the States Members for immediate measures to be taken to stop this invasion, which is contrary to the Covenant and is unanimously condemned."

Speaking again at the afternoon meeting, the representative of Italy said: "It is clear that, if this conciliation procedure fails, it is not because of a discussion which might have brought out divergencies of opinion, but because of the previous determination of one of the parties. Italian co-operation in the work of European pacification, which will have to follow the settlement of the Italo-Ethiopian dispute — a dispute that should have been kept within strictly colonial limits — will also be retarded by the failure of conciliation."

The Members of the Council other than the parties then stated their views on the situation.

At the end of the debate, the President of the Council, Mr. Bruce (Australia), and the Chairman of the Committee of Thirteen submitted a draft resolution for consideration by the Council, including the representatives of the parties, in private.

This draft was afterwards submitted in public session in the following amended form: 2

"The Council:

"Takes note of the report of the Committee of Thirteen;

"Approves and renews the appeal addressed by the Committee to the two parties for the prompt cessation of hostilities and the restoration of peace in the framework of the League of Nations and in the spirit of the Covenant;

"Notes that, on March 5th, the Ethiopian Government, in reply to this appeal, 'agreed to the opening of negotiations subject to the provisions of the Covenant being respected. It noted that the Committee of Thirteen's proposal was made, and that the negotiations would be conducted in the spirit of the Covenant and in the framework of the League of Nations';

"Likewise notes that, on March 8th, the Italian Government, in reply to this appeal, 'agreed in principle to the opening of negotiations concerning the settlement of the conflict';

"Regrets that the information obtained by the Chairman of the Committee of Thirteen and the Secretary-General shows that the effort at conciliation made by the Committee of Thirteen in accordance with its appeal to the two parties has not succeeded;

"Regrets that, in these circumstances, it has not been possible to bring about the cessation of hostilities, and that the war is

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1 See Official Journal, April 1936 (Part II), page 377.
2 See Official Journal, April 1936 (Part II), page 392.
continuing under conditions which have been declared to be contrary to the Covenant, and which involve the execution of the obligations laid upon the Members of the League in such a case by the Covenant;

"Addresses to Italy a supreme appeal that, in view of present circumstances, which call for the co-operation of all the nations, she should bring to the settlement of her dispute with Ethiopia that spirit which the League of Nations is entitled to expect from one of its original Members and a permanent Member of the Council;

"Recalls that Italy and Ethiopia are bound by the Protocol of June 17th, 1925, on the use of asphyxiating, poisonous or other gases, and by the Conventions regarding the conduct of war to which these two States are parties, and emphasises the importance which has been attached to these instruments by all the contracting States."

The Italian representative declared that he voted against the draft resolution.

The draft resolution was adopted.

The representative of Ecuador (M. Zaldumbide), while approving the resolution as a whole, said, with regard to the sixth paragraph, that his Government maintained the decisions it had taken in respect of sanctions. The Government of Ecuador had decided on April 4th "to raise the sanctions which it had enacted against Italy, on the ground that Italy had accepted the appeal made to her by the Conciliation Committee and had declared herself prepared to enter into negotiations for bringing the dispute to an end ".

The representative of Ethiopia put this question: "Will the Council be content to address to the Italian Government, which has challenged the League of Nations and the whole world in the name of might against right, another supreme but academic appeal for its co-operation in the maintenance of peace? Is that the effective assistance which States Members have bound themselves to afford by signing Article 16 of the Covenant?"

Departure of the Emperor of Ethiopia. Signature of the Decree-Law of May 9th at Rome.

The Italian Northern Army entered Dessie on April 15th; no Ethiopian army remained between it and Addis Ababa. The entrenched camp of Sasabane fell on the 30th, and the Italian Southern Army was able to march rapidly on Harrar
and Diredawa (on the railway from Addis Ababa to Jibuti). On May 2nd, the Emperor Haile Selassie left his capital for Jibuti; on the 5th, Addis Ababa was occupied by the Italian Northern Army.

On May 9th, the King of Italy signed a decree-law, Article 1 of which said: "The territories and peoples which belonged to the Empire of Ethiopia are placed under the full and entire sovereignty of the Kingdom of Italy. The title of Emperor of Ethiopia is assumed by the King of Italy for himself and his successors."

On May 10th, the Emperor Haile Selassie telegraphed from Jerusalem to the Secretary-General: ¹ "We have decided to put an end to the most sweeping, the most unjust, and the most inhuman war of modern times by leaving the country in order to avoid the extermination of the Ethiopian people, and to be able to devote ourselves freely and peacefully to the preservation of the age-old independence of Ethiopia and the principles of collective security and the sanctity of international obligations, all of which are threatened by Italy. From the outset, we have made every effort to avoid the disturbance of peace, we have loyally defended our soil until, as a result of Italy's raining of gas, it became obvious that our resistance could not be continued, and that, in any case, that resistance could only lead to the extermination of the Ethiopian people, and we now ask the League of Nations to pursue its efforts to ensure the respect of the Covenant and to decide not to recognise territorial extensions or the exercise of an alleged sovereignty resulting from illegal recourse to armed force and many other violations of international obligations."

**Ordinary Session of the Council, May 11th.**

On May 11th, the Council met in ordinary session at Geneva. Baron Aloisi, representative of Italy, having announced that he had a statement to make on the placing of the Italo-Ethiopian dispute on the agenda of that session, the representative of Ethiopia was invited to be present.

The representative of Italy thereupon left the Council room, after stating that the Italian delegation could not agree to the self-styled Ethiopian representative's being present. He added: ²

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¹ See *Official Journal*, June 1936, page 660.
“Nothing resembling an organised Ethiopian State exists. The only sovereignty in Ethiopia is Italian sovereignty. Any discussion on a dispute between Ethiopia and Italy would accordingly be pointless. I am bound, therefore, not to take part in it.”

The question of the Italo-Ethiopian dispute was placed on the agenda of the session. The Italian representative then resumed his seat at the public meeting, at which this question was not to be discussed.

Next morning, the Italian delegation was recalled to Rome, and in its absence, on May 12th, the Council considered a draft resolution which was the outcome of an exchange of views between various members.

This draft was worded as follows: 1

“The Council,

Having met to consider the dispute between Italy and Ethiopia:

Recalls the conclusions reached and the decisions taken in this matter in the League of Nations since October 3rd, 1935;

Is of opinion that further time is necessary to permit its Members to consider the situation created by the grave new steps taken by the Italian Government;

Decides to resume its deliberations on this subject on June 15th;

And considers that, in the meantime, there is no cause for modifying the measures previously adopted in collaboration by the Members of the League.”

The representative of Ethiopia, M. Wolde Maryam, reminded the Council that, in a written statement submitted on the previous day, he had expressed “the feelings of the Ethiopian Government and its unshakable determination to defend the integrity and independence of the Empire”.

“The Ethiopian delegation”, he added, “requests the Council vigorously to condemn the new act of violence of the Italian Government and its claim to suppress by force a State Member of the League of Nations. The Ethiopian delegation asks that all the provisions of Article 16 of the Covenant should at last be enforced, so that all States, weak or powerful, which are threatened by the ambition and covetousness of an unscrupulous Government may be reassured. The moment is a tragic one for Ethiopia. It is no less grave for the League of Nations. On

1 See Official Journal, June 1936, page 540.
the resolution that the Council takes to-day depends the future and the very existence of the League of Nations."

The Argentine representative, M. Ruiz Guñazú, said that, taking into account the present serious circumstances, and with a view to safeguarding the fundamental principles of the Covenant, he accepted the draft resolution, while making a reservation on behalf of his Government as to the adjournment of the discussion.¹

The representative of Chile, M. Rivas Vicuña, agreed to the postponement, but said that he would refrain from voting on that part of the resolution which involved the maintenance of sanctions. "I desire to state", he said, "that, without prejudging the examination of the substance of the problem, my Government is of opinion that, since the war is finished, sanctions should be raised. Sanctions no longer have any object, and they affect, not only the country against which they have been enforced, but also the countries applying them. My Government considers that, at the present time, the adoption of this point of view would constitute an effective contribution towards remedying the economic and political crisis from which the world is suffering."²

The representative of Ecuador, M. Zaldumbide, approved the adjournment of the substantive question, but said he could not subscribe to the last part of the resolution, to the effect that "the Members of the Council consider there is no cause for modifying the measures taken, including sanctions, during this conflict". His Government, which had raised sanctions for the reason it had stated to the Council in April, could not now associate itself with their maintenance. "Sanctions", he said, "were devised and adopted solely as the most appropriate means to accelerate the end of hostilities." He also criticised the expression "measures adopted in collaboration", used in the resolution. "Though it is true", he said, "that the principle of sanctions and the

¹ On June 2nd, the Argentine Government asked that the Assembly might be convened, and expressed the view that the latter should examine "the situation brought about by the annexation of Ethiopia and also the position in regard to the sanctions enacted by the League". The Assembly was convened for June 30th, and the meeting of the Council, originally fixed for June 15th, was postponed until the 26th.

