LEAGUE OF NATIONS

Conference for the Reduction and Limitation of Armaments

SUPPLEMENT TO
DOCUMENTS CONCERNING THE DATE OF THE RESUMPTION OF THE WORK
OF THE CONFERENCE AND THE CORRESPONDENCE BETWEEN THE PRESIDENT OF THE
CONFERENCE AND THE GOVERNMENTS OF THE UNITED KINGDOM,
FRANCE AND ITALY

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NOTE BY THE PRESIDENT OF THE CONFERENCE.

The President of the Conference has the honour to communicate to the members of the
General Commission the undermentioned documents, which complete document Conf.D.166,
dated February 27th, 1934:

1. Memorandum communicated by the German Government to the French
   Ambassador in Berlin on March 13th, 1934;

2. Reply of the French Government, dated March 17th, 1934, to the Memorandum
   on disarmament communicated on January 29th, 1934 by His Majesty’s Government in
   the United Kingdom, transmitted to the President of the Conference by the French
   Ambassador in London.

MEMORANDUM COMMUNICATED BY THE GERMAN GOVERNMENT TO THE
FRENCH AMBASSADOR IN BERLIN ON MARCH 13TH, 1934.

From the Memorandum handed to it, on February 14th, by the French Ambassador,
the German Government had at the time concluded that the French Government’s views
on the disarmament problem still differed on essential points from those of Germany, but that
the French Government still desired, as did the German Government, the early conclusion
of a disarmament convention, and, notwithstanding the divergent views revealed, wished to

1 This document was published in the international Press on March 19th, 1934.
continue the exchange of views with the German Government. The latter nevertheless refrained from replying immediately to the Memorandum, in view of the series of informative conversations which, in a manner deserving of our gratitude, His Britannic Majesty’s Government had undertaken in order to ascertain the exact standpoint of the several Governments, and because it seemed advisable to await the conclusion of those conversations.

Now, however, the German Government does not wish to delay its reply to the Memorandum of February 14th any longer. It has gained the impression that the observations of the French Government were, on various points, influenced by misunderstandings concerning declarations previously made by the German Government. The latter feels it to be important, therefore, to clear up these misunderstandings, so that they should not prejudice further discussion of the disarmament problem.

The following are the principal points to be considered:

1. The French Government regrets that, in its Memorandum of January 19th, the German Government did not make its position clear on the question of the scope of the non-aggression pacts offered by Germany, and of the relationship of these pacts to the Rhine Pact of Locarno. As had already been explained to the French Ambassador on an earlier occasion, the meaning and scope of these non-aggression pacts may be regarded as defined by the international practice of recent years. Furthermore, the German-Polish Declaration of January 26th, which has since been published and ratified, furnishes a clear example of Germany’s willingness to go to the utmost possible limit in the undertaking not to resort to force in any circumstances. As for the Treaty of Locarno, the German Government has never thought of weakening it by other pacts of non-aggression, nor has it ever questioned the validity of this Treaty. It merely pointed out when this question was raised by the French Government that, in any future form of international co-operation, factors might arise which would ultimately make an adaptation of the Treaty to this form either necessary or desirable. In the German Government’s view, it would only be a matter of legal technical modifications and not modifications of the political content of the provisions of the Locarno Treaty. In this connection, the German Government would draw attention to the fact that, when the disarmament problem has been settled, the time will have come to discuss with the other Powers the question of Germany’s future relations with the League of Nations.

2. The French Memorandum of February 14th states that the German proposals are based on an “erroneous assumption”—i.e., the assumption that really effective disarmament is at present unattainable. In reply, the German Government would again emphasise that nothing could of course be more desirable in its eyes than the embodiment in the convention of as far-reaching armament limitations as possible. In its Memorandum of January 19th, the German Government merely felt it necessary to point out that the heavily armed States, in their declarations up to date, had not accepted any measures of disarmament sufficiently effective to modify the premises from which the German proposals start. In particular, the French Government has not, either in its Memorandum of January 1st, or in that of February 14th, made any disarmament proposals which could be regarded as solving the problem of the future level of Germany’s armaments on the basis of the Five-Power declaration of December 11th, 1932. Furthermore, the theoretical valuation of the various disarmament measures offered by the individual heavily armed States would appear to be less important at the moment than agreement in a convention on the practical conclusions to be drawn from the given situation.

