to that Convention, the parties declare that they deem it necessary, in the interest of the general security, to define aggression as specifically as possible in order to obviate any pretext whereby it might be justified; they note that all States have an equal right to independence, security, the defence of their territories and the free development of their institutions.

Under Article I, each of the High Contracting Parties undertakes to accept in its relations with each of the other Parties, . . . "the definition of aggression as explained in the report dated May 24th, 1933, of the Committee on Security Questions (Politis Report) to the Conference for the Reduction and Limitation of Armaments, which report was made in consequence of the Soviet delegation's proposal."

Under Article II, the aggressor in an armed conflict shall, subject to the agreements

in force between the parties to the dispute, be considered to be that State which is the first to commit any of the following actions :

(2) Invasion by its armed forces, with or without a declaration of war, of the territory of another State ;

(3) Attack by its land, naval, or air forces, with or without a declaration of war, on the territory, vessels or aircraft of another State ;

(4) Naval blockade of the coast or ports of another State.

Article III stipulates that no political, military, economic or other consideration may serve as an excuse or justification for the aggression referred to in Article II. Under the terms of the Annex to this Article III, the High Contracting Parties, desiring, "subject to the express reservation that the absolute validity of the rule laid down in Article III . . . shall be in no way restricted," to furnish certain indications for determining the aggressor, declare that no act of aggression within the meaning of Article II of the Convention can be justified on either of the following grounds :

A.—The internal condition of a State : *e.g.*, its political, economic or social structure ; alleged defects in its administration ; disturbances due to strikes, revolutions, counter-revolutions, or civil war.

B.—The international conduct of a State : *e.g.*, the violation or threatened violation of the material or moral rights or interests of a foreign State or its nationals ; the rupture of diplomatic or economic relations ; . . . frontier incidents not forming any of the cases of aggression specified in Article II.

The accession of Finland to this Convention for the Definition of Aggression was given in virtue of the attached Protocol of Signature dated July 3rd, 1933, which reads as follows :

"It is hereby agreed between the High Contracting Parties that, should one or more of the other States immediately adjacent to the Union of Soviet Socialist Republics accede in the future to the present Convention, the said accession shall confer on the State or States in question the same rights and shall impose on them the same obligations as those conferred and imposed on the ordinary signatories."

(8) The Treaty of Non-aggression and Pacific Settlement of Disputes concluded between Finland and the U.S.S.R. on January 21st, 1932, was extended to December 31st, 1945, by a Protocol signed at Moscow on April 7th, 1934.

(9) By Article 12 of the Covenant of the League of Nations, the Members of the League agree that, if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or judicial settlement or to enquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the judicial decision or the report by the Council.

III

If the attitude and the acts of the two Governments in the course of the last few weeks are considered with reference to international commitments, the conclusions reached are as follows :

I. In the course of the various stages of the dispute the Finnish Government has not rejected any peaceful procedure.

(1) It agreed to enter into direct negotiations with the Soviet Government, although the invitation it received from that Government at the beginning of October contained no explanation of the nature or scope of the negotiations contemplated.

In the course of those negotiations, although it was entitled to invoke the treaties it had signed with the Union of Soviet Socialist Republics to reject any proposal infringing the territorial integrity of Finland, it agreed to contemplate cessions of territory, and

when it received the Soviet proposals, it submitted counter-proposals which, in its opinion, went as far as it was possible for it to go.

(2) When the dispute arose regarding the Mainila incident, the Finnish Government proposed that the frontier commissioners of the two countries should jointly proceed to carry out an enquiry, as provided for in the above-mentioned Exchange of Notes dated September 24th, 1928.

(3) Faced with the denunciation by the Union of Soviet Socialist Republics of the Non-aggression Treaty of January 21st, 1932—the denunciation being based on the accusation that Finland had systematically violated that Treaty—the Finnish Government, in a note which, owing to the rupture of diplomatic relations by the Union of Soviet Socialist Republics, it was not possible to hand over at Moscow in time, asked for the application of the conciliation procedure laid down by that Treaty for cases of a dispute as to whether the mutual non-aggression undertaking had been violated.

(4) In the same note (which could not be handed in at Moscow) the Finnish Government proposed the convening of a conciliation commission or, alternatively, neutral arbitration.

