Sir Cecil Hurst said that if the text of Article 8 imposes upon States Members of the League stricter obligations than those contained in the text we are now discussing, these stricter obligations remain in force.

On the other point, Sir Cecil Hurst disputed my interpretation of Article 8. May I point out that I did not give an interpretation of Article 8? I merely read it and, if he disagrees with that reading and finds that an interpretation which consists only of reproducing the words of the text is not the correct one, I promise to consider very carefully the interpretation he has just given us, which is undoubtedly exceedingly ingenious and one which reveals the power and subtlety of his mind. I shall avoid entering into a discussion with him on this matter, but I promise to consider very carefully whether Article 8 must be read according to its text or according to his interpretation.

General de Marinis (Italy). — Is Article 13 to be left blank?

The President. — Yes. I note that agreement has been reached with regard to paragraph 3.

The President read paragraphs 4, 5 and 6, which were adopted without discussion.

The President. — I must remind you that yesterday we examined the question of derogations without reaching agreement.

101. Examination of the Synoptic Analysis. Part II. Derogations (continuation).

Point 12.

The President. — If I understood Sir Cecil Hurst aright, it is agreed to eliminate this point.

No remarks.

Points 9, 10 and 11.

The President. — We must decide whether we retain both texts for Points 9 and 10 and the left-hand text for Point 11.

M. Rutgers (Netherlands). — Yesterday we listened to the arguments on both sides regarding the left-hand and right-hand texts. It seems that the objections levelled against the left-hand column only referred to Point 10. The remarks relating to the right-hand text were likewise not concerned with questions of principle, but were practical objections due to the difficulty of maintaining in practice a distinction, if the circumstances arose, between a war of aggression and any other war.

As regards Point 11, reasons of principle were advanced in favour of retaining it. There was also the practical reason that, if this point were not retained, several Powers would be compelled to insert higher figures in their tables, because they would have to take account of various possibilities which Sir Cecil Hurst referred to yesterday. Moreover, it would be exceedingly difficult for a Power to request the Council's authorisation to increase its effectives for the reasons I gave yesterday, I hesitate to hold out any hope that the British Government will be content to accept the far more limited phrase which is contained in the right-hand column which is taken from the French draft.

Sir Cecil Hurst pointed out that the wording of Point 11, I think there is much force in what M. Rutgers says, and I will undertake to see that the wording of that is carefully considered, and if any modification can be found which would meet the desire of my Government and meet the point that he has in view, I think that he will find that we shall be prepared to do our utmost to meet it; but that is a point which I think you must give us time to consider between now and the Second Reading.
I am quite prepared to accept the word "serious", but "immediately threatened" does not seem very clear.

M. Rutgers (Netherlands). — It is possible to imagine various kinds of threats: threats of a catastrophe which may occur to-morrow and threats of a catastrophe which might occur in a year or possibly in three years' time. Countries with colonies might say that they are perpetually threatened with rebellion in one place or another. If the word "threat" is to be understood in so broad a sense, we are no longer concerned with a certain danger, but with possibilities. Sir Cecil Hurst referred yesterday to the great revolt of seventy-five years ago and quoted various cases in which his country might be exposed to similar "threats". I think we are in danger of giving the word "threat" too wide a meaning.

Sir Cecil Hurst appealed to Point 15. I should like to ask a question with regard to this Point, which deals with the case of rebellion. Point 11 authorises a Power to increase its armaments if it is threatened with rebellion, and Point 15 lays down that the armaments shall be reduced as soon as the rebellion has come to an end. What happens if the rebellion does not break out? I rather imagine that the intention of the authors of the drafts in question was to take account of a threat of rebellion only if it was in fact followed by a rebellion. If we were to take into account threats of rebellion which might perhaps be followed by no rebellion at all, the clause in Point 15 which says that armaments shall be reduced as soon as the rebellion has come to an end would never apply, since the reduction would not have taken place. Thus, I am led to suppose that the authors of these drafts were only thinking of a threat followed by a rebellion. It would be well to make this clear in Point 11, and that is why I suggested we should speak of an immediate threat. I do not imagine that the British delegation intended to cover remote and more or less vague threats. If these were to be included, the derogation would be too large, and would itself be a threat to the Convention.

Count Clauzel (France). — I have listened with close attention to the very interesting controversy between M. Rutgers and Sir Cecil Hurst on the more or less immediate nature of a more or less serious aggression. I must give it as the opinion of the French delegation that the British text could only cover an obviously immediate threat and an obviously serious rebellion, whatever adjectives may be employed. I do not wish to repeat myself before the Commission, but this is a question of principle. The French delegation cannot agree to any text relating to the case of rebellion any more than to the case of an emergency. As I reminded the Commission yesterday, after M. Paul-Boncour had expressed himself to the same effect on many occasions, the only case which the French delegation is willing to include — and that for reasons of principle — is the case of a defensive war. In this connection, we can only regret that Sir Cecil Hurst has been unable to hold out to us any hope that the British Government will be able to agree to our formula of non-aggression.

I do not wish to prolong this discussion needlessly, and I think that all we can do is to stand by our positions, greatly regretting that it is impossible to reconcile our points of view, and keep the two texts as they stand. I should like to assure Sir Cecil Hurst that I have not forgotten Point 15. I have throughout considered this chapter as a whole, but there are reasons of principle which prevent me from agreeing to his formulas.

The President. — As we cannot establish a single text for Points 9, 10 and 11, there is nothing left but to retain both texts.

This was decided.

Point 14.

The President. — I now open the discussion of Point 14. If no one wishes to speak, I shall assume that we are to retain the text of both columns.

This was decided.

Point 15.

The President. — Here we have to make a change in the left-hand text. As Sir Cecil Hurst accepts the elimination of Point 12, we must remove from the text of Point 15 the words "or emergency". The relevant part of that paragraph will therefore read as follows: "or the rebellion has come to an end".

The Commission rose at 6.55 p.m.

THIRTY-SIXTH PUBLIC MEETING.

Held at Geneva on Saturday, April 23rd, 1927, at 10.30 a.m.

President: M. Loudon (Netherlands).

102. Statement by the Japanese Representative Regarding Naval and Air Armaments.

The President. — Before reopening the discussion on derogations with the examination of M. de Brouckère's proposal, I call upon M. Sato, who desires to make a statement.

M. Sato (Japan). — When I made my reservations on certain clauses regarding naval and air armaments, I informed you, Mr. President, that I should make a definite statement at the Second Reading.
In view of the importance of the problem, I have kept my Government informed of the discussions which have so far taken place, and have requested further instructions.

For the sake of agreement, and above all with a view to contributing, however modestly, to the success of our work, my Government has just authorised me to withdraw these reservations and to adhere, under certain conditions, to the texts adopted at the First Reading.

There were three reservations. The first concerned limitation of naval effectives. I have already had occasion to state that we are, in principle, opposed to the limitation of naval effectives, which in our opinion is automatically effected by the limitation of the number of warships. My Government still maintains this point of view. Certain delegates have, however, in the course of our discussion, expressed the fear that limitation of land force effectives would not be complete for certain countries unless naval effectives were at the same time limited. Taking this anxiety into consideration, my Government has decided to accept limitation of naval effectives under the following conditions:

1. Limitation shall apply to the total naval effectives without distinction between officers, petty officers and other ratings.

2. From the point of view of limitation, no fixed ratio should be established between naval effectives and warships.

3. Limitation of naval effectives should not affect either the existence of the necessary administrative and training staffs or the normal working of the warships which each High Contracting Party shall be authorised to retain under the provisions of our Convention.

The second reservation referred to the limitation of air armaments material. Our Commission has decided to limit air armaments material by applying limitation to the total horse-power and to the number of aircraft. (I do not include dirigibles, which are, in any case, limited by volume.) I had made a reservation on this point; but my Government is ready to accept the Commission’s formula, on condition that limitation applies to the maximum horse-power and the maximum number, without establishing a ratio between these two standards of limitation.

The third reservation referred to aircraft carried on board warships. I have said before that, in our delegation’s opinion, the limitation of these aircraft should be effected by limiting the warships themselves, and that therefore it would be expedient to exclude these aircraft when we are considering the limitation of air armaments. Certain delegations have expressed the fear that this procedure would give rise to serious disadvantages from the point of view of the limitation of air forces. For the sake of agreement, my Government is ready to accept the inclusion of aircraft carried on board warships in the limitation of air armaments, on condition that this inclusion will not in any way affect any future discussion on the problem of the limitation of naval armaments.

Without waiting for the Second Reading, I was anxious to acquaint you at once with my Government’s decision on these three important points.

I ask you, Mr. President, to be good enough to take note of this statement, and have copies of it distributed to Members of the Commission.

The President. — I can at once inform the Japanese delegate that his statement will be noted. On behalf of the whole Commission I should like to thank him for this fresh proof of his conciliatory spirit. We have often had occasion to appreciate this spirit, which is so necessary to our work and which has always marked his contributions to our discussions.

103. Examination of M. de Brouckère’s Proposal concerning Derogations.

If, during the term of the present Treaty, a High Contracting Party considers that the requirements of its natural security are materially affected by any change of circumstances, it may be authorised to exceed the limits for armaments fixed under the present Treaty by a unanimous decision of the following High Contracting Parties: British Empire, France, Germany, Italy, Japan, United States of America and other Powers not enumerated above which may be represented on the Council of the League of Nations.

This provision shall not affect the rights or obligations of the contracting parties arising out of their membership of the League of Nations.

Sir Cecil Hurst (British Empire). — In the course of the discussions, when M. de Brouckère indicated his intention to put forward his amendment, we were dealing with the proposal that was found in the left-hand column of the document under discussion, which provided that the limitation of effectives should not operate if a State felt itself compelled to increase its armaments on account of a rebellion, and I pointed out that there had been in the course of history occasions on which a State had felt itself, when menaced by a great internal commotion which shook it to the foundations, compelled to increase its armaments, and that where it was limited by a Convention of this sort it might be impossible for it to maintain the limitations laid down in the Treaty. M. de Brouckère put forward this proposal in the hope that it might meet the British point of view with regard to the non-application of those limitations in case of a rebellion. I think it is only right that I should point out that there is one element in connection with the suppression of rebellions on which M. de Brouckère’s proposal does not quite meet the requirements of the situation.

A rebellion is, to any State which is faced with it, essentially an internal matter; it is one which affects the security of the State, but it is a matter which affects the security of the State from inside, and a State has got to deal with that matter entirely on its own authority and in virtue of its own sovereignty. Now, M. de Brouckère’s proposal is that, before a State could increase its armaments, it should be obliged to go to other sovereign States to
obtain permission to do so. Where a State is faced with a great internal menace, it does not seem right that it should be obliged to resort to the good will of other Powers in order to meet the impending misfortune, which hang over it; and, though I think M. de Brouckère's proposal is one of very great value, and which no doubt ought to be considered or re-examined in connection with Point 17 of the Synoptic Table, I do feel bound to explain to the Commission that it does not quite meet the British point of view with regard to a rebellion, for the reason that we feel that a rebellion is an internal matter and that a State must be able and entitled to deal with that internal menace without resorting to the permission of foreign Powers to take such steps as it may think necessary.

M. DE BROUCKÈRE (Belgium). — Mr. President and gentlemen — I thank Sir Cecil Hurst for having been good enough to take my proposal into consideration, and I quite understand that the British delegation may not consider it equivalent to its own proposal. It is certain that it does not grant a State such extensive rights. I had, however, thought that it might to a certain extent supplement the British proposal.

I appreciate fully the importance of Sir Cecil Hurst’s argument when he states that rebellion is an internal matter which a State should deal with in accordance with its sovereign rights. I had put forward this same argument myself, but I drew an opposite conclusion. It appeared to me that if, in case of rebellion, a State should take measures which would have a repercussion on other States — measures which would influence international relations — the intervention of other States would then perhaps be justified. I do not wish, however, to reopen a discussion on this point, which was exhaustively dealt with the other day, as this discussion is now doubtless closed. I asked permission to speak because I wished to say that I did not submit this proposal merely as a substitute for the British proposal authorising a State to increase its effectives in case of rebellion. I had another reason in mind.

I must here recall Article 8, paragraph 4; but I shall content myself merely with reading it:

"After these plans shall have been adopted by the several Governments, the limits of armaments therein fixed shall not be exceeded without the concurrence of the Council".

It appeared to me that the carrying out of this paragraph 4 would perhaps be hampered by a Convention which might be signed by States who, as non-members of the League, would therefore not be bound by the Covenant. It was, in fact, to allow of Article 8 coming eventually into force that I introduced a proposal which was, moreover, based on a clause of the Washington Treaty, only differing from it on one point. In the Washington Treaty a meeting — a new Conference — of all the signatory States is necessary if the provisions agreed upon are to be amended; but, as these States only number five, such a Conference is easy to convene. In the present case, as the number of signatory States is much larger, I propose that the consent of only a certain number of signatory States should be necessary. If the list which I have drawn up is open to objection, we might perhaps leave it blank, as we have done in other cases, and defer the completion of the list until the Second Reading.

Count Clauzel (France). — I only wish to refer to what M. de Brouckère has said regarding his suggestion to leave the list which figures in his proposal blank, as we did yesterday with Article 13. I think that it would be useful to do the same with all similar clauses in the draft scheme.

M. DE BROUCKÈRE (Belgium). — I agree.

M. PEREZ (Argentine). — I entirely agree with the statements which the honourable delegate for Great Britain has made regarding M. de Brouckère’s proposal.

The President. — At Sir Cecil Hurst’s suggestion, we will defer this discussion until we come to the discussion of Point 17.

