The Air Commission, which was in session from February 27th to June 24th, 1932, was set up by the General Commission on February 25th, 1932, in consequence of the following resolution, adopted by the Conference on the 24th of the same month:

"The Conference,

"Approving the proposals of the Bureau on the action to be taken in regard to the plans and proposals which have been placed before it:

"(1) Decides to transmit to the General Commission these plans and proposals, as well as the draft Convention (with annexes) prepared by the Preparatory Commission, which may serve as a framework for the work of the Conference;

"(2) Requests the General Commission to proceed to a preliminary study of, and to co-ordinate, the said plans and proposals and the draft Convention;

"(3) Decides that, without prejudice to the rules of procedure, the General Commission shall be authorised to constitute, as and when the need arises, such commissions, sub-commissions or committees as it may consider desirable, and, in particular, the land, naval, air and national defence expenditure commissions.

"Such commissions, sub-commissions or committees will report to the General Commission on the matters which it refers to them."

The Air Commission appointed the following officers:

President: M. S DE MADARIAGA (Spain);

Vice-Presidents: M. COSTA DU REIS (Bolivia), succeeded from May 24th, 1932, by M. VALLOTTON (Switzerland); M. MARINOFF (Bulgaria);

Rapporteur: M. BOHEMAN (Sweden), succeeded from June 15th, 1932, by M. LANGE (Norway);

Secretary: Colonel L. CHIAPPELLI, Secretary of the Air Sub-Commission of the Permanent Advisory Commission for Military, Naval and Air Questions; Member of the Disarmament Section of the League of Nations.

This volume contains the Minutes of the Commission and the documents submitted to it. It was not considered necessary to reproduce documents Conf.D./C.A.35 to 69, dealing with the question of the internationalisation of civil aviation, this question having been referred to a Sub-Committee, whose Minutes have not been published. Document Conf. D./C.A.70, which shows the position of the Sub-Committee's work after the meeting on July 18th, 1932, has alone been printed in this volume.

It will be recalled that the question of the internationalisation of civil aviation was afterwards referred by the General Commission to a Committee which sat from February 20th, 1933, to March 17th, 1933. This date coincides with the submission to the General Commission of the United Kingdom draft Convention.

1 Part V of the Rules of Procedure reads as follows:

"V. COMMISSIONS.

"1. The Conference shall have the right, according to the exigencies of the business on hand and convenience of work, to set up commissions on which all delegations may be represented by a delegate, who may be assisted by advisers, experts and secretaries. Committees may also be set up consisting of delegates of a limited number of countries.

"2. Each commission shall appoint its Chairman and its Vice-Chairman or its Vice-Chairmen and shall, at the appropriate time, appoint one or more rapporteurs.

"3. The commissions may themselves set up sub-commissions."
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1 This resolution is reproduced on page 10 of the Air Commission’s Minutes.


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Conf.D./C.A.27. Definitions of Wing Area proposed by the Spanish Delegation (see Air Commission Minutes, page 63).


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Conf.D./C.A.39. Draft Reply submitted by the Spanish Delegation to Paragraphs (2) and (3) of the Basis of Discussion submitted by them (document Conf.D./C.A.36 and 37) (see Air Commission Minutes, pages 112 and 113).


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FIRST MEETING

Held on Saturday, February 27th, 1932, at 11.30 a.m.

The Right Honourable A. HENDERSON in the Chair.

1. ELECTION OF THE PRESIDENT OF THE COMMISSION.

The CHAIRMAN drew attention to the decision taken by the General Commission on February 25th, setting up the Air Commission. He proposed that the Commission should proceed to elect its President, and one or more Vice-Presidents and Rapporteurs, in accordance with Article 5, paragraph 2, of the Rules of Procedure. Under Article 13 of the Rules, the election was to be carried out by secret ballot, unless the Commission decided otherwise.

He proposed that the Commission should elect its President and should then decide whether to elect immediately one or more Vice-Presidents and Rapporteurs.

M. DE AGÜERO Y BETHANCOURT (Cuba) proposed that the Commission should elect its President only, and should adjourn the election of the Vice-Presidents and Rapporteurs until the final list of members had been prepared.

Agreed.

M. DE MADARIAGA (Spain) was elected President of the Commission by acclamation.

SECOND MEETING

Held on Thursday, March 10th, 1932, at 10.30 a.m.

President: M. DE MADARIAGA.

2. ELECTION OF THE VICE-PRESIDENTS AND RAPPORTEUR.

M. COSTA DU RÊLS (Bolivia) and Colonel MARINOFF (Bulgaria) were appointed Vice-Presidents of the Commission.

M. BOHEMAN (Sweden) was appointed Rapporteur.


The President drew the Commission's attention to M. Benes' report to the General Commission on the Conference's programme of work, which contained the principles that Commission had adopted with regard to the terms of reference of the various special commissions.

An examination of the list of questions referred to the Air Commission would reveal that it included, first, the proposals contained in the draft Convention and then other proposals submitted by the delegates.

The question of military aviation was governed by the principle of the total or partial abolition of this arm. Certain delegations had proposed its total abolition, together with the internationalisation of civil aviation; others had demanded the abolition of certain categories, such as dirigibles or bombing aircraft; others again had proposed the prohibition of certain weapons. To this sphere belonged the Netherlands proposal with regard to bombardment and chemical warfare, the proposal of the United Kingdom that the question of bombardment should be examined, and the French proposal which provided for the surrender of certain types of aircraft to the League and suggested that certain other types should be placed at its disposal for the establishment of an international air force. Still other proposals contemplated only a reduction of certain categories of air arms.

The main question regarding civil aviation was whether it should be internationalised. Certain delegations had suggested supervision over civil aviation. Again, there were proposals relating to publicity regarding civil aviation, and, finally, others which contemplated the prohibition of the use of civil aircraft for military purposes.
The President thought it would be difficult to make a technical study of the abolition of military aviation and the internationalisation of civil aviation until it was known whether the Conference accepted the principles of abolition and internationalisation. Though, of course, the General Commission would have to decide questions of principle, it had authorised the Air Commission to express an opinion with regard to the abolition of military aviation. It was also competent to make a preliminary study of the internationalisation of civil aviation, before the General Commission reached any decision. He would be glad to know whether it desired to do so.

M. Fisch (Germany) pointed out that the Bureau of the Conference had decided that questions of principle should be settled by the General Commission. M. Benes, Rapporteur of the General Commission, had, moreover, observed that any delegation was entitled to ask that a question of principle be not discussed in a commission, before the General Commission had dealt with it.

Doubtless the General Commission had referred certain questions of principle to the special commissions, but a distinction must be made between those which were political and those which were technical. It must be realised, however, that the abolition of military aviation (with or without the internationalisation of civil aviation) raises a political question of fundamental importance which it would be impossible to discuss in the special commission. Moreover, the Naval Commission, when examining the questions referred to it, had expressed a similar opinion, though in that case the point at issue was only the limitation of certain categories of naval armaments. A fortiori, the principle adopted by the Naval Commission should be applied in the present case, which concerned, not limitation, but abolition.

The abolition of military aviation and the internationalisation of civil aviation in particular involved questions of principle of a political and economic character, which the Air Commission could not discuss until the General Commission had settled them.

Most of the other technical points in the list involved questions of principle, and M. Fisch felt that the Air Commission could not examine any of them immediately, except publicity regarding civil aviation (Item 10).

It was important to get to work and to obtain results as quickly as possible, but it would be wasting time to study the substance of questions which would eventually be referred back to the Air Commission after the General Commission had considered them from a different aspect. They should therefore be adjourned until the ground was more thoroughly prepared.

M. Fisch proposed that the President of the Air Commission should request the General Commission to give priority to a study of the principles on which the Air Commission’s work was based, so that the latter could begin its discussion as soon as possible.

The Marquess of Londonderry (United Kingdom) said that it was important, as the President of the Conference had pointed out, that public opinion should feel convinced that the Conference was diligently fulfilling the duty entrusted to it. Nevertheless, he felt very strongly that the General Commission should fix the general principles on which the work should proceed before the various technical commissions discussed the details.

The questions included in the list had already been discussed by the Preparatory Commission in the course of the five years’ work from which the draft Convention had emerged. If the Air Commission began discussing them immediately, it would probably waste time by duplicating work already done and, as the German delegate had observed, would also be duplicating the General Commission’s work.

Count Carton de Wiart (Belgium) thought the Air Commission might make a preliminary examination of the questions on the agenda, some of which were relatively new. As the President had observed, the whole problem was dependent upon whether the internationalisation of civil aviation was possible. The study of this question was still in an embryonic state, and a technical commission might usefully start clearing the ground, in order to assist the General Commission to reach a decision. During this preliminary study, the authors of these interesting proposals might be given an opportunity of furnishing their colleagues with the necessary explanations.

Besides political problems which must be dealt with by the General Commission, there were questions with a technical aspect, which were within the Commission’s scope. Count Carton de Wiart thought the General Commission would be somewhat astonished if the Air Commission referred back the questions it had been asked to study. Without making any concrete proposal, he asked his colleagues to remember the impression which this might produce on public opinion.
General Piccio (Italy) thought the Air Commission should not study technical problems involving questions of principle: the latter should be settled by the General Commission. Moreover, the work of the various commissions should be co-ordinated, and he proposed that, acting upon the Naval Commission's decisions, the Air Commission should create a sub-commission (1) to consider which technical questions did not involve questions of principle; and (2) to co-ordinate these questions, so that they might usefully be discussed and settled by the Air Commission. It should also consider the difficulties encountered by the various Governments in interpreting the draft Convention, in order that they be not overlooked and that points on which there was complete agreement be not reopened.

M. Vougt (Sweden) shared the Belgian delegate's apprehensions. It had been pointed out that the Preparatory Commission had examined the abolition of military aviation, but in April 1929 that Commission decided to refer its discussion to the Disarmament Conference itself.

Aviation was the most important question before the Conference, and civil aviation was at the root of the problem. M. Vougt therefore felt the information already obtained might usefully be collected for submission to the Conference, and proposed that a sub-commission be set up for this purpose.

He pointed out that the internationalisation of civil aviation was mainly a technical question. It would be very difficult for the General Commission to reach a decision unless it had an exact definition of the word "internationalisation", which might, for instance, cover the amalgamation or supervision of aviation companies.

The Italian delegate had pointed out that the Air Commission should keep in close touch with the other Commissions, but aviation was a very special problem: the Air Commission was entitled itself to decide whether a particular problem was technical or involved a question of principle.

M. Quintana (Argentina) pointed out that three classes of questions had been referred to the Commission: (1) questions of principle; (2) technical questions; and (3) mixed questions.

He proposed that the Air Commission should follow the Naval Commission's example and ask its Bureau to separate questions of principle to be referred to the General Commission from technical questions to be studied by the Air Commission itself.

M. Quintana pointed out that world public opinion expected results from the Conference as rapidly as possible: in order to accelerate the procedure, he suggested that the Bureau, acting as a sub-commission, should undertake the work of selection.

He also thought that publicity regarding civil aviation could be discussed immediately, whatever the subsequent decision with regard to the abolition of military aviation.

M. Dumesnil (France) said the discussion proved (1) that the Commission was unanimous that questions of principle should be referred to the General Commission; and (2) that no time must be lost.

The French delegation had no procedure to propose, but would support any decision the Commission reached in this connection.