(5) When requested by the Soviet Government on November 26th to remove its frontier troops on the Isthmus of Karelia forthwith to a distance of 20–25 kilometres, the Finnish Government replied that it was ready to enter into negotiations for a reciprocal withdrawal to a certain distance from the frontier.

The Soviet Government having made it known that its proposal regarding the withdrawal of Finnish troops to a distance of 20–25 kilometres was a minimum proposal, the Finnish Government, in its note of November 29th, which could not be handed to the Soviet Government, declared itself ready to come to an agreement with the latter for the removal of the defence troops on the Karelian Isthmus, except frontier guards and Customs officials, to a distance from Leningrad such that they could no longer be held to menace the security of that city.

(6) After the outbreak of hostilities, the Finnish Government accepted the offer of good offices made by the United States Government.

(7) On December 3rd, the Finnish Government referred the matter to the Council of the League of Nations under Articles 11 and 15 of the Covenant.

On December 4th, it vainly endeavoured to transmit to the Soviet Government, through the Minister of Sweden at Moscow, a proposal for the opening of fresh negotiations for an agreement.

II. The attitude and acts of the Government of the Union of Soviet Socialist Republics, on the other hand, have been incompatible with the commitments entered into by that country.

(1) In the course of the negotiations at Moscow with the Finnish Government, it made to that Government proposals for cessions of territory. It stated that these proposals “represented its minimum conditions, its attitude having been dictated by the fundamental security requirements of the Soviet Union and, particularly, of the city of Leningrad.”

Under the terms of Article 1 of the Treaty of Non-aggression of January 21st, 1932, the two countries had, however, undertaken mutually to guarantee the inviolability of the existing frontiers as fixed by the Treaty of Peace concluded at Dorpat on October 14th, 1920, which was to remain the firm foundation of their relations.

(2) After the Mainila incident, the Soviet Government insisted on the unilateral withdrawal of the Finnish frontier troops on the Karelian Isthmus to a distance of 20 to 25 kilometres. It made no reply to the Finnish Government’s proposal that the commissioners • of the two countries should be instructed to carry out a joint enquiry as provided for in the Exchange of Notes of September 24th, 1928.

(3) The Soviet Government interpreted the Finnish Government's refusal to accept immediately a unilateral withdrawal of its forces for 20-25 kilometres as indicating the wish of the latter Government to keep Leningrad under a constant menace. On the ground that the Finnish Government was systematically violating the Treaty of Non-aggression, the Soviet Government declared that it regarded itself as released from the undertakings assumed by it under that Treaty. The Treaty in question, which had been prolonged by the Protocol of April 7th, 1934, until December 31st, 1945, laid down, however, that a procedure of conciliation would be applied in the event of any dispute on the question whether the mutual undertakings as to non-aggression had or had not been violated.

(4) Even if one of the Parties could, without first resorting to the conciliation procedure, have declared that the Treaty of Non-aggression no longer existed because the other Party had violated it, the Protocol of Signature of January 21st, 1932, declares that subsequent denunciation of this Treaty before its termination shall neither cancel nor restrict the undertakings arising from the Pact for the Renunciation of War signed on August 27th, 1928, which the Treaty of Non-aggression between Finland and the Union of Soviet Socialist Republics was intended to confirm and complete.

(5) The invasion of Finland by the land forces and the bombardments carried out by the naval and air forces of Soviet Russia are incompatible with the Pact for the Renunciation of War of August 27th, 1928, and with the provisions of Article 12 of the Covenant of the League of Nations.

(6) It is impossible to argue that the operations of the Soviet forces in Finland do not constitute resort to war within the meaning of the Pact of Paris or Article 12 of the Covenant of the League of Nations.

Finland and the Union of Soviet Socialist Republics are bound by the Convention for the Definition of Aggression signed at London on July 3rd, 1933. According to Article II of this Convention, the aggressor in an armed conflict shall be considered to be that State which is the first to invade by its armed forces, with or without a declaration of war, the territory of another State or to attack by its land, naval or air forces, with or without a declaration of war, the territory, vessels or aircraft of another State.

Under the terms of Article III "no political, military, economic or other consideration may serve as an excuse or justification for the aggression referred to in Article II."