104. Examination of the Synoptic Analysis. Part II. Point 1. Organisation.

The President. — I should like to make a suggestion. Would a detailed discussion on this point be useful or expedient? Of course, any delegate desiring information or wishing to explain his own point of view is entitled to speak; there could be no objection to that. But, on the other hand, I think that we should curtail the discussion as far as possible. We have before us different texts. We know them, and we know each other’s points of view. Various suggestions have been made, and these suggestions, I believe, have still to mature and be submitted afresh to our Governments. In these circumstances, I doubt whether it would be useful to start a very detailed discussion on this matter. This is, of course, only what I personally advise, and any delegate is free to go into as much detail as he wishes; but I think that it would be advantageous to abridge our discussion as much as possible. I declare the discussion on Organisation open.

M. DE BROUCKÈRE (Belgium). — Mr. President, I have heard your suggestion with deference and the greatest desire to follow your advice.

If the delegates think that a detailed discussion is, at the moment, valueless, it would be ungracious if some of us were to inflict on our colleagues statements of opinion which could not interest them.

My personal impression, however, was not that the discussion had gone as far as it could. I was not under the illusion that we could succeed in drawing up a single text, but I thought...
that our debates might be useful in two directions. If we do not reach an immediate agreement we might at any rate succeed in making our position quite clear, and, among nations which are all equally in need of peace, I think that to make our position clear would lay the foundations of an agreement.

It seemed to me that on many points the views of the various delegations were perhaps less far apart than they seemed at first, and that a little discussion would clear up the position still further. But, I repeat, if the delegations concerned do not think so, it would obviously be rather quixotic to persist in the combat. In that case, however, I wonder whether the best way of avoiding a detailed discussion would not be to have a general discussion on a certain number of questions. We have here points which are closely interconnected: Organisation, Information, Procedure with regard to Complaints and Revision, and, finally, Article 11 of the French draft. The discussion will probably be long, even if it is already morally at an end, since each speaker will have the right to go into detail. I wonder whether, if we devoted a short time to a general discussion, we should not arrive more quickly at a result and whether this would not perhaps be the best method.

Count Bernstorff (Germany). — I strongly support our President's suggestion. I do not think that we shall reach agreement on the point under discussion. But in these circumstances I wonder what we shall put in our report if we do not now reach an agreement. In this case, would it not be wiser not to discuss the question at all and to state in the report that this question has not been exhaustively discussed. If we open the discussion on this question and find that our opinions vary regarding different points, we shall all, in accordance with our Government's instructions, have to make reservations, and from this fact alone it is obvious that the discussion will be protracted. But if we say that this problem has not been discussed at all, and that it will be reverted to at the Second Reading, our obligations towards our Governments will have been discharged.

The Hon. Hugh Gibson (United States of America). — I should like to add a word with regard to what Count Bernstorff has said. He suggested that it might be embodied in the Protocol that these questions have not been discussed. I am not sure that that gives an entirely accurate impression of the state of affairs, because we have discussed the matter at considerable length. We are all very fully informed as to each other's points of view, and I wonder whether we have not made about as much progress as we are likely to make by discussion before an attempt at negotiation and if we could not put more accurately in the statement that these matters, having been fully discussed, are now reserved for discussion at the Second Reading.

General De Marinis (Italy). — I fully agree with what Mr. Gibson has said. The question of supervision has, in fact, been discussed, and delegates have had an opportunity of expressing clearly their points of view. There is therefore nothing further to be done except to note the existing state of affairs and mention it in the report.

I do not think there is any need to lay stress on the differences of opinion which have arisen regarding supervision. I may say, however, that two years ago, even at the Mixed Commission, questions similar to this question of supervision were raised. On that occasion, discussions took place very like our own and the same views were expressed. I think, therefore, that it would be useless to prolong the discussion and for this reason I agree with Mr. Gibson's proposal.

I should not like it to be thought that I am not disposed to hear fresh expressions of opinion regarding supervision. On the contrary, I should be extremely glad to hear any further observations which might be made on this subject.

The President. — In answer to Count Bernstorff, I should like to say that, whether the question is discussed now or not, the different points of view will be clearly laid down in the report and the texts included.

Count Clauzel (France). — I support our President's wise suggestion very strongly, if not perhaps very willingly. I should like, however, to be quite clear on one point: in what way will the texts be presented in order to meet Mr. Gibson's request? As he has just said, we have already discussed at length most of these questions. For myself, I have often had occasion to refer to the body which is to be created outside the League, a body for which special provision is made in the French draft to meet the requirements of members of the Commission and future signatories to the Convention who are not Members of the League of Nations. This idea does not seem to have been accepted by certain delegations, and, as a result, we do not appear, at the moment, to have reached unanimity on the subject. I think, however, that, like other similar proposals, it should be placed in one column of the drafts which will be drawn up. There are likewise a certain number of provisions in the British draft which, for our part, we unfortunately consider insufficient, but which might perhaps, later on, be completed and which must also be included in another column. If this procedure is adopted, it seems to me quite superfluous to waste the Commission's time by reverting to arguments which have already been discussed or which may be discussed again at the Second Reading. It might be sufficient to draw up the drafts in two columns and, in accordance with the method already adopted in similar cases, to refer them to the Second Reading, and in any case to the Council, in order that the latter may note the work which has been done and the extremely important part that this question has played in our deliberations.
M. HENNINGS (Sweden). — I agree with the proposal to refer the detailed examination of these two drafts to the Second Reading, on the understanding that the text of the drafts shall be drawn up in two columns. But, as regards the two questions of organisation and supervision, I should like the texts to be presented solely as drafts submitted by the British and French delegations, since the Commission has not fully discussed the question. It is possible that, if the discussion leads to a final agreement, the Commission will adopt quite different conclusions both as regards the British and the French drafts.

The PRESIDENT. — The Bureau entirely agrees with what you say. No other delegate wishing to speak, this form of procedure was adopted.

105. Examination of the Synoptic Analysis, Part II. Points 6, 7, 8, 16 and 17.

The PRESIDENT. — In the circumstances, is it necessary or useful to open a discussion on Point 3 on our agenda concerning Information, or on Points 4 and 5 (Procedure with regard to Complaints and Revision), or Article 11 of the French draft. I think that the decision we have just taken also affects these questions.

No objection having been raised, the Commission decides not to discuss these three questions.

Count CLAUZEL (France). — If I rightly understand the President's proposal, he intends to draw up in two columns all the proposals concerning the Permanent Disarmament Commission — that is to say, not only Point I, but also Points 6, 7, 8 and 17, with the exception of the paragraphs already adopted under “special cases” at the end of Point 17.

The PRESIDENT. — That is the exact meaning of our decision.

106. Examination of the Synoptic Analysis, Part II. Point 3. Publicity of Air Armaments (continuation).

General DE MARINIS (Italy). — We have received the new wording of Point 3 of the Synoptic Analysis (Part II, Information), which is as follows:

Each of the High Contracting Parties shall prepare an annual statement showing the maximum figures attained during the year in respect of the number and total horse-power of aircraft, and the number, total horse-power and total volume of dirigibles in commission according to their distribution, as laid down in Article G, among the different categories of formations:

Note.

Table I. Home forces.
Table II. Overseas forces stationed in the home country.
Table III. Total forces stationed in the home country.
Table IV. Overseas forces.
Table V. Total forces of the High Contracting Party.
Table VI. Forces belonging to formations organised on a military basis and stationed in the home country.
Table VII. Forces belonging to formations organised on a military basis and stationed in overseas territories.

I have no objections to raise about this new version. But it then refers, in a “Note” to a certain number of tables. Well, in the discussion on limitation, the Commission only adopted two tables, as follows:

“Table A. The maximum number and total horse-power of aeroplanes and maximum number, total horse-power and total volume of dirigibles in service in their armed forces.

“Table B. The maximum number and total horse-power of aeroplanes, and maximum number, total horse-power and total volume of dirigibles in service in formations organised on a military basis.”

Those tables were submitted by M. de Brouckère. But I thought that after the long discussions which we have had on this point, we were only to have two tables for publicity. I do not think that there could be any doubt on this point.

I should therefore like to know what the word “Note” means, and who drew up these tables. Will they be incorporated in the text, or not ?

If any delegations wish to have more than two tables for publicity, or the same tables as were adopted for limitation, they ought to make a reservation and state that they want more than two tables. But we have already voted and resolved in favour of the two tables mentioned above.

The PRESIDENT. — The Secretariat has simply mentioned these seven tables as a note for the benefit of the members of the Commission and because Article G, the text of which has not yet been distributed to you, contains this division. But, obviously, this form is not to be kept. There will be no purpose in rejecting the headings of the tables.

General De MARINIS (Italy). — I return to what I was saying just now. Did not the Commission decide to have two tables for publicity ? We settled this point and we ought to abide by it. It is understood that the delegates have full liberty to submit reservations.

The PRESIDENT. — The two tables which we adopted dealt with limitation, not publicity. This is therefore a new proposal that you are putting forward, and the Commission may be called on to pronounce on it.
General de Marinis (Italy). — In my opinion we ought to abide by the two tables, for publicity as for limitation.

I propose that the text of document C.P.D.74 be modified as follows:

“Each of the High Contracting Parties shall prepare an annual statement showing the maximum figures attained during the year in respect of the number and total horse-power of aircraft, and the number, total horse-power and total volume of dirigibles in commission according to their distribution, as laid down in the chapter on air armaments.”

We cannot say at once which is the chapter in question; it can be put in when it is settled.

Sir Cecil Hurst (British Empire). — So far as I understand the proposal, I do not think there is any objection to the amendment proposed by General de Marinis to the wording, but I do want to be quite clear as to the position in order that there may be no misunderstanding. There is a divergence of view, I think, on the question as to whether there should be an agreed distribution of the air forces between the metropolitan territories and the overseas territories. The original proposal, which emanated from the French delegation, provided for such differentiation and to that General de Marinis made a reservation. Then came the stage at which a new wording was suggested by the British and French delegates, to which they themselves were obliged to make reservations, because they wanted a wording which they thought would satisfy General de Marinis if their own French and British Governments were prepared to accept it. But General de Marinis a few moments ago used wording which I think suggested that it was agreed that there should be only limitation of air material and effects by a global figure applicable to both overseas territories and to metropolitan territories. That is not our view, because we did put in a very definite reserve to that idea, and at present we are certainly not in a position to withdraw that reserve. But I make this explanation because, subject to such explanation, I see no objection to the new wording that General de Marinis proposes for this article. He merely refers the point back to Chapter 3 and on that point we are not yet agreed.

General de Marinis (Italy). — I thank Sir Cecil Hurst for the explanation which he has given me. I admit that the British and French delegations did formulate reservations when the text in question was adopted. Nevertheless, in view of the principle which the Commission had adopted, I think it right to uphold my proposal, the question remaining open till the Second Reading.

I thank the British representative for having accepted my amendment under this condition.

Count Clauzel (France). — I fear that a misunderstanding has arisen, if not between Sir Cecil Hurst and General de Marinis, at least on the interpretation which the latter thought he could place on our previous discussions, and in particular on what he has called the French delegation’s reservation.

M. Paul-Boncour was anxious to make General de Marinis the concession which he requested regarding limitation, for which M. Paul-Boncour accepted two tables. But this concession was not made as regards publicity. On the contrary, the French Government was extremely anxious to keep the seven tables on this point.

We cannot, therefore, take up the question again in the form of a reservation, because we have before us a new proposal formulated by General de Marinis, unless, indeed, this constitutes a reservation with respect to the French proposal.

The best solution would be to enter these proposals for the Second Reading in parallel columns. The French delegation cannot transform its original proposal into a reservation; it must therefore have it shown. It seems to me quite natural that, if General de Marinis also does not want to make a reservation, his proposal should be placed opposite the French proposal in a parallel column.

General de Marinis (Italy). — I apologise to my colleagues for insisting on this question of drafting, but I still fail to understand what was the attitude of the French delegate towards limitation.

At the first discussion, M. Paul-Boncour kindly met my wishes by saying that he agreed to have two tables only for limitation. Count Clauzel now confirms that M. Paul-Boncour made me this concession, but he adds that the French delegation made every reservation as regards publicity, for which there will have to be seven tables.

If this is so, I am very glad to take note of it. The fact, however, remains that when I asked the Secretariat for certain explanations when the new version was distributed, I was told that there was a reservation by the French delegation regarding the two tables for limitation. If this reservation was really made, the French delegation has not made me any concession at all. I should like to be enlightened on this point.

Count Clauzel (France). — I am bound to confirm what General de Marinis states regarding the table drawn up by the Secretariat. M. Paul-Boncour was very pleased to make him a concession, but was nevertheless obliged by his instructions from the French Government to make a reservation. Nevertheless, the concession was made, and General de Marinis’s wishes were met; the limitation will be reduced to two tables, but, as has been done in many cases, the text will include a reservation by the French Government. Incidentally, there will also be a reservation by the British Government.
As to the second point raised by General de Marinis, no vote, as the President says, was taken on the number of tables dealing with publicity. I propose, then, that General de Marinis either make a reservation or adopt the system of parallel columns.

General de Marinis (Italy). — There is, then, an alternative: either to adopt the text which I propose and the British delegation supports, which would elicit reservations from some delegations, as the French delegate tells me, or else to have two distinct columns. I leave it to the Commission to decide which course it prefers to adopt.

The President. — I think the members of the Commission will agree to adopt two columns. Agreed.

M. Sato (Japan). — I would ask the President to tell me what is the final text.

The President. — Point 3, which has been redrafted, will contain two columns. One column will consist of the text submitted but without the "Note". The other column will consist of the text as given, with the following modification: the words "as laid down in Article AB of the chapter on air armaments" will be substituted for the words "as laid down in Article 6".

107. Examination of the Synoptic Analysis. Preamble.

British draft. French draft.