² In a communication of the same date, the Chilian representative also informed the Secretary-General of his Government's opinion concerning the raising of sanctions. "I should be glad", he added, "if you would communicate my Government's proposal to the competent organs for necessary action". The Chairman of the Co-ordination Committee informed the Chilian representative that, owing to the Council's decision to adjourn until the month of June, he also thought it advisable to postpone the meeting of the Committee of Eighteen to that date. The Chilian Government's communication, he said, would be submitted to that Committee.
conditions for the application of that principle were laid down by common agreement, it is no less true that it was left to the free will of States Members to adopt the internal measures. Governments were asked individually to promulgate the necessary decrees; they did so in the full exercise of their liberty. Hence it would seem to follow that, just as the Governments were left free to conform to such action for such time as the circumstances in their opinion necessitated, so they were not bound by the decisions of other Governments or of the Co-ordination Committee to maintain sanctions indefinitely. Convinced of this, my Government did not consider it necessary to submit its decision for the previous consideration of the Sanctions Committee.”

The Council noted these reservations, and adopted the draft resolution.

B. Measures taken under Article 16 of the Covenant.

Co-ordination Committee.

The Assembly adopted on October 10th, 1935, the following recommendation in connection with the Italo-Ethiopian conflict:

“The Assembly,

“Having taken cognisance of the opinions expressed by the Members of the Council at the Council’s meeting of October 7th, 1935;

“Taking into consideration the obligations which rest upon the Members of the League of Nations in virtue of Article 16 of the Covenant and the desirability of co-ordination of the measures which they may severally contemplate;

“Recommends that Members of the League of Nations, other than the parties, should set up a Committee, composed of one delegate, assisted by experts, for each Member, to consider and facilitate the co-ordination of such measures and, if necessary, to draw the attention of the Council or the Assembly to the situations requiring to be examined by them.”

The Co-ordination Committee which was set up in consequence of this recommendation met on the next day, October 11th. It consists of representatives of all the Members of the League, except Ethiopia and Italy. At the first session, fifty-two Governments were represented. The Committee elected as its President Dr. Augusto de Vasconcellos (Portugal).
Committee of Eighteen.

The Co-ordination Committee constituted a sub-committee, which was later called the Committee of Eighteen, which was requested to submit proposals to it. Later, on October 19th, the Co-ordination Committee gave to the Committee of Eighteen the following mandate:

"The Co-ordination Committee requests the Committee of Eighteen to continue in session in order to follow the execution of the proposals already submitted to Governments, and to put such new proposals as it may think advisable to make before the Co-ordination Committee or the Governments represented thereon. To this end, the Committee of Eighteen shall appoint such sub-committees, technical or other, as it may deem fit among its own members or from those of the Co-ordination Committee."

The Committee of Eighteen is composed of representatives of the following Governments: Union of South Africa, Argentine, Belgium, United Kingdom, Canada, France, Greece, Mexico, Netherlands, Poland, Portugal, Roumania, Spain, Sweden, Switzerland, Turkey, Union of Soviet Socialist Republics and Yugoslavia. It elected as its Chairman Dr. de Vasconcellos, President of the Co-ordination Committee.

Measures proposed.

The Committee of Eighteen began its work immediately.

Under the first paragraph of Article 16 of the Covenant, should any Member of the League resort to war in disregard of its covenants under Articles 12, 13 or 15, the other Members "undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a Member of the League or not".

The second paragraph states that "it shall be the duty of the Council in such case to recommend to the several Governments concerned what effective military, naval or air force the Members of the League shall severally contribute to the armed forces to be used to protect the covenants of the League."

Under paragraph 3, "the Members of the League agree,
further, that they will mutually support one another in the financial and economic measures which are taken under this article, in order to minimise the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State”.

In 1921, the Assembly, when voting a number of amendments to Article 16, adopted certain resolutions constituting “rules for guidance” which it recommended “as a provisional measure” to the Members of the League in connection with the application of Article 16 so long as the amendments have not been put into force. Resolution 3 declared that “the unilateral action of the defaulting State cannot create a state of war; it merely entitles the other Members of the League to resort to acts of war or to declare themselves in a state of war with the Covenant-breaking State; but it is in accordance with the spirit of the Covenant that the League of Nations should attempt, at least at the outset, to avoid war and to restore peace by economic pressure”.

The exact status of the 1921 resolutions has been a subject of discussion ever since it became clear that the amendments voted at that time would not obtain the necessary ratifications for coming into force. An exchange of views on this question took place at the first meeting of the Committee of Eighteen. Without taking the 1921 resolutions as a legal foundation for their work, the Members of the League agreed to adopt various practical proposals capable of a general application and which might from time to time be revised and extended. Complete severance of financial, commercial or personal intercourse was not proposed at any of the meetings of the Committee. The Committee limited itself to proposing measures of economic and financial pressure.

On October 11th, the Committee of Eighteen submitted to the Co-ordination Committee, which adopted it, a first proposal dealing with arms, ammunition and implements of war, in which it was proposed (a) that Governments which were at that time enforcing an arms embargo on Ethiopia should immediately lift such embargo, and (b) that Governments should at once impose an embargo on the exportation, re-exportation or transit of arms, ammunition and implements of war to Italy and the Italian Colonies.
For a definition of arms, ammunition and implements of war, the Co-ordination Committee provisionally adopted the list contained in the Proclamation made shortly before by the President of the United States of America. A sub-committee of military experts was created by the Committee of Eighteen for the purpose of revising this list and, as a result of its work, a somewhat more detailed list was adopted by the Co-ordination Committee on October 16th, 1935 (Proposal I A).

Meanwhile, the Co-ordination Committee had adopted on October 14th a declaration concerning mutual support, proposed by the Committee of Eighteen, which reads as follows:

"The Members of the League agree, further, that they will mutually support one another in the financial and economic measures which are taken under this article, in order to minimise the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the Covenant-breaking State."

On the same day, October 14th, the Committee of Eighteen adopted Proposal II, dealing with financial measures.

On October 16th, the Co-ordination Committee adopted the following resolution concerning the obligations which flow from Article 16 of the Covenant:

"The Committee of Co-ordination,
"Considering that it is important to ensure rapid and effective application of the measures which have been and may subsequently be proposed by the Committee;
"Considering that it rests with each country to apply these measures in accordance with its public law and, in particular, the powers of its Government in regard to execution of treaties:
"Calls attention to the fact that the Members of the League, being bound by the obligations which flow from Article 16 of the Covenant, are under a duty to take the necessary steps to enable them to carry out these obligations with all requisite rapidity."

During the following days, the Committee of Eighteen elaborated Proposals III (Prohibition of imports of Italian goods), IV (Embargo on certain exports to Italy) and V (Organisation of mutual support), which were adopted by the Co-ordination Committee on October 19th. All these Proposals and decisions were, immediately after their adoption, communicated to the various Governments, which were asked to inform
the Co-ordination Committee of the date on which they could be ready to put the measures into operation.

The Co-ordination Committee met again from October 31st to November 2nd. On the latter date, it decided to request all Governments to give full legal effect to Proposal II by or before November 18th, and decided to fix that same day for the entry into force of Proposals III and IV. It simultaneously adopted certain resolutions completing the various Proposals. For this same purpose, further resolutions and Proposals were adopted by the Committee of Eighteen on November 6th.

Summary of the Proposals adopted.

Proposal I was, as explained above, to the effect that the arms embargo imposed on Ethiopia should be lifted and that an embargo should be imposed on the exportation, re-exportation or transit to Italy and Italian colonies of the arms, ammunition and implements of war defined in Proposal I A.

Proposal II was to the effect that the Governments of the Members of the League of Nations should put an embargo on all loans and credits to the Italian Government or to any public authority, person or corporation in Italian territory, either directly or indirectly.

In order to prevent the accumulation of credit balances under clearing agreements through exports to Italy, the Committee of Eighteen proposed (Proposal II A), on November 6th, 1935, that Governments should take measures to prohibit, as from November 18th, the acceptance of any new deposit of lire into an Italian clearing account in payment for such exports. It was also suggested in this Proposal that the purchase price of imports of Italian products which had not yet been paid for might be lodged in national accounts and be employed for the settlement of claims arising from exports to Italy. In this same connection, a resolution had been adopted by the Co-ordination Committee on November 2nd, by which the States applying measures in application of Article 16 of the Covenant declared that they considered that the debts payable by Italy to them under clearing or other arrangements, the payment of which would become impossible through the prohibition of
imports of Italian goods, would remain valid at their then present value, notwithstanding any action that might be taken by Italy.

Proposal III was to the effect that Governments should prohibit the importation into their territories of all goods consigned from, or grown, produced or manufactured in Italy or Italian possessions, from whatever place they arrived, with the following exceptions:

(a) Gold or silver bullion and coin;
(b) Goods en route at the time of the imposition of the prohibition (November 18th);
(c) Personal belongings of travellers from Italy or Italian possessions;
(d) Italian goods which have been subjected to some process or have been partly manufactured in another country, if 25% or more of the value of the goods at the time when they left the last place from which consigned is attributable to processes undergone since the goods left Italy or Italian possessions;
(e) Goods fully paid for by October 19th, 1935 (decision of November 2nd, 1935);
(f) Books, newspapers and periodicals, maps and cartographical productions, or printed or engraved music (Proposal III A, adopted on November 6th);
(g) Goods imported under contracts placed by a State or a wholly State-controlled institution on account of which not less than 20% had been paid before October 19th and especially exempted before November 12th by the Subcommittee appointed by the Committee of Eighteen for that purpose.