The order to enter Finland was given to the Soviet troops on the ground of "further armed provocation." The reference was to frontier incidents or alleged frontier incidents. In the Annex, however, to Article II of the Convention, it is declared that no act of aggression within the meaning of Article II of the Convention can be justified by frontier incidents not forming any of the cases of aggression specified in Article II.

(7) After having broken off diplomatic relations with the Finnish Government and rejected the good offices of the United States Government, the Soviet Government refused to send representatives to the Council or Assembly, on the ground that it was not in a state of war with Finland and was not threatening the Finnish people with war. This affirmation was based, *inter alia*, on the fact that the Soviet Government maintained peaceful relations with the "Democratic Republic of Finland" and that it had signed with the latter, a Pact of Assistance and Friendship "settling all the questions which the Soviet Government had fruitlessly discussed with the delegates of the former Finnish Government, now divested of its power."

The so-called "former Finnish Government" is the regular Government of the Republic of Finland. It is composed of all the important parties in the Parliament, whose unanimous confidence it enjoys. The Parliament is freely elected by the Finnish people. The last elections took place in July of this year. The Government is thus based on respect for democratic institutions.

The Soviet Government invokes in support of its attitude the relations which it maintains with a so-called Government of its own creation which cannot, either *de jure* or *de facto*, be regarded as the Government of the Republic of Finland. That fact therefore cannot serve the Soviet Government as justification for its refusal to follow, for the settlement of its dispute with Finland, the procedure laid down in Article 15 of the Covenant of the League of Nations.

Furthermore, in so refusing, the Soviet Government is failing to observe its obligation to respect the sovereignty and independence of Finland, and is also directly contravening the very definite obligations laid down in the Convention for the Definition of Aggression, which it signed and in the preparation of which it took a decisive part.

The whole object of this Convention, indeed, is to ensure that no political, military, economic or other considerations shall serve as an excuse or justification for aggression. The Annex to Article III specifies that aggression cannot be justified either by the international conduct of a State, for example: the violation or threatened violation of the material or moral rights or interests of a foreign State; or by the internal condition of a State, for example: its political, economic or social structure; alleged defects in its administration; disturbances due to strikes, revolutions, counter-revolutions or civil war.

* * *

It follows from these findings that the Soviet Government has violated, not only its special political agreements with Finland, but also Article 12 of the Covenant of the League of Nations and the Pact of Paris.

RESOLUTION

The Assembly:

I

Whereas, by the aggression which it has committed against Finland, the Union of Soviet Socialist Republics has failed to observe not only its special political agreements with Finland but also Article 12 of the Covenant of the League of Nations and the Pact of Paris;

And whereas, immediately before committing that aggression, it denounced, without legal justification, the Treaty of Non-aggression which it had concluded with Finland in 1932, and which was to remain in force until the end of 1945:

Solemnly condemns the action taken by the Union of Soviet Socialist Republics against the State of Finland;

Urgently appeals to every Member of the League to provide Finland with such material and humanitarian assistance as may be in its power and to refrain from any action which might weaken Finland's power of resistance;

Authorises the Secretary-General to lend the aid of his technical services in the organisation of the aforesaid assistance to Finland;

And likewise authorises the Secretary-General, in virtue of the Assembly resolution of October 4th, 1937, to consult non-member States with a view to possible co-operation.

II

Whereas, notwithstanding an invitation extended to it on two occasions, the Union of Soviet Socialist Republics has refused to be present at the examination of its dispute with Finland before the Council and the Assembly ;

And whereas, by thus refusing to recognise the duty of the Council and the Assembly as regards the execution of Article 15 of the Covenant, it has failed to observe one of the League's most essential Covenants for the safeguarding of peace and the security of nations ;

And whereas it has vainly attempted to justify its refusal on the ground of the relations which it has established with an alleged Government which is neither *de jure* nor *de facto* the Government recognised by the people of Finland in accordance with the free working of their institutions ;

And whereas the Union of Soviet Socialist Republics has not merely violated a Covenant of the League, but has by its own action placed itself outside the Covenant ;

And whereas the Council is competent under Article 16 of the Covenant to consider what consequences should follow from this situation :

Recommends the Council to pronounce upon the question.