I. (Names of the High Contracting Parties)

Persuaded that the maintenance of peace requires the reduction of armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations;

Considering that all Members of the League of Nations are already pledged by Article 8 of the Covenant of the League to the acceptance of the principle enunciated above;

Realising that the purpose of the limitation of armaments by international agreement is to diminish the risk of aggressive action by one State against another and that all agreements for limitation of armaments should be construed in the light of that purpose;

And whereas the Treaty of Mutual Assistance and the Protocol for the Pacific Settlement of International Disputes, which were intended to define more precisely the operation of Article 16 of the Covenant of the League of Nations, have not been applied;

And whereas regional agreements based upon the principles of the Covenant and arranging for mutual assistance between the signatory States in the event of attack have been successively concluded and have resulted in improved conditions of security for a number of States;

Believing that, in order to obtain the greatest possible advantage from a reduction and limitation of armaments, such reduction and limitation must cover military, naval and air armaments and must embrace as many nations as possible.

Anxious to overcome the obstacles to the economic restoration of the world which the competition in armaments now imposes on nations impoverished by war;

With a view to accomplishing these purposes,

Have resolved to conclude a Convention, and have appointed as their plenipotentiaries:

The President . . . . .

Who, having communicated their full powers, found in good and due form, have agreed as follows:

And, having decided to conclude a treaty for this purpose, have appointed as their plenipotentiaries . . . . .

Who, having deposited their full powers found in good and due form, have agreed upon the following provisions:
Count Bernstorff (Germany). — I venture to say a few words in support of the following proposal which I have made regarding the Preamble.

"Whereas heavy armaments constitute the most serious menace to the peace of the world,

"And whereas Article 8 of the Covenant of the League of Nations provides for a general reduction of armaments,

"The High Contracting Parties have resolved to conclude a Convention as a first step towards the accomplishment of this purpose, to be followed by successive measures with a view to further disarmament, and have appointed . . . . . . . . . . . . . . . . . . ."

In preparing this draft I thought it well to give as simple a text as possible. I therefore included in our text only the essential principles; the principle that heavy armaments constitute the most serious danger for peace, that Article 8 of the Covenant requires a reduction of armaments, and that we are about to take the first step, which will be followed by many others.

I suggested this very simple formula because I thought it absolutely necessary that the man in the street should understand perfectly what we are going to do. Public opinion is watching us and waiting for us to do something at last in the way of disarmament. I think it essential that the man in the street should understand the idea of disarmament, without having to study all the fruitless attempts previously made to reach disarmament.

In my opinion, we must appeal to this man, the man whom, in an era which was technically much less advanced than our own, Lord Palmerston described as "the man with the umbrella on the top of the omnibus". This is the man who is watching what we are going to do. That is the first reason for making our proposal simple.

The second reason will be clear from the speeches we heard yesterday. I did not want to let you see our opinion so easily; but, since we talked about Russia for two hours yesterday, I am anxious to state that my intention was to propose a Preamble which should be acceptable not only to the United States, whose representative we have already the honour and pleasure of seeing among us, but also to Russia if she consents to join us, as I hope she will, for our Second Reading. I wanted this Preamble to be equally acceptable to the States which are not Members of the League of Nations. It would be very difficult for them to accept a Preamble which went into details of the work done by the League of Nations.

M. Erich (Finland). — I have no proposal to make bearing directly on the actual text of the preamble, in which the need for security is already taken into account. I only rise to put forward a few remarks which the Finnish Government has to make on the principal questions mentioned in the preamble. I further venture to remind you that our programme provides for another proposal which will doubtless be the subject of our discussion in the Second Reading.

By a decision of the Council, the Commission has to deal with a proposal concerning the special arrangements by which the effects of the reduction or limitation of armaments may be adapted to the special needs of those States which are in a relatively unfavourable situation from the point of view of security. In other words, we have to take account of the undeniable interdependence of disarmament and security.

Seeing that our Commission has so far only attained very small results regarding limitation of armaments, it has not been possible to subject the question of security to a detailed examination, although more than one delegation pointed out its necessary connection with a work which aims at giving effect to Article 8 of the Covenant.

Considering the important place which the interests of security should hold in the programme of our Commission, and having been able to convince itself of the unanimity existing on this point among a number of States, the Finnish delegation has attempted to give a more precise form to certain provisions regarding security which are intended to come into force simultaneously with the principal Treaty. Nevertheless, for the reasons I have mentioned, the Finnish delegation has refrained from submitting a detailed proposal at this moment, but it reserves the right of returning to it at the Second Reading.

There is another reason why we should thus postpone a detailed discussion on security. The Financial Committee will in a few weeks' time continue dealing with that important part of the guarantees for security; that is, the financial assistance to be given to a State which is the victim of aggression; and we hope that the work begun on these lines will have attained a more concrete shape in the interval between the First and Second Readings.

Allow me now to give a brief sketch of the consideration which has guided the Finnish delegation in this matter. The necessity of reinforcing the present guarantees for security is recognised. Thus, four great European Powers recognised in the Locarno agreements that they needed complementary guarantees within the framework of the Covenant; at the same time they proclaimed, as an ideal to be realised in the future, a state of things in which the League of Nations will be able to ensure adequate guarantees of security. There are other States which also feel strongly the need of more efficient guarantees. If within the League of Nations itself there are States which need supplementary guarantees in their mutual relations, this necessity must a fortiori arise more strongly between States which are not all Members of the League of Nations, but for external reasons constitute a regional unit from the point of view of security. It was under these circumstances that the idea arose of a system of
simple pacts of non-aggression as arrangements suitable to ensure a state of peace. This is a form of undertaking which is extremely elementary and is primarily negative; it does not involve guarantees properly so called. A simple pact of non-aggression may nevertheless provide that it is based on sound principles, that it recognises conciliation and arbitration as means of settling international differences and, of course, that it in no way affects the rights and duties resulting from membership of the League of Nations. The country which I have the honour to represent has always considered proposals to this effect with sincere interests, and my Government has submitted them to detailed and conscientious examination. We are bound to admit that attempts on these lines have hitherto met with very small success, and this is principally due to the difficulty of framing arrangements with an eye to security, while leaving them outside the general organisation of the League of Nations. There too easily arises a more or less obvious, a more or less inevitable, contradiction between the obligations arising out of the Covenant and those established by the special treaty. Further, a treaty of non-aggression presupposes by its very nature certain rules to facilitate the determination of the aggressor, since it is evident that this question cannot simply be left to the individual judgment of each party concerned. But it is quite impossible to find a satisfactory solution to this problem without recognising the jurisdiction of the Council of the League of Nations on this point. Its competence cannot be surrendered without coming into conflict with the Covenant. Even the idea of non-aggression, simple as it is and ill-adapted to provide real guarantees, can therefore only be realised in a very imperfect way if the competence of the organisation of the League of Nations is not admitted. The case is the same as regards the execution of a Convention on the reduction or limitation of armaments, even as regards the supervision of its execution. It is the same as regards the establishment of demilitarised zones for preventing aggression and facilitating the determination of the aggressor. It is well to point out how close is the natural connection between such neutral zones — to which my country has always attributed great practical value — and any serious work of disarmament.

An essential part of any arrangement aiming at security is the framing of more perfect and universal rules under which it will be possible to determine the aggressor and establish the innocence of the victim. At the same time, the connection of this with the work of disarmament is incontestable, if only for the simple consideration that the country which commits an aggression misuses, by doing so, the armaments meant to ensure its national security.

The necessity of a definite method to determine the aggressor arises, lastly, out of the consideration that every aggressor, whether a Member of the League or not, is to be dealt with by joint action taken by the League of Nations, whether this action is carried out under the Covenant, or whether it takes a form which is really much less effective. The victim, on the other hand, is safeguarded by the Covenant.

Of course, any discussion on security also touches on the possibility of preventing war as much as on the working of the guarantees properly so-called. As I had the honour to state just now, the Finnish delegation does not propose to enter into a detailed analysis of the guarantees for security. It hopes that the question of the manner in which financial assistance is to work will soon be made the subject of a positive and practical proposal. The Finnish delegation reserves the right of taking up the different aspects of international security at a later date in this Commission.

Count Clauzel (France). — I wish to signify the very complete and very cordial support of the French delegation to the point of view expressed by the Finnish delegate in his remarkable speech. He has also given me an opportunity to present to Count Bernstorff my case for the text of the Preamble at the head of the French draft. Most of the ideas set out by M. Erich are contained in their essence in the Preamble in the French draft. I think that, in any case, the first line of the Preamble cannot elicit any objections from Count Bernstorff, since it refers to that Article 8 which we have learned to read and reread, and which the delegate of the Netherlands suggested just now we should insert in capital letters. This reference to an article of the Covenant — in the name of which, after all, the labours of the Preparatory Commission for Disarmament have been undertaken — inspired the French delegation to make its references, both to other articles of the Covenant and to the efforts (unfortunately unsuccessful) made by the Assembly or the Council of the League of Nations. But these references cannot, of course, in any way hamper the action of members of the Commission who are not yet Members of the League of Nations, that representative of the United States no more than the representative of the Soviets, if, as Count Bernstorff hopes, Russia consents to take part in the Second Reading.

Clearly, further efforts towards establishing security will also have to be made along lines other than those already attempted by the League of Nations; they must also take account of what I yesterday called, not too elegantly, the interdependence of the security undertakings to be assumed in pursuance of Article 8 of the Covenant, and the undertakings which will be contracted at the Disarmament Conference. The Finnish declaration contained a clear reference to this interdependence when M. Erich spoke of the assurance which will have to be given to a certain number of signatory States, I might say to all signatories of the future Disarmament Convention, as regards their security. The form of this is still to be settled. It can obviously not be laid down until we know the nature and extent of the undertakings arising out of the Disarmament Convention. It is therefore quite clear that it is during the Second Reading that these exact details can be given. No doubt we shall then be able to
settle finally the text which is simply suggested in the First Reading at the head of the French draft.

Count Bernstorf (Germany). — I beg to assure Count Clauzel that I had no intention of criticising either the French or the English text. I made my proposal because I thought it might be well to take a perfectly simple formula, since we are trying to conclude as complete an international convention as possible, and not simply a League of Nations treaty.

M. Sokal (Poland). — I fully agree with all the arguments put forward by the Finnish delegation regarding the interdependence of security and disarmament: the Polish delegation has already pointed out on several occasions that disarmament is a function of security. But if we are only concerned with the Preamble, we must recognise that we have several texts before us; if, then, the Commission wanted to take a decision to-day it would have to choose one of these texts and adopt it as the Preamble. Do you think that the moment has yet come to decide definitely what are the political bases on which the future disarmament convention is to rest? We are trying now to find the formula of a preamble to a convention of unknown contents. I am afraid this reminds me of the conversations between married couples about what to call their children when they have them. These conversations have certainly a sentimental charm of their own, but in this particular case they would be of little practical value. To take Count Bernstorf's phrase, I think "the man with the umbrella on the top of the omnibus" will not be too pleased to be given a Preamble without being told exactly what is the convention that we are giving him. Finally, I think that we might reserve till the Second Reading our examination of the very pertinent observations which the Finnish delegation put before us just now, keep the present text and not decide until we have fixed the form of our convention in the Second Reading what roof we are to put on this house, that we have not yet built.

M. Rutgers (Netherlands). — Count Clauzel referred to the attempts mentioned in the French Preamble to conclude a Treaty of Mutual Assistance and to frame the Protocol of Geneva; which attempts, as he said, unfortunately failed. The word "unfortunately" is not in the French Preamble, but the idea is certainly there, and the failure of these attempts is looked on as regrettable. I wonder whether we can ask the Governments which we represent, and also the other Governments which refused to ratify the Protocol, to say that this failure was regrettable?

Sir Cecil Hurst (British Empire). — I was going to ask, Mr. President, exactly what course it is your intention to pursue with regard to the Preamble. Are we going to attempt to-day to arrive at one draft which shall meet with the assent of all parties here, or are we going to leave — as so much has already been left — this matter until we reach the Second Reading? May I say that, in the British draft, I wish to modify slightly paragraph 5 of the Preamble, which should read as follows:

"Determined to alleviate to the greatest possible extent the heavy burden which expenditure on armaments is imposing upon the economic life of the world and lowering its standard of living,"?

For the rest, it may perhaps be convenient that I should state that we entirely share the objections which M. Rutgers has indicated to the mention in the Preamble proposed by the French Government of those treaties which were not accepted. We cannot think that it would be wise in this new venture of the League to register its previous failures. Failures are infectious, and we do not want the previous failures to be repeated on this occasion. Surely it would be wiser from every point of view to leave out that paragraph, not only for the reason given by M. Rutgers but for the broader reason that I have given.

M. Comnène (Roumania). — It is really rather late to start a discussion now on the text before us. The reasons which M. Sokal put forward just now are in favour of a suggestion which I venture to make. Neither the French nor the English text is perfectly satisfactory to the delegates here present. I therefore suggest that we apply here the procedure which we have already adopted for other texts on the proposal of the Swedish delegate, that we keep the two texts as they are under two headings "French proposal", "British proposal". Obviously, there will be a third heading for the German proposal. In the Second Reading, after preliminary diplomatic work, which will doubtless be fruitful, we shall perhaps be able to find new texts on which we shall reach agreement more easily.

I also think it my duty to state at once that I entirely support the declarations of our Finnish colleague. They contain extremely interesting suggestions which we ought to consider in our next discussions. I hope that these discussions will lead to a single complete draft Convention.

General de Marinis (Italy). — I consider that M. Comnène's proposal supplements that of M. Sokal. I am very much disposed to agree with the Roumanian representative. I feel bound to point out that we have had no discussion on the Preamble. In the circumstances, the text ought to be headed: "British proposal", "French proposal", "German proposal". In the other texts where we use double columns, we may mention that several of the delegations here present concur, since these texts have been the subject of a debate. It is not the same
case with the Preamble, and only the delegations which have made the proposals should be mentioned as putting them forward.

