LEAGUE OF NATIONS

Conference for the Reduction and Limitation of Armaments

NAVAL COMMISSION

REPORT TO THE GENERAL COMMISSION
Called for by that Commission's Resolution dated April 22nd, 1932.
(Document Conf.D./C.G.28(2).)

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INTRODUCTION.

The General Commission of the Conference for the Reduction and Limitation of Armaments at its meeting on April 22nd, 1932, adopted the following resolution (document Conf.D./C.G.28(2)):

"In seeking to apply the principle of qualitative disarmament as defined in the previous resolution (document Conf.D./C.G.26(1)), the Conference is of opinion that the range of land, sea and air armaments should be examined by the competent special Commissions with a view to selecting those weapons whose character is the most specifically offensive or those most efficacious against national defence or most threatening to civilians."

For the purpose of determining the naval armaments which are, in accordance with the terms of the resolution, "the most specifically offensive or those most efficacious against national defence or most threatening to civilians", the Naval Commission met on April 26th, 1932.

After a general discussion, the Naval Commission adopted the agenda prepared by its Bureau in accordance with which it considered, first, capital ships and subsequently discussed aircraft-carriers, submarines and mines. The Commission also considered river gunboats and monitors.

In regard to the use of poison gases and bacteriological warfare, the General Commission has decided to confide the consideration of these questions to a special Commission constituted for this purpose.

The discussions which have taken place in the Naval Commission in pursuance of the resolution of the General Commission of April 22nd, 1932, have not been confined to the questions to which the text of the resolution relates directly. A number of delegations have thought well to develop their views, in more complete fashion than the actual terms of reference would have required, on naval problems in general and on the special needs and circumstances of their respective countries. They have been led in this way to indicate the fundamental considerations at the base of their attitude to the problems raised by the General Commission's resolution. Questions have thus been discussed in regard to the problem of the abolition of certain forms of naval armaments, reductions of tonnage and of the combatant power of units, the difficulties arising in connection with the application of the term "aggression", and problems in regard to the definition of "the relative offensive and defensive power" of the different types of war vessels.

The discussion indicated that one of the reasons for the divergent views expressed lies in a difference in interpretation of the terms of reference given by the General Commission.
Certain delegations have found the terms of the General Commission's resolution sufficiently clear for them to be taken at once as the basis of the work of the Naval Commission. Other delegates, on the other hand, in view of the special conditions existing in the sphere of naval armaments, have thought it necessary to discuss and state clearly the sense in which the General Commission's resolution should be interpreted.

These latter delegations have, for their part, expressed the opinion that the instruction to consider the different naval armaments with a view to determining those weapons "whose character is the most specifically offensive" appears to pre-suppose the use of such weapons for purposes of a policy of aggression, and that the naval operations to be considered are, consequently, primarily those directed towards the invasion and violation of the territorial sovereignty of a country. In other words, in order to define the task of the Naval Commission, the latter has, in their opinion, to consider whether there are weapons which, in the event of armed aggression directed suddenly against the territorial sovereignty of a State, offer, in virtue of their inherent specific character, greater advantages to the aggressor than to the nation which is the victim of aggression.

The delegations adhering to this view feel that this interpretation is the only one consonant with the origin and development of the resolution as shown by the discussion in the General Commission. Furthermore, they feel that to consider the offensive operations in question as embracing all the normal operations of war would lead directly into insoluble problems. Such a wider interpretation would likewise involve matters of principle which have not yet been dealt with by the General Commission.

Other delegations stated their opinion that, whenever a State adopts a policy of aggression, all naval armaments whatsoever, whether limitable or non-limitable within the meaning of the Washington and London Naval Treaties, are specifically offensive, but that, on the other hand, all these naval armaments whatsoever become defensive when employed by a nation which is being subjected to aggression.

Moreover, certain delegations, with the object of defining more closely the terms of reference to the Naval Commission, have been at pains to recall the resolution of April 20th, 1932, adopted by all the Members of the Conference, with exception of the Union of Soviet Socialist Republics (document Conf.D./C.G.24), under the terms of which the provisions of Article 8 of the Covenant of the League of Nations are to be applied for the purpose of determining the criteria for the limitation and reduction of armaments and have argued accordingly that it is necessary to reduce armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations, taking into account at the same time the geographical situation and special circumstances of each State. The General Commission on these grounds decided that the application of these criteria and the methods by which the reduction and limitation of armaments would have to be effected should immediately be examined from a practical standpoint.

Other delegations, however, while anxious to be guided by the general lines laid down by the General Commission, have been at pains to emphasise the point that the object of the Conference is none other than the reduction and the limitation of armaments, and that all efforts should be directed to this object. In this connection, it is essential to bear in mind that the General Commission, by its resolution of April 22nd (document Conf.D./C.G.26(1)), adopted this very principle of qualitative disarmament—that is to say, the selection of certain categories or certain types of weapons the possession or use of which would be either completely forbidden to all States or internationalised by means of a general convention.