Proposal IV was to the effect that Governments should prohibit the exportation and re-exportation to Italy and Italian possessions of the following articles:

(a) Horses, mules, donkeys, camels and all other transport animals;
(b) Rubber;
(c) Bauxite, aluminium and alumina (aluminium oxide), iron ore and scrap-iron;

Chromium, manganese, nickel, titanium, tungsten, vanadium, their ores and ferro-alloys (and also ferro-molybdenum,
ferro-silicon, ferro-silico-manganese and ferro-silicon-manganese-aluminium);  

Tin and tin ore.

List (c) above included all crude forms of the minerals and metals mentioned and their ores, scrap and alloys.

This proposal contained a clause to the effect that Governments should take steps to ensure that these goods, if exported to other countries, would not be re-exported directly or indirectly to Italy, and further, in this connection, it was proposed on November 6th (Proposal IV b) that Governments should take all measures in their power to verify the destination of all exports of goods falling under Proposal IV. The Committee of Eighteen expressed the opinion that those Governments which did not immediately restrict their exports of these articles should keep their volume and direction under constant review and, in the event of an abnormal increase in exports, take steps to prevent supplies reaching Italy or Italian possessions by indirect routes.

Execution of the Proposals.

Governments were requested to inform the Committee of the date on which they would be ready to put the Proposals into operation, and to communicate the text of any laws, decrees, proclamations and other instruments formulating or enforcing the measures proposed.

On November 6th, the Committee of Eighteen requested a number of Governments to nominate experts to study in Geneva the information furnished by Governments concerning the application of the Proposals of the Co-ordination Committee, and in particular to assist the President of the Co-ordination Committee with regard to any question which might be submitted by the Governments in this connection.

The Committee of Experts thus constituted met from November 27th to 30th, from December 10th to 12th, from January 29th to February 1st, from March 4th to 9th and on April 21st. At each of these meetings it examined the replies received from Governments concerning the application of the adopted Proposals. In the report it drew up after its second session, the Committee of Experts gave the following summary
# Application of the Proposals of the Co-ordination Committee

Position according to the Communications received from Governments up to June 10th, 1936.

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<th>Countries</th>
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<td>In force</td>
<td>Accepted</td>
</tr>
<tr>
<td>Mexico</td>
<td>In force</td>
<td>*</td>
<td>In force</td>
<td>In force</td>
<td>Accepted</td>
</tr>
<tr>
<td>Netherlands</td>
<td>In force</td>
<td>*</td>
<td>In force</td>
<td>In force</td>
<td>Accepted</td>
</tr>
<tr>
<td>New Zealand</td>
<td>In force</td>
<td>*</td>
<td>Before Parliament</td>
<td>Before Parliament</td>
<td>Accepted</td>
</tr>
<tr>
<td>Nicaragua</td>
<td>In force</td>
<td>*</td>
<td>Before Parliament</td>
<td>Before Parliament</td>
<td>Accepted</td>
</tr>
<tr>
<td>Norway</td>
<td>In force</td>
<td>*</td>
<td>In force</td>
<td>In force</td>
<td>Accepted</td>
</tr>
<tr>
<td>Panama</td>
<td>In force</td>
<td>*</td>
<td>Will take necessary measures</td>
<td>Will take necessary measures</td>
<td>Accepted</td>
</tr>
<tr>
<td>Paraguay</td>
<td>In force</td>
<td>*</td>
<td>In force</td>
<td>In force</td>
<td>*</td>
</tr>
<tr>
<td>Peru</td>
<td>In force</td>
<td>*</td>
<td>In force</td>
<td>In force</td>
<td>*</td>
</tr>
<tr>
<td>Poland</td>
<td>In force</td>
<td>*</td>
<td>In force</td>
<td>In force</td>
<td>*</td>
</tr>
<tr>
<td>Portugal</td>
<td>In force</td>
<td>*</td>
<td>In force</td>
<td>In force</td>
<td>*</td>
</tr>
<tr>
<td>Roumania</td>
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<td>Accepted</td>
<td>Accepted</td>
<td>Accepted</td>
<td>Accepted</td>
</tr>
<tr>
<td>Salvador</td>
<td>Accepted</td>
<td>*</td>
<td>Accepted</td>
<td>Accepted</td>
<td>Accepted</td>
</tr>
<tr>
<td>Siam</td>
<td>In force</td>
<td>*</td>
<td>In force</td>
<td>In force</td>
<td>*</td>
</tr>
<tr>
<td>Spain</td>
<td>In force</td>
<td>*</td>
<td>In force</td>
<td>In force</td>
<td>*</td>
</tr>
<tr>
<td>Sweden</td>
<td>In force</td>
<td>*</td>
<td>In force</td>
<td>In force</td>
<td>*</td>
</tr>
<tr>
<td>Switzerland</td>
<td>In force</td>
<td>*</td>
<td>In force</td>
<td>In force</td>
<td>*</td>
</tr>
<tr>
<td>Turkey</td>
<td>In force</td>
<td>*</td>
<td>In force</td>
<td>In force</td>
<td>*</td>
</tr>
<tr>
<td>U.S.S.R.</td>
<td>In force</td>
<td>*</td>
<td>In force</td>
<td>In force</td>
<td>*</td>
</tr>
<tr>
<td>Uruguay</td>
<td>In force</td>
<td>*</td>
<td>Before Parliament</td>
<td>Before Parliament</td>
<td>Accepted</td>
</tr>
<tr>
<td>Venezuela</td>
<td>In force</td>
<td>*</td>
<td>Under consideration</td>
<td>Under consideration</td>
<td>Accepted</td>
</tr>
<tr>
<td>Yugoslavia</td>
<td>In force</td>
<td>*</td>
<td>In force</td>
<td>In force</td>
<td>*</td>
</tr>
</tbody>
</table>

* Texts have reached Geneva.

1 Reply not quite explicit.

2 With exception of imports arising out of clearing operations.
regarding the acceptance and application of the Proposals as it appeared from the replies received up to the end of January: ¹

"Proposal I has been accepted by fifty-two Governments, of which fifty have notified the Co-ordination Committee of its entry into force; legislative texts have been received from forty-four Governments.

"Proposal II has been accepted by fifty-two Governments, of which forty-eight have notified the Co-ordination Committee of its entry into force; legislative texts have been received from forty-one Governments.

"Proposal III has been accepted by fifty Governments, of which forty-four have notified the Co-ordination Committee of its entry into force; legislative texts have been received from thirty-nine Governments.

"Proposal IV has been accepted by fifty-one Governments, of which forty-seven have notified the Co-ordination Committee of its entry into force; legislative texts have been received from forty-one Governments."

Further details are given in the table on the preceding page.

**Non-Member States.**

The various Proposals and decisions of the Co-ordination Committee have been communicated by the President of the Committee to States non-members of the League.

The Secretary of State of the United States of America replied on October 26th, informing the President of the Co-ordination Committee that the President of the United States of America, on October 5th, 1935, had issued a proclamation bringing into operation, under an Act of Congress, an embargo on the exportation of arms, ammunition and implements of war to both belligerents. The issuance of this proclamation automatically brought into operation another section of the Act of Congress making it unlawful for any American vessel to carry arms, ammunition or implements of war to any port

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¹ See Co-ordination Committee document 110, pages 3, 4 and 7. Since that date there have been a few isolated changes in the situation. A number of legislative texts which were still outstanding have been received. Besides the four Members of the League (Albania, Austria, Hungary and Paraguay) which have taken no action under Article 16 of the Covenant, Ecuador decided on April 4th to revoke the measures which it had enacted (see above chapter on the Italo-Ethiopian dispute).
of the belligerent countries or to any neutral port for transhipment to or for the use of either of the belligerents. On the same day, the President issued a further proclamation warning American nationals against travel on belligerent vessels and stating that such travel would be at their own risk. In addition to the three measures just mentioned, the President took a fourth important step by issuing a public statement definitely warning American citizens against transactions of any character with either of the belligerent nations except at their own risk.

The Egyptian Government decided on October 30th to accede to the principle of the financial and economic measures decided upon by the Co-ordination Committee. It communicated later on the texts of decrees applying Proposals I, III and IV.

As a result of the Customs union existing between the Swiss Confederation and the Principality of Liechtenstein, the export prohibitions accepted by the Swiss Confederation (Proposals I and IV) automatically applied to Liechtenstein. Similarly, the steps taken by the Swiss Federal Council to enforce Proposal II have also been taken by the Principality of Liechtenstein.

The Co-ordination Committee has not been informed by any other non-member State that it had adopted any of the proposals or similar measures.

Statistics.