IV. THE EXAMINATION BY THE ASSEMBLY OF THE REPORT OF THE SPECIAL COMMITTEE



The President of the Twentieth session of the Assembly: M. C. J. Hambro, Delegate of Norway.

The Assembly considered the Special Committee's report at its meeting of December 14th.

I. SPEECHES BY DELEGATES

Portugal.

M. J. Caeira da Matta, speaking, not as Chairman of the Special Committee, but as the delegate of Portugal, supported the views expressed by the delegate of the Argentine Republic on the previous day. If the proposal to expel the Soviet Union from the League had not been made by the Argentine Republic, the Portuguese delegation would have made that proposal. The aggression against Finland constituted a crime against right and against humanity for which there could be no excuse. Unprovoked aggression could not be recognised as a normal method of conducting policy. A vote of condemnation was essential, and, in order to uphold the prestige of the League Assembly, that vote should be unanimous. It was for the Council to pronounce expulsion, in application of Article 16, paragraph 4, of

the Covenant. The Soviet Union had by its own action placed itself outside the Covenant; it must also be placed outside the League.

Mexico.

M. M. Tello, delegate of Mexico, stated that his country considered the League to be a body whose essential mission it was to prevent disputes, to reconcile differences of opinion and to impose justice, with the fundamental aim of guaranteeing the political independence and territorial integrity of all countries. Taking its stand on this conception, the Mexican Government had protested on each occasion when those principles had been endangered or violated. For his Government, there had never been any special cases with regard to the application of the Covenant. Mexico had examined the features of the present case in a completely dispassionate spirit. In this conflict, her protest and her determination to bear her full share of responsibility had no limits other than those set by precedents, but, at the same time, she could not go beyond those limits. The Mexican Government's attitude would be the same whenever, as a Member of the League, it found itself under the painful obligation of passing judgment upon acts involving the

unjustified use of force. His Government would have been glad if the League could have put an end to the dispute and the ravages of war. But as that was impossible, it considered that the League should grant Finland all the aid to which she was entitled. The Mexican delegation fully approved the report and draft resolution submitted by the Special Committee. Although the question of exclusion was not for the Assembly's consideration, and Mexico was not a Member of the Council, his Government considered that, since exclusion was not even contemplated in previous cases, it could not, for its part approve this extreme sanction, which would, moreover, put an end to all possibility of reaching, within the framework of the League, a pacific settlement favourable to Finland.

India.

The delegate of India, *Sir Muhammed Zafrulla Khan*, reviewed the circumstances of the case and told the Assembly that, in his opinion, the crux of the problem lay in the answers to the following questions: (1) Did the frontier incident take place as Russia alleged and, assuming that it did, would that justify Russia in taking the action that she actually did take? (2) Did an alternative Government of some sort exist in Finland? If so, was the Russian action justified?

With regard to the first question, the attitude adopted by Finland concerning the frontier incident was the clearest proof of her innocence in the matter.

The reply to the second question would be found in the Convention for the Definition of Aggression, accepted both by Russia and Finland. This Convention laid down clearly that the following should not be regarded as justification for any act of aggression: (a) the internal condition of a State (*e.g.*, its political, economic or social structure), alleged defects in its administration, disturbances due to strikes, revolutions, counter-revolutions or civil war. That, according to the Indian delegate, disposed of the plea of an alternative Government inside Finland whose authority the Soviet Union might have tried to establish in that country.

Finland's demand that the League should declare her the innocent party and afford her such moral and humanitarian assistance as was within its power was not unreasonable. The delegate of India concluded: "It is not Finland alone that calls, it is justice, it is fair dealing between man and man—all the gracious human virtues, all the ideals that alone make life worth living and which have all been placed in peril. And they call not only to Great Britain or France, to the Argentine, Mexico or the other South American peoples, to Iran, Iraq, India or Afghanistan. They call to the whole of mankind, and we must respond as representatives of humanity in a manner that is worthy of this august Assembly and of humanity. . . . It is for you, representing nations that value liberty and freedom and justice and faith, to fight this monster together, lest the torch of faith and civilisation be extinguished and humanity be plunged into the darkness of unbelief and barbarity, from which it may take centuries to emerge."

Ecuador.