I must add that the Italian delegation considers with the greatest sympathy the declarations which have been made by the Finnish representative and hopes that it will be possible to find practical solutions to meet the aspirations which have been expressed.

Count Clauzel (France). — I need not say that at this late hour I only want to answer what Sir Cecil Hurst said about one of the points which gave rise to criticism of the Preamble suggested by the French delegation. As Count Bernstorff, with his kind courtesy, assured me that he did not wish to criticise the French text, so I must say for my part that the French text did not mean to imply any criticism. It did not even express any regret; it was I who did that just now, speaking for myself alone. The French text confined itself to stating facts. Sir Cecil Hurst thinks that it would be better not to do this; perhaps other delegations will tell us later that they share his view. The French delegation only wanted it to be a reminder. As the old proverb says, "Forewarned is forearmed". It did not at all wish to criticise anybody.

I support M. Comnène's proposal, in the form suggested by General de Marinis.

The President. — I think we may conclude from this discussion that all delegations agree to adopt M. Sokal’s proposal. We are agreed, then, not to set to work on constructing the roof of our building. We will supply our Governments with the material, by laying the texts before them. These will be placed in the three columns as proposed.

We have still one or two questions to discuss. The Secretariat will supply the final texts which will constitute the report to be submitted to the Council. The delegates will receive them this evening without fail.

The Commission rose at 1.15 p.m.

THIRTY-SEVENTH PUBLIC MEETING.

Held at Geneva on Monday, April 25th 1927, at 3.30 p.m.

President: M. Loudon (Netherlands).


The High Contracting Parties undertake to abstain from the use in war of asphyxiating, poisonous or similar gases, and of all analogous liquids, substances or processes.

They also undertake to abstain from the use of all bacteriological methods of warfare.

They undertake, moreover, not to permit the importation, the exportation or the manufacture on their territory of substances utilisable for chemical or bacteriological warfare, when they are imported, exported or manufactured with a view to such use.

The President. — According to the agenda, we have to discuss to-day the proposal relating to chemical warfare submitted by M. de Brouckère, Colonel Kasprzycki, M. Yovanovitch, General Dumitresco and M. Veverka.

M. de Brouckère (Belgium). — The authors of the proposal have no intention of opening a new discussion at this late hour, when it seems that we have for the time being exhausted all the work we can usefully accomplish.

They merely desire that this First Reading should not be brought to a close without at least some reference being made to this important problem, perhaps the most important problem of all, namely, chemical warfare. It is obvious that, in the course of the last few years, war has assumed new forms. To ignore these and consider only the older forms of war would be very much like attempting, at an earlier time, to limit armaments by limiting only the number of spears and swords and taking no account of firearms.

I took the liberty of saying here one day that to do this would be to effect a museum disarmament. It is perhaps in that sense, Sir, that the step we are taking to-day may some day be described as an historic step.

But I repeat, while we wish to raise the question, we do not presume to think that we can solve it. We wish to make a note of it for the Second Reading. I do not think that at the present time it will be possible to reach unanimous agreement, either on this text or on any other; but we reserve the right to revert to the matter again should such an agreement seem possible. We felt that, out of deference to our colleagues, we should submit to them now a definite text with regard to which they might perhaps consult their governments.

Count Bernstorff (Germany). — I would remind you that, in May last, I proposed before this Commission that chemical warfare and military aviation should be abolished. The reply which I received was that we could not do this, because in any future war a nation fighting for its existence would employ any weapons at its disposal.
I am particularly gratified to see that a proposal for suppressing chemical warfare has been submitted to us.

Already, at the time of the Conference for the supervision of the international trade in armaments, Germany stated that she was ready to accept without reservations any international regulations for abolishing the use of the chemical weapon.

To-day I have the honour to repeat this assurance, but I take the liberty of drawing your attention to the fact that, in my opinion, the proposal we have before us does not achieve the main purpose in view. Often we have observed that our deliberations are concerned with peace-time armaments. That is why I think it would not be enough for the High Contracting Parties to make the use of asphyxiating gases in war illegal. The use of such substances in war time requires their preparation in peace time. If in time of peace we agree not to prepare for such use, if we agree not to train military airmen in bombing, if we agree not to prepare in time of peace for infecting high roads and whole districts, if we agree not to train specialists to use poisonous substances in war—in brief, if we abstain from developing the necessary conditions for employing the chemical weapon, then and then only shall we effectively abolish it in war.

It is not the importance of the chemical industry in a country which is decisive. The use of chemical weapons depends rather on exercising and training a technical personnel, on mechanical equipment and technical means of all kinds, the existence of which is the very basis and sine qua non for the use of chemical and bacteriological methods in war.

Indeed, it is not correct to speak of chemical warfare. It would be better to use the term “chemical weapons”, because it is not the war which is chemical but the material employed as weapons in war. That is precisely with what we are concerned. I therefore suggest substituting “chemical weapons” for “chemical warfare”. I further propose to add at the end of the first and second paragraphs of the proposal the words “and any preparation in peace time for the use of these substances”.

M. de BROUCKÈRE (Belgium).—I have listened with interest to Count Bernstorff’s remarks and I think I may say on behalf of all the signatories to the proposal that they share his views and are of opinion that the honourable German delegate’s contribution to the study of this problem has been very valuable. Should one say “chemical warfare” or “chemical weapons”? That is a question of drafting which deserves consideration, but which is not essential. However, Count Bernstorff has further emphasised the necessity for abstaining not only from the use of gas in war but also from any sort of preparation as regards material or personnel. I take the liberty of pointing out in this connection that, according to the proposal submitted to you by the High Contracting Parties, it is as much the business of the signatories to the agreement not only not to permit the importation, the exportation or the manufacture on their territory of substances utilisable for chemical or bacteriological warfare when they are imported, exported or manufactured with a view to such use”.

There remains the question of personnel. Is the training of personnel the main point and that of preparing material a secondary point? Personally I should be inclined to think not, but there is no object in opening a discussion on this point if Count Bernstorff and the authors of the proposal agree in saying that both the preparation of material and the training of personnel should be prohibited.

COUNT CLAUZEI (France).—I should like to make a short statement on behalf of the French delegation with reference to the prohibition of chemical warfare: the statement applies, moreover, equally to the prohibition of chemical weapons.

What I have to state is simply that the French delegation can only welcome with the greatest eagerness any proposal aiming at the suppression of chemical warfare, since such action is in conformity with the attitude already taken up and the undertakings already signed by the Government of the Republic in this connection: The Hague Convention of 1907 prohibiting chemical warfare; the Treaty of Versailles, in which Article 171 confirms this prohibition in the following terms: “The use of asphyxiating, poisonous or other gases and all analogous liquids, materials or devices being prohibited...” The same words are, moreover, to be found in the other Treaties of Peace; The Geneva Protocol of 1925, prohibiting both chemical and bacteriological warfare, which was due to the initiative of the honourable delegate of the United States, Senator Burton, and which was ratified by France.

The undertakings already given by the Government of the Republic in connection with the prohibition of chemical warfare have, moreover, found a practical application in France, for they are prefaced to our military regulations. Thus, every young Frenchman called up for military service learns as it were by heart that “in compliance with the international undertakings, Germany stated that she was ready to accept without reservations any international regulations for abolishing the use of the chemical weapon.

Further, the French delegation wishes to recall the fact that Sub-Commission A was requested by the Preparatory Commission “to consider what effective sanctions can be proposed for the enforcement of the international undertaking not to employ poisonous gas or bacteria in warfare”. Sub-Commission A gave its reply (pages 174 and 175 of its report). The French delegation is of opinion that the Preparatory Commission should take this reply into considera

M. INIGUEZ (Chile).—On two occasions Chile has condemned the use of asphyxiating and poisonous gases in war, as well as other equally inhuman methods. At the Pan-American Conference of 1923, we approved a recommendation addressed to all American Governments to prohibit the use of such substances and such methods. Further, at the Conference for the Trade in Arms held at Geneva in 1925, Chile signed the Protocol relating to chemical and bacteriological warfare. The Chilian delegation, acting on the principles which it has always upheld, is therefore glad to accede, at the First Reading to the draft which we are discussing. It likewise associates itself with the amendment proposed by Count Bernstorff.

M. PEREZ (Argentina).—I welcome the proposal submitted to us. I only regret that M. de Brouckère did not ask for my signature, for I should gladly have given it.

Mr. GIBSON (United States of America).—I understand that the proposal of M. de Brouckère is to be embodied as a Belgian proposal for consideration and discussion on Second Reading. I should merely like to make sure that my understanding is correct, otherwise I should wish to offer certain observations at the present time.

M. DE BROUCKÈRE (Belgium).—You are doing me too great an honour when you describe my proposal as a “Belgian proposal”. In point of fact, we have here a joint proposal, submitted by a number of delegations, and I thank M. Perez for having told me that he would have signed it had I asked him to do so.

The authors of this proposal entertained no illusions. They knew that there was no unanimous agreement on the question, and that consequently the proposal could not be included among the text adopted at the First Reading. Without wishing to open a detailed discussion of the matter, they simply ask that their proposal should be treated in the same way as other proposals made under similar circumstances; that is, that it should be placed on one side of the paper, leaving a blank opposite to indicate the attitude of the dissentients, thus showing that unanimous agreement could not be reached.

Count BERNSTORFF (Germany).—Will M. de Brouckère accept my amendment, or should it be inserted as a proposal made by the German delegation?

M. DE BROUCKÈRE (Belgium).—I think I can accept your amendment on behalf of all the members who signed the proposal.

The PRESIDENT.—Does the German delegation’s amendment consist of inserting at the end of the first paragraph the words “and any preparation in peace time for the use of these substances”?

Count BERNSTORFF (Germany).—These words should also be inserted at the end of the second paragraph.

M. DE BROUCKÈRE (Belgium).—I think that, for these words to be added at the end of the second paragraph, it will be necessary to make a slight alteration in the text. Perhaps the Commission will leave it to the Bureau to make the necessary grammatical alterations. Agreed.

109. Examination of the Draft Texts resulting from the First Reading proposed by the Bureau (Annex 4). General Discussion.

The PRESIDENT.—I open the general discussion on the texts proposed.

M. HENNINGS (Sweden).—I have examined with great care the documents before us, which we are now going to discuss. I should, in the first place, like to pay a sincere tribute to the Bureau for the difficult task which it has accomplished in co-ordinating the often rather confused texts which resulted from the First Reading.

I should, however, like to propose an alteration in the text of the first paragraph, which might, I think, give an incorrect idea of what happened in the course of our deliberations. When we began our work, the President emphasised the fact that this was only a First Reading, and that consequently every delegation would be quite free to revert again, at the Second Reading, to the proposals and suggestions made, and, further, than it could, at the Second Reading, either submit new proposals or withdraw its acceptances of articles adopted at the First Reading.

We concentrated in the first place on examining a single text. For this reason delegations which submitted proposals for more extensive limitation than could secure unanimous agreement were content with the observation that these proposals had not been adopted at the First Reading. They made no specific reservations as regards the Second Reading. That, for instance, was the attitude taken up by the American and Swedish delegations.

When, subsequently, it appeared that we should not be able to draw up a single text, some delegations, in view of the fact that various proposals had been rejected, expressly reserved their right to revert to these proposals at a Second Reading. The documents submitted to us therefore contain a series of marginal reservations of this kind. Nevertheless, the observations made in the first place, which had not the character of express reservations, are not included in these documents. That is why I think the documents may not give a very exact picture of our deliberations. This state of things might be remedied in various ways. Each delegation might make a general reservation in respect of the report which we are preparing, or they might make special reservations in respect of various articles.
Thus we should have a whole series of new reservations to be added to those — already too numerous in my opinion — which already appear in the document. Such a procedure does not appeal to me at all, and I wonder if we could not obtain the same result by completing the text of page 2 in a more simple way. The last sentence of the first paragraph definitely states that it was generally understood that acceptance of each delegation at First Reading did not prejudice the attitude it might adopt at the Second Reading, and did not bind it in any way. I propose to add the following amendment to this paragraph:

"During the discussion, various suggestions and proposals reproduced in the Minutes were put forward, providing for more extensive limitation than those which secured unanimous acceptance by the Commission on the First Reading. It was understood that each delegation should retain its full liberty at the Second Reading to revert to its suggestions and proposals or to submit fresh ones."

This statement is substantially the same as that made by the President when we began our work. By making such a general reservation in the introductory part of the document, could we not avoid the necessity for inserting the whole of the new series made by various delegations in respect of almost every article? Perhaps, in view of this general reservation, some delegations might even withdraw those which they have already made, and which appear in this document. Unless we add some such phrase I greatly fear that several delegations may think it necessary to add new reservations to those already included in the draft we have before us. Finally, I take the liberty of making a further proposal. Should we decide to submit a report to the Council, or should we even submit the document we are now examining, I think it would be well to include in the report the Minutes of our meetings, for only when one reads these Minutes can one understand the text we have before us. I therefore suggest that the Minutes of our meetings should be included in the report.

M. RUTGERS (Netherlands). — The Netherlands delegation shares the views which the representative of the Swedish delegation has just expressed. It would be a mistake to infer that those delegations which have not put forward express reservations are entirely satisfied with the proposals contained in the preliminary draft before us. The reservation made at the end of the first introductory paragraph covers both the hesitations and the doubts of some delegations and the desire of other delegations to go further in certain respects. Now it must be emphasised that, in the opinion of various delegations, the preliminary draft would be of greater value if certain proposals, which are not included in it, had been inserted. For this reason, and in order not to complicate by introducing further observations the document before us, the Netherlands delegation supports the proposal made by the Swedish delegation.