On January 22nd, the Committee of Eighteen requested the Committee of Experts to collect and publish statistics and other information concerning the state of trade between the countries applying the measures proposed by the Co-ordination Committee and Italy and Italian colonies. To this end, the Committee of Experts, during its session at the end of January, drew up a questionnaire to be submitted to all Governments Members of the Co-ordination Committee, with a view to obtaining statistics concerning the development of trade with Italy. Since then, the questionnaire has been submitted regularly each month to Governments and the information collected has been communicated to the members of the Co-ordination Committee and published.1

1 For further information see Co-ordination Committee documents 116, 120 and 125.
The information at present available gives the following picture:

<table>
<thead>
<tr>
<th>Number of countries for which statistics are available</th>
<th>Percentage of Italian exports to these countries in 1932/33 as compared with the total Italian exports</th>
<th>Imports from Italy and Italian colonies (in millions of former United States gold dollars)</th>
<th>Percentage of imports from these countries to Italy in 1932/33, as compared with the total Italian imports</th>
<th>Exports to Italy and Italian colonies (in millions of former United States gold dollars)</th>
<th>Net imports of gold from Italy (in millions of former United States gold dollars)</th>
</tr>
</thead>
<tbody>
<tr>
<td>November</td>
<td>69</td>
<td>96.5</td>
<td>21,884</td>
<td>95</td>
<td>31,910</td>
</tr>
<tr>
<td>December</td>
<td>68</td>
<td>96.5</td>
<td>21,942</td>
<td>95</td>
<td>30,479</td>
</tr>
<tr>
<td>January</td>
<td>67</td>
<td>96</td>
<td>19,470</td>
<td>10,168</td>
<td>94.5</td>
</tr>
<tr>
<td>February</td>
<td>62</td>
<td>95.5</td>
<td>19,694</td>
<td>8,657</td>
<td>93.5</td>
</tr>
<tr>
<td>March</td>
<td>38</td>
<td>86</td>
<td>17,979</td>
<td>9,315</td>
<td>86</td>
</tr>
<tr>
<td>April</td>
<td>22</td>
<td>60</td>
<td>12,185</td>
<td>5,061</td>
<td>56.5</td>
</tr>
</tbody>
</table>

The situation was commented upon as follows by the Chairman of the Committee of Experts at the end of April: 1

"Owing to the time required for legislation to be passed and the exceptions allowed under the various Proposals of the Co-ordination Committee, Proposal III did not become effective until about the New Year. In January 1936, Italian exports fell off by nearly half and Italian imports by well over a third, as compared with January 1935. The figures so far available for February show the progressive effect of sanctions.

"These figures include imports into countries which do not apply Proposal III. If these are eliminated, the exports from Italy to those countries which do apply that Proposal have become negligible.

"It is essential to remember that the figures are the statistics of the countries from which information is available—i.e., that Italian exports are shown as imports of those countries and Italian imports as exports of those countries. This is particularly important in estimating the Italian trade balance. The value indicated by the other countries as imports from Italy is higher than the price Italy obtains for her exports; for that value includes the costs of transport, insurance and other costs which fall on those exports—in fact, the difference between f.o.b. and c.i.f. Similarly, Italy has to pay more for her imports than is indicated by the statistics of the exporting countries. Those differences are usually estimated on an average of 10 % of the value of the goods. If this adjustment is made throughout to the figures available, Italy's unfavourable balance is considerably increased. It will be noticed that the Italian gold exports during recent months greatly exceed the apparent unfavourable trade balance. The reason just advanced may in part explain these heavy gold losses. The Governor of the Bank of Italy stated that the gold holdings.

1 Co-ordination Committee document 119.
of the Bank were reduced by 909 million gold lire, corresponding to 47.8 million gold dollars, between October 20th and the end of 1935. The replies to the questionnaire show that, during a somewhat shorter period — namely, during November and December 1935 — gold imports from Italy amounting to 579.1 million gold lire (30.5 million gold dollars) were registered by the countries for which we have information. The gold and foreign assets reserve of the Bank of Italy on October 20th, 1935, amounted to 4,316 million gold lire (227.2 million gold dollars). What amount of gold and foreign assets the Government has been able to collect domestically since October is not known.”

The replies received from Governments indicated for the first three months of 1936 net imports of gold from Italy amounting to 1,073.5 million gold lire (56.5 million gold dollars). The incomplete data available for April showed net gold imports of 77.9 million gold lire (4.1 million gold dollars).

**Mutual Support.**

The Co-ordination Committee adopted, on October 19th, Proposal V, which reads as follows:

“The Co-ordination Committee draws the special attention of all Governments to their obligations under paragraph 3 of Article 16 of the Covenant, according to which the Members of the League undertake mutually to support one another in the application of the economic and financial measures taken under this article.

“I. With a view to carrying these obligations into effect, the Governments of the Members of the League of Nations will:

“(a) Adopt immediately measures to assure that no action taken as a result of Article 16 will deprive any country applying sanctions of such advantages as the commercial agreements concluded by the participating States with Italy afforded it through the operation of the most-favoured-nation clause;

“(b) Take appropriate steps with a view to replacing, within the limits of the requirements of their respective countries, imports from Italy by the import of similar products from the participating States;

“(c) Be willing, after the application of economic sanctions, to enter into negotiations with any participating country which has sustained a loss, with a view to increasing the sale of goods so as to offset any loss of Italian markets which the application of sanctions may have involved;
"(d) In cases in which they have suffered no loss in respect of any given commodity, abstain from demanding the application of any most-favoured-nation clause in the case of any privileges granted under paragraphs (b) and (c) in respect of that commodity.

"II. With the above objects, the Governments will, if necessary with the assistance of the Committee of Eighteen, study, in particular, the possibility of adopting, within the limits of their existing obligations, and taking into consideration the annexed opinion of the Legal Sub-Committee of the Co-ordination Committee, the following measures:

"(1) The increase by all appropriate measures of their imports in favour of such countries as may have suffered loss of Italian markets on account of the application of sanctions;

"(2) In order to facilitate this increase, the taking into consideration of the obligations of mutual support and of the advantages which the trade of certain States Members of the League of Nations, not participating in the sanctions, would obtain from the application of these sanctions, in order to reduce by every appropriate means and to an equitable degree imports coming from these countries;

"(3) The promotion, by all means in their power, of business relations between firms interested in the sale of goods in Italian markets which have been lost owing to the application of sanctions and firms normally importing such goods;

"(4) Assistance generally in the organisation of the international marketing of goods with a view to offsetting any loss of Italian markets which the application of sanctions may have involved.

"They will also examine, under the same conditions, the possibility of financial or other measures to supplement the commercial measures, in so far as these latter may not ensure sufficient international mutual support.

"III. The Co-ordination Committee requests the Committee of Eighteen to afford, if necessary, to the Governments concerned the assistance contemplated at the beginning of Part II of the present proposal."

In the resolution adopted by the Co-ordination Committee on November 2nd, the Members of the League participating in the measures taken under Article 16 of the Covenant recognised:

"(a) That, on the discontinuance of the measures taken in regard to Italy under Article 16 of the Covenant, they should
support one another in order to ensure that Italy discharges her obligations to the creditor States as she should have done if she had not incurred the application of Article 16 of the Covenant;

"(b) Furthermore, that, if in the meantime particularly serious losses are sustained by certain States owing to the suspension by Italy of the payment of the aforesaid debts, the mutual support provided for by paragraph 3 of Article 16 will be specially given in order to make good such losses by all appropriate measures."

Proposal V was accepted by forty-six Governments, whilst in addition three Governments sent communications which would appear to indicate their acceptance in principle. The Government of the Union of South Africa indicated in detail in its reply the measures which it was prepared to take for the organisation of mutual support and stated that it was prepared to give an assurance that it "will not conclude with States Members of the League of Nations not participating in the application of sanctions trade agreements such as are now provided for in the Union's legislation for the encouragement of trade by tariff concessions or most-favoured-nation treatment".

**Extension of the Embargo on Exports to Italy (Proposal IV A).**

On November 6th, the Committee of Eighteen adopted Proposal IV A, in which it submitted that it was expedient that the measures of embargo provided for in Proposal IV should be extended to petroleum, iron and steel, coal and coke, as soon as the conditions necessary to render this extension effective had been realised.

The question was resumed on January 22nd, when the Committee of Eighteen decided to create a Committee of Experts to conduct a technical examination of the conditions governing the trade in and transport of petroleum and its derivatives, by-products and residues with a view to submitting an early report to the Committee of Eighteen on the effectiveness of the extension of measures of embargo to the above-mentioned commodities.

The Committee of Experts thus created met from February 3rd to 12th under the Chairmanship of M. Marte Gomez (Mexico). It was composed of experts designated by the Governments of the United Kingdom, France, Iran, Iraq, Mexico, the
Netherlands, Norway, Peru, Roumania, Sweden and the Union of Soviet Socialist Republics. The Venezuelan Government sent an observer.

The Committee summed up its findings as follows:

"(1) The figures given above with reference to consumption, to stocks and to supplies which might be en route at the moment of the imposition of an embargo on the export of petroleum and petroleum products make it possible to estimate roughly the period which would have to elapse before such an embargo, were it to be universally applied, would become fully effective. In the conditions prevailing at the moment of its session, the Committee is of opinion that this period may be taken to be about three and a half months.

"(2) In the event of such an embargo being applied by all States Members of the Co-ordination Committee, it would be effective if the United States of America was to limit its exports to Italy to the normal level of its exports prior to 1935.