The delegate of Ecuador, *M. Sotomayor Luna*, declared that the delegation of Ecuador would vote for the report in the conviction that the Council of the League would do justice without hatred and without weakness. His Government felt bound to protest in the plainest terms against all methods of intimidation, aggression, invasion and spoliation. Ecuador's vote in favour of the resolution was also the expression of its profound admiration for the heroic resistance of Finland and an expression of confidence in the future survival of vanquished peoples.

Switzerland.

M. W. Rappard, delegate of Switzerland, expressed the sympathy and deep admiration of the Swiss people with regard to Finland. Switzerland had, by the Council resolution of May 14th, 1938, recovered her complete neutrality within the framework of the League. For that reason, and that reason alone, the Swiss delegation would abstain from voting

on the resolution. He added that the Swiss delegation was convinced that the assistance of the technical services of the Secretariat in the organisation of aid to Finland would not involve any activity in the territory of the Confederation that would be incompatible with Swiss neutrality.

France.

M. Champetier de Ribes, delegate of France, stated that France would explain at the meeting of the Council her attitude towards the problem before them. He wished to say, however, that France would vote for the resolution proposed. The French delegation was convinced that, in passing upon the facts, both in themselves and in their relationship to law, a judgment such as was required by respect for the Covenant, they would have well served the ideals of the League of Nations.

United Kingdom.

Mr. R. A. Butler, delegate of the United Kingdom, also reserved his right to speak again before the Council. The report and resolution had the full support of the United Kingdom delegation. It contained practical suggestions for aiding Finland, and it was significant that it authorised the Secretary-General to consult non-member States in order to enlist their co-operation in giving that aid. Despite the heavy burden which the United Kingdom, in common with other nations of the British Commonwealth and her Allies, was bearing in the major struggle for right and law in which she was engaged, his Government would give the greatest assistance in its power to Finland. The latter part of the resolution invited the Council to draw the obvious conclusions resulting from the declarations made in the report. Though the absence and withdrawal of important States had rendered difficult in practice the integral fulfilment of the obligations of the Covenant, they still remained the guardians of its principles and must maintain its standards to the full extent of their power. The United Kingdom Government had always stood for those very principles and standards and did not intend to depart from them.

Poland.

The delegate of Poland, *M. Z. Gralinski*, paid a tribute to the valiant Finnish people, defending their liberty and independence against invasion. Poland had a special right to make her voice heard in this discussion. She had been the first to have the courage to oppose the march of terror and destruction. She did this, not only in her own interests, but for the defence of European civilisation and the freedom of nations. How, then, could any Poles fail to be profoundly moved by the events taking place in the north? He expressed the Polish Government's support for the Committee's resolution, which allowed the League to take up a clearcut and definite attitude towards the Soviet Union. Each one of the States Members must answer with acts the question whether the evolution of the world was to be based on right or might, on justice or violence, on the liberty of nations and of individuals or on their enslavement, on Christian morality or moral nihilism, on civilisation or on barbarity.

Netherlands.

The delegate of the Netherlands, *Baron G. W. de Vos van Steenwijk*, stated that his Government interpreted the authorisation given to the Secretary-General to lend the aid of his technical services in the sense that the aid in question should in no way be considered as collective action of the League, but solely as assistance on the part of its technical services to such individual Members as might wish to help Finland. Subject to that interpretation, he was authorised to vote for the resolution. Further, the Netherlands Government did not greatly favour the statement that the U.S.S.R. had placed itself outside the Covenant. This expression had no basis in the articles of the Covenant; as the sense of the resolution was clear, however, his Government did not wish to raise any difficulties in that connection.

Belgium.

The delegate of Belgium, *Count Carton de Wiart*, expressed Belgium's warm admiration for Finland. The Belgian delegation also understood that the authorisation to the Secretary-General to lend the aid of his technical services did not imply any collective action on the part of the League. Subject to this observation, he would vote for the draft resolution.

Sweden, Denmark and Norway.