They take the view that all kinds of weapons are offensive when they are utilised in attacking other nations. It is, however, impossible to limit considerations of national defence to the eventuality of invasion or violation of territorial sovereignty. National defence is a much vaster problem. No definition of the term "national defence" has been recorded up to the present.

To sum up the results of the discussion and to define as closely as possible the task of the Naval Commission, the latter has agreed to the following resolution (document Conf.D./C.N./C.R.10):

"The Naval Commission having found that nearly all naval weapons possess to some extent both an offensive and defensive character at the same time;

"Being convinced that it is very difficult, if not impossible, from a purely technical point of view, to define the criteria of these arms so far as their mainly offensive or defensive character is concerned, since this character even varies according to the circumstances of the different countries;

"Has come to the conclusion that it can most usefully answer the questions put by the General Commission in giving them the following interpretation:

"Supposing one State either (a) adopts a policy of armed aggression, or (b) undertakes offensive operations against another State, what are the weapons which, by reason of their specific character, and without prejudice to their defensive purposes, are most likely to enable that policy or those operations to be brought rapidly to a successful conclusion?"

It has been understood that the different States, in indicating the naval weapons which, in their opinion, are the most specifically offensive and the most efficacious against national
SOCIETE DES NATIONS

CONFERENCE POUR LA REDUCTION ET LA LIMITATION DES ARMEMENTS.

COMMISSION NAVALE

ERRATUM au
Rapport à la Commission Générale demandé par la résolution de cette Commission en date du 22 avril 1932 (document Conf. D./C.G.28(2)).

page 7
aux 41ème et 48ème lignes au début de l’alinéa, après les mots "Les Délégations de l'Argentine", ajouter:
de l'Australie

LEAGUE OF NATIONS

CONFERENCE FOR THE REDUCTION AND LIMITATION OF ARMAMENTS.

NAVAL COMMISSION

ERRATUM to
report to the General Commission called for by that Commission’s Resolution dated April 22nd, 1932 (document Conf. D./C.G.28(2)).

page 7
on the 39th and 45th line at the beginning of the paragraph after "Argentine", add:
Australian
defence, could indicate whether, in coming to their opinion, they have adopted the attitude indicated above under (a) or that indicated above under (b).

It has been felt at the same time that in their replies the States desiring to do so might refrain from distinguishing between the two criteria—viz., "the most specifically offensive weapons" and "the weapons most efficacious against national defence"—which are mentioned in the resolution of the General Commission.

** * **

The German delegation stated that, while it accepted the text of the above resolution, in its opinion the provisions of the Versailles Treaty contain the reply to give to the questions put by the General Commission's resolution, seeing that these provisions have been laid down expressly for the purpose of rendering it impossible for Germany to proceed to a policy of aggression.

The Soviet delegation considers that the preamble to the report of the Naval Commission must conform strictly to the terms of reference given by the General Commission on April 22nd, and this is why it declares itself against any extension and revision of the full powers delegated to the Naval Commission, and against the discussion of questions touched upon in the Naval Commission (definition of aggression, the "time factor", definition of the offensive and of the defensive, etc.). The Soviet delegation considers that any attempt to apply the principle of "national security" to the General Commission's decision of April 22nd nullifies any results that may be arrived at in regard to qualitative disarmament, and that, notwithstanding differences in geographical conditions, the technical-tactical criteria of present-day naval armaments clearly permit of a definite reply—and this in numerical terms—being given to the three questions put by the General Commission.

Efforts have been made to arrive at a single text, in regard to the various naval arms, acceptable to all the delegations. These efforts having proved unsuccessful, it has consequently been necessary to compile this report in the form in which it now appears—a series of statements by different delegations or groups of delegations, setting forth their particular points of view.

** PART I. — CAPITAL SHIPS. **

The Australian, the United States of America, the Japanese and the United Kingdom delegations consider that:

1. While in many respects capital ships possess fighting qualities superior to other types of vessels, they are not so constituted that they can be effectively operated independently of other types.

2. For certain countries having great maritime interests, vital lines of overseas communication, or long coast-lines to defend, and which are dependent to a large extent on their fleets for security, the capital ship constitutes the essential backbone of their defence forces.

3. Capital ships are among the least efficient naval weapons for independent operations against merchant commerce.

4. The foregoing considerations are equally applicable, whether the terms of reference are interpreted in accordance with either (a) or (b) or both of paragraph 4 of the Naval Commission's resolution (see page 2), and the delegations concerned are accordingly of the opinion that capital ships.

(a) Are not most specifically offensive;

(b) Are not most efficacious against national defence;

(c) Are not most menacing to civilian populations.

5. Questions of reduction in displacement and gun calibre of capital ships are regarded as outside the present terms of reference, since they involve matters of principle to be first discussed by the General Commission."

The Brazilian delegation agrees with paragraphs 1, 2 and 3 of the above statement by the Australian, the United States of America, the Japanese and the United Kingdom delegations, while considering, however, that, "in the case of an attack, the greater the tonnage of those ships and the greater the calibre of their guns, the more efficacious they are against naval and coast defences".