"(3) If such an embargo were applied by the States Members of the Co-ordination Committee alone, the only effect which it could have on Italy would be to render the purchase of petroleum more difficult and expensive.

"(4) In view of the possibility of substitutes being used to some extent for petrol (motor spirit), an embargo on the export of petroleum and petroleum products would be strengthened were it extended to cover industrial alcohol and benzol.

"(5) The effectiveness of an embargo imposed by States Members of the Co-ordination Committee on the transport of oil to Italy is subject to the same limitations as an embargo on exports. Were these States alone to prohibit the use of tankers for the transport of oil to Italy, it would be able to satisfy its needs up to about 50% from its own resources, and the rest by means of vessels of other States, but with greater difficulty and at greater expense.

"(6) If an embargo on transport should be decided on, the Committee is of the opinion that the most practicable form of embargo would be one which would prohibit tankers from proceeding to Italy and would also prohibit the sale of tankers to States not applying the embargo.

"(7) Should it be decided to impose an embargo on petroleum, attention should be given to the necessity of taking suitable measures to prevent traffic by indirect routes, including use of free ports, which is of special importance as regards petroleum."

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1 Co-ordination Committee document 113.
The report of the Committee was laid before the Committee of Eighteen, which met on March 2nd, but was not considered by the latter Committee.\(^1\) On March 4th, the Committee of Experts on Petroleum was asked by the Committee of Eighteen to examine the methods of applying an oil embargo.

The Committee of Experts on Petroleum met for this purpose on March 7th, and drew up a report\(^2\) in which it indicated in detail the measures which should be taken if an oil embargo were decided upon.\(^1\)

*Proposed Amendments to Proposal III (Prohibition of Imports from Italy).*

The President of the Co-ordination Committee asked the Committee of Experts at its session at the end of January to examine whether, in Proposal III, the proportion of 25 % to be added to the value of Italian goods in other countries before they could be accepted as the "nationalised" products of these other countries, and thus exempted from the embargo on Italian goods, was unduly low.

The Committee stated in its report\(^3\) that it had no hesitation in expressing the view that the application of the laws and decrees giving effect to Proposal III would be rendered easier were the percentage raised from 25 % to a far higher figure, for instance 50 %.

This report was considered by the Committee of Eighteen on March 2nd. M. Flandin (France) suggested that other criteria might also usefully be taken into account, as it was difficult for Customs authorities to decide on the percentage of added value.

M. Flandin, moreover, made other suggestions designed to make more effective the application of Proposal III.

The Committee of Eighteen decided, on March 4th, to refer these various suggestions to the Committee of Experts. The latter met from March 4th to 9th. On the latter date, its discussions were adjourned and it decided not to submit any report on the points submitted to it until it was reconvened by the President of the Co-ordination Committee.

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\(^1\) The reasons for the successive adjournments of the consideration of Proposal IV\(\Delta\) are given above in the chapter dealing with the Italo-Ethiopian dispute.

\(^2\) Co-ordination Committee document 115.

\(^3\) Co-ordination Committee document 110.
Exchanges of Views between the Government of the United Kingdom and Other Governments in connection with Mutual Support.

On January 22nd, the Government of the United Kingdom sent the President of the Co-ordination Committee a memorandum on the "exchanges of views" that had taken place between that Government and the French and certain other Governments in connection with Article 16 of the Covenant. The memorandum stated that, on October 14th, 1935, the Co-ordination Committee had recognised that any proposals for action under Article 16 of the Covenant were made on the basis of paragraph 3 of that article, by which the Members of the League agreed *inter alia* that they would mutually support one another in resisting any special measures aimed at one of their number by the Covenant-breaking State. The application of this principle, universal as it might be, called for the special co-operation of those Members of the League which, by reason of their military situation or their geographical position, are most immediately concerned. It had, therefore, in the particular case, to be ascertained whether the States whose assistance was specially required would be prepared to provide concrete assistance, and, if so, what would be the precise character of that assistance.

The United Kingdom Government decided, in the first instance, to ask the French Government whether it interpreted paragraph 3 of Article 16 as did the former Government. This enquiry was put to the French Government on October 14th, and in the course of an oral reply the view of that Government on this point was stated to be that the French Government fully considered Article 16 as implying complete solidarity between each of the Members of the League in respect of that one of them which may have been attacked by the Covenant-breaking State, if this attack has been clearly brought about by the application of the provisions of the said article, the execution of which shall have been decided upon in common. This definition of the general principle was satisfactory to His Majesty's Government, but there were certain points concerning its practical application to the present dispute which required elucidation.

Further discussions took place between the two Governments, and, on October 18th, the French Government made a statement to His Majesty's Government in writing to the effect that it
certainly interpreted the obligation prescribed for Members of the League of Nations towards any one of them which should, as a result of measures taken in application of Article 16, be exposed to attack by the Covenant-breaking State, as implying unlimited solidarity of action in the matter of military, air and naval assistance. This obligation would be governed by the measures taken in fulfilment of Article 16, within the limits of its application. The French document added that the United Kingdom Government itself seemed to share this view, since it offered the French Government the assurance that it would not take the initiative in any measure against Italy which would not be in conformity with the decisions taken, or to be taken, by the League of Nations in full agreement with France. Strengthened by this assurance, the French Government was in a still better position to confirm, in the clearest and most precise manner, that in a possible attack by Italy upon the United Kingdom, by reason of the latter's collaboration in the international action undertaken by the League of Nations and pursued in concert with France, French support of the United Kingdom was assured fully and in advance within the framework of the interpretation which the Governments of the two countries were in agreement in placing upon the obligation provided for in Article 16 of the Covenant.

Following on this agreement, there were conversations between the naval, military and air staffs of the two countries, relating solely to common action in the event of an outbreak of hostilities in the Mediterranean owing to the application of sanctions. No other contingency, such as the situation on the north-eastern frontier of France, was considered.

His Majesty’s Government made similar enquiries, subsequently, from the Governments of Greece, Turkey and Yugoslavia. The replies received from these three Governments, after consultation with one another, left no doubt of their readiness faithfully to apply all the obligations devolving upon them under the Covenant, in consequence of measures taken in application of Article 16.

His Majesty’s Government also learnt that on December 21st the French Government was informed by the three Governments of the enquiries made by His Majesty’s Government, and of the assurances given in reply; and that the Italian Government
was also informed by the French Government of the fact that conversations had recently taken place between the French and British staffs, and also of the assurances given to His Majesty's Government by the Turkish, Greek and Yugoslav Governments in reply to enquiries made at Ankara and Athens and Belgrade.

The Turkish Government subsequently asked the United Kingdom Government for the same assurances in exchange. The latter Government acceded to this request and to a similar request made by the Yugoslav and Hellenic Governments.

In a series of communications, the representatives of France, Turkey, Greece and Yugoslavia confirmed the details given in regard to them in the British memorandum, whilst the Roumanian and Czechoslovak representatives said that the replies furnished to the British Government by Yugoslavia, Greece and Turkey had been given in complete agreement with them.

On January 24th, the Spanish delegation announced that, having been informed by the United Kingdom Government of the conversations that it had had with the Governments of France, Greece, Turkey and Yugoslavia regarding the application of certain provisions of Article 16, paragraph 3, of the Covenant, the Spanish Government could only repeat that Spain would, as always, honour her engagements; and that, as regards the specific case of the Mediterranean, the Government of the Republic considered that, inasmuch as the hypothesis contemplated was linked with the application of the measures taken under Article 16 of the Covenant, if it were thought necessary to study the case, it should be studied in the committees set up for that purpose at Geneva, so as to ensure that the article in question was applied as effectively as possible.

On January 24th, the Italian Government communicated to the Government of the United Kingdom, through their Ambassador, a note verbale, embodying their views on the British memorandum of January 22nd.

While confirming the reserves and the protest originally made in regard to the measures decided upon against Italy in connection with the first paragraph of Article 16 of the Covenant, the Italian Government made the most formal reserves and protested against the interpretation and application of Article 16, upon which the British memorandum based the
agreements of a military character arrived at between the British and other Governments.

In acknowledging the receipt of this communication, the British Government informed the Italian Ambassador that its position remained as stated in its memorandum and that it did not feel that any useful purpose would be served by prolonging correspondence on the subject.

The correspondence on these exchanges of views has been published, including the Italian Government’s protest, a copy of which had been communicated by the Government of the United Kingdom at the same time as its reply.

VII. QUESTION OF THE RELATIONS BETWEEN THE UNION OF SOVIET SOCIALIST REPUBLICS AND URUGUAY.²

On January 4th, 1936, the Secretary-General was informed by M. Litvinoff, People’s Commissar for Foreign Affairs of the Union of Soviet Socialist Republics, that the Soviet Minister at Montevideo had received from the Government of Uruguay a declaration of suspension of diplomatic relations between that country and the Union of Soviet Socialist Republics. Prior to this communication, the Uruguayan Government had made no complaint against the Soviet Government, and no dispute existed between the two countries. The Soviet Government therefore considered that the rupture of diplomatic relations without previous recourse to the methods laid down in Article 12, paragraph 1, of the Covenant constituted a serious breach of one of the fundamental principles of the League. In accordance with Article 11, paragraph 2, of the Covenant, the Soviet Government therefore drew the Council’s attention to the situation.