With regard to the abolition of military aviation, the Preparatory Commission had always thought that any limitation of military aviation must be subject to supervision over, or the internationalisation of, civil aviation. This principle was still more important when abolition was in question. The French delegation wished, therefore, to state clearly that, in its view, if the Air Commission desired to discuss the abolition of military aviation at once, it should first discuss the internationalisation of civil aviation (French proposal).

M. Dumesnil supported General Piccio's proposal. He approved the creation of a sub-commission consisting of the Bureau to extract from the agenda the purely technical questions which the Air Commission could study immediately. He hoped the General Commission would give priority to the questions of principle upon which the Air Commission's work depended.

The German delegation had proposed that Item 10 (Article 37) be studied immediately. The French delegation was not of that opinion, and thought that publicity regarding civil aviation was dependent upon the decision reached with regard to internationalisation, which must be settled before Item 10 could be studied. The only question which the Commission could discuss immediately was the measurement of the horse-power and volume of dirigibles (Item 5, Article 27).

M. de Agüero y Bethancourt (Cuba) supported the Italian proposal that a sub-commission should separate questions of principle, mixed questions and technical questions. He also suggested that the authors of the various proposals should assist the Bureau.
Mr. Davis (United States of America) wondered whether the Air Commission could not facilitate the General Commission's discussions on general principles by itself discussing in advance certain aspects of various questions. If, for example, it could reach agreement as to whether or not the internationalisation of civil aviation was practical and feasible, it would be easier for the General Commission to determine whether the proposal should be promulgated or discarded.

Mr. Davis was in sympathy with the proposal that the Bureau should consider the list, but thought it should itself decide whether to ask other delegations to co-operate with it.

Colonel Lanskoronskis (Lithuania) thought the Air Commission could deal with technical questions, and could also give an advisory opinion on questions of principle. The abolition of military aviation had been referred to the Commission. If complete abolition were not accepted, qualitative limitation would perhaps have to be contemplated, and the Air Commission's studies would help the General Commission, which would probably ask for its opinion.

With regard to the sub-committee's proceedings, Colonel Lanskoronskis felt that the interpretation which the various States had given to the draft Convention was of historic interest only. The sub-committee should rather determine what technical questions the Air Commission might study, and then make a preliminary examination of the abolition of military aviation and the internationalisation of civil aviation.

M. Fisch (Germany) pointed out that, in addition to questions of principle, political, technical and mixed questions, there were also economic questions, most of which were closely connected with political questions. Civil aviation in particular was of importance from the economic and political points of view. If questions of principle were referred to the General Commission, therefore, it should also deal with the internationalisation of civil aviation.

M. Fisch asked the Italian delegate whether he thought the sub-committee should be authorised to make an examination of problems not involving questions of principle to prepare the way for the Air Commission, seeing that all questions of principle would be referred to the General Commission.

General Piccio (Italy) explained that, in his view, political questions would be referred to the General Commission. Questions involving no political principles would be examined by the Air Commission, including those involving an economic principle, as the Commission was competent to pronounce upon the latter.

M. Boheman (Sweden), Rapporteur, noted that the Commission was unanimously of opinion that questions of principle should be referred to the General Commission. The United States delegation, however, had pointed out that certain technical information should be placed at the disposal of the General Commission. There were several proposals relating either to the abolition of military aviation together with the internationalisation of civil aviation, and the limitation of military aviation together with the internationalisation or supervision of civil aviation.

M. Boheman thought information, particularly with regard to the internationalisation of civil aviation — which was still a fairly new question — might usefully be furnished to the General Commission.

M. Quintana (Argentina) urged that the sub-committee should consist of the Bureau, assisted by the authors of the various proposals.

M. Vallotton (Switzerland) agreed with the German delegate that the Air Commission should refrain from discussing political questions. It was important for the General Commission to settle, as soon as possible, the questions of principle on which the Air Commission's work was based.

He supported the Italian proposal, and suggested that the list of questions of principle should be submitted to the Air Commission and then forwarded to the General Commission, with a request that they be accorded priority. Further, he thought the sub-committee should suggest the order in which the Air Commission might discuss these questions.

He shared the Belgian delegate's anxiety, and was anxious to avoid giving the impression that the General Commission and the special commissions were referring questions backwards and forwards without settling them.

M. Dumesnil (France) supported M. Vallotton.

The President reassured the Commission as to the influence of the Conference's work on public opinion. It would be judged, not upon questions of procedure, but upon the results obtained. Doubtless a superficial observer might find the preliminary work too slow, but before entering upon a discussion it was essential to decide what direction it should take.
The President pointed out that the Commission was entitled to deal not only with technical questions and questions involving an economic principle, but with questions involving a political principle. It was also entitled to refuse to exercise that right, and he personally was glad that it did not desire to enter into questions of principle.

He noted that certain delegates were anxious to make a preliminary study of the internationalisation of civil aviation in order to assist the General Commission. Two delegations were opposed to the study of political principles and one to the study of economic principles.

It would be difficult for the Bureau, even if assisted by other delegates, to select those technical questions which had no political bearing. The discussion seemed to show that only two questions came within that category.

The President understood from the statements made that the sub-commission would: (1) examine technical questions which had no political bearing, in order to prepare the way for the Commission’s discussion; (2) discuss in advance certain aspects of the internationalisation of civil aviation, in order to facilitate the General Commission’s work; (3) suggest the order in which the items should be discussed.

In addition, the French and German delegations proposed that the President of the Commission should ask the General Commission to discuss in advance questions of principle which affected the Air Commission’s work.

General Piccio (Italy), explaining his previous statements, said that in his view questions of principle should be referred to the General Commission, which should be asked to give them priority. The sub-commission should not study questions directly connected with principles, such as the internationalisation of civil aviation. It would discuss their technical aspect subsequently, when the principle itself had been fixed.

M. Fisch (Germany) supported the Italian proposal.

The Commission decided to constitute a sub-commission (1) to consider whether the agenda contained any items not involving questions of principle which could be examined by the Commission; (2) to prepare these questions for discussion at a plenary meeting.

The President asked whether the sub-commission should also carry out a preliminary examination of questions of principle, in order to facilitate the General Commission’s work.

General Piccio (Italy) and M. Fisch (Germany) urged that the Air Commission should not deal with questions of principle.

M. Dumesnil (France) explained that, in the French delegation’s view, if the abolition of military aviation were discussed, a decision should first be reached on the internationalisation of civil aviation.

Count Carton de Wiart (Belgium) wondered whether some means should not be found to enable the Air Commission to discuss the problems entrusted to it by the General Commission. He was anxious not to limit the sub-commission’s work too far.

Colonel Lanskoronskis (Lithuania) thought that certain questions should be studied in advance of the General Commission’s decision, and proposed that the sub-commission should make a preliminary examination of the abolition of military aviation, which would enable the Air Commission to give the General Commission an advisory opinion.

M. Voug (Sweden) supported the Belgian delegate.

M. Fisch (Germany) pointed out that M. Beneš had said in his report to the General Commission that, if a delegate asked that a question be not discussed in a special commission, his request should be granted. Several delegations had asked that the Air Commission should not discuss questions of principle, and M. Fisch hoped this would be borne in mind.

The President was sure that it would be possible to reach agreement, without any formal request from the delegations.
Mr. Davis (United States of America) understood that the Bureau would submit its conclusions to the Commission: he saw no objection to that procedure.

With regard to the internationalisation of civil aviation and similar questions, he still felt that the Air Commission would do well to facilitate the General Commission’s work by discussing their practical aspects and making recommendations.

M. Vliegen (Netherlands) thought that questions referred to the Air Commission could not possibly be referred back to the General Commission. The former should consider all the questions in the list, whether they involved principles or not. He asked that, if a sub-commission were appointed, the Netherlands should be represented, because the Netherlands civil aviation had developed to a considerable extent and, consequently, questions relating to the internationalisation of such aviation were of especial interest to his country.

The President suggested that the sub-commission should not study the substance of the questions of principle raised during the present discussion, but should take up the discussion as a whole, and report to the Air Commission.

He proposed that the Bureau should be assisted by the following countries: the Argentine, Belgium, the United Kingdom, France, Germany, Italy, Japan, the Netherlands, Union of Soviet Socialist Republics, and the United States of America.

Agreed.

THIRD MEETING

Held on Monday, March 14th, 1932, at 11 a.m.

President: M. De Madariaga.


The President summed up the terms of reference of the sub-commission set up at the previous meeting. He was glad to state that the sub-commission unanimously proposed the following resolution:

"The Air Commission, having considered the question of the internationalisation of civil aviation in the course of the study of its agenda, came to the conclusion that the technical discussion of this question could not be undertaken until a decision of principle had been taken by the General Commission.

"Accordingly, it requests the General Commission to give its opinion with regard to such a measure, and should it consider this measure desirable, to instruct the Air Commission to study its possibilities and the methods of carrying it into effect."

Of the possible points for immediate consideration by the Air Commission, the sub-committee had decided that one only was suitable, that of the measurement of the horse-power and volume of dirigibles, and the standard horse-power of aeroplane engines (point 5 in the list of questions : Article 27 of the draft Convention). The sub-committee had, however, considered that, if the questions submitted to the Air Commission were to be referred back as a whole to the General Commission, it was preferable not to consider this isolated point until the General Commission had announced its decision on the broader questions of principle. He asked for the Commission’s views on these points.

Colonel Baurain (Poland) supported the sub-committee’s proposal. The internationalisation of civil aviation raised important problems, foremost among them the serious drawbacks which might result from an uncontrolled development of civil aviation, beneficial as this was otherwise. He was glad to note that members of the Air Commission were unanimous in the view that civil aviation must be prevented from serving military purposes.

Practical means of attaining this end should be sought without delay, and, in his view, through the internationalisation of civil aviation. In any case he hoped that the General Commission would reach an early decision in order not to delay the Air Commission’s work.
Count CARTON DE WIART (Belgium) drew attention to the hesitation which the Belgian delegation had shown in the matter of referring all questions of principle back to the General Commission. His delegation was, however, willing to concede this point and to support the sub-commission's proposal, though he hoped it would not cause a delay of any length in the work of the Air Commission.

To obviate the possibility of later controversy, he would like to make it quite clear that, should the Air Commission again be asked by the General Commission to study the internationalisation of civil aviation, it would have all the powers laid down in Chapter 5 of the Rules of Procedure, especially as regarded the setting up of committees of Experts chosen from within or from outside its own ranks.

M. QUINTANA (Argentina) thought that, though there could be no question as to the Commission's powers, it was as well to state them beyond all doubt, as the Belgian delegate had done.

M. FIERLINGER (Czechoslovakia) supported the sub-commission's draft resolution, but considered, with the Belgian delegate, that the Air Commission could not refuse to discuss technical problems even where these involved political principles.

Further, the future programme of the Commission's work should be considered. Without awaiting a decision by the General Commission on the questions of principle, which might mean considerable delay, the Commission should, upon reassembly after the Easter recess, proceed to study the various questions before it, principally from the technical point of view, without, however, losing sight of their political aspects.

He added that his remarks did not mean that the Czechoslovak delegation opposed the resolution submitted; they were merely an interpretation of it.

The draft resolution submitted by the sub-commission was adopted.