The Italian delegation stated that:

"Italy, which has to defend great maritime interests, vital lines of overseas communications and very long coast-lines, and whose security and very life depend on her fleet, while recognising that, in the present state of armaments, capital ships, as defined and limited
by existing Treaties, constitute an important element in naval forces, considers that these ships:

"Are specifically offensive;
"Are most efficacious against national defence, and
"Indirectly, are most threatening to civil populations.

The Italian delegation considers that a proposal aiming simply at the reduction of displacement and of gun calibre of capital ships is not within the terms of reference of the Naval Commission.

"In any case, the Italian delegation is of the opinion that a proposal of this sort will not only not achieve the object of the General Commission but would, on the contrary, lead to the creation of a new type of rapid armoured vessel, and consequently to a new competition in naval construction.

The Chinese delegation, in respect to China, supported the Italian delegation's statement above.

The delegations of Germany, the Argentine, Bulgaria, Denmark, Spain, Finland, France, Greece, Norway, the Netherlands, Poland, Roumania, Siam, Sweden, Turkey, the Union of Soviet Socialist Republics and Yugoslavia agree on the following conclusions:

"(a) In regard to capital ships the predominance of their offensive character over their defensive qualities increases with their tonnage and the calibre of their guns.

"(b) While admitting that capital ships may contribute efficaciously towards national defence, it must be stated that, in the case of an attack, the greater the tonnage of these ships and the higher the calibre of their guns, the greater is their efficacy against naval and coast defences.

"(c) In regard to the threat to civil populations, it must be stated that the greater the tonnage of these ships and the higher the calibre of their guns, the more they risk causing damage of these populations.

"Consequently, these delegations consider that capital ships exceeding a certain tonnage and carrying guns exceeding a certain calibre must be considered as being:

"(a) Most specifically offensive;
"(b) Most efficacious against national defence;
"(c) Most threatening to civilians."

The following delegations, while agreeing to this last statement, have defined their attitudes as follows:

The German delegate has stated that, in accordance with the provisions of the Versailles Treaty, capital ships of over 10,000 tons and carrying a gun of over 11-inch calibre come within the criteria stated in the General Commission's resolution.

He has further stated that the German delegation would be able to accept a unanimous resolution by the Naval Commission going even further than the provisions of the Versailles Treaty.

The Spanish and Roumanian delegates have proposed to characterise as coming under the three criteria all capital ships over 10,000 tons carrying guns of a calibre over 8 inches.

The French delegation considers that the tonnage above which capital ships come within the three criteria is that necessary to ensure to them a sufficient protection against present-day methods of attack.

The delegate of the Union of Soviet Socialist Republics has stated that the basic list of offensive naval armaments should comprise all warships of a displacement over 10,000 tons, the maximum calibre of whose guns is over 12 inches (305 millimetres).

He further stated that, in his view, certain types of Washington cruisers possess certain qualitative properties which prevent their being included in the category of defensive armaments.

Further, the delegations of the Argentine, France, Poland and Roumania have stated that:

"Whenever a State adopts a policy of aggression all capital ships are:

"(a) Specifically offensive;
"(b) Efficacious against national defence;
"(c) Threatening to civil populations."
PART II. — AIRCRAFT-CARRIERS.

In regard to aircraft-carriers, the Naval Commission draws attention to the Air Commission's Report (document Conf.D./Iz3, Part I, paragraph I (d), and to the declarations relative to this paragraph in Part III). 1

The delegations of the Argentine, Australia and the United Kingdom have expressed the following opinion:

"The aircraft-carrier is a vessel which is more vulnerable than any other type of warship and serves solely as an aerodrome from which aircraft can be operated, and therefore cannot of itself be utilised for offensive purposes.

"The question of whether or not the aircraft which are carried in aircraft-carriers can be classified as most specifically offensive, as most efficacious against national defence, or most threatening to civilians depends upon the type of machine carried and the conclusions of the Air Commission as to the offensiveness of different types of aircraft."

The United States delegation believes that:

"The terms of reference should be interpreted as regards the first two criteria in accordance with subdivision (a) of the fourth paragraph of the resolution adopted by the Naval Commission; that is to say, in connection with a situation characterised by a policy of armed aggression.

"The aircraft-carrier is a particularly vulnerable type of warship. It serves only as an aerodrome from which aircraft can be operated.

"The aircraft-carrier has been recognised by nations possessing that type of vessel as a legitimate type of naval weapon to operate as an auxiliary arm of the fleet. Its principal mission is in connection with fleet operations, particularly in reconnaissance and defence of the fleet against surprise attack.

"The armament of an aircraft-carrier is limited in quantity and quality to such extent that it would be ineffective in attacks against the coasts of another country protected by shore-based aircraft.

"Even if bombing were abolished, aircraft-carriers would still be needed for scouting and other purposes of a purely defensive nature.

"The value of aircraft-carriers for defence is great, in that they furnish advance information of the approach from seaward of an attacking or invading force.

"Because of the nature of their operations, aircraft-carriers alone cannot effectively control commerce.

"The use of naval weapons in such manner as to endanger civilians has been restricted by international agreement for many years and there is no reason why all operations of aircraft-carriers should not be covered by such agreements.