Some days afterwards, the Soviet Government sent a copy of the communication addressed by the Uruguayan Government to the Soviet Minister at Montevideo, and of the Minister’s replies.

¹ See Co-ordination Committee documents 108 to 108 (h) inclusive.
The letter dated December 27th, 1935, from the Uruguayan Government to the Soviet representative in Montevideo stated that the Government had decided to suspend diplomatic relations with the Soviet Union. Owing to serious disturbances that had recently occurred in Brazil, the Government of that country had informed the Uruguayan Foreign Minister that the Soviet Government, through its Legation in Montevideo, had given support to Communist elements in Brazil. Moreover, at the Congress of the Third International, held in Moscow in July 1935, several speakers had expressed their sympathy for M. Prestes, the leader of the Brazilian revolutionary movement. No distinction could be made between the Third International and the Soviet Government. Moreover, according to information obtained by the Uruguayan Government, the Soviet Legation in Montevideo had issued bearer cheques for large sums and for objects that could not be determined, although there was strong reason to believe that these sums had served to support the revolutionary movement in Brazil.

In his replies, the Soviet representative in Montevideo, after stating that his Government had several times declared that there was no connection between the Communist International and the Soviet Government, asserted that the Soviet Legation had never given any direct or indirect assistance to political parties in South America, and had never remitted funds to Brazil or to any other country by cheque or in any other way.

In the Council, on January 23rd, M. Litvinoff said that, by breaking off relations with the Soviet Union without submitting its dispute to arbitration or to enquiry by the Council, in accordance with Article 12 of the Covenant, Uruguay had violated that instrument. Article 12 must be applied whatever the nature of the dispute. Although that article mentioned resort to war, this did not mean that it did not also concern ruptures that did not lead to war. M. Litvinoff then rejected all the accusations against his Government's representative in Montevideo; he referred to the fact that long before the establishment, at the beginning of 1934, of a Soviet Legation in that town, there had, on various occasions, been political disturbances both in Brazil and in Uruguay. The Soviet Legation during the two years of its existence had received a sum of 55,000 American dollars. No part of that sum had been remitted to any place outside Uruguay.
He therefore asked the Uruguayan Government to furnish the Council with proof of its assertions in regard to the cheques.

The Uruguayan representative, M. Guani, began by saying that on several occasions various Governments had been led to break off diplomatic relations with the Soviet Union owing to incidents connected with the use made by Soviet representatives of their diplomatic immunity. After referring to discussions in the Moscow Congress of the Third International on the position in Latin America, he said that it had been his Government’s duty to give its firm support to its neighbours and friends in America in the defence of order and of peace. The other Members of the Council would, in similar circumstances, have done what Uruguay had done. She had, moreover, full liberty to break off diplomatic relations, and Article 12 was not involved. This was a matter for the domestic jurisdiction of a State, and the adoption of a measure of national security such as Uruguay had taken was one entirely within its sovereign power.

M. Litvinoff replied by disputing the legal value of M. Guani’s arguments. He added that the Uruguayan Government had made a number of accusations in support of its decision and was bound to furnish proof of these.

M. Guani replied that his Government’s decision was a purely domestic matter, and that he was not bound to supply the Council with reports from the Uruguayan police or confidential information from banks in Montevideo.

After further speeches by the representatives of the two parties and declarations by the Argentine and Chilian representatives in favour of the Uruguayan contentions, the Council, on the motion of the President, asked the representative of Roumania, M. Titulesco, assisted by the representatives of Spain and Denmark, to submit a report.

On January 24th, the Rapporteur placed before the Council the following resolution, which was adopted:

"Whereas the representative of Uruguay refuses to give the proofs demanded by the Government of the Union of Soviet Socialist Republics, alleging that the question is one of internal law;

"Whereas the representative of the Union of Soviet Socialist Republics has stated that he is satisfied by Uruguay’s refusal to prove the charges brought against the Soviet Legation in Montevideo and that he is prepared to leave the question to the
judgment of international public opinion, a course which the representative of Uruguay also accepts for his country;

"Whereas the Council is dealing with the question under Article 11, paragraph 2, of the Covenant, and, its mission being essentially one of conciliation, any resolution it may take must be adopted unanimously;

"The Council:

"Expresses the hope that the interruption of diplomatic relations between Uruguay and the Union of Soviet Socialist Republics will be temporary, and that the two countries will take a favourable opportunity of renewing those relations;

"Invites the two parties to refrain from any act which might be harmful to the interests of peace and to the resumption of their diplomatic relations in the future."

After the resolution had been adopted, the President, Mr. Bruce (Australia), remarked that the statements which had been made, and especially those dealing with the internal affairs of certain countries, represented solely the personal opinion of the individual member that had made them.

After the Council's session, the Brazilian Government, through its Consul-General in Geneva, expressed its thanks to the President of the Council for the distinguished manner in which he had upheld the traditions of the League of Nations.

The representatives of the Argentine, Chile and Portugal announced on behalf of their Governments that they disapproved of the declarations made in the Council concerning incidents that had occurred in certain countries. The last two Governments also desired to make it clear that they did not agree with the legal theses expounded by the representative of the Union of Soviet Socialist Republics. The representative of the Argentine had maintained the same point of view in the Council.

VIII. Treaty of Mutual Guarantee between Germany, Belgium, France, Great Britain and Italy, Done at Locarno on October 16th, 1925.¹

Communications from the French and Belgian Governments.

On March 8th, 1936, the Governments of France and Belgium sent the Secretary-General the following telegrams:

¹ For further details, see the Minutes of the Ninety-first (Extraordinary) Session of the Council, Official Journal, April 1936 (Part I).
French Government:

"By Article 1 of the Treaty negotiated at Locarno to which Belgium, France, the British Empire, and Italy are Parties with Germany, Germany confirmed, inter alia, her intention to observe the stipulations of Articles 42 and 43 of the Treaty of Versailles, which provide for the demilitarisation of the German territory on the left bank of the Rhine and on the right bank of the zone situated between that river and a line drawn fifty kilometres to the east.

"In virtue of Article 8 of the Treaty of Locarno, that Treaty cannot cease to have effect otherwise than by a decision of the Council of the League of Nations voting by a two-thirds majority.

"Notwithstanding these explicit provisions, the Government of the Reich, by a communication made yesterday to the representatives in Berlin of the signatory Powers, has just repudiated this Treaty by a unilateral act.

"Moreover, in reply to a question put by the French Ambassador when this notification was made to him, the Minister for Foreign Affairs of the Reich announced that the German Government proposed to send small detachments into the demilitarised zone as a symbolical act.

"In fact, the appearance of considerable military forces is already reported in several localities of the zone.

"The German Government has thus expressly violated Article 43 of the Treaty of Versailles and Article 1 of the Treaty of Locarno.

"Consequently, in conformity with Article 4 of the last-named Treaty, the French Government has the honour to seize the Council of the League of Nations of the violation thus committed.

"In view of the urgency of the matter, I should be obliged if you would take all necessary measures for the Council to meet as soon as possible."

Belgian Government:

"By a communication made on March 7th to the Belgian Government, the German Government gave notice that it no longer considered itself bound by the Treaty of Guarantee of Locarno and that German troops were entering the demilitarised zone. This fact constituting a violation of Articles 42 and 43 of the Treaty of Versailles, the Belgian Government has the honour, in conformity with Article 4, paragraph 1, of the Treaty of Guarantee of Locarno, to lay the question immediately before the Council of the League of Nations. I should be grateful if you would take the necessary measures in order that the Council may be convened as soon as possible."

In response to these communications, the President of the Council, Mr. Bruce, representative of Australia, after consulting
his colleagues, summoned that body to meet in extraordinary session at Geneva on Friday, March 13th. But, on March 10th, the representatives of Belgium, France, the United Kingdom and Italy who, with Germany, were signatories of the Locarno Treaty, asked that, owing to the circumstances, the Council session might be held in London. It was decided to do so, and, on Saturday, March 14th, the Council met at St. James’s Palace, which had been graciously placed at its disposal by His Majesty King Edward VIII.

In accordance with Article 4, paragraph 5, of the Covenant, the representative of Belgium was invited to take his seat at the Council table.

The question of the participation of the German Government in the Council’s deliberations was also raised. On March 9th, the Secretary-General had forwarded to that Government the French Government’s communication, adding that:

"Should the German Government, as Contracting Party to the Treaty mentioned above (Treaty of Locarno), wish to take part in the examination of this question by the Council, I should be grateful if you would inform me."

On March 14th, the Council decided to invite the German Government as a Contracting Party to the Locarno Treaty to take part in the examination of the communications from the French and Belgian Governments.

On March 15th, the Government of the Reich replied that it was, in principle, prepared to accept the Council’s invitation. The communication added:

"It assumes in this connection that its representative will take part on equal terms with the representatives of the Powers represented on the Council in the discussions and decisions of the Council. I should be obliged if you would confirm this assumption."