The Commission decided not to take up for the moment the study of the measurement of the horse-power and volume of dirigibles and the standard horse-power of aeroplane engines.

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FOURTH MEETING

Held on Wednesday, March 16th, 1932, at 5.30 p.m.

President: M. DE MADARIAGA.

5. COMMUNICATION OF THE RESOLUTION ADOPTED BY THE GENERAL COMMISSION ON THE INTERNATIONALISATION OF CIVIL AVIATION: DISCUSSION OF METHODS OF WORK.

The President read the following resolution, adopted by the General Commission on March 16th, and invited suggestions from the Commission as to the procedure to be followed:

"The General Commission:

"Having taken cognisance of the request submitted by the Air Commission with regard to the study of the internationalisation of civil aviation;

"Considering that, without prejudice to the decision of principle which the General Commission will be called upon to take on the question, a previous technical study of its possibilities and the methods of carrying it into effect would be likely to facilitate greatly the said decision;

"Considers this study desirable in connection with the decisions to be taken concerning the abolition or reduction and limitation of military aviation, and requests the Air Commission to undertake it and to submit to the General Commission any conclusion as regards details, or as regards the question as a whole, which it might think likely to assist the General Commission in forming an opinion either with regard to the internationalisation of civil aviation or with regard to any other measure calculated to prevent signatory Powers from using this aviation for military purposes.

"For the purpose of this study, the Commission may, if necessary, obtain the assistance of the competent international bodies."

Count CARTON DE WIART (Belgium) considered that the study of so new and complex a question as that of the internationalisation of civil aviation required a more comprehensive documentation than that at the Commission's disposal. He proposed that the Bureau and the Secretariat should be asked to prepare during the Easter recess an objective study
summarising the details and proposals already published; they might base their study on the work of the Preparatory Commission and might obtain the assistance of the competent international bodies referred to by the General Commission. Such preparation would undoubtedly allow the Air Commission to proceed with the despatch expected of it.

M. Vliegen (Netherlands) supported the Belgian delegate's proposal, but asked the Bureau to prepare a plan upon which the Commission could base its work upon reassembly in April.

Mr. Wilson (United States of America), while appreciating the suggestions made by the delegates of Belgium and the Netherlands, felt that some members of the Commission were, like him, faced with a question the possibilities of which they had not sufficient knowledge to visualise; he suggested that they might profit by the recess to study the problems involved, but that it would be valuable if those delegates who had presented concrete proposals would submit memoranda giving their ideas as to the means of achieving internationalisation.

M. Quintana (Argentina) agreed with the United States delegate, particularly as his delegation knew even less of the subject than others who had spoken.

Sir Henry Wheeler (India) was not aware that any collected information was available as to the organisation of civil aviation in the different countries, stating, for instance, of what it consisted, whether ownership was public or private, whether it was Government-subsidised, what was its strength and the nature of the machines used. It would facilitate the Commission's discussion if such information were made available.

M. Dumesnil (France) felt that the Commission might usefully profit by the Easter recess to prepare its future work. In the matter of the internationalisation or control of civil aviation, certain delegations—those of Belgium, Denmark, France, Spain, Sweden, Switzerland and the Union of Soviet Socialist Republics—had already indicated that they were, in principle at least, in favour of the study of the question.

The French delegation had submitted a proposal which, though perhaps incomplete, adequately showed the way in which the possibility of internationalisation was envisaged. He outlined the main points of the proposal (document Conf.D.56).

The French delegation was, of course, ready to go into greater detail, and he undertook to carry out this preparatory work before the Commission reassembled. He would, however, ask the other delegations who had in principle supported internationalisation and the control of civil aviation to do likewise, in order to hasten and facilitate the Air Commission's work.

The Marquess of Londonderry (United Kingdom) considered that the information regarding civil aviation which existed in quantities in all countries would not be difficult to collect. He submitted that ample material for discussion existed in the suggestions which delegates had or might put forward; the French delegate's programme, for instance, supplied an adequate constructive basis. Given such suggestions, a plan for the Commission's work could safely be left in the hands of the President and Bureau.

M. Dumesnil (France) pointed out that the Communications and Transit Organisation of the League had published an extremely interesting study on the economic, administrative and legal situation with regard to international air navigation (document C.339.M.139.1930.VIII).

The President added that a "Study concerning the Present Situation in regard to Publicity of Civil Aviation and Collection of Provisions in Force concerning the Exchange or Publication of Information relating to Civil Aviation" (document C.95.M.47.1932.VIII) had been published by the Communications and Transit Organisation. These documents should nevertheless be supplemented.

Count Carton de Wiart (Belgium) pointed out that, though documentation on the organisation of national aviation existed in vast quantities, this was not the case where the internationalisation of civil aviation was concerned. The delegations which in principle favoured internationalisation might be asked to detail their views, or the Bureau might do so.

He was in favour of the second suggestion, since the first would involve no small delay in view of the large number of delegations who would be called upon to state their views. Information so collected might also involve unnecessary duplication.
He read the following proposal:

"The Air Commission requests its Bureau, with the assistance, if necessary, of the Secretariat and of the competent international organisations, to prepare, in order to facilitate its task, an objective study summarising the principal works or proposals on the internationalisation of civil aviation and on the possibilities and methods of carrying it into effect."

M. Fisch (Germany) supported the Belgian delegate's proposal, but asked that the phrase "or with regard to any other measure calculated to prevent signatory Powers from using this aviation for military purposes", extracted from the General Commission's resolution, should be added to it.

The President read a draft resolution covering all the proposals submitted and asked the Commission to discuss its adoption in principle; a drafting committee would, of course, if necessary, make any textual alterations.

The draft resolution was worded as follows:

"The Air Commission requests its Bureau:

"1. With the assistance, if necessary, of the Secretariat and of the competent international organisations, to prepare, in order to facilitate its task, an objective study summarising the principal works or proposals on the internationalisation of civil aviation and on the possibilities and methods of carrying it into effect, as well as on any other measure calculated to prevent the signatory States from utilising this aviation for military purposes.

"2. To circulate all the concrete proposals relating to this question which the Commission recommends the delegations to send in to the Bureau as soon as possible.

"3. To prepare a study on the organisation of the national aviations, on the basis of the information which the delegations undertake to send it.

"4. To prepare a programme for the resumption of the Commission's work."

M. Quintana (Argentina) requested that delegations should be asked, under paragraph 2, to state the reasons for which they submitted their proposals.

M. Dumesnil (France) stated that the French delegation had, in principle, no objection to the Belgian proposal, subject to drafting. He had, however, one or two reservations to make with regard to the form of Count Carton de Wiart's proposal. He fully agreed that the Bureau's work should be objective in character, in that its unique and extremely useful purpose was to prepare documentation and not to seek a solution of the problem.

It should also be expressly mentioned that the studies and proposals referred to were those emanating either from competent international organisations or from delegations, and that the numerous unofficial proposals which had already been made in other quarters were not included.

He proposed the deletion of the last few words of the Belgian proposal: "... and on the possibilities and methods of carrying it into effect", since the study of this question was the business of the Commission itself and not of the Bureau. He could not agree to the addition proposed by M. Fisch, since it was not within the Bureau's powers to propose measures for preventing States from using civil aviation for military purposes.

The President considered that the text must be left to the Drafting Committee, and proposed that the discussion should be adjourned until this Committee could submit a final draft at a subsequent meeting.

He proposed that the Polish delegate should join the existing Drafting Committee.

The President's proposals were adopted.
FIFTH MEETING

*Held on Thursday, March 17th, 1932, at 11 a.m.*

President: M. DE MADARIAGA.

6. **DISCUSSION OF METHODS OF WORK (continuation).**

The President invited the Commission's views on the following draft resolution unanimously adopted by the Drafting Committee:

> "The Air Commission requests its Bureau:
> "1. With the assistance, if necessary, of the Secretariat and of the competent international organisations, to prepare, in order to facilitate its task, an objective study summarising the principal works or proposals on the internationalisation of civil aviation and on the possibilities and methods of carrying it into effect, as well as on any other measure calculated to prevent the signatory States from utilising this aviation for military purposes.
> "2. To circulate all the concrete proposals relating to this question which the Commission recommends the delegations to send in to the Bureau as soon as possible.
> "3. To prepare a study on the organisation of the national aviations, on the basis of the information which the delegations undertake to send it.
> "4. To prepare a programme for the resumption of the Commission's work."

The delegations would be asked to supply the information referred to in paragraph 3 of the draft resolution on the basis of a questionnaire which the Bureau would circulate about March 21st.

*The Commission adopted the draft resolution submitted by the Drafting Committee.*

The President laid emphasis upon the complex nature of the work before the Bureau, which would, however, profit by the assistance of the Secretariat and the competent international authorities. Foremost among the organisations which the Bureau would consult was the Air Transport Co-operation Committee set up by the Advisory and Technical Committee for Communications and Transit.

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SIXTH MEETING

*Held on Wednesday, April 27th, 1932, at 10 a.m.*

President: M. DE MADARIAGA.


The President reminded the Committee of the definite task which it had set its Bureau in its resolution of March 17th. The results of its work, which were in the Press, had required lengthy preparation. They would be issued in the form of a report.

The present meeting was convened to give effect to the following resolution adopted by the General Commission on April 22nd, 1932:

> "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."
He stated that there was no call for decisions of principle on the question of qualitative disarmament; the Commission had to give the General Commission a technical opinion on the three characteristics specifically mentioned in the resolution. In other words, its sole task was, in his opinion, to review the armaments within its sphere and to inform the General Commission to which armaments, and in what degree, these three characteristics applied.

There were three means of so doing. First, the Commission could review the proposals already submitted by certain delegations. Secondly, it could consider in a general and theoretical way what were the criteria for attributing any of the characteristics mentioned in the resolution to any particular air armament. Lastly, it could adopt the more empirical method of reviewing air armaments one by one, stating in each case whether or no the armament came within the categories in question.

The Commission must decide on one of these methods, unless it preferred to combine them; or delegations were of course free to propose any other method they might choose.

General Piccio (Italy) thought that, if the discussion was to be carried on systematically and rapidly, the best method was the first which the President had mentioned. If the Commission adopted it, the various delegations concerned would have to provide all the information necessary to enable the scope of their proposals to be exactly determined.

There was no doubt that, as regards aviation, the problem took a simple form, because all aircraft at present in service in military and civil aviation could be regarded as included in the three categories mentioned in the resolution before the Commission.

It was, in fact, for that reason that the Italian memorandum of April 3rd had proposed qualitative limitation, which automatically removed the aggressive characteristics of military aircraft and, in a more general manner, their offensive characteristics.

As regards civil aviation, the Italian delegation, taking due account of the fact that that aviation represented one of the conquests of humanity and civilisation which could not be abolished, did not wish to impede its natural development. Nevertheless, the Italian delegation fully realised that, particularly if military aviation was abolished, civil aviation could be adapted to military purposes. Accordingly, it was desired on the one hand to establish the strictest control over it, and on the other to avoid the danger of its being used for war purposes by allowing the existence of defensive aircraft so constructed that they could and would be used only for essentially defensive purposes.

In view of these considerations, it would be necessary to regard as particularly offensive means of warfare all aircraft which could cause considerable damage to the property or population or industries of a country of very small size or a country with vital centres very exposed to air attacks, and which would thus be able, if not to destroy, at all events to impair, the efficiency of the means of defence at the very moment when the country attacked was preparing them.