"In view of the above considerations, the delegation of the United States believes that aircraft-carriers do not come within the scope of the three criteria mentioned in the resolution of the General Commission.

"Questions of reduction in displacement and gun calibre of aircraft-carriers are regarded as outside the present terms of reference, since they involve matters of principle to be first discussed by the General Commission."

The French delegation made the following statement:

"The question of bombing aircraft being provisionally reserved, these ships will in all cases carry machines destined for other purposes, especially for reconnaissance and scouting.

1 Report by the Air Commission.

Part I.

Conclusion I (d) The offensive capacity of aeroplanes carried by aircraft-carriers or warships equipped with landing-platforms (or landing-decks) must be regarded as being increased by the mobility of the vessels which carry them.

Part III.

Conclusion I (d) was adopted by 16 votes to 2 (United States of America and Portugal). In consequence of this vote, the United States delegation made the following declaration:

"The delegation of the United States considers that the statement in Paragraph I (d) as to the increased possibility of offensive action of ship-based aircraft is inappropriate for inclusion in a report which deals with aircraft generally and which does not otherwise discuss specific types of aircraft or the influence of the base of action upon their offensive capabilities.

"One of the tests already contained in the report is that of capability of arriving at an objective. Thus the mobility feature of ship-based aircraft is already taken into account and any further reference in the report which might give the impression that individual ship-based aircraft are more specifically offensive than individual aircraft taking off from bases close to land frontiers is misleading.

The Portuguese delegation associated itself with this declaration, and the United Kingdom delegation stated that it shared the views therein expressed.
In these circumstances:

(a) They are not specifically offensive. On the other hand, they are extremely effective in defence for long-distance scouting for naval forces or convoys and for discovering the possible proximity of an attacking force.

(b) They are not particularly threatening to national defence. In the open sea, they are both defensive and offensive. In the neighbourhood of the coast, their aerial resources are usually inferior in quality and quantity to those of the coastal air-force. They are less dangerous to the defence in proportion as their guns are of smaller calibre.

(c) Without bombing machines, they are not particularly dangerous to the civilian population. Their power of injuring this population would be still further reduced if, instead of guns of 203 millimetres (8 inches), they only carried guns of 155 millimetres (6.1 inches), which are necessary and sufficient to repel the attacks of small vessels.

Further, the Argentine and French delegations have stated that:

Whenever a State adopts a policy of aggression, all aircraft-carriers are:

(a) Specifically offensive;

(b) Efficacious against national defence;

(c) Threatening to civil populations.

The German, Chinese, Danish, Spanish, Finnish, Italian, Netherlands, Norwegian, Polish, Roumanian, Siamese, Swedish, Soviet, Turkish and Yugoslav delegations have intimated that they reply in the affirmative to the first as well as the second and third questions.

In practice, the aircraft-carrier being a mobile base for bombing aircraft puts within range of these aircraft a considerable number of objectives which otherwise would be outside the range of attack.

At the present time, these vessels carry fighter, reconnaissance and bombing aircraft. Even if they were designed for carrying only the two former classes, it is necessary to take into account the fact that the majority of reconnaissance aircraft can be employed for bombing purposes, especially if they be employed at the short distances and in the favourable circumstances which aircraft-carriers permit of being realised.

The German delegation desired to add the following paragraph to the above declaration:

Aircraft-carriers are a particularly efficacious arm, in the sense of the three criteria, against countries which do not possess a sufficient air defence.

The Polish delegation, while agreeing with the above declaration of the fifteen Powers, is of the opinion that:

The characteristics of aircraft-carriers must be above all considered in the light of the geographical situation and the special conditions of different parts of the world. It is clear that the characteristics stated in the above declaration are especially applicable in the case of narrow waters.

The delegation of the Union of Soviet Socialist Republics agrees with the above statement by the fifteen Powers, while at the same time considering that it applies equally to all other special means of transport for aircraft.

The Greek delegation adheres to the views expressed in the first paragraph of the above declaration by the fifteen Powers, from the words “In practice . . .” to “. . . range of attack”.

The Japanese and Siamese delegations made the following statement:

Aircraft-carriers and warships equipped with landing-on platforms or decks must be classed among the arms which are most specifically offensive, most efficacious against national defence or most threatening to civilians.

1. Being highly mobile aerodromes and capable of acting independently of the fleet, these vessels are not only most suitable for making surprise attacks but are capable of working havoc upon inland regions far removed from the sea.

2. The existence of these vessels increases the points to be protected and complicates the relations between the national defence systems of the various countries.

3. These vessels enhance the capacity of a fleet for reconnaissance, observation, and especially for attack; they also accentuate the aggressive character of a fleet, and enable it to operate in the neighbourhood of the coast of an adversary which even possesses coast-defence air forces.

4. The character of these vessels permits of their being employed more advantageously for aggressive than for defensive purposes.

Coast-defence air operations can be carried out more effectively and more economically by a shore-based coast-defence air force than by aircraft-carriers.