The President. — The Swedish amendment on which we now have to decide consists in adding at the end of the first paragraph the following words:

"During the discussion, various suggestions and proposals reproduced in the Minutes were put forward, providing for more extensive limitation than those which secured unanimous acceptance by the Commission on the First Reading. It was understood that each delegation should retain its full liberty at the Second Reading to revert to these suggestions or proposals, or to submit fresh ones."

Count Bernstorff (Germany). — I gladly associate myself with the amendment submitted by M. Hennings, but I should like to point out that the proposals made in the course of our meetings usually do not appear in the Minutes. This amendment therefore might not, as it stands, satisfy all delegations.

The President. — In the printed Minutes the proposals will always be reproduced either in the texts or as an annex.

The Hon. Hugh Gibson (United States of America). — I am very glad to support the proposal of M. Hennings, as I believe it merely confirms an understanding which we all had as to procedure; but I should like to make clear that this proposal does not prejudice the right of any delegation to advance general reservations or to associate itself with general reservations already standing in the document before us. I think this (although it may add somewhat to the bulk of the document) is of distinct value, in that it gives us some indication as to the general measure of agreement which we have reached. I am sure it will be of great value to the American delegation to know what reservations have been made, especially of a general character.

Sir Cecil Hurst (British Empire). — I desire to ask a question for my own information, prompted by a remark which figured in M. Hennings' speech. May I ask exactly what this document is which we are proposing to discuss? There were words in M. Hennings' speech which led me to assume that, perhaps, there was an idea that this document constituted a report to the Council. I was under the impression that it was merely a document embodying for the satisfaction of the Commission itself the result of its work on the First Reading, and that is all; that it is not in any way a document that will be handed on — of course it will be known to the public, but that is another matter; no doubt it will be published. I did not think it was intended to be a report to the Council, but merely a document for the edification of this Commission itself. Am I mistaken?
M. DE BROUCKÈRE (Belgium). — Sir Cecil Hurst has asked rather an awkward question.

Sir Cecil Hurst (British Empire). — It was not my intention to do so.

M. DE BROUCKÈRE (Belgium). — I know that, but such is the result. As a rule the result obtained is so different from that intended. I shall try to make my mind clear on this point. Sir Cecil Hurst has done us the great service of obliging us to question ourselves.

What is this document really?

In order to explain what I think it is, I would remind you, in the first place, of the order in which we have done our work.

The purpose of this document is to show the extent of this minimum, each delegation being free, if it thinks fit, to make reservations or to explain exactly how far beyond this minimum it would have liked to go.

There are, moreover, cases in which we reached no agreement. The document then gives the various opposing texts.

All these texts have been collected for our personal information. For the time being this document has no other purpose. However, we are not going to be so selfish as to keep all this for ourselves. The Council has set us a task. We shall have to tell the Council how we have performed that task. I can only see one means of informing the Council, and that is to tell it on what points we have agreed and on what points we have been unable to reach a compromise. That is precisely the purport of the document before us, so that I think we should, after drawing it up, submit it to the Council, together with a brief explanation of what we have attempted to do. Any report to the Council would obviously be incomplete if it did not include the information contained in this document. In reply to Sir Cecil Hurst I should, therefore, say that, for the time being, the text submitted to us is not a report addressed to the Council but that it is intended to become such a report.

Sir Cecil Hurst (British Empire). — May I just explain clearly what is at the back of my mind. I quite realised that it was right and proper that this Commission should give full information to the Council as to the present state of its labours, but I think it would be wise that we should avoid taking any action which will give either the Council or the world at large the impression that we think that this document is the end of the work of this Commission, and that it is then going to lay down its task. We are merely embodying in this document the results of the First Reading, and it will be the duty of this Commission in due course to continue its efforts in its Second Reading without receiving from the Council any further mandate or any further direction to continue its labours. What I am anxious to avoid is that we should deal with this document by referring it to the Council in a way which makes them regard it as the end of our labours.

The President. — I think we all agree on this point. Obviously, we must inform the Council, to which we are responsible, of what we have done so far, but the covering letter will give all the necessary explanations and will clearly indicate that we are only at the First Reading, so that neither the Council nor the Governments nor the public can be in any doubt on this point.

Count Bernstorff (Germany). — I am of the same opinion as Sir Cecil Hurst. I hope that the Council, which will be informed of the state of our work, will also know that we intend to resume it as soon as possible.

I propose that all the documents addressed to the Council should also be communicated, either by us or by the Council, to all the Governments which will eventually be invited to participate in the Conference. Indeed, it is preferable that the Governments should, as soon as possible, examine the questions which we have begun to study, and not at the time when the Conference meets. Moreover, diplomatic negotiations of a very energetic kind and of very wide scope will be necessary. It would be well for the Governments to begin these as soon as possible.

The President. — Is Count Bernstorff of opinion that the Council and not the Commission should communicate the documents to the Governments?

Count Bernstorff (Germany). — We might ask the Council to do so.

The President. — Precisely. I have to inform you of an amendment to M. Hennings' proposal. It consists in adding to the first sentence after the words "acceptance by the Commission in the First Reading", the words "or even than the proposals which are set forth as possible alternatives in the appended text".

M. Iniguez (Chile). — At the thirty-fifth meeting I made suggestions with regard to new situations which may arise in connection with the accession of certain countries, whose neighbours have not signed the Convention.

I would accept the Swedish proposal with a new addition. It would be sufficient to add after the last words the following, "or providing for exceptional circumstances".
The President. — Allow me to read you M. Hennings' proposals with the two amendments:

"During the discussions, various suggestions and proposals reproduced in the Minutes were put forward, providing for more extensive limitations than those which secured unanimous acceptance by the Commission on the First Reading, or even than the proposals set forth as possible alternatives in the appended text, or providing for exceptional situations."

I would ask you, gentlemen, to allow the Bureau to draft this proposal in more academic language, if you agree to the two amendments.

The Hon. Hugh Gibson (United States of America). — Just as a matter of clarity, I raise the question whether it would not bring out our meaning more clearly if, instead of saying "more extensive limitations", we said "different measures of limitation". There might be cases of less extensive limitation; it might be a matter of opinion.

M. Hennings (Sweden). — If I have understood what I have heard, I have no objection to make.

The President. — I hope it will be possible to submit the text to you to-morrow. It is, therefore, understood that M. Hennings' amendment is adopted, subject to the amendments of M. Iniguez and Mr. Gibson. I also observe that you agree to our sending this statement to the Council for its information. Finally, and in accordance with Count Bernstorff's suggestion, we shall ask the Council to transmit the document in question and the minutes to all the Governments.

M. Sokal (Poland). — Mr. President and gentlemen — We have before us the preliminary draft of a Disarmament Convention submitted by the Bureau in the First Reading. This draft is a kind of material balance-sheet of our work. It is not, of course, for us to appraise this balance-sheet or to say to what extent the Commission has succeeded in performing the task which it was set. But it has occurred to me and to a number of my colleagues that the balance-sheet should be accompanied by a supplementary report, mentioning a number of facts forming as a whole what I would call the moral balance-sheet of our work. Why should such a supplementary report be necessary? Its necessity follows naturally from the statements made by a number of speakers who, at the beginning of our session, emphasised the importance of the task set us; they urged the necessity for carrying it through, pointing out the unfortunate and even disastrous results to the cause of peace and to the very existence of the League of Nations in the event of failure. Has the Commission failed in its work, inasmuch as it has been unable to secure a definitive draft Convention at the First Reading? Allow me to deal briefly with a few mistakes which public opinion seems to have made as regards the Commission. The fundamental mistake is to treat the subject of disarmament as a very simple problem which may easily be solved, and where good will alone can quickly and effectively reduce the land, naval and air forces, budgetary expenditure in respect of armaments, war industries, etc. We cannot lay too much stress, when explaining the matter to the public, on the fact that material disarmament is a very complicated problem. We have already been reminded that technical, that is military, disarmament is closely connected with economic, financial and social and other disarmament, and that it is absolutely necessary to make some progress with regard to economic and other forms of disarmament if we are to obtain positive results as regards military disarmament. Public opinion must be reminded that economic disarmament is being raised for the first time by the summoning of an International Economic Conference and that this Conference will make the first attempt to limit international competition and convert the latter into international co-operation.

How can we expect that, in the present state of things, the problems of disarmament should even partially be solved, if, in all the respects which I have mentioned, no positive step has yet been taken? One might reply that if this were so we should have to wait many years before we could secure a disarmament convention. This is not the case. We are all convinced that, if the work of pacification proceeds along parallel lines in the various realms of public international life, it is in proportion to the results obtained that the limitation of armaments will be possible.

Our Commission has not worked in vain. It has not only brought out the complexity of the problem in as conscientious and complete a way as possible, but, at the same time, by careful investigation and study it has brought out the main issues of military disarmament. Have we not truly taken a step forward, since to-day we see clearly the real nature of effective, war material, the interdependence of land, naval and air armaments, the limitation of budgetary expenditure supervision, and even have definite ideas regarding what has been called the administration of the future Convention? And this work, which has been carried out by the League, will have laid a solid and indispensable foundation for all those who wish to continue and urge forward the work of disarmament.

But, apart from the fact that the Commission has destroyed the too simple ideas of the public with regard to disarmament, it has, in my opinion, brought into prominence the close connection between the question of security and that of disarmament. Many delegations have expressed their view on the subject, stating that disarmament can only be conditional on security. I need not remind you, gentlemen, of those three words which have become almost symbolical: Arbitration, Security, Disarmament. It seems to me that the work of our Commission affords a striking proof of the fact that those who wish to reach the sanctuary of the temple of peace have no other means of getting there except by passing through the stages of arbitration and security. All attempts made to attain the same end by other means...
will be futile, and it is an immense gain for humanity and very salutary for public opinion to know that the question of security is fully and unfortunately, urgently, at issue. It is impossible to ignore the fact that we are living in a period of transition. The pre-war systems of alliances are already a matter of history. Moreover, no country is strong enough to maintain that its security is assured by its army, its fleet and its war industry alone. We are building up a new system which is intended to replace the old system under which all risks, and particularly the risk of war, are to be insured, as it were, by the nations, who guarantee each other full and complete security under the Covenant. The League of Nations is fully aware of the necessity for solving this problem. You know, as I do, that a whole series of preparatory investigations are at present being carried on owing to the fact that it has been impossible to put into effect that great scheme for mutual guarantee — the Protocol.

Gentlemen, I apologise for having taken up so much of your time, but I felt that public opinion was entitled to receive from us not only the text of a draft Convention adopted at the First Reading, but also certain observations and explanations in this connection. When the public has received the moral balance-sheet of our work, it will be better able to appreciate the results obtained, and, conscious of certain new factors, it will be able effectively to contribute to disarmament by universal action in favour of moral disarmament, which is the basis of all disarmament.

I therefore have the honour to propose that we should ask the Bureau to preface the text which it has so conscientiously prepared with the kind of introduction I have ventured to describe as the moral balance-sheet of our work.

M. SATO (Japan). — I should like to draw the attention of the Commission to the subdivision of the draft Convention into chapters — a point which we have not yet discussed. A suggestion on the matter is made at the beginning of the document prepared by the Bureau. I do not want to raise, at this point, the question as to the interdependence of the three categories of armaments. This view has been put forward by the French delegation and I supported it, as other delegates have also done. But if the question of principle is set aside and a practical point of view adopted, I think it will be preferable to subdivide the Convention into three chapters as provided in the British draft Convention, namely, land armaments, naval armaments and air armaments. If the principle of the interdependence of the three categories of armaments is upheld and strengthened we might, at the Second Reading, alter the arrangement of the chapters.

In order that the proposal to this effect should not appear final, I suggest we add to the second paragraph the following words: "It is understood, however, that the setting out as given below is liable to be changed according to decisions arrived at on the Second Reading."

In support of my proposal, I should like to add that, as I pointed out this morning to the members of the Bureau, whereas in the various countries there are Ministries for War, for the Navy and for the Air Forces, there are no Ministries for Effective or for Material.

The PRESIDENT. — I think you will all agree to accept M. Sato's amendment.

Agreed.

Count BERNSTORFF (Germany). — I listened with great interest to M. Sokal's speech, in which he so clearly expressed his views on the famous trilogy: Security, Arbitration and Disarmament.

At this stage in the Commission's work, I do not want to open a discussion on this trilogy. I should simply like to remind my colleagues that, during the past few years, much has been done with regard to arbitration, much with regard to security, and nothing with regard to disarmament. That is why we are here. We should not forget that many people think we can obtain security more easily by disarming than by any other means. But it is not of this that I wished to speak. Indeed, as I was saying, our work is already too far advanced for us to open a discussion on this point, and we shall, at the Second Reading, have an opportunity of reverting to a question which has so often been mentioned. I only wished to say that, in my opinion, it would be a little premature for us to send a report to the Council at this point. M. Sokal advocated really a very skilful excuse for the fact that this Commission had shown so little enthusiasm for disarmament. I think that if we were to send a report to the Council now, the report would in the same way be an excuse for the fact that the results we have to show are so poor, and, gentlemen, "qui s'excuse s'accuse".

Count CLAUZEL (France). — I imagine that some slight misunderstanding has arisen in connection with M. Sokal's proposal. That is probably due to the fact that M. Sokal advocated his suggestion with very great eloquence in a fine speech, with which I am happy to state I fully agree. The misunderstanding would seem to arise from the fact that one special point, that of security — and I need not tell you that I fully concur with M. Sokal — dominated his explanations and his proposal regarding what he described as a report. I do not believe there can be any question of a report strictly so-called. We have not reached the moment for reports, and I fancy in any case that we should not have time to draft one. As a matter of fact, we have not yet begun to consider the text which we were to discuss this afternoon, and which it was intended we should finish this evening. M. Sokal wished to satisfy Sir Cecil Hurst
in regard to a matter which the latter referred to a moment ago. Having regard to the doubts
entertained by members of the Commission as to the action which ought to be taken on the
first results of our work — the provisional results, as Sir Cecil Hurst rightly said, of the First
Reading — it is desirable to indicate to the Council the significance of this text and what exactly
is meant by the single texts, the reservations, as simplified by the Hennings formula, and the
arrangement in two or three columns. These explanations will enable a better idea to be
formed of the extent to which we have succeeded in diminishing the points of disagreement
between us, not only by largely reducing their number, but also, by reducing within the compass
of these particular points themselves, such differences of opinion as still exist. All this
might be summarised in some fifty lines, not in a report but in a Preamble, which the Bureau
might draw up by to-morrow.