M. B. O. Undén, delegate of Sweden, made a statement on behalf of the delegations of Sweden, Denmark and Norway, declaring that those countries had for many years collaborated closely with Finland. Those four northern countries had been firmly resolved to keep themselves apart from all groups of great Powers and from all alliances, endeavouring to safeguard their peace and independence by observing this fundamental principle. The aggression against Finland had nowhere aroused deeper emotion than in the other northern countries, and their peoples had strongly shown their sympathy for the Finnish people. They were able to confirm the passages in the report showing the efforts made by Finland to avoid, even at the cost of great sacrifices, any dispute with her powerful neighbour. Referring to the well-known general attitude of their Governments towards sanctions, the three delegations declared that they made every reservation in so far as the resolution involved any measure coming within the scope of the system of sanctions.

Latvia, Estonia and Lithuania.

The delegate of Latvia, *M. J. Feldmans*, speaking on behalf of the delegations of Latvia, Estonia and Lithuania, reminded the Assembly that those three delegations had abstained from taking part in the discussion on the report and the draft resolution. They would also abstain from voting, as they had reservations to make regarding the resolution, and, particularly, any application of Article 16 of the Covenant, in regard to which all three countries had made their attitude known at the 1938 Assembly.

China.

M. V. K. Wellington Koo, delegate of China, stated that, in the circumstances which were known to the Assembly, the Chinese delegation would abstain from voting on any part of the report.

Bulgaria.

M. D. Karadjoff, delegate of Bulgaria, also stated that he would abstain.

The Assembly took note of the statements made, approved the report and unanimously adopted the accompanying resolution.¹

* * *

Finland.

The delegate of Finland, *M. Rudolf Holsti*, expressed the profound gratitude of the Finnish people to the Assembly for its adoption of a resolution and a programme in keeping with the request of the Finnish Government. This practical result had been reached in the short space of three days and corresponded, in the main, to what Finland expected in appealing to the League of Nations. Thus it had again been proved that the League's fundamental principle was still alive and strong.

As to the future, continued *M. Holsti*, everything would depend primarily on two factors: the technical organs of the Secretariat and the readiness of the civilised world to do, with their assistance, everything possible—and he would even say to do the impossible—to bring help to Finland. The great efficiency of the League's technical organs was generally recognised, and Finland could therefore rely to the full upon their

¹ See page 60.

energy and competence. With regard to the desire of the civilised peoples to give Finland their assistance and support, it had been a great comfort to his country in its hour of peril to note how steadily and irresistibly that tendency had been gaining impetus.

M. Holsti also expressed Finland's keen gratitude for the great honour which the Assembly had paid her on the previous day in electing her once more a Member of the Council. The last time Finland enjoyed that privilege—twelve years before—the political horizon had been clear : now it was as overcast as it possibly could be. In spite of all, however, Finland had obtained a seat on the Council, and in that fact she saw a proof of the League's sympathy towards her. He was convinced that, even in the difficult circumstances prevailing, Finland would not fail to do her best to deserve the confidence that had been placed in her. It was his sincere hope that when, three years hence, on the expiry of her mandate, she yielded her place at the Council table to some other State, Finland, through the divine ordering of Providence, would be stronger than she was to-day and that the activity of the League of Nations as the instrument and protagonist of peace and human progress would have increased.

* * *

2. CLOSING SPEECH BY THE PRESIDENT OF THE ASSEMBLY

At the following meeting of the Assembly, on December 14th, the President, M. C. J. Hambro, in announcing the adjournment of the session, said :

The Assembly of the League of Nations, convened for its twentieth ordinary session, has terminated its work.

We have been called here, contrary to the desire of each delegation, to take far-reaching and grave decisions and responsibilities. We have not met to pass judgment on any nation, on any Government, or on any system of Government, but it has been our duty to consider acts and to relate those acts to the principles of the Covenant of the League.

We do not know what the near future may bring. We cannot even foretell to-morrow, but we feel in our heart of hearts that we all, as delegates to this Assembly, have tried to act upon the principles of law and equity, with natural hesitation but without ambiguity. So we leave this Assembly in grave anxiety for every nation, with ill-will against none, but with a new hope in our own minds because a Member State has applied to the League for assistance and has not applied in vain, and because the flame has been kept alive in the storm of terrible events. With the limited foresight of human beings, we are convinced that the only possible road towards a future of better international understanding and peace will be found in the growth and development of mutual responsibilities and international solidarity. In a more open and more courageous adherence to the principles of right and justice, we have performed our task, and it is our great hope that, when this Assembly meets again, it will be a proof that the feeble efforts we have made have not been entirely in vain.