5. Being a new arm, they may serve destructive purposes as yet unforeseen.
PART III. — SUBMARINES.

The Argentine, the Australian and United Kingdom delegations have made the following declaration:

"(a) In the case of the submarine, we propose to deal first with criterion No. 3, ‘most threatening to civilians’, since it is on this criterion that most of our discussion has turned. "The submarine, a new-comer to naval warfare, has undoubtedly a worse record from the point of view of our criterion than have surface ships over the long period that they have been employed. Surface vessels, as well as submarines, were used in the world war for commerce destruction, and the difference in the manner in which these types of vessels were employed is known to all the world. We have asked ourselves whether this is merely due to chance or whether there are not underlying factors which led to this result."

"We are of opinion that there are such underlying factors. "The submarine is a vessel of very special construction which leads to two principal results:

"First, she is unable either to accommodate sufficient naval ratings to enable a prize crew to be put on board with a view to sending a captured merchant vessel into port for examination or to accommodate the crews of vessels sunk (except for a very limited number), so that, after carrying out the normal procedure of visit and search, a submarine, unless she is to violate the accepted rules of warfare at sea, will frequently be obliged to set her prey free for lack of anywhere to put the crew and passengers.

"Secondly, she is a weak and vulnerable vessel on the surface, with the result that she cannot be sure of the outcome of an encounter with a merchant ship, should the latter make use of the historic right of all merchant ships to resist capture and endeavour to escape.

"The result of these two inherent limitations is that the submarine in many cases finds herself in the position in which, while she is on the scene of operations and can see the enemy merchant vessels passing by, she has either to abandon practically all efforts to interfere with those merchant vessels or else to adopt methods which are contrary to the historic rules of war at sea and to common humanity.

"Similar problems do not exist in the case of the surface ship, and it is this fact, in our opinion, which is largely responsible for the different manner in which the two types of vessel have been used.

"It has been contended that if all nations adhere to the rules for the conduct of submarines in war, laid down in Part IV of the London Naval Treaty, the differentiation between the surface ship and the submarine in their use against trade will disappear.

"It must be remembered, however, that these rules are not really new. The submarine, when it entered the field of naval weapons, was subject to exactly the same rules as were surface ships. What is noteworthy is that the surface ship followed those rules and the submarine did not.

"The Argentine and United Kingdom delegations do not wish to belittle the value of rules solemnly accepted in this manner, and they sincerely hope that the particular rules in question may be accepted by all nations. They must, however, stress the fact that no rules can alter the inherent limitations of the submarine mentioned above. The fact remains, therefore, that, should another war unfortunately take place in the future, the temptation to use the submarine in an inhuman manner will inevitably be greater than the temptation so to use surface ships.

"The Argentine and United Kingdom delegations are therefore forced to the conclusion that the submarine is a type of vessel which should be classed as ‘most threatening to civilians’.

"(b) We come now to the first of our criteria, ‘most specifically offensive’.

"The submarine, like all types of vessels, can be used in an offensive or defensive manner, according to the type of operation which is being undertaken.

"We do not, however, feel that the submarine can be selected as a weapon which will enable the attack of an aggressor rapidly to break down the defence of the State attacked, which, as we have already said, we have taken as our guiding principle in determining whether weapons are specifically offensive.

"Our answer to criterion No. 1 is accordingly, No.

"(c) ‘Most efficacious against national defence’. The submarine used over a long period can be very efficacious against national defence if used in a manner contrary to the rules laid down in Part IV of the London Naval Treaty.

"We do not, however, feel that the submarine can be singled out from amongst other naval weapons as possessing qualities which make it most efficacious against national defence."

The Canadian delegation desires to associate itself with the above declaration of the delegations of the Argentine, Australia and the United Kingdom regarding submarines.
The United States of America delegation considers:

"(a) That the terms of reference, as regards the first two criteria, should be interpreted in accordance with subdivision (a) of the resolution adopted by the Naval Commission; that is to say, in connection with a situation characterised by a policy of armed aggression.

"Under this interpretation, no distinction need be drawn between the first two criteria. "Historically, the outstanding stigmata of measures of armed aggression have been secret preparation and sudden attack, with or without formal declaration of war.

"Of all naval weapons, the submarine is best adapted, by reason of its specific character, to carry out secret preparations of decisive effect in sudden offensive operations against the naval defence forces of another Power. Submarines in the possession of the country suffering aggression do not afford adequate defence against such an operation.

"In view of the above, the United States delegation is of the opinion that the submarine is a naval weapon whose character is:

"(a) Most specifically offensive;

"(b) Most efficacious against national defence.

"(b) With respect to the third criterion—i.e., 'whose character is most threatening to civilians'—it may be admitted that the submarine is relatively inoffensive in so far as concerns civilians on shore. The only civilians whose safety in war has ever given rise to apprehension in connection with the submarine are civilians at sea, including passengers and crews of non-combatant and neutral vessels.

"The submarine, because of her inherent limitations, is less able than any type of surface vessel to assure the safety of non-combatants in the exercise of the right of visit and search. "The inability of submarines properly to exercise control over commerce, even when acting in good faith, probably would result in incidents, followed by retaliation and a repetition of the horrors of the late war.