"The German Government must further draw attention to the following fundamental consideration. The German Government’s action, which has been the occasion of the summoning of the Council by the Belgian and French Governments, does not consist merely in the restoration of German sovereignty in the Rhineland zone, but is bound up also with comprehensive concrete proposals to give a new assurance of peace in Europe. The German Government regards the political action which it has taken as a whole, the component parts of which cannot be separated from one another. For this reason, the German Government can participate in the Council’s proceedings only if it is assured that the
Powers concerned are prepared to enter into negotiations forthwith in regard to the German proposals. The German Government will, with this object, place itself in touch with His Majesty’s Government in the United Kingdom, under whose presidency the Powers concerned in the Rhine Pact of Locarno are met together for discussion in London.”

On March 16th, the Council instructed the Secretary-General to send the following telegram in reply:

“Germany will participate in the examination by the Council of the question submitted by the Belgian and French Governments on the same terms as the representatives of the other guaranteed Powers whose situation under the Treaty is the same as that of Germany—that is, with full right of discussion, the votes of the three Powers not being counted in calculating unanimity. In regard to the second question, it is not for the Council to give the German Government the assurance which it desires.”

On March 17th, the German Government acknowledged the receipt of this telegram and stated that as from Thursday, March 19th, it would be represented on the Council by Ambassador von Ribbentrop, who would reach London on Wednesday, the 18th.

Pending the decision of the German Government as to its representation on the Council, the latter body heard statements from the French and Belgian delegates; after which, as the exchange of communications with Berlin was prolonged and the Government of the Reich did not desire to be represented, even by an observer, before the arrival of M. von Ribbentrop, the other Members of the Council in turn stated their views.

On March 14th, M. Flandin, representative of France, declared that, in denouncing the breach of Articles 2 and 8 of the Locarno Treaty, France had not so much exercised a right as performed a duty. The Treaty in question authorised her to take strong and decisive measures forthwith. She had refrained from doing so, thus giving the fullest expression to her respect for international law. In virtue of Article 4 of the Locarno Treaty, France asked the Council to establish the fact of a breach of the Treaty and to recommend such steps as might be considered

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1 The original text, which was in German, contained at this point the word “alsbald”. Semi-official telegrams from Berlin stated that this word had the meaning of “as soon as possible”.

desirable. Confident in the readiness of the guarantor Powers to perform the duties devolving on them as a result of that finding, she was resolved to place at the League’s disposal all her forces, both material and moral.

M. Flandin reminded the Council that, in justification of her action, Germany had invoked the approval by the French Chamber of Deputies of the Franco-Soviet Pact, regarding which there had been an exchange of notes in May and June 1935 between the Government of the Reich, France and the Governments guarantors of the Locarno Treaty. If it had not been convinced by the legal arguments contained in the notes of the other Governments, the Reich might have submitted the question of the compatibility of the Franco-Soviet Pact with the Treaty of Locarno to arbitration. M. Flandin had publicly declared, and he desired to repeat this declaration, that France would accept a decision of the Permanent Court of International Justice at The Hague. The German Government had preferred to repudiate a Treaty which Chancellor Hitler had repeatedly recognised as having been freely agreed to.

Besides the repudiation of the Locarno Treaty, the Council must declare that there had been a violation of Article 43 of the Treaty of Versailles, which violation Article 44 describes as “a hostile act”. Once this had been done, it would be for the guarantors to furnish France and Belgium with the assistance provided for in the Treaty. France’s rights and the guarantors’ duties were not alone involved. It was a question of the interests of peace and of the very existence of the League of Nations. The question at issue was whether the practice of the *fait accompli*, the unilateral repudiation of undertakings freely accepted, was going to be set up in Europe as a political system; whether this method was compatible with the existence of the League and with the method of collective security. On April 17th, 1935, the Council had recognised that Members must oppose by all appropriate means the repudiation of undertakings affecting the security of the nations of Europe and the maintenance of peace.

The French representative concluded by asking the Council to declare that a breach of Article 43 of the Treaty of Versailles had been committed by Germany and to request the Secretary-General to notify the Powers signatories of the Locarno Treaty,
in accordance with Article 4 of that Treaty. This notification would enable the guarantor Governments to discharge their obligations of assistance, and the Council would have to consider how it could support that action by recommendations addressed to the Members of the League.

The Belgian representative, M. van Zeeland, pointed out that no country was more affected than Belgium by the remilitarisation of the Rhineland and by the unilateral renunciation of the Treaty of Locarno. The demilitarisation of the above territory constituted one of the essential elements of Belgium’s security, and the Treaty of Locarno was, with the Covenant, the very foundation of her international status. No reproach could be levied against Belgium, with whom the Franco-Soviet Pact had nothing to do. The Locarno Treaty, more than any other international instrument, combined all the characteristics of inviolability. The obligations, rights and advantages of this Treaty were placed, as regards the guaranteed Powers, on the basis of reciprocity. He desired to say that, in his country’s view, the Locarno Pact, with the obligations and assurances it involved for the signatories, was still in being. He had resolved to remain strictly on the plane of reason and he intended that his country should fully contribute to the efforts at reconstruction. Belgium would play her part to the full, in the future as in the past, where any collective international effort was concerned.

M. van Zeeland concluded by asking the Council to take note that a breach of Articles 42 and 43 of the Treaty of Versailles had been committed and at once to notify the Powers signatories of the Locarno Treaty and, in particular, the guarantor Powers.

On March 16th, the representative of France, on behalf of the French and Belgian Governments, handed in the following resolution:

“The Council of the League of Nations,

On the application of Belgium and France, made to it on March 8th, 1936:

Finds that the German Government has committed a breach of Article 43 of the Treaty of Versailles by causing, on March 7th, 1936, military forces to enter and establish themselves in the demilitarised zone referred to in Article 42 and the following articles of that Treaty, and in the Treaty of Locarno;
“Instructs the Secretary-General, in application of Article 4, paragraph 2, of the Treaty of Locarno, to notify this finding of the Council without delay to the Powers signatories of that Treaty.”

The Council considered this resolution on March 17th, 18th and 19th.

M. Rüstü Aras, the Turkish representative, said that, in virtue of the stipulations of the Locarno Pact, the Council’s duty was to act as arbitrator. But it had two other rôles to play: that of mediator and that of guarantor of security. Mediation would be undesirable until the Council had given satisfaction to France and Belgium in connection with the draft resolution submitted. But when this decision had been taken, the Council’s duty would be to give its assistance and support to the Locarno guarantors, in accordance with the spirit and letter of the Covenant.

M. Litvinoff, representative of the Union of Soviet Socialist Republics, said that, although his country was not a party to the Versailles and Locarno Treaties, it desired to express its indignation at a violation of international obligations and to declare in favour of the most effective measures to avert similar infringements in the future. A League of Nations that did not take concrete measures to uphold international engagements could not be taken seriously. The question before the Council was remarkably simple, for there was not only a substantial infringement of a treaty, but also the ignoring of a clause in a treaty providing a method of settling disputes that might arise. The German Government’s assertion that the Franco-Soviet Pact, a purely defensive instrument, was incompatible with the Treaty of Locarno could not be upheld. That Treaty gave France, as any other Member of the League, the right to come to the assistance of the Soviet Union, should the latter be the victim of an attack by Germany, especially as the absence of a common frontier between Germany and the Soviet Union enabled an unmistakable definition of the aggressor to be given. The Reich further declared that the demilitarisation of the Rhineland was contrary to the principle of the equality of status. But the remilitarisation of that territory by a unilateral act would not make for the peace of Europe; for, if Germany desired to carry out that remilitarisation, it was because she had in view the setting up of the hegemony of Germany over the whole
European continent. No country was a threat to Germany, and there was no idea of encircling the Reich.

It was true that the German Government had submitted a plan to ensure the better organisation of peace. In reality, the new pact of non-aggression on the West offered by the Reich to France and Belgium was of shorter duration and involved less guarantees than the Treaty of Locarno. The pacts of non-aggression which Chancellor Hitler offered to sign with Germany's other neighbours, without the guarantee of any other Power, would render it possible for a war to be localised and would only increase the security of the aggressor.

As regards the return of Germany to the League, this would be welcomed by the Union of Soviet Socialist Republics as soon as it was convinced that the Reich accepted the fundamental principles on which the League was based — in particular, the observance of international treaties and the inviolability of existing frontiers. The Soviet Union desired the maintenance of peace throughout the whole world as much as any other country; but, whilst favourable to international agreement, it was against negotiations proceeding on a basis that would destroy the League. After emphasising the necessity for giving satisfaction to the complaint made by France and Belgium, M. Litvinoff pronounced himself ready to take part in all measures that might be proposed by the Locarno Powers and be acceptable to the other Members of the Council.

M. Edwards, the Chilian representative, said that Germany's withdrawal from the League had thrown the legal system of Locarno out of gear. Chile was not bound by the Treaties of Versailles or Locarno, but she did not forget that any breach of a treaty imperilled the peace of the world and was a matter of concern to the Members of the League. If the violation of Locarno was duly established, his country would fulfil without hesitation its duties as a Member of the Council. The breach of Article 43 of the Treaty of Versailles was not disputed by Germany, but the latter denied that she had violated the Locarno Treaty, asserting that France had first infringed that Treaty by signing the Franco-Soviet Pact. As regards Belgium's position, the Reich added that the Treaty of Locarno, having lapsed, was no longer valid with regard to Belgium. In these circumstances, Chile considered that, before giving a decision, the
Council should ask the Permanent Court of International Justice for an advisory opinion. If the Council did not share that view, he would abstain from voting on the breach of the Treaty of Locarno.