The Italian delegation had given concrete form to these principles by a series of rules based on the principle that the aim of limitation itself must as far as possible be to prevent all aircraft from causing damage beyond a radius of \( x \) kilometres.

In fact, the Italian proposal regarding military aviation only authorised the maintenance and construction of single-seater aircraft, with a limited radius of action, for defensive and police purposes, and their weight limit unloaded and their power would have to be so calculated as only to allow the existence of aircraft incapable of any considerable offensive action even on centres nearest to the frontiers.

In conclusion, the Italian delegation was of opinion that all dirigibles and aircraft whose weight and power were in excess of the limits laid down by the criteria that had just been set forth should be regarded as particularly aggressive weapons definitely efficacious against national defence and most threatening to civilians.

M. Raczynski (Poland) agreed with the Italian delegate as to the best method of work. He added that the Air Commission's task as set by the resolution of the General Commission seemed to the Polish delegation both difficult and complicated. This was soon proved by the most summary analysis of the three criteria to which the resolution referred.

The classification of air armaments as offensive weapons required that certain conditions should be envisaged, the chief among them air supremacy, only obtainable by means of concentration of all categories of aircraft (fighter machines intended for decisive air engagements, aircraft for the destruction of the adversary's bases and material, reconnaissance machines the object of which was to discover and signal objectives).

In the struggle for air supremacy, any one of these categories of aircraft might find preference, and it was impossible to state of any type of aircraft that it was unfit for active co-operation in an offensive action. Nor could the various categories of aircraft used in civil aviation be ignored. The important point was offensive action in general, the essential elements of this being the aggressive motives of a particular State, technical
and numerical superiority in the material available, war potential, placing highly industrialised States at a considerable advantage, and lastly a geographically advantageous situation.

A means must therefore be sought which would render offensive action impossible or at least deprive any State of the hope of resorting to it with success.

As regarded the second criterion, the report of Sub-Commission A (in its reply to question I a: “Definition of the various factors — military, economic, geographical, etc. — upon which the power of a country in time of war depends”) gave the following definition:

“War . . . aims at success by trying to secure simultaneously:

(1) The destruction of enemy armed forces or the exhaustion of enemy effectives;

(2) The destruction of factors which contribute to the power of the enemy, such as factories, railway stations, electric power stations, etc.;

(3) Rapid movement, consisting in the transfer of troops by rail, motor vehicles, ships, etc., requiring the use of large quantities of coal and oil and abundant means of transport and carriage;

(4) The interruption of enemy supplies or of the routes by which they are supplied;

(5) The undermining of the morale of the enemy.”

It could be assumed from this that the most effective means of combating national defence was, so far as aviation was concerned, aerial bombardment. Such bombardment could be carried out either by aeroplanes of a certain tonnage or by dirigibles. Here again, and in an even greater measure, civil as well as military aviation must be taken into consideration, since these in time of war together constituted the total air power of a State. Moreover, the second point provided striking proof of the superiority over its neighbours of a State whose base, thanks to its situation at some distance from the frontier, was safe from air bombardment.

A study of the third criterion adopted by the General Commission also led back to the question of air bombardment, which in time of war constituted a direct menace to the civil population, whether in the form of terrorisation by premeditated air attack on the civilians themselves or on an objective which is of a military nature but is situated in the immediate vicinity of civilian dwellings.

In conclusion, these remarks showed the great difficulty of selecting any particular categories of aircraft the abolition of which would render offensive air action impossible. The United Kingdom delegate had already drawn attention in the General Commission to the difficulties raised by the classification of weapons, and had emphasised the necessity for an adequate regulation of air bombardment by international legislation. This last was undoubtedly defective. The Hague Conferences of 1899 and 1907 had not foreseen the progress which aviation was to make, and had thus not established special legislative measures providing for the protection of civil populations against air bombardment. The defect must be remedied, but the Polish delegation could not consider this measure alone sufficient.

It was ready to take an active part in studying the question of qualitative air disarmament, but thought that no solution could be reached unless an adequate international air force were created and unless civil aviation were at the same time internationalised; moreover, it was in favour of strict general control. Lastly, he would draw special attention to the General Commission’s resolution of April 19th (document Conf.D./C.G.24), which referred explicitly to Article 8 of the Covenant, and pointed out that in the discussions account must be taken of the geographical situation and special circumstances of each State.

M. BRANDENBURG (Germany) agreed with the President that the Commission could not draw up a mere classification of armaments, beginning with the most threatening and proceeding to the least threatening. The Commission must formulate concrete proposals regarding each of the three criteria in the General Commission’s resolution. This task was rendered easier in view of the fact — as Sir John Simon had stated in the General Commission — that the Treaty of Versailles and the other similar treaties concluded in 1919 provide historical precedents. These treaties clearly defined the armaments the abolition of which was, by reason of their offensive character, considered an indispensable condition of disarmament. If this was the case in 1919, the Air Commission should the more readily adopt to-day the opinion of the military experts of that time. Indeed, aviation, far from decreasing in importance, had developed to an incredible extent during the past few years. Germany and certain other Powers had disarmed their military aviation by the destruction of their aircraft, thus setting an example of effective disarmament.
Bombing aircraft undoubtedly came within the three categories referred to in the General Commission’s resolution. They were purely offensive, they were more effective against national defence than any other armaments and they were the greatest possible menace to the lives of civilians. The other types of military aircraft (fighters and reconnaissance machines) were also subjected in the Versailles Treaty to a measure of qualitative disarmament. This meant that the same characteristics were attributed to them as to bombers; hence they had been destroyed on the same ground. Consequently, the German delegation proposed that the Air Commission should inform the General Commission that all military aviation came under the three criteria given in its resolution.

In conclusion, the German delegation submitted the following draft resolution:

“The Air Commission,

“In accordance with the instructions received by the General Commission, has examined the air arm in the light of the following three criteria:

“(1) What weapons are of a specifically offensive character?

“(2) What weapons are most efficacious against national defence? or,

“(3) What weapons are most threatening to civilians?

“It considers that the whole of military aviation and in particular the launching of means of warfare of any kind from the air come within the above-mentioned three categories.”

M. SATO (Japan) stated that the Japanese delegation raised no serious objection to the method which the Commission proposed to adopt, on condition that such method should not be too exclusive and that the delegations who had not yet submitted special proposals would be free later to present those they might think fit.

At the meeting of the Naval Commission held on the previous day, several delegates had expressed the opinion that the aircraft carrier was an armament of a character “most specifically offensive or most efficacious against national defence, or most threatening to civilians”. The Japanese delegation, which held this view, would make a statement to this effect at the meeting of the Naval Commission then sitting. Therefore he need only state that aircraft-carriers specifically and exclusively intended for carrying aeroplanes were not in themselves offensive weapons. If they came within the category of such weapons, it was because of the aircraft they carried on board. The same applied to warships carrying aeroplanes and fitted with a landing-on platform or deck for aeroplanes.

For these reasons the Japanese delegation proposed to bring aeroplanes carried by aircraft-carriers or by warships fitted with a landing-on platform or deck for aeroplanes under the head of the three criteria mentioned in the resolution.

In the view of M. DE BROUCKÈRE (Belgium), the discussion showed that the Commission unanimously recognised that certain categories of aircraft, being aggressive armaments, should be abolished or at least subjected to special control. On the other hand, there was no complete agreement as to which armaments should be abolished or controlled. The Belgian delegation was not prepared to express an opinion, and would not do so until the first delegate of Belgium was present.

The Commission’s task was not merely to decide upon the abolition of a particular category of aircraft, or even of military aviation as a whole. It must first define what was meant by the term “military aviation”. In this connection he pointed out that of the articles of the Treaty of Versailles, one of the most open to criticism, from the technical point of view, was Article 198, which defined military aviation. Only after long-drawn-out efforts had the categories of military aircraft to be abolished by Germany been defined in the agreements of 1922 and 1926.

Did military aircraft mean machines bearing military marks or manned by uniformed members of the air force? If military aircraft were abolished, would it not be necessary, as a precautionary measure, to prohibit the subsidising by States of companies manufacturing or owning military aeroplanes?

In 1929 the German representative on the International Conference for Air Navigation had proposed the following definition of military aircraft:

“The following shall be deemed to be military aircraft:

“(a) Aircraft which bear military identification marks;
“(b) Aircraft which are armoured or protected in any way or arranged to take any kind of weapon of war, such as guns, machine guns, torpedoes, bombs or sighting or release devices for such weapons;

“(c) Aircraft whose pilots or crew belong to an army and are detailed to fly for this purpose;

“(d) Aircraft which form part of the military force.”

Here was a composite definition which, though it had received a large measure of approval when it was drawn up, had not been retained, as the characteristics proposed by Germany had not been considered the best possible. The question had therefore been referred to the Air Navigation Commission. That was three years previously, and no definition had as yet been formulated. The Air Commission of the Conference for the Reduction and Limitation of Armaments was thus faced with a task exceedingly difficult to perform but indispensable if a conclusion were to be reached.

The Italian delegation had proposed that all aeroplanes exceeding a certain tonnage and horse-power should be deemed to be bombers. He himself acknowledged that large and powerful machines could always be used for bombing purposes. Nevertheless, the absence of military characteristics in machines of lesser tonnage and horse-power did not prove that such machines were useless for bombing purposes. Often only a few technical adjustments were required. Thus the Italian definition was lacking in precision, and the Commission must therefore study all others that were available. Perhaps it might in the end conclude that the manufacture of civil aeroplanes capable of transformation into military aircraft should be forbidden.

The President again drew the Commission’s attention to the importance of strict adherence to the definition given in the three criteria of the General Commission’s resolution. Questions such as abolition and internationalisation did not for the moment directly concern the Commission, and should only be brought up as hypotheses with a view to the adoption of a particular definition. The Commission would not be acting in all honesty of mind were it to enter into political considerations; these were outside its competence.

M. Vallotton (Switzerland) agreed with the President that the technical commissions could take no decisions of principle, this being the General Commission’s task, and that it should confine itself to the consideration of concrete questions within the terms of the resolution of April 22nd. In other words, they must do the work of experts, not politicians.

He agreed with the German, Italian, Japanese and Polish delegates that the first of the methods suggested by the President was the only one conducive to rapid results. Nevertheless, he agreed with M. Sato’s suggestion, adding that it would be well to invite the delegations who had not yet submitted proposals to do so as quickly as possible.

As the proposal submitted by the German delegation constituted a general conclusion presupposing a preliminary study by the Committee, he hoped the German delegation would consent to the postponement of its study.

A further question requiring solution was that of gas warfare. Were the three technical commissions to study it separately? That was, in his opinion, a bad system, as the commissions might reach different conclusions and the technical assistance given to the General Commission would thus be not only vain but even harmful. He therefore proposed that the Bureau should consider the advisability of summoning a special joint commission.

The President, in summing up, stated that there were two proposals before the Commission: on the one hand, the German draft resolution, and, on the other, the proposal that the Commission should consider all the suggestions submitted by the various delegations on the question of offensive armaments. These proposals, some twenty in all, might be classified as follows: abolition of military aviation (Denmark, Germany, Hedjaz, Hungary, Spain, Sweden, Turkey); abolition of bombing aeroplanes (Afghanistan, Belgium, China, Italy, Portugal, Switzerland); prohibition of bombardment from the air (Austria, Haiti, the Netherlands, Switzerland); prohibition of bomb-dropping by aeroplanes (Latvia); prohibition of armaments particularly aggressive in character (Finland); prohibition of offensive armaments, notably those presenting special danger to civilians (Norway).