I do not think that I have misinterpreted M. Sokal in giving these explanations, which
probably are of a nature to satisfy Count Bernstorff.

Count Bernstorff (Germany). — I see that we are dealing with something very different
from what I had in mind. Under these circumstances I have no objection to make.

Sir Cecil Hurst (British Empire). — I should like to reserve my views on M. Sokal's
proposal until I have seen the draft that is proposed.

The President. — The Bureau will prepare a text which obviously will not be a very
lengthy one. It will contain only a few sentences on the lines of M. Sokal’s explanations and
Count Clauzel’s statement.

Sir Cecil Hurst (British Empire). — I hope M. Sokal will not think I am opposing his
proposal. It may be I did not quite understand it. I understood he was proposing there
should be a complementary report giving a statement on naval disarmament. I think that
means an exposition on arbitration and security. That seemed to me to be rather outside
the proper function of this Commission.

M. Sokal (Poland). — My speech, which was so highly and generously commended by
Count Clauzel, must certainly have been a very poor one, for Sir Cecil Hurst failed to grasp
the idea which I submitted to the Commission. I desire to put before you a definite proposal,
by which the Bureau would be instructed to prepare an introduction, that is to say, a very
short text, or an explanation of certain questions which, in my opinion, are submitted to the
public in a manner which does not allow it to realise fully the complexity and the difficulties
of the Commission’s task. Obviously, we do not desire to draw up a moral balance-sheet of
moral disarmament, and I certainly did not speak in that sense. What I suggest is an intro-
duction to the text, which itself is the material balance-sheet of the Commission, and this
introduction I call a statement on moral disarmament. We are in a position to prepare such
a statement, for there are certain questions on which no difference of opinion exists. Moreover,
this explanation is not intended solely for the Council, but also for public opinion which
is interested in the work of the Commission.

Count Bernstorff told us a little while ago in connection with my proposal that "qui
s’excuse s’accuse". In this case the proverb hardly seems to be appropriate, seeing that it is
we who are the accused persons. Public opinion is accusing this Commission; the Press of
the whole world declares that we have failed completely. Under these circumstances we should
be guilty of a grave error if we did not reply and make it clear that this is a First Reading,
that a Second Reading will be taken, and that a whole series of allied questions fall outside
the competence of this Commission and cannot be settled by it. This is accordingly not an
excuse, but a reply which we are morally bound to give to public opinion.

The President. — It is not necessary for me to say that M. Sokal’s observations will be
taken into account.

I propose that we should now examine the text. We shall read it article by article and
I would ask delegates when making their observations to confine themselves to the article
just read.

The Secretary. — I believe the Commission will agree to add to the division into chapters
a fourth chapter entitled “General provisions”. The explanatory paragraph at the top of
section II of the document seems unnecessary, since it repeats the general explanations
given in Secion I. It should therefore be deleted.

110. Examination of Draft Texts resulting from the First Reading. Chapter I. — Effectives.

Article A.

The Secretary. — Two amendments or reservations have been made in regard to this
chapter. The German delegation has drawn up its reservations as follows:

“The German delegation makes a general reservation in regard to Chapter I as a
whole, which, contrary to its view, does not contain any limitation of reserves given
military training, registered and compelled by law to serve in case of war; although,
in its opinion, these reserves, while non-existent in professional armies, form the decisive
factor as regards personnel in war in countries having a conscript system.”
M. HENNINGS (Sweden). — Having regard to the amendment to the text of paragraph 1, Section I which has just been adopted at my suggestion, and which introduces a general reservation giving all delegations full freedom to revert to the proposals made on the First Reading, I would ask the German delegation whether it will not withdraw this particular reservation which is already to be found in general terms in the said paragraph.

Baron WEIZSACHER (Germany). — This is a specially important reservation, and for that reason Count Bernstorff is very anxious that it should be inserted.

The German reservation was retained.

The SECRETARY. — The British delegation makes the following reservation:

“The British delegation reserves the opinion of its Government as to the limitation of trained reserves.”

The United States delegation makes the following reservation:

“The delegation of the United States makes a general reservation on the following provisions of the draft text resulting from the First Reading:

‘As to effectives, the inclusion of formations organised on a military basis and the exclusion of trained reserves.’”

Naturally, the marginal note on the list of tables should be deleted.

As regards the text in sub-paragraph 2 relating to naval armaments, the British delegation makes the following reservation in agreement with the delegation of the United States of America.

“The delegations of the British Empire and the United States of America only accept the limitation of naval effectives provided such limitation is generally accepted and provided also that a satisfactory agreement is reached respecting the limitation of warships.”

The PRESIDENT. — I imagine that all the delegations agree that it is unnecessary to read the text of the articles and that only those amendments should be read which have reached the Secretariat since Saturday evening and have just been circulated.

The SECRETARY. — As regards sub-paragraph 3 relating to air armaments, the British delegation makes the following reservation:

“The delegation of the British Empire considers Table No. XI unnecessary.”

Article H.

The SECRETARY. — The Bureau would point out that this second paragraph in Article H was not discussed as regards naval and air effectives. The marginal note would therefore have to be left, the words “Note by the Bureau” alone being deleted.

General de MARINIS (Italy). — I would ask the Secretariat to begin the last marginal note opposite the third paragraph of Article H with the following words:

“The French and Italian delegations declare that the clauses . . . .”

Articles C and D.

No observations.

Article G.

The SECRETARY. — As Article G and the British reservation —

“The delegation of the British Empire only accepts limitation of naval personnel subject to the fulfilment of certain conditions, as set forth against Article A” — relate to publicity, it would be preferable to include them in the “general provisions” for the better arrangement of the Convention.

General de MARINIS (Italy). — If I have understood aright, Article G would be placed in the chapter on the exchange of information. I have reservations to make when we reach this chapter.

Article F.

No observations.

Articles E and I.

Sir Cecil HURST (British Empire). — We have two Articles, E and I, and they are very confusing because they both deal with this problem of effectives in service and how you calculate the amounts, but I think that the note which appears opposite Article I, “This article has not been discussed in connection with naval and air effectives”, ought to appear opposite Article E so far as Article E applies to the tables mentioned in Article A. So far as regards the tables mentioned in Article G, I suppose that will go to the publicity part; but, so far as regards the tables mentioned in Article A, Effectives in Service in the Armed Forces, that I think has also not yet been discussed in connection with naval and air effectives, and the little note in connection with Article I I ought to appear also opposite Article E.

The SECRETARY. — As regards the chapter on “material”, two general observations should be made. An amendment by the German delegation modifies paragraph 1 as follows:

“As regards land material, the following proposal by the German delegation was laid before the Commission, but no decision was taken on it at the First Reading.”

There is in addition a French proposal. It proposes to reproduce, under the title of “French proposal”, the text of Article 20 of the French draft Convention concerning the limitation of all material by the limitation of the expenditure on purchase, upkeep and manufacture.

If the French proposal were adopted, the German proposal would have to be amended and drafted as follows:

“As regards land material, on which no decision has yet been taken on the First Reading . . .”

Count CLAUZEL (France). — I can say for the French delegation that we give the Bureau complete liberty to select any wording for the Preamble which it may think desirable to adopt; that is to say, that the common rule should be applied to it which is adopted for all proposals in the same position.

General DE MARINIS (Italy). — I would beg our President to go more slowly, seeing that what we now decide will stand on record. I have often asked that we should be very precise, and I am anxious to ascertain in what the two proposals really are, especially that on expenditure. A long discussion took place on this question which lasted for two or three meetings; many different points of view were set forth, and these should be brought clearly out. I say once more that we must not go too quickly.

The SECRETARY. — If Count Clauzel’s proposal is adopted—that is to say, if we apply, what he has called the common rule—the Preamble should be removed and two columns inserted, one for the German proposal and the other for the French proposal.

General DE MARINIS (Italy). — I do not feel that the two columns bring out very clearly the different points of view expressed, since two columns would mean that one section of the Commission agrees to the German proposal and the other to the French proposal, and this is not the case. There is another part of the Commission which accepts neither the one nor the other. I would repeat that we must go slowly and ascertain precisely how the matter should be put.

M. DE BROUCKÈRE (Belgium). — I fully understand General de Marinis’s observation when he says that reference to the two columns will not give the opinion of every delegation; but that applies to all the other cases as well, and I for my part am glad that it should be so. I think that we ought not to try in this document to create two opposing camps; on the contrary, we should try to obtain common texts wherever possible; and, where this cannot be done, we should indicate the alternatives, without, however, adopting a form which would as it were stereotype the text for the next reading and prejudice opinions already expressed.

Obviously, there are more than two opinions. General de Marinis said that there were three. I, for my part, can distinguish at least four. Certain delegations accept the right-hand text, others the left-hand text. Others, again, do not accept either. Finally, there are those who accept both. If certain delegations are anxious that their opinion should be clearly brought out, they can always do so by making a further reservation. I would, however, beg you not to think that this is meant as an invitation to do so, because I hoped that the Hennings proposal would meet with better success and that its only result would not be to lead to the belief that the reservations of others are unnecessary.

Everyone has full liberty to make reservations. The proper way to proceed appears to me to be as follows:

The two texts should be left side by side without comment, or at least without any further comment than that which certain delegations may desire to make in the document.

The German text is given in one column and the French text in the other, and consequently it is obvious that the opinions expressed by those two delegations do not in any way whatever bind the delegates of the other sixteen countries represented here.

General DE MARINIS (Italy). — I fully understand M. de Brouckère’s idea, but, as a matter of fact, we have had a large number of reservations up to now. That being so, I must, for my part, also make a reservation in regard to these two columns. But, in order not to make myself too conspicuous, I should like, before giving my opinion on the matter, to know the views of our colleagues who expressed themselves in the same sense. I appeal particularly to Mr. Gibson. I would ask him his opinion on this point. He has already stated that the limitation of expenditure appeared to him illogical and inequitable.

If other delegations withdraw their reservations regarding this text, I shall not press the point. I venture, however, to ask for the opinion of my colleagues before I give a decision, since I still do not know what is their attitude in regard to these two columns.

The Hon. Hugh Gibson (United States of America). — I am very much flattered by General de Marinis wishing to know my views regarding this matter. I honestly think there is a great deal of advantage in having the reservations of different delegations appear with the
text, because what we want is not to reduce the text before us to two columns at the expense of a clear understanding of just where we stand. We are trying to reduce the texts to a minimum, but I think it adds greatly to the value of those texts if we know how far they are accepted by other delegations. Personally, I should attach very particular value to knowing how the delegations regard the texts before us, how far they can accept them and how far they are obliged to make reservations regarding them, because our next task is to examine the texts before us with a view to seeing how far, by mutual concession, we can hope to arrive at agreement, and we cannot get the maximum advantage from them if we have only the two texts and do not know what the reservations of other Governments are, what their position is, without going back and reading the whole of the Minutes beginning from May 18th, 1926. Therefore, I consider that our work will be greatly assisted if we have at least the serious reservations of the different delegations here represented.

M. HENNINGS (Sweden). — I entirely agree with what Mr. Gibson has said, and I ask that Japan should be added to the countries making general reservations.

M. HENNINGS (Sweden). — The same question arises in regard to the chapter — concerning organisation and control. In that case we have also two texts. I am afraid that we shall meet with difficulties if, following Mr. Gibson's proposal, each delegation is to indicate how far it can go and whether it can accept such-and-such an article. The same is true of the naval question in regard to tonnage. There are two texts, one relating to the French draft, the other to the English draft. We have not gone into the details of these proposals. Would it be possible and desirable to consider now how far each delegation could go in the way of concession? As regards the principle, I beg to differ completely from Mr. Gibson on this point. I think that at the outset we should make a general reservation to the effect that each delegation retains full freedom in regard to the Second Reading. But, on the other hand, for my part, I should attach very particular value to knowing how far the delegations regard the texts before us, how far they can accept them. Personally, I should attach very particular value to knowing how far they are obliged to make reservations regarding them, because our next task is to examine the texts before us with a view to seeing how far, by mutual concession, we can hope to arrive at agreement, and we cannot get the maximum advantage from them if we have only the two texts and do not know what the reservations of other Governments are, what their position is, without going back and reading the whole of the Minutes beginning from May 18th, 1926. Therefore, I consider that our work will be greatly assisted if we have at least the serious reservations of the different delegations here represented.

M. SATO (Japan). — I entirely agree with what Mr. Gibson has said, and I ask that Japan should be added to the countries making general reservations.

M. DE BROUCKÈRE (Belgium). — I shall not surprise M. Hennings when I tell him that I view with the greatest sympathy his proposal for reducing the number of reservations, but I believe that this limitation is difficult in practice, as it was in regard to trained reserves. It is certain that the delegations themselves will ultimately decide whether reservations should or should not be recorded. As I think that each delegation has formed its opinion already, there is no reason for continuing this discussion. I also consider that M. Hennings' proposal for preparing an index of the Minutes could hardly be made the subject of a formal resolution. M. Hennings' wishes would perhaps be met if the Secretariat were asked to append to the Minutes, on their publication, all the tables of contents which it might consider useful and feasible to supply.

The President. — In that case, the matter is left to the discretion of each delegation. The individual delegations might follow Mr. Gibson's suggestion and reduce what they desire to insert in the text to a minimum.