I now declare the twentieth ordinary session of the Assembly of the League of Nations adjourned.

* * *

V. THE COUNCIL EXCLUDES THE UNION OF SOVIET SOCIALIST REPUBLICS FROM THE LEAGUE OF NATIONS

1. THE RESOLUTION BEFORE THE COUNCIL

At a meeting of the Council, held on December 14th after the meeting of the Assembly, the President, M. Costa du Rels, representative of Bolivia, reminded his colleagues of the terms of the Assembly resolution recommending the Council to pronounce upon the question under Article 16 of the Covenant. Paragraph 4 of that article read: "Any Member of the League which has violated any Covenant of the League may be declared to be no longer a Member of the League by a vote of the Council concurred in by the representatives of all the other Members of the League represented thereon."

He therefore submitted to the Members of the Council the following *draft resolution* :

"The Council,

"Having taken cognisance of the resolution adopted by the Assembly on December 14th, 1939, regarding the appeal of the Finnish Government :

"(1) Associates itself with the condemnation by the Assembly of the action of the Union of Soviet Socialist Republics against the Finnish State ; and

"(2) For the reasons set forth in the resolution of the Assembly,



The President of the hundred-and-seventh session of the Council : M. A. Costa du Rels, Representative of Bolivia.

“ In virtue of Article 16, paragraph 4, of the Covenant :

“ Finds, that, by its act, the Union of Soviet Socialist Republics has placed itself outside the League of Nations. It follows that the Union of Soviet Socialist Republics is no longer a Member of the League.”

2. DECLARATIONS BY VARIOUS MEMBERS OF THE COUNCIL

Greece.

The representative of Greece, *M. S. Polychroniadis*, was proud to express the profound admiration and respectful sympathy which Greece entertained for the noble Finnish people, struggling for liberty and independence. Having made that statement, he declared that he would abstain from that part of the resolution relating to the exclusion of the U.S.S.R. from the League. His abstention covered, in particular, the whole of the phrase beginning : “ For the reasons set forth in the resolution of the Assembly,” down to the end of the draft resolution.

Yugoslavia.

M. S. Gavrilovitch, representative of Yugoslavia, stated that he would abstain when the vote was taken, more particularly with regard to that part of the draft resolution preceded by the number 2.

Finland.

M. R. Holsti, representative of Finland, said that Finland could not sit as a judge in a matter brought by her before the Council. He would therefore abstain from voting in order that any decision of the Council might be given a wholly impartial character.

France.

M. J. Paul-Boncour, representative of France, stated that both the United Kingdom and the French delegation had observed extreme discretion during the present discussion. They had borne in mind the hospitality and humanity extended to them in the course of two wars by a State whose kindness to their prisoners and wounded they would never forget. They had also wished to respect the position of those States Members most of whom had so far been able to safeguard their neutrality. But the Assembly, strictly in conformity with the terms of the Covenant, had referred to the Council the heaviest part of the responsibility in the matter. The Council would discharge that responsibility, and France could certainly not be silent. It was in defence of the very principle in the name of which they were about to take a grave decision that France was engaged in war. If that principle had been defended more strongly, France would not have had to defend it with the blood of her youth. She was present to impose a sanction by taking part in a most painful measure regarding the violation of the Covenant. But this act of condemnation would not have its full sense if it were not closely and indisputably linked with all those violations by which it had been preceded. He could not pass condemnation on one aggression and one country without extending that condemnation to other and preceding aggressors. When he thought of Finland, he could not but think of other victims, Austria, Czecho-Slovakia, Poland. They would have to return to that truth which was at the very basis of the League of Nations—the idea of indivisible collective security. With real grief he remembered that it was *M. Litvinoff* himself who, in the Council and Assembly, had so frequently stressed the indivisible character of collective security. He welcomed this rather late awakening of universal conscience. It was the duty of the League to do all in its power to see that the list of victims was not made longer. Therefore, without absolving the chief author of the troubles in Europe at the present

time, without forgetting those other aggressions which had made this aggression possible, he declared that he would vote in favour of the draft resolution.

United Kingdom.