Mr. Eden, the representative of the United Kingdom, said that a patent and incontestable breach of the Treaty of Locarno had been committed. The Council should notify this finding to the Powers signatory of Locarno. But this was far from being the Council's only function. It must preserve peace and establish good understanding amongst the nations of Europe. The question concerned all countries that desired the reign of peace, based on law, amongst nations. The German Government asserted that its aim was peace and the restoration of confidence; but that depended on belief in the sanctity of treaties. For that reason, His Majesty's Government had represented to the German Government that the latter should take such action in the demilitarised zone as would restore confidence. The breach, however, did not carry with it any threat of hostilities nor involve immediate action. Mr. Eden agreed with M. van Zeeland that international life must be reconstructed on the basis of accepted undertakings. The Council's duty was to examine the situation in all its aspects and thus avoid in the future the horrors of war. The United Kingdom Government was prepared to contribute to the necessary work of reconstruction, especially as regards the organisation of security in Western Europe.

M. Grandi, representative of Italy, said that the four signatories, with Germany, of the Locarno Treaty had had to recognise that a breach of Article 43 of the Treaty of Versailles had been committed. Italy was fully conscious of her responsibilities under that Treaty and would remain true to her obligations. But the States which had adopted certain measures in connection with the Italo-Ethiopian dispute could not expect Italy to apply measures which would be incompatible with the position in which she had been placed. A weakening of the political bases of the Treaty of Locarno had resulted from the decisions taken in regard to Italy at Geneva, and the peace of Europe had been placed at the mercy of a colonial dispute. Experience had shown that in Europe there was one single problem of peace and co-operation. Nearly twenty years had passed since the war came to an end: during those twenty
years Italy had given loyal support to the cause of European peace and stability. But all that had been forgotten. She was fully conscious of her task in the establishment of security and reconstruction in Europe, but that reconstruction must be founded on the comprehension of reciprocal needs, on the recognition of and mutual respect for vital needs and on a more unified conception of the rights, the interests and the duties of our civilisation.

M. Beck, representative of Poland said that the entry of German military effectives into the demilitarised zone was a fact which nobody disputed and which the Council must place on record. The Locarno agreements had not been sympathetically received by Poland, for, while they provided special safeguards for the political stability of the Rhine, they might give the impression that the security of Eastern Europe was being left on a more precarious footing. It had, however, been possible to maintain the Franco-Polish alliance by incorporating it in the general system of the 1925 agreements. Further, declarations exchanged between Poland and the Reich in January 1934 had enabled relations bearing the stamp of mutual respect to be established between those two countries.

As regards the Soviet Union, the agreements between Poland and that country expressed Poland's resolve to maintain friendly relations with the Union of Soviet Socialist Republics. M. Beck desired to state in conclusion that he was gratified that the Council had been convened in London in an atmosphere imbued with honesty and with a sense of realities. He concluded by asserting that the interests of any country, whatever its importance, could not form the subject of international negotiation without that country's participation.

M. Barcia, representative of Spain, said that, as regards the facts, there could be no doubt. German forces had entered the area defined in Article 42 of the Versailles Treaty. Even if the Council accepted the German thesis of the incompatibility of the Treaty of Locarno with the Franco-Soviet Pact, the former Treaty was binding on the contracting parties so long as the arbitration procedure provided for settling disputes between them had not been utilised. Spain felt that the lack of confidence in international relations would not be diminished by recourse to the system of *faits accomplis*. The progress of collective security
depended upon that of international co-operation and on the close connection between pacts of security and disarmament. He associated himself with the Franco-Belgian resolution.

M. Ruiz Guıñazú, representative of the Argentine Republic, emphasised that treaties could not be denounced unilaterally, and supported the Franco-Belgian resolution.

M. Munch, representative of Denmark, declared that the idea of asking the Hague Court for an advisory opinion on the dispute seemed to him an interesting one. But the parties appeared not to be favourable to it. He would therefore vote for the Franco-Belgian resolution. He wished, however, to refer to the disquietude, caused by the present trend of international politics, in those countries that did not belong to any political group. However difficult it might appear, a reconciliation among the great nations, on whom the fate of mankind depended, was more necessary than ever.

M. Titulesco, representative of Roumania, said that the requests of France and Belgium were a matter of the utmost concern to the States of the Little Entente. They could not be indifferent to French security, since it formed part of their own security. Moreover, a unilateral repudiation of treaties must lead to international consequences. Otherwise, there would be an end of the League and the world would be governed by the law of force instead of the force of law. The States of the Little Entente agreed that the security plan proposed by the German Government should be discussed after the question raised by France and Belgium had been satisfactorily settled. The action of the Reich had not in anyway affected the validity of the Locarno Treaty, which, on the contrary, had only at that moment come effectively into operation. Provided the French and Belgian request was given a solution recognising the rights of the applicants, an understanding between all the Powers concerned and Germany with a view to the establishment of a lasting peace, one and indivisible in all parts of Europe, would be welcomed by the Little Entente.

M. Monteiro, representative of Portugal, declared that Germany had committed a unilateral breach of Articles 42 and 43 of the Treaty of Versailles and of the Locarno Treaty. Without respect for law and the inviolability of treaties, neither order nor peace was possible. But the Council must do something more
than proclaim the breach; it must strengthen public confidence in its action. Portugal would co-operate wholeheartedly with those who endeavoured to reconstruct the safeguards of peace.

At the morning meeting on Thursday, March 19th, M. von Ribbentrop, representative of Germany, after expressing the hope that this first resumption of relations between his country and the League might mark a turning-point in the history of Europe, went on to say that, when the Treaty of Locarno was concluded, certain difficulties had arisen from the fact that treaties of alliance already existed between France and Poland and France and Czechoslovakia which did not seem to fit into the framework of the arrangements destined to provide for peace in the West. Locarno imposed on Germany unilateral burdens which were, however, accepted by the National-Socialist Government in the hope that the other parties to Locarno would fulfil their obligations with loyalty. But in 1935 France, and afterwards Czechoslovakia, concluded military alliances with the Union of Soviet Socialist Republics. France and the Union of Soviet Socialist Republics, including their colonial territories, controlled 275 million people. These two countries were making themselves judges in their own cause, in that they would decide for themselves who was the aggressor, and could thus resort to war against Germany at their own discretion. Both legally and politically, such an agreement was not compatible with Locarno. In any dispute that might arise between Germany and a third State, France would have the right to intervene as she thought fit. By thus extending the interpretation hitherto given to the Locarno Pact, France was destroying its original meaning, and the Franco-Soviet alliance was disturbing the equilibrium of Europe. Since he had come into power, the German Chancellor had, on several occasions, held out a hand to France and made the world a number of offers of absolute or partial disarmament. When the French Chamber ratified the Franco-Soviet Pact, the Chancellor drew the only possible consequences: the re-establishment of the Reich's full sovereignty over the whole of German territory. The German Government therefore rejected as unjust the reproach of a unilateral breach of the Locarno Treaty which, in point of fact, by the action taken by the other parties, had ceased to exist. It was true that the French Government had
declared that Germany's duty was to bring the question of the compatibility of the Franco-Soviet Pact with Locarno before an international tribunal. But, besides its purely legal aspects, the problem had others of great political importance, and a solution could not be expected of a purely judicial body. If a great Power like France had the right to enter into military alliances of such vast extent, without considering existing treaties, Germany possessed the right to ensure the protection of her territory by restoring her rights of sovereignty within her own boundaries.

Now that equality of rights had been secured, the German people henceforth desired to co-operate to the best of its ability in building up a real European solidarity, and to put an end to the period of strained relations and of Franco-German wars. In this spirit, the German Chancellor had offered an agreement guaranteeing the peace of Europe for twenty-five years. He was well aware that the Council was not the competent body for dealing with these suggestions, but neither could it ignore them.

M. von Ribbentrop ended by expressing the hope that the Council would appreciate the importance of the historical decision it was called upon to take in order to pave the way for a better future in Europe.

At the meeting held in the afternoon of March 19th, Mr. Bruce, speaking as representative of Australia, said that he would vote for the resolution submitted by France and Belgium. But the Council had a further duty under Article 7 of the Locarno Treaty, which stipulates that that Treaty does not restrict the duty of the League to taking whatever action may be deemed wise and effectual to safeguard the peace of the world. The system which the nations had endeavoured to create since the end of the world war was based on the scrupulous observance of treaties and on the fact that no Power could free itself from the obligations it had undertaken by unilateral action. He was not without hope that a measure of co-operation between all the Powers concerned would be forthcoming, whereby a satisfactory solution could be found. In the light of the experience of the years since the war, it was necessary that the whole system of international co-operation should be reviewed.

The Council then voted by roll-call on the resolution submitted by France and Belgium. All the Members voted for the resolution