3. On the question of supervision, the French Government’s criticisms of the statements contained in the German Memorandum of January 19th also would seem to be based mainly on a misunderstanding. The only condition laid down by the German Government for the introduction of international supervision was the perfectly natural one that, in practice, such supervision should be applied absolutely equally to all countries. As soon as agreement has been reached on the material provisions of the convention—i.e., on the future level of armaments of the individual countries laid down by treaty—the question of the application of supervision would set itself. There would only remain the technical details of supervision to be settled, which should cause no difficulties, and the discussion of which would, therefore, be better postponed to a more favourable stage of the negotiations. For the time being, it should be sufficient to note that the German Government fully agrees that supervision should be made as effective as possible and should come into operation simultaneously with the entry into force of the convention.

4. In connection with supervision, there is another question to which the French Government, according to the statements in its Memorandum of February 14th, would seem to desire to give special prominence—namely, that of the view to be taken of the political organisations existing in Germany. The German Government holds that no military character can be attributed to these organisations; the French Government considers that it must take another view. This is a difference of opinion on a matter of fact. What better and more natural way could there be of settling this difference of opinion than to apply to such political organisations in all countries the contemplated supervisory procedure which has been explicitly accepted by the German Government? The French Government objects that this would mean postponing the decision on an important point until after the convention comes into
force, and that serious misunderstandings are bound to arise on the first application of the supervision procedure. This objection falls to the ground because (if for no other reason) the question as to what is to be understood by the military character of organisations outside the army must, in the German Government's opinion, be cleared up before the convention is signed. The German Government would unreservedly agree to the inclusion in a convention of concrete prohibitions applicable to all countries laying down that organisations outside the army must not be given any military weapons or military training and, furthermore, must not have any organised relationship to the military forces. In addition, the French Government may rest assured that Germany, for her part, will never expose herself to the risk of bringing upon herself the justified reproach of having broken the convention once it has come into force. It is understood—and the French Government will hardly dispute it—that the German Government would fully guarantee the execution of its undertakings under the convention, and would not sign any convention the loyal fulfilment of which it did not feel itself able to ensure.

Assuming the above-mentioned misunderstandings and the statements connected therewith in the Memorandum of February 14th to have been cleared away, there still remain differences of opinion between the German and French Governments on two essential points already referred to in the last part of the German Memorandum of January 19th—the question of certain details regarding the computation of effectives, and the question of the date on which the future German army is to be equipped with defensive armaments. On the question of effectives, the German Government believes it can infer from the last French Memorandum that the French Government is prepared to include the overseas troops stationed in France in the comparative computation of effectives of both countries, and also to accept a maximum figure to be determined in the convention for all overseas troops. Desirable though this further definition of the French standpoint may be, it nevertheless leaves out of account the fact that, in a fair comparison of effectives, those overseas troops must also be reckoned which, though not actually stationed in the home country, are so stationed that they can at any moment be transported without difficulty to the home country for military employment there. Moreover, in such computation, trained reserves cannot be left out of account. As regards the date on which the future German army is to be equipped with the necessary defensive weapons, the French Government, in its Memorandum of February 14th, gives no reason which would justify this date being postponed for several years more, thereby prolonging the discrimination against Germany and depriving the German army of its full military usefulness during the period required for the transformation of the Reichswehr into a short-service army. The German Government does not think it necessary once more to give its reasons for its point of view in this decisive question.