These proposals undeniably presented a somewhat confused whole, overlapping here and there. The Commission’s first task was to classify this voluminous material and clarify it in order to reach a decision. If the German delegation would consent to the inclusion of its draft resolution among the proposals listed above, the most convenient procedure would be to appoint a small sub-committee to prepare for a plenary session of
the Commission a basis of discussion which would enable a conclusion to be reached more rapidly.

M. Massigli (France) supported the idea of forming a small committee. There was, however, one omission in the President's statement which he was anxious to remedy: the list of proposals submitted by the various delegations did not include the French proposal made on February 6th, which came within the limits fixed by the General Commission. He asked for its inclusion.

The President replied that he would comply with the French delegation's request. He would like, however, to point out the danger of introducing into the discussions of a technical committee questions which lay within the province of the General Commission. The French proposal related to the internationalisation of certain categories of aircraft, and discussion of this did not come within the Commission's competence. In other words, it must bear in mind the criterion laid down in the French proposal but not the object of that criterion.

M. Boheman (Sweden), Rapporteur, thought that, if the Commission agreed to adopt the President's suggestion, the delegations should be asked to submit to the proposed sub-committee explanations of their proposals, especially in the matter of the criterion.

M. Brandenburg (Germany) was prepared to accept the appointment of a sub-committee and consented to the consideration of the German proposal with the others. In view of the fact that his delegation's draft resolution went further than other proposals, it might save labour to consider it first.

The President pointed out that more than one delegation was in favour of total abolition.

As regarded gas warfare, though fully aware that there was ground for the Swiss delegate's remarks, he saw no difficulty in the consideration of this question by each of the three Committees in its own field. Possibly a joint commission might later be asked to unify the results, though it was to be hoped that these would agree.

There being no objection to the establishment of a sub-committee of the Air Commission for consideration of the proposal submitted, the President proposed that this committee should consist of the Bureau of the Commission and of representatives of the following countries: Argentine, Belgium, United Kingdom, France, Italy, Japan, Poland, Switzerland, United States of America, Union of Soviet Socialist Republics.

The President's proposal was adopted.

SEVENTH MEETING

Held on Wednesday, May 18th, 1932, at 3.30 p.m.

President: M. De Madariaga.


M. Boheman (Sweden), Rapporteur, read the report adopted by the Sub-Committee (document Conf.D./C.A.14), which was as follows:

"The Sub-Committee appointed by the Air Commission on April 27th regarded it as its principal task, taking into account the proposals submitted by the different delegations, to prepare a basis of discussion for the Plenary Commission, in order that the discussion might develop on clear and orderly lines."
Accordingly, the Sub-Committee first asked all the delegations, through its Chairman, to hand to the Secretariat, if they so desired, a statement showing the air weapons which they wished to see embodied in the list of the armaments:

"(a) Whose character is the most specifically offensive;
(b) Being the most efficacious against national defence;
(c) Being most threatening to civilians.

The replies to this invitation appear in document Conf.D./C.A.13 of April 28th, which has been communicated to all delegations.

Taking these replies as the basis for its deliberations, the Sub-Committee came to certain conclusions of a somewhat general nature, and also attacked certain technical problems which it regarded as particularly important if clear and definite replies were to be given to the General Commission's request.

These conclusions were as follows:

I. (a) All air armaments can be used to some extent for offensive purposes, without prejudice to the question of their defensive uses.
(b) Certain civil aircraft may become an integral part of the air armaments of a country after adaptation for military purposes.
(c) Independent of the offensive character which air armaments may derive from their use, their capacity for offensive action depends on certain of their constructional characteristics.
(d) The capacity for offensive action of air armaments resulting from such constructional characteristics should first be considered from the point of view of the efficacy of such armaments against national defence and secondly from the point of view of the threat offered thereby to the civilian population.

"Efficacy against National Defence.

II (a) The aircraft forming a part of the air armaments of a country that may be regarded as most efficacious against national defence are those capable of the most effective direct action by the dropping or launching of means of warfare of any kind.
(b) The efficacy against national defence of an aircraft forming part of such armaments, and considered individually, depends upon its useful load and its capability of arriving at its objective.
(c) The useful load of aircraft is determined by a large number of variable factors. Among these the Sub-Committee has noted, for purposes of examination, the unladen weight, the horse-power and the wing area for aeroplanes, and the volume and horse-power for dirigibles.

Although it is difficult to arrive at formula, since they are subject to modification or revision in view of the continual technical progress that is being made, the Sub-Committee considers that, for purposes of comparison, the useful load of aircraft can be measured:

For aeroplanes: by unladen weight, horse-power and the ratio between horse-power and wing area;
For dirigibles: by volume and horse-power.

(d) Means of warfare of every kind to be launched from the air are efficacious against national defence in proportion to their capacity to prevent or delay the production, concentration and utilisation of means of defence.

"Threat to Civil Population.

III (a) The aircraft forming part of the air armaments of a country which can be regarded as the most threatening to the civil population are those capable of the most effective direct action by the dropping or launching of means of warfare of any kind; this efficacy depends primarily upon the nature of the means of warfare employed and the manner in which they are employed.
(b) The degree of the threat to the civil population represented by an aircraft forming part of these armaments, and considered individually, is in proportion to its useful load and its capability of arriving at its objective.
(c) For the useful load, see paragraph under II (c).
(d) Means of warfare of all kinds which are intended to be dropped from the air may constitute a serious threat to the civil population.
"The means of warfare which are most threatening to the civil population
are those which, considered individually, produce the most extended action,
the greatest moral or material effect—that is to say, those which are the most
capable of killing, wounding and immobilising the inhabitants of centres of civil
population or of demoralising them, so far as concerns immediate consequences,
and so far as concerns future consequences of impairing the vitality of human
beings. Among these means the Sub-Committee specially mentions poisonous
gases, bacteria and incendiary and explosive appliances.

* * *

"The foregoing conclusions have given rise to the following comments:

"On I (a).—The Italian delegation considers that the words ‘without
prejudice to the question of their defensive uses’ should not appear in the text,
seeing that the question of the use of air armaments for defensive purposes does
not enter into the terms of the General Commission’s resolution.

"On I (b).—The German delegation is of opinion that the assertion contained
in this paragraph does not apply to countries which have no military air force.

The Japanese and Polish delegations consider that adaptation for military
purposes is not a necessary condition for certain civil aircraft to be able to become
an integral part of the air armaments of a country.

"On II.—The delegations of the United States of America, the Argentine
Republic, the French Republic, and the United Kingdom think it necessary
to state that, as far as they are concerned, the armaments most efficacious
against national defence may also, in certain circumstances, be the most efficacious
for their own national defence.

"On II (b) and III (b).—The Japanese delegation has proposed the
following addition:

‘The useful load of aeroplanes carried by aircraft-carriers or by warships
fitted with landing platforms (or landing decks) is to be regarded as being
increased by the fact of the mobility of the ships on which they are carried.’

"Without going into the merits of this proposal, the Sub-Committee was of
the opinion that, as the Naval Commission had discussed the question of aircraft-
carriers and the aeroplanes belonging to them at a public meeting, the plenary Air
Commission ought to do the same. It considered the possibility of the appointment
of a joint naval and air commission to deal with this problem as a whole.

"On II (c).—This paragraph gave rise to a long technical discussion in
the Sub-Committee. A fairly marked difference of opinion arose as to what
factors should be taken into account in measuring the useful load of aeroplanes.

Certain delegations (United Kingdom, France, Japan, Poland,) thought
that only unladen weight should be taken as the system for measuring useful
load. They held that unladen weight by itself was sufficient to allow of a practical
comparison of the useful load and had the advantage of being a factor easy to
ascertain, whereas the addition of other factors less easy to measure might greatly
complicate the problem and interfere with the development of technique on
sound lines.

Other delegations (Argentina, Belgium, Bulgaria, Germany, Italy, Spain,
Sweden, Switzerland and the Union of Soviet Socialist Republics) thought unladen
weight alone was not sufficient to lead to a reliable result, and that horse-power
and the ratio between horse-power and wing area should also be brought into
the calculation as factors of equal importance.

The Sub-Committee preferred not to carry this discussion any further,
as it wished, first of all, to report on the subject to the Plenary Commission,
though it felt that the problem should be closely studied in order to determine,
among other factors which, in the various factors should be calculated and the ratios
between them established.

The United States delegation, while concurring with the first paragraph
of II (c), for its part preferred not to advocate the adoption of any technical
formula on the question until the contemplated study had been carried out.

"On III.—In view of the existence of certain international engagements
for the protection of the civil population in time of war, the Sub-Committee
considered that its rôle should be limited to preparing a reply to the questions
put by the General Commission from the point of view of technical possibilities
only, irrespective of any legal or political standpoint.

"On III (d).—The first paragraph gave rise to a somewhat lively discussion,
and was accepted only by a small majority. Certain delegations upheld the view
that the very existence of means of warfare of any kind intended to be dropped
or launched from the air involved a threat to the civil population.
On I, II, and III. The German delegation made the following general reservation:

The German delegation desires to point out that its proposals go further than the previous text produced by the Sub-Committee’s deliberations. The German delegation considers that, in accordance with the military clauses of the Treaty of Versailles and similar treaties, the whole of military aviation is to be regarded as having a specifically offensive character and special efficacy against national defence, and as particularly threatening to the civil population. In particular, it considers it necessary to emphasise the specifically offensive character of means of warfare of every kind intended to be dropped or launched from the air.

The German delegation further holds that, from the technical standpoint, the offensive character of all military aviation is particularly pronounced as against countries which have no means of anti-aircraft defence either in the air or on the ground.

The reason why, notwithstanding this reservation, the German delegation took part in the discussion on the Committee’s text and in its drafting is that it felt that this was the only way of furnishing the Air Commission with the basis of discussion which it had asked its Sub-Committee to provide.

During the discussions in the Sub-Committee, certain delegations advanced specific proposals for the fixing of a limit based on technical data for the aircraft to which the three criteria mentioned in the General Commission’s resolution of April 22nd apply, or for their classification by groups.

To facilitate such fixing or classification, the French delegation has submitted for the Sub-Committee’s consideration a questionnaire which is appended to the present report.

The Sub-Committee thought that this questionnaire could be discussed more advantageously in the Plenary Commission, when all the delegations are present.

ANNEX.

Draft Questionnaire proposed by the French Delegation to determine the Degree of Efficacy of Air Armaments against National Defence and the Extent to which they threaten Civilians.

I. (a) What are in modern air, land and naval warfare the military objectives against which air armaments can be employed (nature and distance of such objectives)?

(b) What are the means of warfare dropped or launched from the air of which the action on these objectives may be effective:

Nature of means of warfare;
Minimum unit weight of projectiles;
Minimum number of projectiles to be dropped or launched by one aircraft;
Minimum altitude for dropping or launching?

(c) What are the characteristics of aircraft adapted to drop or launch these means of warfare with the efficacy determined by the reply to the previous paragraph?