M. HENNINGS (Sweden). — I agree with our President. I think it desirable that the reservations should not be too numerous, and I venture to make a specific proposal and ask that they should be limited as far as possible.

M. HENNINGS (Sweden). — I shall not surprise M. Hennings when I tell him that I view with the greatest sympathy his proposal for reducing the number of reservations, but I believe that this limitation is difficult in practice, as it was in regard to trained reserves. It is certain that the delegations themselves will ultimately decide whether reservations should or should not be recorded. As I think that each delegation has formed its opinion already, there is no reason for continuing this discussion. I also consider that M. Hennings' proposal for preparing an index of the Minutes could hardly be made the subject of a formal resolution. M. Hennings' wishes would perhaps be met if the Secretariat were asked to append to the Minutes, on their publication, all the tables of contents which it might consider useful and feasible to supply.

The President. — We shall accordingly keep the two columns and indicate the reservations which the delegations may desire to submit to the Bureau. I would, however, ask the members of the Commission to be good enough to submit as few reservations as possible.

Sir Cecil Hurst (British Empire). — I suggest if any delegation desires the insertion in the margin of its opinion on a particular point where there are two columns, it should not be called a reserve. You cannot make a reservation to a text that has not been agreed or accepted. Where you have two columns you are merely putting forward two different proposals. A delegation may accept a proposal but it cannot make a reservation to some one else's proposal that has not been adopted.
The President. — Sir Cecil Hurst's remark is perfectly correct. The word "observations" will therefore be used instead of "reservations".

The Secretary. — As regards the chapter on "Material" the American delegation makes the following reservation:

"The delegation of the United States makes a general reservation on the following provisions of the draft text resulting from the First Reading:

As to material, the failure to include provisions for the limitation of material both in the hands of forces serving with the colours and reserve material of land and air forces."

The Japanese delegation makes the following reservation concerning this section:

"The Japanese delegation makes a reservation regarding the limitation of the material of the land forces."

112. Examination of the Draft Text resulting from First Reading. Chapter II. Material.

The Secretary. — The preamble at the beginning of this Section might be omitted as has been done in other cases.

As regards Article NA of the French draft the United States delegation makes a general reservation as to Table X.

Moreover, the British delegation proposes that Article NA in the British draft should be modified as follows:

"The High Contracting Parties agree to limit to the figures laid down the number and tonnage of all the ships in each of the classes specified in Annex . . . . . . ."

The British delegation further proposes to amend Article NB of the British draft as follows:

"The High Contracting Parties agree to limit to the figures laid down in Annex . . . . for each class of ship the maximum tonnage of any one ship and the calibre of the largest gun that may be mounted therein."

Articles NC, NE, ND, NF. NG.

No observations.

The second paragraph of Article NH refers only to publicity. It might be placed in the chapter on "Information", especially as Article XVI of the Treaty of Washington mentioned in the note following article NK has been transferred to the section on publicity.

General de Marinis (Italy). — The Italian and British delegations made the following reservation as regards paragraph 2 of Article NH.

"The delegations of the British Empire and Italy reserve their opinion concerning the second paragraph in Article NH."

I prefer this form of words to the expression "make a declaration".

Sir Cecil Hurst (British Empire). — The English text of the phrase to which General de Marinis has drawn attention is correct. The English text does say that the delegations of the British Empire and Italy reserve their opinion.

The Secretary. — The United States delegation associates itself with the reservations made by the Italian and British delegations in regard to paragraph 2 of Article NH.

Article NK.

No observations.

As regards Table X, there is, in the first place, as I stated, a general reservation emanating from the American delegation. However, if I have understood aright, the French delegation is prepared to delete the whole of the right-hand part of this table.

M. Sato (Japan). — Would it not be well to indicate that Table X refers only to the French draft?

General de Marinis (Italy). — I agree with the declaration of the United States delegation in regard to Table X. The reservation should therefore be worded as follows: "The delegations of the United States and Italy make . . . . . . ."

The President. — No reservation is required here. All that is necessary is an expression of opinion.

Count Clauzel (France). — The Netherlands delegate has very rightly informed me that, as the right-hand half of Table X is being omitted, the title of the table which remains should be modified as follows: "Total tonnage of vessels of war". As a matter of fact, we had suggested as the heading of the left-hand half of the Table "Total tonnage of vessels employed for home defence" in contrast to the "Total tonnage of vessels employed in the defence of overseas territory".
The Secretary. — The German delegation requests that the following should be placed at the end of the text on Naval Armaments: "It is necessary to limit naval material held in reserve as well as floating material".

113. Examination of the Draft Text resulting from First Reading. Chapter II. Material. Section III. Air Armaments.

The Secretary. — In this chapter also the Preamble will be deleted. As regards Article AA the German delegation asks that the following reservation should be inserted:

"The German delegation makes a reservation with respect to Articles AA and AB, being of the opinion that the limitation should apply to all air material of war, and should therefore also include material in reserve and stocks of material."

Moreover, it asks that its reservation as to Article AD should be worded as follows:

"The German delegation makes a reservation regarding Article AD, in view of the fact that the development of a means of peaceful communication cannot be taken as a starting point for armaments, except where this means of communication is of real military importance."

In addition, the delegation of the United States makes the following general reservation:

"The delegation of the United States formulates a reservation regarding the inclusion of the provisions basing limitation on the present development of civil aviation in other countries."

M. Sato (Japan). — I think it would be advisable to recast Article AC, which is practically a reproduction of Article AB.

The President. — These two articles should indeed be amalgamated. The Bureau will see that this is done.

Article AE.

No observations.

114. Examination of the Draft Text resulting from First Reading. Chapter III. Budgetary Expenditure.

The Secretary. — As regards this chapter, we have an amendment by the French delegation as follows:

"Reproduce, under the title of 'French proposal' Article 20 of the French Preliminary Draft (limitation of expenditure), before the proposal which is contained in the text of Chapter III and which refers only to publicity."

The Preamble at the commencement of this chapter is unnecessary.

Count Clauzel (France). — Under these circumstances, and in accordance with Sir Cecil Hurst's request, might not the British text relating to the publicity of budgets be shown in the chapter on publicity? Or is it to be kept there?

The President. — We can accept Count Clauzel's proposal. Chapter III as drafted is transferred to the publicity section. In its place we shall have only a single column for the French proposals for limitation of expenditure.

General De Marinis (Italy). — I would ask that the following sentence should be inserted after the British reservation given in the margin opposite Article DA

"The Italian delegation reserves its approval of Article DA until it has seen the model statement."

Sir Cecil Hurst (British Empire). — A moment ago Count Clauzel proposed that the British proposals on the subject of the limitation of budgetary expenditure should be transferred to the publicity chapter. I feel a difficulty in opposing that, but, of course, we regard publicity and budgetary expenditure as a method of limitation. We do not quite like it going into the publicity chapter, as if it stood on the same footing as the mere statements of man-power. Therefore, is there any objection to our putting in a little marginal note to the following effect?

"The British delegation considers that budgetary expenditure should be confined to publicity only."

In a sense, it may be that one is entitled to ask for a note of that sort — at any rate, if the Commission is willing to allow us to do it, we should be very grateful.

Count Clauzel (France). — That would, of course, be inserted as this note is a method of stating your opinion. It should therefore be given opposite the French proposal.

Sir Cecil Hurst (British Empire). — That is what I mean; I think the British proposals on the subject of budgetary expenditure will go into the publicity part and the little note will go opposite the French proposal.

Count Clauzel (France). — That is the sense in which I understood your request and it seems to me quite natural that it should be complied with.
General DE MARINIS (Italy). — I should like to say that, after six weeks of work on the question which has been entrusted to us, we are running the risk — merely to save a few hours — of not giving this document the attention it deserves. Would it not be possible for the final text to be circulated before the next meeting to enable all delegations to examine it at their leisure? Once it is printed, we shall no longer be in a position to make any observations.

M. DE BROUCKÈRE (Belgium). — To meet General de Marinis’s wishes we might meet to-morrow at II o’clock to continue the examination of the document. At the close of the meeting we should have the full text before us, and we might make any observations on it we might think desirable.

General DE MARINIS (Italy). — I accept M. de Brouckère’s proposal to continue our discussion of the second part, but I think it would be better if we met earlier in order to have time to consider the corrected text.

The PRESIDENT. — I propose that we meet to-morrow at II a.m. and, if necessary, hold another meeting in the afternoon.

The Commission rose at 7.20 p.m.

THIRTY-EIGHTH PUBLIC MEETING.

Held at Geneva on Tuesday, April 26th, 1927, at II a.m.

President: M. LOUDON (Netherlands).

115. Examination of Text resulting from First Reading. Organisation.

The SECRETARY. — The explanations given at the beginning might be omitted. The United States delegation has submitted a general reservation. On April 13th it made known its Government’s views on certain points, relating to the application of the Convention.

The British delegation desires that the left-hand text, that is, two paragraphs, under heading “British Draft” may be omitted.

116. Examination of the Text resulting from First Reading. Information.

The SECRETARY. — Article IA, former Article G, referred to under effectives. The marginal note by the Bureau might be omitted, as the question has been decided in the affirmative.

The British delegation proposes that, in order to make the matter perfectly clear, the following note should be inserted: “The form and number of these tables have not been discussed in the case of naval and air armaments.”

Count CLAUZEL (France). — I regret to say that this is not quite correct, because, in the case of air armaments, the tables were discussed. We might say that no agreement was reached, but we cannot say that they were not discussed.

Sir Cecil HURST (British Empire). — So long as the necessary result is achieved, I have no particular preference for any particular wording. May I ask you to look at Article IA as it is worded now? If that is deemed to have been discussed in connection with naval forces I can only say it is inaccurate, because it talks about overseas forces, and it has been agreed that the distinction between home and overseas forces in connection with naval armaments should disappear. Therefore, either the article as drafted is incorrect, or else it has not been discussed in connection with naval and air effectives. It is possible we might solve the difficulty by saying not that they have not been discussed but that they have not been decided.

Count CLAUZEL (France). — That is just what I proposed.

The SECRETARY. — We might say instead of “have not been discussed” “have not been decided”.

General DE MARINIS (Italy). — The Italian delegation desires to submit a reservation and cannot accept the distinctions referred to in these tables.

Article IB

117. Question of Procedure.

M. SATO (Japan). — I am wondering whether we have adopted the best method for settling the text at the First Reading. I have no desire to provoke a lengthy discussion on this point, but I cannot really approve the procedure adopted by the Bureau. I might point out to the Commission that certain questions — for example, that of organisation — have not been touched, but have been held over for the Second Reading.
There are other questions. The same thing applies to the chapter “Procedure with regard to complaints and revision” which was held over for the Second Reading. The second question, concerning derogations, was discussed, but no conclusion was reached, and everyone agreed that it, too, should be held over until the Second Reading. I can understand, therefore, that for these two categories of questions the Bureau should have decided to keep two columns for all the drafts submitted, since we are all at liberty to speak at the Second Reading. It must not be forgotten, however, that other points submitted at the First Reading by various delegations did not meet with unanimous approval. Notwithstanding among these proposals which were rejected by the Commission as not having been unanimously approved, there are some that have been retained by the Bureau, so that I do not know whether the procedure now proposed could really be unanimously accepted. In any case, the Japanese delegation feels very doubtful as regards this point. If we adopted the procedure, immediately after the insertion of the proposal rejected by the Commission, the delegations which opposed it should submit their observations or, in other words, there should be a summary of the discussions that have taken place in the Commission. Otherwise as the rejected proposal will be included in the text resulting from the First Reading, it will be submitted to the Council with other texts actually adopted or reserved for the Second Reading. Members of the Council, I am sure, will never consult the Minutes. To sum up, the result will be as follows: The rejected proposal will be accompanied by the reasons for rejection whereas other proposals will not be placed on the same footing.

In order to obviate this drawback, the delegations opposing the proposal would have to submit observations to be annexed immediately after the text of that proposal. I venture to ask the Bureau if this is the best procedure. I have another solution to suggest, which appears to me both fair and reasonable: any proposal that has been rejected by the Commission and is to be submitted to the Council would simply be annexed in the actual text adopted at the First Reading. The delegation which submitted it would indicate reservations; there would be a marginal note to the effect that, as regards the particular point under examination (for example, stocks of material), this or that delegation submitted a proposal, the note being followed by the words “Vide annexe, etc.” This, delegations specially interested in the limitation of material, for example, would receive full satisfaction. I do not know whether I have made myself clear, but my suggestion may be summed up as follows: if the authors of proposals rejected at the First Reading maintain their point of view, they should be allowed to insert their reservations in the actual text, while the proposals might be included in an annex.

M. DE BROUCKÈRE (Belgium).—Might I point out that there is one slight error in M. Sato’s statement? He spoke of the method of the Bureau. I will endeavour to show that the Bureau has no particular method of its own. It has confined itself to carrying out faithfully the decisions passed by the Commission, which itself determined the method of procedure.

When all is said and done, what is wanted? What we have to do is to submit the results of our work. On a number of points we have reached a minimum of agreement. We have succeeded in formulating certain proposals which have met with the agreement of all the members or have, at all events, met with no opposition, although some delegations have submitted reservations. We were unanimous, and I think still are unanimous, in our view that the minimum of agreement should be recorded and that the table of texts should contain nothing further.

There is a second case to be considered, namely, when no agreement has been reached, either because a proposal has not met with unanimity or because several texts still remained at the end of the discussion. If M. Sato will consult the Minutes, he will note that in a very considerable number of cases — on at least fifty separate occasions — it was declared, without opposition, that when several proposals existed simultaneously they must be shown in parallel columns. This very important observation was submitted by various delegates, and more particularly by M. Hennings. It is understood, however, that these different texts simply represent the opinion of their authors and that the other delegates are not regarded as having accepted them.