The German and French Governments, moreover, are now confronted with the fact that the Italian and United Kingdom Governments came forward, several weeks ago, with their important proposals for the framing of a Disarmament Convention. To a large extent the proposals of both these Governments tend in the same direction and should have helped considerably to clear up the situation. They have consequently been welcomed by the German Government. Certainly there remain important points still to be discussed. The German Government, however, thinks that it can already say that these proposals are susceptible of facilitating and hastening agreement between itself and the French Government. The discussions have now progressed far enough for two possible ways of reaching a solution to take shape. The choice lies between (1) a short-term convention, possibly for five years, confined to the limitation at their present level of the armaments of the heavily-armed Powers, and (2) the inclusion in the convention of certain measures for the reduction of the armaments of these Powers, this convention being given, in return, a longer period of validity. In either case, however, the armaments level laid down by treaty for Germany would have to be essentially the same, since, even under a settlement of the second kind, it is impossible—as has already been pointed out—to count on disarmament measures that would contribute materially towards the realisation of Germany's equality of rights. That a level of armaments for Germany such as that laid down by the Versailles Treaty can no longer in any circumstances be considered is a fact long recognised on all sides. This fact is the point of departure, not only of the recent proposals of the United Kingdom Government and the Italian Government, but also of all proposals laid before the Conference for the Reduction and Limitation of Armaments for discussion since the French Plan of November 14th, 1932. The German Government itself, in the most recent proposals it has made regarding the German armaments regime during the period of the first Disarmament Convention, has imposed upon itself such far-reaching limitations that they constitute the minimum of what is required to prepare the way for security and the possibility of defending the country during that period. It has from the outset renounced all offensive armaments, and has always declared that it would accept any limitation of armaments, however far-reaching, provided such limitation was also accepted by the other Powers. The German Government thinks, moreover, that all the conditions essential to an understanding are there, and is of opinion that all that is now needed is the resolution to reach that understanding.
After deliberating with the care and attention which the difficulties of the disarmament problem and the seriousness of the international situation render imperative, the Government of the Republic submits to the British Government the observations and decisions suggested to it by the Memorandum of January 29th, as supplemented by the results of Mr. Eden's valuable tour of inquiry.

It notes, in the first place, that both Governments and both countries, whose friendship and mutual confidence are the principal guarantee of general stability, are agreed upon the object to be achieved. Actuated by the same European spirit, they desire, with equal good faith, to guarantee the peace of the world against disturbance by force. Though the systems proposed may be found to differ, they have a common starting-point, and it is far from impossible that, with frankness, understanding and conciliation on both sides, the desired end may be achieved. France is willing to make the attempt. Of her own accord, and with methodical persistence, she has given her military organisation an essentially defensive character, in which reserves can play no immediate part; from 1920 to 1932, by unilateral action, she reduced the period of military service by 66 per cent, the number of her divisions by 50 per cent, and her effective by 25 per cent, while, from June 1932 to June 1933, she decreased her national defence appropriations by two milliards and a half. Having thus contributed by acts to the work of disarmament, she will refuse no concession, provided that the security—that is to say, the right to peace—of all the signatories is assured, both by their own resources and by that effective assistance the principle of which was affirmed in the treaties.

The British Memorandum lays it down that "a reconciliation of the points of view of France and Germany is the essential condition of general agreement". Such, too, is the opinion of the French Government. It merely considers and wishes to repeat that the desired reconciliation would be the worst of all solutions if founded on ambiguity. For that reason, it took up the clearest possible position in its replies of January 1st and February 14th to the conversations initiated by the Reich. These two notes defined positions and laid down limits on which three Governments had reached agreement at Geneva on October 14th, 1933. The French Government's attitude has not changed. It would have difficulty in bringing itself to agree that Germany's withdrawal from the League of Nations, which has seriously disturbed the activities of the Geneva assembly should invest Germany with new rights and impose on France further sacrifices from which the defence of her territory might easily suffer.