II. (a) What are the ‘most specifically offensive’ aerial actions?

(b) What are the characteristics of aircraft capable of carrying out the actions defined in the previous paragraph?

III. (a) What are the means of warfare dropped or launched from the air of which the action may be particularly dangerous to civilians:

Nature of means of warfare;
Minimum unit weight of projectiles;
Minimum number of projectiles to be dropped or launched by one aircraft;
Minimum altitude for dropping or launching?

(b) What are the characteristics of aircraft adapted to drop or launch these means of warfare with the efficacy determined by the reply to the previous paragraph?

The President proposed that this report, and particularly the conclusions given in Sections I, II and III, should be adopted as the basis of discussion. The delegations were not, of course, bound by any of the views expressed in the report until the end of the Commission’s discussions thereon.

The President’s proposal was adopted.
M. D’AVILA LIMA (Portugal) stated that the Portuguese delegation had not replied to the questionnaire drawn up by the Sub-Committee, as it had already clearly stated its views on the various points which this raised.

Where the prohibition of chemical warfare was concerned, the Portuguese Government, like many others, was, broadly speaking, committed, in that it had signed and ratified the Protocol of 1925.

The Portuguese delegation approved the report’s conclusions in principle. It also agreed with the comments made by some delegations, and in particular with those of the Argentine, French, Italian, United Kingdom and United States delegations. There was one point, however, upon which his delegation was not quite clear, perhaps because it had failed to draw the very subtle distinctions between the various aspects of the problem. The point in question was the comment on Section III of the report.

For reasons of principle, since the prohibition of chemical warfare was an actual provision of international law through the undertakings given in the 1925 Protocol, the Portuguese delegation considered that, given no differentiation, the comment in question had merely been inserted for prudence’s sake.

Lastly, the Portuguese delegation was prepared to reply to the questionnaire proposed by the French delegation, which was annexed to the report.

The PRESIDENT stated that the point raised by the Portuguese delegation would come up for discussion when the Commission considered the paragraph to which it related.


M. BRANDENBURG (Germany) felt that he must emphasise the German delegation’s point of view, which he had outlined at the Air Commission’s last plenary meeting. The German delegation had co-operated in the drafting of the Sub-Committee’s report, as it had been anxious to help in establishing a basis of discussion for the Commission. He must, however, state at the outset that this report did not go far enough. Leaving details aside, he drew the Commission’s attention to two defects therein: first, the report failed to give any definite reply to the question as to which armaments the Sub-Committee considered the most specifically offensive in character. It merely stated that for a full understanding of this question a preliminary study of the other two questions raised by the General Commission had been necessary. The Committee had then confined itself to this study but had unfortunately been able to arrive at no conclusions. Thus the report provided no definite reply to the first — the most important — of the three questions referred to it by the General Commission.

Moreover, the Sub-Committee’s draft report did not take sufficient account of the position of countries possessing no means of land or air defence against aircraft. Where the offensiveness of military aviation was concerned, no one could deny that a fundamental technical difference existed between countries with anti-aircraft defence and those without. In the case of countries possessing such defences, he admitted that the different categories of air armaments — from bomber to captive balloon — possessed varying degrees of offensiveness. But countries lacking any means of defence against air attack could not equitably admit such a differentiation. For them the offensiveness of air armaments of all kinds, without differentiation, was grave indeed. Their national defence and the lives of their civilians were seriously menaced by the very existence of military aviation.

Further, the Treaty of Versailles and the other peace treaties had inaugurated total abolition of military aviation as the first step towards general disarmament. The German delegation therefore considered that this course must be boldly pursued to the end. No other course could lead to satisfactory results where disarmament was concerned, and he would therefore once again press the Air Commission to reply to the three questions raised by the General Commission with a statement that military aviation as a whole, and notably the launching of means of warfare of any kind from the air, fulfilled without any distinction the three criteria given in the General Commission’s resolution.

Turning to certain passages in the report, in which it was stated that air armaments could also present defensive characteristics, he said that the possible defensive characteristics of these aggressive armaments were rather outside the scope of the Commission’s work. There was no denying that even the most formidably offensive armaments could, if necessary, be used for defensive purposes. He thought, however, that, within the limits of the Commission’s terms of reference, that aspect of the question was of little importance to the Commission. After all, the question before them was: If a country were inspired to commit a political act of aggression, what were the armaments best qualified to enable it to carry out its aggressive designs most effectively? Those were the armaments which
the Commission must define as specifically aggressive. The countries represented had only to put themselves in the place of countries without air defence for their delegates to agree with him that military aviation as a whole must be considered an especially threatening aggressive weapon.

The President thought that the German delegate's speech was to a great extent based on a misapprehension. The Sub-Committee's task had been to prepare a more or less precise basis of discussion. It had preferred not to be too precise and to leave the Commission to complete the work thus begun. The three points serving as a basis for discussion were obviously logically conceived. The first three paragraphs \(a\), \(b\) and \(c\) of Section I were general; the crux of the matter was given in paragraph \(d\). The two characteristics set out in Sections II and III followed logically, paragraphs \(a\), \(b\), \(c\) and \(d\) being so arranged as to continue the development of the same theme. The Commission must come to its decisions and reply to the General Commission on this strictly technical basis.

The points raised by the German delegation had not been forgotten in the report; under II \(b\) and III \(b\) reference was made to the useful load of an aircraft and to its capability of arriving at its objective. There was nothing to prevent the Air Commission from introducing this idea into its report to the General Commission, if it thought fit.

Finally, he feared that the German delegation's criticism went too far, this being no doubt due to its anxiety that the German view should be accepted. Speaking as a member of the Spanish delegation, he understood this anxiety only too well, since, except on one point, his delegation favoured the German theory. Nevertheless, he hoped that the German delegation would do its utmost to assist the Air Commission in drawing up a definite text which would supply the General Commission with an answer to its questions.

10. CONSIDERATION OF SECTION I AS A WHOLE.

M. BRANDENBURG (Germany) drew the Commission's attention to the proposal submitted by the German delegation on April 28th, which contained a definite reply to the three questions submitted by the General Commission. The Commission's task would be simplified if it discussed this German proposal first.

The President considered that the German delegate's suggestion presented difficulties from the point of view of procedure. The Commission having just adopted Sections I, II and III of the Report as the basis of its discussion, thus could not now substitute for these the German proposal, even if only to reject it. Unless the Commission were willing to go back on its vote, he could not take a decision to this effect. Actually, however, he saw no difficulty in meeting the German delegation's point and at the same time following the procedure adopted, provided the delegation would consent to submit its proposal afresh in the form of an amendment to the text under discussion.

M. BRANDENBURG (Germany) agreed and asked the Committee to regard the German proposal contained in document Conf. D./C.A.13 as an amendment to Sections I, II and III. In order to make it applicable to Section I only, the proposal had been modified as follows:

"The Air Commission,
"In accordance with the instructions received by the General Commission, has examined the arm in the light of the following three criteria:
"(1) What weapons are of a specifically offensive character?
"(2) What weapons are most efficacious against national defence? or,
"(3) What weapons are the most threatening to civilians?
"It considers that the whole of military aviation and, in particular, the launching of means of warfare of any kind from the air, is of a specifically offensive character."

With a view to defining for the purpose in question air armament material, the German delegation, bearing in mind the arguments put forward in the course of the discussion, desires to complete the above resolution as follows:

"Military aircraft shall be understood to mean any aircraft (for example, aeroplanes, dirigibles and free or captive balloons):"
"(1) Which can be identified by identification marks as military aircraft; or
"(2) Which possess military characteristics — viz., installations for carrying weapons of any kind, such as guns, machine guns, torpedoes or bombs, or instruments for aiming or launching such weapons; or

"(3) Which are manufactured for the armed forces of any country; or

"(4) Which are manned by a military pilot or a military crew specially employed for the purpose; or

"(5) Which form part of the equipment of any armed force or are requisitioned by such force."

The President submitted Section I, together with the German amendment, to the Commission for discussion.

M. de Brouckère (Belgium) said that his delegation could not support the German amendment. Firstly, this was not an amendment in the strict sense of the word, since the German text broke entirely new ground. Secondly, he feared that it might lead the Commission, while discussing a purely technical question, to deal with certain problems quite foreign to the matter. The primary consideration he had in mind was the problem of equality of the armaments of every country. This very complex question was political in character and therefore outside the competence of the Committee, which was purely technical.

The second problem it raised — the light in which the Treaty of Versailles should be viewed — could not for the same reasons be taken as a basis of discussion.

It raised a third problem: What armaments should be prohibited? This was a difficult question, but he personally did not consider that it was one upon which the General Commission had asked the Air Commission to come to a decision. To quote the President, he considered that the Commission would be lacking in "intellectual honesty" if it did not confine itself to the single question submitted to it — namely, what weapons were specifically offensive in character? The German proposal failed to provide an adequate reply to this question; therefore the Belgian delegation, while not prejudging the problems raised by this proposal, could not support it.

Lieutenant-Colonel Herrera (Spain) stated that his delegation, as was shown by its earlier proposals, considered essential the abolition of military aviation accompanied by the internationalisation of civil aviation.

M. Dumesnil (France) said that the arguments given by M. de Brouckère were too conclusive to need repetition. The French delegation was in full agreement with them. He had been pleased to hear the reference to the Treaty of Versailles, though he would not discuss the question since it was purely political in character. He asked the President to refer it to the General Commission.

M. Vogt (Sweden) pointed out that the Swedish delegation had proposed the abolition of military aviation, among other reasons because it considered that it was difficult to divide air armaments into categories, some of them permissible, others prohibited. The Sub-Committee's work, to his mind, brought out this difficulty still more clearly. It was, however, impossible to deny that aircraft, according to their construction, use, etc., varied in offensiveness and efficacy against national defence. The Swedish delegation therefore could not vote for the German amendment. He added that the very existence of military aviation might give an offensive character to a country's other armaments, though the machines of such an air force need not in themselves possess specifically offensive characteristics.

M. Brandenburg (Germany) could not agree with M. de Brouckère that the German proposal contained political elements. On the contrary, it was purely technical, proof of this being that it affected not the disarmed countries only but those possessing no anti-aircraft defence also. The Belgian delegate had stated that armaments were forbidden to the disarmed States, not only on account of their offensiveness but for other reasons also. In reply to this and to a question raised by the French delegation in sub-committee, he would like to ask in which article of the Versailles Treaty military aircraft was forbidden as being specifically offensive or efficacious against national defence or threatening to civilians. Certainly not in the preamble to Part V:

"In order to render possible the initiation of a general limitation of the armaments of all nations, Germany undertakes strictly to observe the military, naval and air clauses which follow."

Or in Article 198:

"The armed forces of Germany must not include any military or naval air forces."
Where the question of offensiveness was concerned, he would refer the Committee to a letter written by the Allied and Associated Powers to Germany on June 16th, 1919, a paragraph of which was worded as follows:

"The Allied and Associated Powers wish to make it clear that their requirements in regard to German armaments were not made solely with the object of rendering it impossible for Germany to resume her policy of military aggression. They are also the first steps towards that general reduction and limitation of armaments which they seek to bring about as one the most fruitful preventives of war, and which it will be one of the first duties of the League of Nations to promote."

The Sub-Committee had already expressed the view that the three criteria in the General Commission's resolution were closely interlinked; indeed, the very fact that the General Commission had mentioned them together proved their interdependence. There was therefore no doubt that military aviation as a whole was regarded, in the Versailles Treaty, as possessing these three characteristics.