The representative of the United Kingdom, *Mr. R. A. Butler*, felt that M. Paul-Boncour had placed in its right perspective the act of aggression on Finland. He had alluded to the conflict in which France and Britain were comrades in arms, fighting in defence of the principles for which the Covenant was founded. The responsibilities of the Council and Assembly had been twofold—first, to answer the appeal for help made by a fellow Member of the League, and, secondly, to maintain and ensure the continuance of the standards of international morality in which they believed and on which their whole policy was founded. The Council had now to perform a duty laid upon it by the Covenant. Once the issue before them had been raised, the Council had, in his view, no alternative but to accept the resolution submitted to it. Should they fail to discharge the duty laid upon them by the Assembly, the whole world would doubt the reality of their convictions, and the structure which they were striving to maintain in the present world crisis would be dangerously shaken. The present attack followed directly upon previous acts of a similar nature. The movement of world opinion in favour of Finland was due largely to sympathy and admiration for the Finnish nation, but derived also from the realisation that another blow was being struck at the foundations on which the existence of all independent nations was founded. Last autumn, in discussing the application of the principles of the Covenant, a majority of States had declared that they were not bound to apply automatically the measures provided in the Covenant in the case of recourse to war against a Member of the League. That view had been generally accepted by the Assembly in considering the Finnish appeal. But they had to recognise that the issues arising out of recent acts of aggression in Europe were essentially the same, even though they had not all been formally brought before that tribunal. Many States maintained an attitude of neutrality in the major struggle for freedom now being waged. He understood and respected that attitude, but the implications of the present struggle must be clear to all who were inspired by the principles of the Covenant. Here at Geneva they were called upon to play a difficult part, but the principles of the Covenant remained, and their observance was in the best interests of international society. Those principles were now being challenged, and that challenge gave them the opportunity to prove their worth.

China.

Mr. Wellington Koo, representative of China, stated that, in conformity with his declaration to the Assembly, and in the absence of final instructions from his Government, he would abstain from voting.

3. ADOPTION OF THE RESOLUTION

The President announced that the Council would take note of the various statements made, and, as abstentions were not taken into account in establishing unanimity, he would take it that the draft resolution was adopted.

4. CLOSING SPEECH BY THE PRESIDENT OF THE COUNCIL

Addressing the members of the Council at the close of the session, the President, *M. A. Costa du Rels*, said :

The Council of the League of Nations, at a moment the gravity of which can escape no one, has assumed responsibilities in defence of principles.

“Such principles demand respect for corresponding rights to independence, to life and to the possibility of continuous development in the paths of civilisation; they demand further, fidelity to compacts agreed upon and sanctioned in conformity with the principles of the law of nations.

“The indispensable presupposition, without doubt, of all peaceful intercourse between nations, and the very soul of the juridical relations in force among them, is mutual trust; the expectation and conviction that each party will respect its plighted word; the certainty that both sides are convinced that *better is wisdom, than weapons of war*, and are ready to enter into discussion and to avoid recourse to force or to threats of force in case of delays, hindrances, changes or disputes, because all these things can be the result, not of bad will, but of changed circumstances and of genuine interests in conflict.

“But to consider treaties on principle as ephemeral and tacitly to assume the authority of rescinding them unilaterally when they are no longer to one’s advantage, would be to abolish all mutual trust among States.”

The words that I have just read are taken from the Encyclical recently issued by His Holiness Pope Pius XII. I am sure that no words of mine could add anything to so solemn a statement of those principles which are essential to the life of civilised nations in a community and which are the principles of the League of Nations itself.

VI. ASSISTANCE TO FINLAND

On December 18th, 1939, the Secretary-General sent the following telegram to the States Members of the League :

With reference resolution adopted Assembly December 14th as result Finnish appeal beg draw your Government's attention particularly to last three paragraphs first part resolution namely :

“ Assembly urgently appeals to every Member of the League to provide Finland with such material and humanitarian assistance as may be in its power and to refrain from any action which might weaken Finland's power of resistance ;

“ Authorises the Secretary-General to lend the aid of his technical services in the organisation of the aforesaid assistance to Finland ;

“ And likewise authorises the Secretary-General in virtue of the Assembly resolution of October 4th, 1937, to consult non-member States with a view to possible co-operation.”

Should be grateful for information regarding your Government's intentions.

AVENOL,

Secretary-General.

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