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The French Government recognises the sincere effort which, in the interests of conciliation, the British Government has made to ascertain the bases of an acceptable compromise. But the mutual accommodation which such a compromise entails calls for a preliminary remark to define its character.

The Government of the Republic has never ceased to view the question of disarmament in the light of the principles laid down in Article VIII of the Covenant and the Preamble to Part V of the Treaties of Peace. It has always contemplated a supervised reduction of armaments carried out progressively to a level permitting of the achievement of "equality of rights within a system of security". Though this system had been accepted by Germany in principle, it has come into conflict with the continuous execution of the programme which she has for many years been carrying into effect in order to raise her armaments to a level very much higher than that authorised under the treaties.

In its anxiety to reconcile the principles respected by France with the attitude taken up by Germany, the United Kingdom Government has combined the immediate reductions in armaments imposed upon one category of Powers with immediate increase in the armaments allowed to another category.

To a plan of disarmament based upon such a principle, it is impossible to avoid taking the most serious objection. However keenly France may desire to sign an equitable convention, she can neither understand nor admit that exaggeration of the claims to rearmament put forward in one quarter should be regarded as an argument for calling upon other Powers to reduce their armaments in a manner prejudicial to their security. The United Kingdom Government, moreover, has itself perceived the injustice and disadvantages of such a method, since, in the matter of air armaments, the Memorandum of January 29th provisionally maintains those provisions of the treaties of peace which prohibit the disarmed Powers from possessing military air forces. This point of view has the French Government's unqualified support.

On the other hand, the French Government feels bound to enter the most explicit reservations with regard to the German Government's claim to raise its regular army without delay to a strength of 300,000 men (together with the necessary material) and without any preliminary enquiry into the present position of that army. Such claims completely alter the
terms of the armaments problem as laid down by those who framed the treaties of peace. Acceptance of these claims would, in effect, mean the disavowal and destruction of the principles of the Covenant of the League of Nations and of the Conference for the Reduction and Limitation of Armaments which is their outcome. It is only the General Commission, with the participation of all the States concerned, which would be competent to decide whether those principles, by which its activities have hitherto been guided, are now to be abandoned. It will escape no one that the effects of such a decision would inevitably extend to the naval sphere, even though, for reasons of expediency and in spite of the unquestionable interdependence of the various classes of armaments, it were to appear preferable to postpone the fixing of new naval limits until a conference is summoned.

In the meantime the French Government begs to draw the attention of the United Kingdom Government to a general observation which, in its opinion, is of genuine importance. If they were to be released from the legal obligations to which they have set their signature, the Powers would allow their action to be exclusively determined by their immediate interests. Having learned the lessons of the past, the Governments would be anxious, before committing themselves, to acquire the certainty that the new convention would not at some future date suffer the same fate as the military clauses of the treaties of peace. In a word, they would refuse to fall victims to their own good faith.

More especially the experience of recent years has taught the French Government, whose sacrifices have extended to all spheres, that each new concession has led to a new claim or a new violation of the treaties. No one could be better aware that the conditions in which certain countries are at present developing their armaments raise problems of unusual difficulty; it has the keenest appreciation of the efforts made by the British Government with regard to the paramilitary formations, to which objection was taken in the French Memoranda of January 1st and February 14th. The German Government now acknowledges the necessity for defining the activities which these formations shall be prohibited from pursuing in order that they may be detached from the military organisation, to whose structure and regulations they at present conform, and confine themselves to the political sphere.

Even so, it will still remain necessary to determine certain important points relating to pre-military formations, methods of supervision, transitional measures, the limitation of expenditure and, more especially, to the manufacture of war material in respect of which the French delegation submitted amendments to the British plan several months ago.

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Great as is the practical importance of these questions, they are all dominated—and that in the highest degree—by the essential problem of guarantees of execution. As the United Kingdom Government specifically observes, agreement is not likely to be reached except "on a broad basis which combines regulation of armaments with assurances in the political field".