In reply to M. Dumesnil, the President said he would rather not take it upon himself to refer the question of the Versailles Treaty to the General Commission. He recognised that political arguments must inevitably arise in the course of the discussion, but they should be looked upon as parasites. In any case they were not of any very great intellectual value; they reminded him of the dogmatic arguments used in medieval universities. He asked the delegations to confine themselves strictly to the technical work before them.

M. Langovoy (Union of Soviet Socialist Republics) considered that there was no fundamental difference between the German proposal and the formula in the Sub-Committee's report. The difference was one of terms only; the sense was the same. Hence he did not see why M. de Brouckère was so strongly opposed to the German proposal. He had made no reservation, in the Sub-Committee, as the Soviet delegation considered that military aviation as a whole was dangerous. As the German proposal seemed to him the clearer of the two under discussion, he supported it.

M. Fierlinger (Czechoslovakia) thought the Commission had discussed the question long enough to form an opinion. Its task was to decide which was the most offensive characteristic; thus it could not merely submit the German amendment as a reply to the General Commission. Moreover, the German delegation's proposal was not a solution in the sense of Article 8 of the Covenant. Lastly, it should be remembered that the German delegation had taken part in the drafting of the report and that it should not therefore go back upon what it had said.

M. Szentkeresztessy (Hungary) stated that in his delegation's opinion, military aviation as a whole was a most offensive weapon. This opinion was the weightier, in that it was held by the delegation of a country which, possessing no military aircraft, was not in a position to defend itself against air attack. The Hungarian delegation therefore supported the German proposal.

M. Quintana (Argentina) was in favour of leaving the report as it stood. He pointed out that under Section I (a), the sentence "without prejudice to the question of their defensive uses" had been inserted at his delegation's request, the Argentine being from the geographical point of view specially situated. As his country did not possess sufficient naval and land armaments for adequate defence, he must ask that this sentence be retained. The same applied to the end of II (b) and the comment on II (b). The Argentine delegation was in favour of the report as it stood and proposed that it should be submitted in this form to the General Commission.

M. Rutgers (Netherlands) stated that the German proposal was not a reply to the General Commission's question. For instance, it referred to "launching"; launching was, however, not a weapon but an act.

Moreover, the very terms of the General Commission's resolution admitted of a reply on the lines of that given in the report. This reply could not, strictly speaking, be looked upon as a great step forward, but progress would be achieved later. In other words, the Sub-Committee's report, far from bringing the Air Commission's task to an end, merely prepared the way for further work.

M. Valлотton (Switzerland) saw a paradox in the statement made by the Soviet delegate. Section I of the report provided a complete programme which, starting on broad principles with (a), (b) and (c), ended, with (d), in a definite technical conclusion. The German proposal, on the other hand, was rather disquietingly simple. Thus it seemed paradoxical to state that the two proposals were identical. The general conclusion reached in the German proposal would be valueless to the General Commission, and the Air Commission, if it adopted it, would sign its own certificate of technical incapacity.
He understood the German delegation’s position only too well, but since it had given such valuable cooperation in the Sub-Committee he would ask it not to press its proposal. Could it not, subject to reservations, make a declaration of which note could be taken and which the Hungarian delegation could support? He hoped that the Soviet delegation would consent to take Section I of the report as the basis for discussion, particularly as it, too, had helped to draft paragraph (c) of that section.

The President pointed out that the Swiss proposal was not quite regular from the point of view of form. There was no question of the acceptance of Section I by the German delegation as the basis of discussion; this had already been done. The German proposal was submitted as an amendment to Section I, and the point under discussion was Section I plus the German amendment.

Colonel Löhrr (Austria) pointed out that the effectiveness of air attack did not depend solely on the nature of the aircraft used but to a great extent upon the characteristics of the object attacked; here tactical, geographical and other elements came in, and in the reply to the General Commission’s three questions due allowance should be made for these elements.

In the case of Austria, for instance, her capital, one of the richest in the world in art and monuments of every kind and with a population representing a third of the total population of the country, was twelve minutes only by aeroplane from certain foreign military airports. Austria, however, had no means of defence against air attack. Thus any aeroplane, even a slow machine not armed for air warfare, could attack Vienna unhindered and drop bombs at will. Such operations could be effected from a low altitude and with the utmost safety, the machine being certain of its immunity. Such a machine could for Austria constitute a greater menace than could a real bomber in the case of a country whose capital was favourably situated and possessed anti-aircraft defences. Thus, any classification of offensiveness and efficacy of air armaments must take into consideration the special circumstances of certain countries, especially of those without means of air defence. The Austrian delegation therefore supported the German and Hungarian view.

On behalf of the Swiss delegation, the President asked the German delegation if it was ready to withdraw its amendment; if not, a vote would be taken.

M. Brandenburg (Germany) thanked the Swiss delegate for his conciliatory suggestion, but regretted that he was not in a position to withdraw his proposal. He must ask for a vote, especially as several countries not affected by the Versailles Treaty were in favour of the abolition of military aviation. Were he to abandon his point as he had done in the Sub-Committee, with a view to providing a unanimous basis of discussion, the General Commission would have no clear idea of the fact that some at least of the members of the Air Commission considered that military aviation as a whole corresponded to the three criteria.

M. Lange (Norway) feared that as a result of the German delegate’s statement, the Commission’s vote would be taken to mean that those voting against the German proposal were against the abolition of military aviation. He would like to make a very definite reservation on this point.

M. Van der Donckt (Belgium) intended to vote against the German proposal, as he did not look upon all military aviation as offensive. Chaser and scouting machines, for instance, were rather defensive than offensive machines.

Colonel Lanskoronksis (Lithuania), speaking as the representative of a small country, supported the delegates who sought to prohibit the use of offensive weapons. From the technical point of view, however, he wondered whether the Air Commission would not be lacking in sincerity were it to adopt the German amendment. In so doing it would fail to reply to the three questions submitted by the General Commission.

Colonel Martola (Finland), in explanation of his vote, stated that his delegation could not support the German proposal, not because the principle of total abolition of military aviation was unacceptable to it — provided, of course, that all countries agreed to it — but because the proposal made no mention of the part to be played by civil aviation. He preferred that the Commission should work on the lines suggested by the Sub-Committee.

M. Langovoy (Union of Soviet Socialist Republics) stated that he had reservations to make on Section I (b) and (c).
M. BRANDENBURG (Germany) was anxious to correct the impression that the German proposal ignored civil aviation. In the very full definition of military aviation given therein, point 5 specifically referred to machines which “form part of the equipment of any armed force or are requisitioned by such force”. Thus the proposal covered the use of all civil aviation, down to the smallest sporting machine, for any military purposes whatsoever.

The President put the German amendment to the vote.

The amendment was rejected by 22 votes to 7.

The Commission therefore decided to take as the basis of its discussion Section I as it stood.

EIGHTH MEETING

Held on Thursday, May 19th, 1932, at 3.30 p.m.

President: M. DE MADARIAGA afterwards M. MARINOFF


Section I, Paragraph (a).

M. BOHEMAN (Sweden), Rapporteur, read the text of Section I, paragraph (a), which was worded as follows:

“All air armaments can be used to some extent for offensive purposes, without prejudice to the question of their defensive uses.”

The following comment had been made on this paragraph:

“The Italian delegation considers that the words ‘without prejudice to the question of their defensive uses’ should not appear in the text, seeing that the question of the use of air armaments for defensive purposes does not enter into the terms of the General Commission’s resolution.”

M. LANGE (Norway) thought there was nothing to prevent the Commission from basing its technical work on certain general considerations—in other words, from a certain interpretation of the General Commission’s resolution. The Sub-Committee’s report, moreover, contained certain elements foreign to the Commission’s task. The essential part of this task was the prevention of any sudden aggression; herein lay the great danger to international peace. The Commission must therefore decide which were the armaments most suitable for purposes of sudden aggression in that they created faits accomplis and rendered effective mediation useless. M. Fierlinger had with good reason referred at the previous meeting to Article 8 of the Covenant, in which the Members of the League recognised that, if peace were to be maintained, a reduction of national armaments was necessary. This principle was, however, subject to certain geographical conditions and to the principle of international co-operation dictated by the need for common action. He hoped that the Commission would invariably bear this consideration in mind. It must not merely consider the offensive or defensive qualities of a weapon; it must rise above such tactical considerations. In view of this, certain passages in the report might well be modified. He would be glad if the Italian delegation would present its comment as an amendment to Section I, paragraph (a). The words “to some extent”, too, might well be omitted. Nevertheless, he recognised that the potential armament constituted by a strong civil air force must be considered.

M. BOHEMAN (Sweden), Rapporteur, in explanation of the drafting of I (a) in sub-committee, said that it was the result of a compromise. Certain delegations had been anxious to stop at the words “for offensive purposes”; others, foremost among them the Argentine, had insisted upon the addition of the last phrase, which formed the subject of the Italian reservation.
General Piccio (Italy) explained the reasons for the reservation to I (a). He must at the same time define the Air Commission’s conception of the general criteria of the degree of offensiveness attributed to the various air armaments, thus hoping to avoid any misunderstanding which might detract from the precision of the reply to the General Commission.

Without doubt, everyone agreed that not only air armaments but armaments of all kinds could, according to the use to which they were put, serve offensive as well as defensive purposes. The General Commission had, however, asked the Commission to determine which air armaments were specifically offensive. It was simply in order to make the reply answer the question that the Italian delegation considered the phrase “without prejudice to the question of their defensive uses” valueless. It was a reply to a question which had not been asked.

Turning to the definition of “offensiveness”, there was, he thought, a fundamental difference between the conception of offensiveness for land and naval armaments on the one hand and for air armaments on the other. As regards land armaments, the increase in a gun’s efficacy, and therefore in its offensiveness, varied, other things being equal, strictly in accordance with its calibre. For naval armaments the increased efficacy, and therefore offensiveness, of a vessel varied, other things being equal, strictly in accordance with any increase in its tonnage.

Where air armaments were concerned, however, these rules no longer applied. The machine in which Lindbergh had so easily crossed the Atlantic had an unladen weight of about 875 kilogrammes and was of 225 horse-power, while the big DO.X. machine, weighing 28 tons, was not only not thirty times more efficacious, but had given definitely inferior results, only succeeding in crossing the Atlantic by stages. As far as he remembered, the longest stage it had flown was 2,400 kilometres only. This example showed clearly that the offensiveness of aircraft did not, as in the case of land and naval armaments, depend exclusively upon size. For such reasons as these, the Italian delegation had urged the inclusion of the words “considered separately” when specifying the degree of offensiveness; it had also required mention of “capability of arriving at the objective”. It must be remembered that, for constructional reasons, the load carried by a machine weighing $x$ tons — above a certain tonnage limit — must be less than that carried by two machines of half this weight — i.e., $\frac{x}{2}$ tons.

The conclusion to be drawn from these constructional data was that, even given a fixed total tonnage for two air fleets, the degree of offensiveness of the fleet containing the larger number of small-tonnage machines would be greater than that of the fleet with the lesser number of more powerful machines.