"The provisions of Article 22—Part IV—of the London Naval Treaty do not ensure to civilians the same degree of safety that they formerly enjoyed when subjected to control by surface ships alone. Whereas the surface vessel of war was obligated with entire responsibility for their safety, the submarine, by these rules, is authorised to place this obligation upon the non-combatants themselves or upon some other ship in the vicinity over which the submarine exerts no authority. Furthermore, these rules tend to encourage the submarine to sink vessels at sea, a practice which formerly was permitted to surface ships only under exceptional circumstances.

"In view of the above, the United States delegation considers the submarine as a naval weapon whose character is specifically threatening to civilians.

"Questions of reduction in displacement and gun-calibre of submarines are regarded as outside the present terms of reference, since they involve matters of principle to be first discussed by the General Commission."

The delegation of Brazil agrees with the above opinion of the delegation of the United States of America, and wishes to add to it the following remarks:

"In the first place, the idea of reduction of the tonnage of submarines, suggested by several delegations in order to give them a defensive character, must not be considered, because it would necessitate an examination, by the comparative method, of the natural features of the open sea or narrow waters as theatre of possible naval operations for all nations.

"In regard to the mine-laying submarine, the mere idea that its purpose is to operate in foreign waters takes from it its defensive character."

The delegation of the Union of Soviet Socialist Republics adheres to the above opinion expressed by the delegation of the United States of America, with the addition of the following remark:

"Although the question of reduction of tonnage does not fall within the terms of reference given in the General Commission's resolution, all the considerations advanced by the United States delegation apply particularly to submarines of over 600 tons."

The delegations of Spain, Finland, France, Italy, Latvia, Poland, Roumania, Siam and Venezuela have put forward the following opinion:

"(a) Submarines possess at the same time the character of either an offensive or a defensive arm. They are able to co-operate usefully in coastal waters or in the open sea, in many defensive operations (protection of a coast against bombardment or a disembarkation, protection of convoys, etc.). They are particularly qualified for the defensive duties of patrolling and protection.

"(b) They contribute at the same time to the naval defence of a given country and to the sea-borne attack, or the blockade, of an enemy country.

"(c) They are not particularly threatening to non-combatants, on the understanding that all States will have to adhere to the rules laid down in Part IV of the Treaty of London."
The above delegations recall several of the remarks they have already put forward during the discussions.

"Submarines have, in regard to merchant vessels, the same rights and the same duties as surface vessels. They will exercise their rights only if they can at the same time acquit themselves of their duties. It must be conceded that the commanding officer of a submarine will obey the instructions of his Government as implicitly as will the commanding officer of a surface vessel."

"The submarine has the same rights as other vessels to search merchant ships. Capture, seizure and destruction can only take place in accordance with the conditions laid down by international law. A submarine escorting a captured ship may be obliged to release it and flee from surface patrols; but this is also true for a surface captor encountering in the same circumstances a hostile ship stronger than itself.

"It may here be remarked that submarines of large tonnage are those with the greatest facilities for taking on board personnel which has had to abandon its ship for any reason."

"The submarine is chiefly intended to act against warships. It is essentially suitable for operating against them and in conjunction with naval forces of all kinds. The history of the war provides numerous examples of such action and shows the importance of the part which the submarine plays or can play in collective operations of a purely naval character.

"The submarine which attacks from close quarters is not more liable to commit errors than surface vessels attacking by gunfire at night or in thick weather, or at a great distance in clear weather."

"By its very existence and by the uncertainty as to the place and degree of the danger which it constitutes, the submarine is the best defence of small or medium navies. As several delegations have emphasised, its abolition would be equivalent to increasing the inequality between the weak and the strong."

The delegations of Finland, France, Latvia, Poland, Roumania and Venezuela conclude that the defensive character of the submarine is clearly preponderant and thus it is indispensable to the defence of certain Powers.

These delegations consider that, in consequence, the submarine:

"(a) Is not a specifically offensive arm;
(b) Is not an arm particularly efficacious against national defence;
(c) Is not an arm threatening to civilian populations."

The Spanish delegation, while supporting the above conclusions of the delegations of Finland, France, Latvia, Poland and Roumania, considers that submarines of large displacement can take part in offensive fleet operations, and, in certain cases, in the blockade of distant countries, and that submarines of a displacement exceeding 1,000 tons are most specifically offensive.

The delegations of China and Italy consider that the offensive character of submarines would become preponderant if capital ships did not exist. Consequently:

"(a) If capital ships form part of fleets, the construction of submarines is necessary for defensive reasons.
(b) If capital ships do not form part of fleets, the construction of submarines would have a specifically offensive character."

The delegations of Finland, France, Italy and Venezuela consider that displacement is not a criterion for defining the more or less offensive character of submarines. Actually, in narrow waters, small submarines can be as efficacious as those of large tonnage, and, in the case of a defensive action having to be prosecuted to a considerable distance from the submarine's proper bases, these latter are the only ones which can take part in it.

Further, the Argentine and French delegations consider that, whenever a State adopts a policy of aggression, submarines are:

"(a) Specifically offensive;
(b) Efficacious against national defence."