This statement lays down the very principle on which the French Government had based one of the conditions of application of the Treaty of Versailles and which, since then, it has constantly reaffirmed at international conferences. Such a principle is of value only in so far as means exist to give effective force to it. The Powers which may agree to limitations of armaments have the right to know, and it is their duty to compute, the consequences of their concessions. When the vital interests of States are involved, general affirmations cannot suffice, however sincere may be the persons by whom they are made. It is not sufficient even if the convention should permit of strict supervision in the matter of execution, for supervision constitutes not so much a guarantee as a means of putting guarantees into operation. What would supervision signify in practice if, in the presence of infractions that it had brought to light, the State menaced by those breaches of faith had no other resource than to free itself in turn from its own obligations? When an undertaking has been entered into towards the international community, its violation must be regarded as a threat to the community itself.

Such is the spirit in which, anxious alike for European solidarity and for its own defence, the French Government has examined the proposals in regard to consultation set forth in the United Kingdom Memorandum. Those proposals constitute a step forward which it would be wrong to neglect. But is an undertaking to consult in the event of violation of the Convention calculated to ensure the correction of the breach thus established? In the French Government's view, it is not so calculated. Clearly, something more is necessary. The French delegation, which has never been content with mere negations, has informed the President of the Conference that agreement between the signatories must exist, from the very beginning, on certain essential points.

Thus, the signatories must recognise, in particular, the imperative duty which devolves upon them, while adapting the extent of the sanctions to the gravity of the breach revealed by supervision, of correcting that breach without delay by every means of pressure that may be held to be indispensable.

Similarly, it must be admitted that, should the violations established endanger the security of another State, the joint action of the Powers must be employed in order to re-establish, for the benefit of the menaced State, the equilibrium that has thus been disturbed.

That solidarity should come into play a fortiori in the event of the breach degenerating into an aggression.

The French Government can neither forget nor ignore the promise of assistance which the United Kingdom Government entered into under the Rhineland Pact, and it appreciates the
value of that promise. France still has confidence in the guarantees embodied in the Locarno Agreement; but the proposed Convention is on so wide an international basis that the French Government cannot disregard the anxiety of other Powers which also have legitimate preoccupations in regard to security. No mere intention, however clearly affirmed it may be in principle, is sufficient to guarantee them against all risk of aggression. In the first place, aggression must be explicitly prohibited. Then, if it does occur, it must be effectively dealt with by the means which the Covenant of the League of Nations has itself laid down.

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In the last resort, one must always come back to the League of Nations and to the Covenant on which the League is based. Whatever may have been said against the League, whatever attacks may have been made on it, the League is still the only organisation capable of furnishing a collective guarantee of peace. The Government of the Republic is still faithfully attached to that organisation. Accordingly, it was gratified to find that the United Kingdom Government made the return of Germany to the League of Nations an "essential condition" for the signature of an armaments convention. Germany can offer no better guarantee to world equilibrium than her return, free from all constraint, to the community of States to which she was admitted. Such a return would relax tension and thus permit of preparing and promoting agreements, of which France, whole-heartedly devoted to the cause of peace, once more affirms the utility. In order that a convention may be concluded, she will object to no control, however strict, that might be established on reciprocal bases. She has nothing to conceal.

The French Government has felt that only a frank reply, rejecting impossible solutions, would be worthy of the initiative taken by the United Kingdom Government. It cannot agree to any plan that would accentuate the disarmament of France by granting to Germany, on the other hand, legal authorisation, immediate and difficult of limitation, for rearmament which has already been effected in violation of the treaties. Such a solution would be at variance with the more rational and more prudent principles by which, for the past two years, the Disarmament Conference has been guided. Those principles offer the means whereby all the States, acting jointly, may find a solution which shall reconcile recognised equality with the no less inalienable rights of security.