Capability of arriving at the objective was a factor to be borne in mind when judging of offensiveness. This capability, however, also depended upon the most favourable tonnage unit to be used in certain conditions, and this was not necessarily the largest unit. What tonnage gave a machine in an air fleet of fixed dimensions the greatest degree of offensiveness? The answer to this question depended on several other factors, but the heaviest machine was certainly not at an advantage. He thought he was not far wrong in stating that the plane in question would be a low-tonnage machine.

M. Quintana (Argentina) hoped that the delegations who had helped to draft the report in the Sub-Committee would not reopen their discussions in plenary session. He had already stated his reasons for wishing that the phrase in question should be maintained, and asked the delegations which, like that of Norway, had not taken part in drawing up the report, to be content with supporting the Italian reservation.

M. Lange (Norway) thought the Commission should know whether the text adopted in the report represented the opinion of the majority or the minority of the Air Commission. This text, though it had been called a compromise, seemed to him to have been forced through the Sub-Committee by a minority taking advantage of the right of veto. The Disarmament Conference had something to learn in the setting out of the points of view of the various delegations. The Norwegian delegation therefore asked for a vote on the question.

Group-Captain Babington (United Kingdom) wanted the Commission, before voting, to be quite clear as to the point at issue. The Sub-Committee, and no doubt the Commission too, was unanimous in approving the first part of the sentence, which was a bare statement of fact.

As regards the second part, he did not think anyone had questioned the fact that, if air armaments existed at all, they could be used for offensive as well as for defensive purposes. The German delegate, for instance, had stated only the day before that even the most terrible of offensive weapons could be used for defence. Surely the members of the Commission were all agreed as to the substance of this second phrase — that air
armaments could be used for defence; if so, the only question to be put to the vote was: Should the words be included in the report? Personally, he felt that their omission might involve the Commission in difficulties later on.

Lieutenant-Colonel Herrera (Spain) considered that the last part of I (a) did not constitute a direct reply to the question submitted by the General Commission. Accordingly the Spanish delegation, though it had helped to draft the text in the Sub-Committee, would abstain from voting.

M. BOHEMAN (Sweden), Rapporteur, stated that no vote had been taken on these words in the Sub-Committee. The Swiss delegation had proposed the text, which had been accepted almost unanimously. Even the delegations most strongly opposed to its insertion had considered that the words in no way affected the Air Commission's mandate. It would be difficult for certain delegations which had accepted the compromise to vote now on the deletion of the words.

M. DUMESNIL (France) testified that the sentence adopted by the Sub-Committee was a compromise. The Air Commission had been asked to define those air armaments which were specifically offensive — in other words, to state whether any air armaments were suitable for offence only. Following these instructions, the Sub-Committee had fulfilled its task without prejudging the defensive uses of such armaments. The reservation of the United States, Argentine, French and United Kingdom delegations given in the report was made in this sense. The original text proposed by the United Kingdom delegation read: "All aircraft can be used offensively and all likewise can be used defensively. Their offensive character depends on the use made of them." The Sub-Committee had compromised on the text before them in order to meet the wishes of certain delegations who considered that that version was not sufficiently flexible.

He would ask the Norwegian delegation not to press for a vote. If it did so, however, the Air Commission should discuss not the text as it stood, but the United Kingdom's — which was the original — proposal.

M. RUTGERS (Netherlands) would refrain from criticising the Sub-Committee's report, especially as it was not the last word upon the subject, but rather, as the President had said, a basis for discussion. It was for the Commission itself to give the final reply to the General Commission's question. He made this statement in order to explain that, though he would vote for the Norwegian proposal, this would not imply criticism of the Sub-Committee's work nor mean that he disagreed with the last part of the sentence. It would merely mean that he did not wish to give an opinion on the point.

Mr. DULLES (United States of America) thanked the Rapporteur for explaining the action taken by the Sub-Committee. On the question of principle his delegation agreed with those of the Argentine, the United Kingdom and France. No one could fail to agree with the Netherlands delegate's point regarding procedure — namely, that the Sub-Committee's work was open to discussion.

In reply to the delegates of the Netherlands and Norway, he would, however, point out that the Sub-Committee did not in each case consider the possible defensive value of each weapon. Thus, if the words "without prejudice to the question of their defensive uses" were deleted, many delegations might be forced to insert special reservations regarding the defensive aspects of weapons in later parts of the report. If retained, on the other hand, it might be easier to adopt later passages as they stood.

General Piccio (Italy) argued that the text of I (a) could not be a compromise; had it been so, it must have been unanimous. The General Commission had not, as M. Dumesnil had said, asked the Air Commission to indicate what air armaments were "suitable for offence only". No such armaments existed. It had asked what armaments were "specifically offensive"; there was more than a shade of difference there.

Granted that paragraph I (a) was not a compromise and that an Italian reservation existed, supported by other delegations, he must ask for a vote in order that the delegations in question might take up a definite position.

M. LANGE (Norway) stated that, since the Netherlands delegate had supported him, he thought it only logical to press his point. The primary task of the Air Commission was to supply the General Commission with a basis for judgment. Hence he saw no reason for compromises. Obviously, each delegation was at complete liberty to make any
reservations or remarks it thought fit. Thus, a vote should be taken, and the various points of view expressed should be inserted in the final report. It was for the General Commission to reach a compromise in the political field, which lay outside the Air Commission’s scope.

M. VOUGT (Sweden) stated that his delegation would abstain from voting.

M. LANGOVOY (Union of Soviet Socialist Republics) pointed out that it had more than once been stated that the offensive characteristics of military aviation and the danger which it presented for civilians were determined by the use to which it was put. He did not deny that the most specifically offensive qualities of military aviation and the grave danger which it presented both to national defence and to civilians could only be judged, practically speaking, when it was directed against a particular objective. The Soviet delegation strongly opposed the statement that these destructive elements could in any ultimate be minimised by a statement that these destructive elements must be used for defensive purposes only. Nobody manufactured air armaments and kept reserves of bombs and other means of destruction in order to keep them on show in depôts in time of war. The very fact that such armaments existed in peace-time constituted a danger to national defence and a menace to civilians. It was the special construction and characteristics of modern military aircraft which were of real importance as regards the purpose they served. This was the point upon which knowledge was important, and the Air Commission, when replying to the General Commission, must reply in the affirmative to each of the questions on military aviation submitted to it. This aviation was designed for attack, was used for attack, destroyed defences, demolished whole districts and constituted a menace to civilians. It was nothing short of a specifically offensive weapon.

Not only on the logical grounds referred to by the Norwegian delegate, but for these reasons also, M. Langovoy supported the Norwegian proposal, which he considered thoroughly well founded.

M. GAJARDO (Chile) stated that, as Chile was in exactly the same position as the Argentine, whose views were met by the Sub-Committee’s Section I (a), his delegation would vote in favour of this text.

Colonel MARTOLA (Finland) felt that too much importance should not be attached to the discussion, which bore on a point of drafting only. The fact that aeroplanes could be used for offensive purposes could not be contested. This idea was, however, expressed in the first part of the sentence, for it was to some extent understood by the words “can be used”. This should satisfy the delegations who wished to voice the idea in the report. As, moreover, the General Commission had not asked the Air Commission’s opinion upon the defensive characteristics of armaments, he supported the Norwegian delegate’s proposal.

The PRESIDENT agreed with the Finnish delegate that the discussion was descending to dialectics. He thought the phrase used in I (a) was quite harmless; it was almost tautologous. The words “can be” and “to some extent” constituted an adequate reservation and should satisfy those members in favour of retaining the last half of the sentence. He would point out to those anxious for its deletion, that, in his view, the phrase was meaningless. The question was by no means worth the importance which had been attributed to it, and he feared that it might serve as a pretext for bringing up possibly subconscious theories which would be out of place in the Commission. He saw no objection to deleting the words to which objection had been raised. Indeed, he saw no need for reducing the various opinions expressed by the Commission to a common denominator. It would be better to state in the report that so many delegations expressed one opinion, so many another, and so on.

M. DUMESNIL (France) stated that the text as it stood satisfied the French delegation. If the statement was made without prejudice to defensive uses, why not say so? He therefore saw no objection to retaining the second part of the sentence. The President had suggested that, in order to give general satisfaction, certain delegations should make reservations. Such reservations should, however, refer to the text under discussion, and this only after the ultimate adoption of the Sub-Committee’s text. In the Sub-Committee, three delegations only had opposed the text originally suggested by the British delegation. Their view had been taken into account in order to produce a less rigid text satisfactory to all. He proposed that the Commission should vote upon this text and that a paragraph regarding the reservations made by certain delegations should be added to the report.
In reply to this proposal, the President pointed out that it was impossible to know in advance by whom and in what sense such reservations would be made. Everything would depend upon the vote as to whether the second part of the paragraph should be retained or deleted.

M. QUINTANA (Argentina) referring to an earlier remark by the President, stated that, for reasons which he had given already, he attached great importance to the sentence in question. He supported the French delegation's view.

M. RUTGERS (Netherlands) stated that, if when the vote was taken he was in the minority, he would make no reservation.

The President put Section I, paragraph (a) to the vote.

The Commission adopted the Sub-Committee's text by 18 votes to 12.

(M. Marinoff (Bulgaria) took the Chair in place of M. de Madariaga.)

M. BRANDENBURG (Germany) had abstained from voting, but before the close of the discussion on paragraph I (a) desired to state that the German delegation intended to make a general reservation, covering the whole report, at the end of the discussion.

General Piccio (Italy) stated that his delegation wished its reservation, given in the Sub-Committee's report, to be retained in the report to the General Commission.

M. LANGE (Norway) and APTOLAHAT Bey (Turkey) stated that they endorsed the Italian reservation.

Section I, paragraph (b).

M. BOHEMAN (Sweden), Rapporteur, read the paragraph, which was worded as follows:

"Certain civil aircraft may become an integral part of the air armaments of a country after adaptation for military purposes."

The following comments had been made on this paragraph:

"The German delegation is of opinion that the assertion contained in this paragraph does not apply to countries which have no military air force.

"The Japanese and Polish delegations consider that adaptation for military purposes is not a necessary condition for certain civil aircraft to be able to become an integral part of the air armaments of a country."

The following proposal had also been made:

"The Roumanian, Czechoslovak and Yugoslav delegations,

"Considering that all civil aircraft may, like military aircraft, become an integral part of a country's air armaments, and that such civil aircraft may be used in war for military purposes — according to their horse-power and constructional characteristics — as training, liaison, reconnaissance, fighting, and more particularly bombing aircraft, even without being adapted to military purposes (as indeed occurred in the 1914-1918 war):

"Propose the following amendment to paragraph I (b) of the conclusions of the Sub-Committee of the Air Commission:

"At the beginning of the sentence substitute the word "all" for the word "certain", and delete the words with which the paragraph concluded, "after adaptation for military purposes"."

"The revised paragraph would accordingly read:

"All civil aircraft may become an integral part of the air armaments of a country."

M. BRANDENBURG (Germany) said that his statement regarding the general reservation to be made by Germany applied to paragraph I (b) also.

Lieutenant-Colonel NAUMOVITCH (Yugoslavia) pointed out, in explanation of the amendment submitted by the Roumanian, Czechoslovak and Yugoslav delegations, that that amendment referred to the Sub-Committee's statement on civil aviation, which would, as it stood, render the task both of the Air Commission and of the Conference itself much more difficult. The purposely vague wording might mean that the whole question of civil aviation would be left aside.