The Japanese delegation makes the following statement:

"As compared with surface craft, the submarine is a far less effective weapon whether afloat or submerged, it being only upon the approach of an enemy vessel into close proximity that a submarine can show its power of attack. The submarine is therefore a defensive weapon, one which is indispensable for the defence of a Power with an inferior navy."
"Any fear that the submarine might be so used as to endanger civilians has been removed by the rules of international law.

"In view of the foregoing, it cannot be said that the submarine is:

"(a) Specifically offensive;
"(b) Efficacious against national defence;
"(c) Menacing to civil populations.

"The defensive character of the submarine does not alter according to its size. The type of submarine best adapted to a given country naturally varies with its peculiar conditions and, for Japan, the maximum unit size should not be less than 2,000 tons."

The German delegation has pointed out that the authors of the Treaty of Versailles have, by the terms of this Treaty, characterised the submarine as a specifically offensive arm.

The delegations of Denmark, Greece, Norway, the Netherlands, Portugal, Sweden, Turkey and Yugoslavia are of opinion that:

"Submarines of large tonnage, and the most heavily armed both as regards torpedoes and guns, are the most capable of operating in an offensive manner and the most efficacious against national defence. The capacity of submarines to operate in these directions diminishes in proportion to their tonnage and their armament.

"Submarines of lesser tonnage, and especially those whose tonnage does not exceed that strictly necessary to ensure to them sufficient qualities of security and habitability, are predominantly defensive in character.

"As regards civil populations, it cannot be said that submarines are particularly threatening to them, so long as they conform, in the same way as other vessels, to the rules of international law.

"Consequently, these delegations consider that:

"(a) Submarines of large tonnage are most specifically offensive;
"(b) Submarines of large tonnage are most efficacious against national defence;
"(c) Submarines are not specifically threatening to civil populations so long as they conform, in the same way as other vessels, to the rules of international law."

"The Portuguese delegation, while accepting the above declaration, considers that the limit of tonnage sufficient to permit of the employment of submarines specially for coast and harbour defence—having regard to the necessity of their possessing adequate arrangements for the protection of their crews—should not exceed 1,200 tons on the surface."

PART IV. — AUTOMATIC CONTACT MINES.

At the request of a number of delegations, the Naval Commission also considered whether automatic contact mines come within the series of naval armaments referred to in the General Commission’s resolution of April 22nd.

In this connection, the Naval Commission would call attention to the fact that the eighth Convention of the second Peace Conference at The Hague in 1907 laid down rules for the use of contact mines at sea. In virtue of the said rules, it is forbidden to lay unanchored automatic contact mines, unless they be so constructed as to become harmless one hour at most after those who laid them have lost control over them, and to lay anchored automatic contact mines which do not become harmless as soon as they have broken loose from their moorings. It is also forbidden to lay automatic contact mines off the coasts and ports of the enemy with the sole object of intercepting commercial navigation. It is further prescribed that, when anchored automatic contact mines are employed, every possible precaution must be taken for the security of peaceful navigation. The belligerents undertake to provide, as far as possible, for these mines becoming harmless after a limited time has elapsed, and, where the mines cease to be under observation, to notify the danger-zones, as soon as military exigencies permit, by a notice to mariners, which must also be communicated to the Governments through diplomatic channels.

The experience of the great war showed, however, that these rules had not prevented great loss of life among non-combatants.

The General Commission’s resolution, which is submitted to the Naval Commission, has appeared to provide the latter with a suitable opportunity for reverting to the problems relating to the laying of contact mines at sea.

In the course of the discussion in the Naval Commission, several delegations laid stress on the specifically offensive character of mines laid outside a coastal zone to be defined, pointing out the essential difference which exists between automatic contact mines and other naval weapons, in view of the fact that once mines have been laid they entirely escape the control of those who have laid them.
Certain delegations, on the other hand, expressed the opinion that mines laid within the coastal zone to be determined are a definitely defensive weapon, essential to the defence of coasts and sea-ports. Any regulations concerning mines should proceed from the idea that the coast defences should possess special facilities.

The Naval Commission examined also the question whether contact mines should be regarded as a weapon particularly efficacious against the national defence of a country. This question was answered in the negative.

As regards the third criterion indicated by the General Commission—that of the threatening character of certain naval arms to the civilian population—the Naval Commission is of the opinion that automatic contact mines laid outside a coastal zone to be defined expose non-combatants to very serious dangers, especially when these mines have been laid without the usual notification or on a sea-route which is necessary to free navigation.

The French and Roumanian delegations have suggested that the gun-range of modern ships should be taken as the limit of the coastal zone in which automatic contact mines might be laid.

The German delegation has, on the other hand, expressed the opinion that, in view of the great range of modern large-calibre guns, a limit thus fixed would not reduce sufficiently the dangers to which non-combatants are exposed.

The French and Roumanian delegations have suggested that all mines should be marked by the Government which employs them.

The Argentine, the United States of America, the Italian and the United Kingdom delegations, while supporting the proposal to regard the use of automatic mines in the open sea as specifically dangerous to non-combatants, desired to state that they regarded mines laid in the open sea as a very effective defence against submarines. Hence they could only recommend their prohibition on the condition that submarines should also be abolished.

The delegation of the Union of Soviet Socialist Republics makes the following statement:

"The Soviet delegation, returning to the first proposal of the Netherlands delegation contained in document Conf.D./C.N.26, which reads:

"The Naval Commission is of the opinion that submarine automatic contact mines laid in the open sea are extremely threatening to civilians'.

"Considers that to this question it is necessary to give a simple reply. From this point of view, it is possible to agree entirely with the formula given by the Netherlands delegation in this document.

"As the further close examination and detailed investigation of the matter does not follow from the duty assigned to us by the General Commission and, firstly, leads to the discussion of a series of problems having no reference to qualitative disarmament, and, secondly and lastly, compels us to discuss questions which require preliminary solution in principle by the General Commission, the Soviet delegation abstains from accepting a more detailed document."

The United Kingdom delegation has made the following statement:

"The original proposal of the Netherlands delegation was to prohibit the laying of contact mines in the 'open sea'.

"It was on this basis that discussions took place in the Naval Commission, and the United Kingdom delegation, seeing no reason for the substitution of the words 'outside a coastal zone to be determined' for the words 'open sea', wish to place on record that, in associating themselves with the finding of the Commission, it is on the understanding that in their case the words 'open sea' must be substituted for 'outside a coastal zone to be determined'."

The Netherlands delegation, considering that the Naval Commission has unanimously agreed with its proposal declaring that automatic contact mines laid "in the open sea", as among the arms most threatening to civil populations, regrets that, in the present report, the words "in the open sea" have been replaced by the words "outside a coastal zone to be determined".

It appears from the discussions that this substitution cannot be considered as having for its object the modification of the meaning of the declaration, nor to endanger the principle of the freedom of the seas on which it is based.

Consequently, the Netherlands delegation wishes to state that, in the determination of the coastal zone, this principle must be strictly respected.
PART V. — RIVER WAR VESSELS.

With reference to the resolution of the General Commission of April 22nd, two arguments have been upheld in the Naval Commission in regard to the nature of monitors and river craft.

The Hungarian delegation, supported by the delegations of Germany, Italy and the Union of Soviet Socialist Republics, is of the opinion that surface river vessels, specially built for service on European rivers, are most capable of offensive action and of contributing efficaciously in offensive operations of which the purpose is to break down the national defence. The offensive capacity is relatively greater in the larger types of these vessels and decreases proportionately with the tonnage and armament.

Large river craft carrying relatively heavy artillery are the vessels which are most likely to cause the greatest damage to civilian populations.

These States therefore consider that surface river vessels specially constructed for use on European rivers with a standard displacement exceeding 250 tons and artillery of more than 105 millimetres (4.1 inches) calibre should be regarded as:

(a) Specifically offensive;
(b) Specially efficacious against national defence;
(c) Most menacing to civil populations.

The Polish, Roumanian and Yugoslav delegations, on the other hand, hold that river craft do not come under any of the three headings mentioned in the resolution of the General Commission. Such craft, they claim, should be regarded as defensive weapons, in view of their special construction, limited field of action and lighter armament.

For certain countries whose naval forces are insufficient to ensure the defence of their maritime frontiers, certain river craft serve as floating batteries for the defence of estuaries and deltas against attacks from ocean-going vessels. It is perfectly logical that such river craft should be supplied with artillery comparable to that of sea-going vessels, which are considered, in the opinion of all the naval Powers, as being of a specifically offensive nature. Furthermore, the effective power of their artillery, compared with land artillery of the same calibre, and their vulnerability, particularly to mines, lead these delegations to the conclusion that river craft cannot be regarded as specifically offensive nor particularly efficacious against national defence, nor as most menacing weapons to civil populations. The Roumanian delegation has stressed the desirability of the question of river war vessels being discussed in taking into consideration all existing river war vessels on the rivers of all the continents.

The Naval Commission has carefully examined the questions whether monitors and river craft come under the categories of arms covered by the resolution of the General Commission. It was obliged to find that, according to the proposal of the Hungarian delegation, the problem has arisen only in regard to European rivers.

However, in view of the general terms of reference of the General Commission, it seems to the Naval Commission difficult to restrict the discussion of the problem purely to surface river craft specially constructed for use on European rivers. Indeed, it seems unavoidable, for the purpose of replying to the questions put by the General Commission, that the question should be examined under a broader aspect, since the categories of vessels in question exist in other continents also.

Moreover, the Naval Commission considered that a discussion on the general plane could not be usefully entered upon without taking into consideration the particular situation existing in other parts of the world where vessels of the categories in question are also in use. In order to take into due account all these special conditions liable to influence the problem, the Naval Commission would require data which it does not possess and which is all the more necessary in that the question of monitors and river craft implies problems concerning, not only the naval forces properly so-called, but also certain land armaments and coast artillery.

The Naval Commission has, therefore, decided not to give any opinion on the subject of monitors and river craft, and to confine itself to bringing the foregoing details to the attention of the General Commission.