The delegations will still be at liberty to combine them as they think best or to adopt others. This was so clearly the intention of the Commission that even yesterday, finding that the Bureau had not gone sufficiently far in preparing its text, certain delegations requested — and the Commission agreed without comment — that texts which it had at first seemed desirable to omit should be reinserted.

There remains the case of the single text regarding which unanimity has not been reached. What is to be done? Are we to say that when there is only one text it will not be mentioned and that when there are two they are both to be given? This procedure appears to me irrational. If a single text is submitted it should be indicated with a note to the effect that it was not adopted, and such a text should be printed differently from one that has been adopted. The first text, which still holds good for the debate on the Second Reading, would be given in the left-hand column and there would be a note saying that no agreement was reached, the right-hand column simply being left blank. No text would be inserted in it, in the absence of any alternative proposal.

M. Sato thinks that the document should be set out in such a way as to make it clear that the delegations are not unanimous as regards the text in the left-hand column. This, however, is obvious from the arrangement, and the position is exactly the same as when there are two texts, as it is understood that the delegations are regarded as not having accepted one of them.
We seemed agreed on this point right up to the moment when we adopted the first part of the document. If M. Sato’s view is that of the Commission, we must regard the work already done as null and void and frame some new procedure. This, however, would present serious difficulties, take time and involve discussion. Speaking on behalf of the Bureau, I may say that we are entirely at the Commission’s disposal. If the latter so desires, the Bureau will carry out the work in accordance with any instructions that it may receive. We must realise, however, that the preparation of this work would mean suspending our sittings for several days.

M. SATO (Japan). - M. de Brouckère has reproached me for not having submitted my observations sooner. His remark is quite justified, but I might quote in excuse the rapidity with which we got through our work at the last meeting.

Several amendments and several observations were submitted in connection with the text of the document discussed yesterday. This applies, for example, to the direct limitation of material. There is the following note by the Bureau:

“As regards land material, the following proposal by the German delegation was laid before the Commission but was not adopted as a basis for Second Reading. The German delegation reserves to itself the right to raise its text again whenever it thinks fit.”

This note by the Bureau agrees with what was first decided, as I found on reference to the Minutes. At our last meeting, however, the German delegation proposed to substitute the following text for the one that I have just read:

“As regards land material, the following proposal by the German delegation was laid before the Commission, but no decision was taken on it at the First Reading.”

This does not indicate that the German proposal did not meet with unanimity. The new note might give the impression that the Commission decided not to take a decision immediately on the proposal. Such an impression, however, would be false, and this is why I have ventured to submit a fresh suggestion.

The procedure which I have proposed is not so alarming as it appears to M. de Brouckère. It does not mean that what has already been decided will have to be cancelled, because in reality there are only three points regarding which unanimity was not arrived at but which are included in the texts resulting from the First Reading. These are the questions: (1) Limitation of material of land forces (German draft); (2) Limitation of expenditure on war material (French draft); (3) Article IB, which we are now discussing.

It seems to me quite simple to include them in an annex as I have just suggested, and I would ask the Commission to give its opinion on this procedure.

Count BERNSTORFF (Germany). - So far, I have never submitted any objection in regard to questions of procedure; I willingly accept any proposal that will serve our end. In this particular case, however, I think that if we were to submit a text containing only points which we have unanimously adopted the draft Convention would be extremely meagre, and this draft would be followed by all the proposals submitted by the various Governments. The great value of our work — which is to my mind unquestionable, for I cannot agree with M. Sokal, who declared yesterday that we were in the position of accused persons — lies in the fact that our debates have brought out the views of all the Governments. It is essential, therefore, that this draft should contain their individual opinions, as this is just what is wanted to enable us, at the Second Reading, to discuss these different questions profitably. We shall never arrive at unanimity if we continue our work as we have begun it. Every Government must know the opinions of the others and they must all try to come to an understanding about the Convention. I think, therefore, that we should adopt a procedure which will enable us to state the views of the different Governments quite clearly, even if this means submitting a very lengthy document. It will permit of discussion at the Second Reading on the basis of the opinions expressed.

M. RUTGERS (Netherlands). - I agree with M. Sokal that there is a very big difference between proposals unanimously adopted and those not unanimously adopted, that is, not adopted at all. This difference, however, is quite clear from the document now before us. The proposals which did not meet with unanimity are set out in a very narrow column. I understand that M. Sato proposes to annex them at the end of the document. Would this facilitate the reading of our report ? I do not think so. In any case it would not be practicable.

In the preface we have already stated that “where it has not been possible to establish a unanimous text this document gives the different proposals submitted”. For several questions two proposals are found, and besides this a number of Government proposals occur alone in a column without any counter-proposal in the second column — for example, the British proposal concerning the maximum diameter of torpedo tubes, the French proposal
concerning vessels of war which have exceeded the age-limit, etc. In any case, even when there are two or three proposals relating to the same question, those not adopted have also been included in the document.

The Japanese delegate might perhaps agree to an amendment consisting of the insertion of the following text in the report:

"The document contains the different proposals submitted, which, while they may be regarded as annexes, have been printed in the text, in systematic order, in the place in which they would have been inserted had they been unanimously adopted."

This would make it quite clear what is contained in the report, and there would be no need to do the work over again. The word "annexes", to which the Japanese delegate appears to attach some importance, would figure in our document.

Count CLAUZEL (France). — It has been stated that the Japanese delegate's motion in regard to procedure affects only three proposals (I shall show presently that it covers several others), these being as follows: (1) the German proposal on Article T. A., (2) that of the French delegation on the same Article, (3) Article I. B. still under discussion. Count Bernstorff made an excellent reply as regards his proposal. I am glad to express my entire agreement, regarding the French proposals, with his views. These two proposals are very important, as was proved by the discussion on them. I might add that there are other proposals to which the same conditions apply. One of these, concerning naval questions, is well known to the Japanese delegate; here again no agreement was reached. The same thing applies to the proposal concerning supervision to be found under Article IF, which was inserted in this form in order to save time and in order that certain considerations might be taken into account. It appeared preferable at the last moment to avoid a discussion which was not likely to lead to any result, despite M. Paul-Boncour's repeated appeals to the Commission to give an opinion on this important question. The French delegation decided, in a spirit of conciliation, not to reopen the debate and agreed that the two drafts, submitted by the British and French delegations respectively, should simply be printed side by side. If the Commission wishes to set aside this arrangement, the French delegation is quite prepared to continue the discussion on the question of supervision, which has certainly not been exhausted.

Yesterday, again, the Belgian delegation and several other delegations submitted a proposal concerning chemical warfare — or, rather, the use of chemical weapons. M. de Brouckère, however, made a point of mentioning that he knew in advance that this proposal would not meet with unanimity.

If, at this stage of our work, a new procedure were to be adopted, it would be necessary to enforce it in the case of the proposals to which the same circumstances apply, for we must have a common ruling for all the proposals submitted.

Having said so much, I leave it to the Commission to modify its procedure if it thinks fit.

The PRESIDENT. — M. de Brouckère, on behalf of the Bureau, has already prepared a very short text which it is suggested should be added to what has been called the preface of the document. I think that this text will satisfy M. Sato's views. It reads as follows:

"The Commission annexes to the present report a table of the texts. When a text has encountered no opposition from any delegation, it has been printed right across the page. The reservations which delegations have asked to have inserted have been placed in the margin.

"When only a single text was submitted and one or more delegations formally opposed its adoption, it has been printed on the left-hand side of the page, the right-hand column being left blank. The delegation or delegations under whose authority this text was submitted have been indicated. No attempt has been made to define the position of the others, and only the observations and declarations which delegations have formally requested to have inserted have been placed in the margin. When at the end of the discussion at the First Reading several texts have remained in being, they have been inserted in parallel columns, the delegation or delegations under whose authority the text was submitted being indicated at the head of each column. As in the previous case, no attempt has been made to define the position of the delegations which did not formally submit a text, and here, too, only the formal observations or declarations have been inserted."

I might add that we could, if necessary, insert a further note.

Sir Cecil HURST (British Empire). — I am not quite happy about this matter. It really is one of the things in which I think the Commission had far better not bind itself by any definite and logical rules which it is going to apply universally. Really I think we are discussing a particular proposal as to which it ought to be shown somehow on the face of the document that at least three delegations have definitely said that they are not prepared to accept it. Even if we adopt the Bureau's latest proposal, that attitude will not become apparent to any future student of all the work of this Commission unless he digs out of the Minutes the remarks that have been made. I quite agree that, in most cases, where there has been a
divergence of view, the general sentiment of the Commission has been in favour of letting the matter stand over for discussion on the Second Reading. They have assumed that on most of these points there was a possibility of agreement in the future when we reached the Second Reading. But is that the position with regard to this particular proposal? If I mistake not the attitude that was shown by some delegations when we were discussing this particular proposal with regard to materials, it was made abundantly clear that that was a proposal which the three delegations I have in mind were not prepared to accept. What we are doing, of course, is drawing up a document showing the results of the First Reading debates, but we are really drawing that document up with a view to the Second Reading. Now, what is the position with regard to the Netherlands proposal which three delegations have definitely said they are not prepared to accept? Is that a matter which is really open for discussion on the Second Reading? A delegation, of course, is entitled when we reach the Second Reading debates to put forward the proposal over again; but it will come up, if it is repeated in the Second Reading, as a new proposal. It will not come up as a matter which has been left over from the First Reading for decision in the Second Reading. I am quite prepared to say with regard to most of the subjects, particularly those that have been mentioned by Count Clauzel, that they are coming up for discussion in the Second Reading, because there was a general understanding that that would be the position; even though they had met with definite opposition, still they were matters upon which it was hoped that further instructions might be obtained and that therefore a Second Reading would be useful. I am not quite sure that that is the position with regard to this particular matter. Therefore, I think that in some way, on the face of the document, when we are dealing with this Netherlands proposal, there ought to be something to indicate the definite attitude of opposition that has been taken by three delegations. I am quite prepared to say it is not logical. Then I would ask the Commission not on this particular occasion to try and be logical. Whether it is necessary to adopt a new rule I do not know, but I should like to see something. I want really to support the idea underlying M. Sato's proposal.

M. DE BROUCKÈRE (Belgium). — May I remind you once again that we are not asked to deal with a new proposal put forward at the last minute by the Bureau? I should like to point out, in reply to Sir Cecil Hurst, that we are dealing with a rule which the Commission has been constantly applying for several weeks and the working of which Count Clauzel yesterday asked the Bureau to be good enough to explain more clearly. This is the text submitted by the Bureau to-day. Are we to be stopped at this point? Sir Cecil Hurst gave us very good advice when he urged us to beware of purely formal logic. I rather doubt, however, if his advice is applicable in this particular case. We are not dealing with rules of logic, but with a rule of procedure, a rule designed to safeguard the rights of all; and I fear that, if we agree to the three exceptions asked for by the Japanese and British delegations, we shall find ourselves confronted with requests for exceptions from other delegations. We could hardly accede to the wish of certain delegations to give special prominence to particular aspects of our deliberations.

Take it that a proposal has been made on which we have not reached unanimity; this proposal, however, has not been withdrawn, and apparently no decision of ours can change the position.

Sir Cecil Hurst says that it must be made clear that certain delegations opposed it. I think that this is a matter for those delegations to settle. In many cases, Governments may be opposed to certain proposals, but they may be anxious for this to be known or may wish to reserve their opinion until the Second Reading; others may say nothing; others, again, may say that they cannot accept a proposal. Thus there remains only one method of procedure, and that is to have recourse, as we have so often done, I do not say to reservations, but to statements or declarations. The only way out of the difficulty would be for delegations who wish to make a statement to do so—though I am not inviting them to take this course.

If, at this late hour, we made a radical change in all our rules of procedure, I fear that we should not only fail to reach unanimity, but would be forced to come to the sad conclusion that we could not even agree on the form in which our disagreement is to be submitted to the Council.

M. RUTGERS (Netherlands). — I quite agree with M. de Brouckère. I did not quite grasp Sir Cecil Hurst's meaning. He did not claim to be logical and I shall not press the point. He spoke, however, of a special proposal to which three delegations objected, although the British delegation was not one of them.

Sir Cecil Hurst seemed to me very anxious that it should be made clear that in our document the objections of these three delegations were final. I wonder whether we ought to do this and whether we ought to indicate that these delegations will never agree to the proposal. The word “never” is only relative in politics; in this document it certainly has no place, since we have always understood that the document is simply provisional. If we applied the term to the observations and reservations which have been submitted, we should quite change the character of our document, which, I repeat, is purely provisional. I may add that I do not see how we could discriminate between the various proposals on which unanimity has not been reached and single out one of them only as being a proposal concerning which the objections raised by certain delegations were final.

We must keep to the procedure that we have adopted.
M. HENNINGS (Sweden). — I entirely agree with M. de Brouckère and M. Rutgers. I have only a few remarks to add. Sir Cecil Hurst wanted to make an exception in the case of the Netherlands proposal, which was opposed by three Governments. I should like to point out that this case is very similar to that of the British proposal concerning the limitation of naval material by classes. This latter proposal was also opposed by several Governments, and I might add that the opposition was particularly marked, since only three delegations were in favour of the British draft. I repeat, therefore, that I do not see why the Netherlands proposal should be dealt with as an exceptional case.

The President. — I must ask you to be good enough to come to a decision. Does M. Sato agree to the proposal which I read a few minutes ago?

M. Sato (Japan). — I should like to say a few words about the different kinds of proposals retained by the Commission. Some were unanimously adopted; some were adopted with certain reservations; others, again, were held over by the Commission itself until the Second Reading. These three categories present no difficulties; they will figure either in one column or in two. But there is a fourth category, namely, proposals regarding which unanimity was not reached, and it was to these that I was referring this morning.

As the debate is getting somewhat lengthy — and for this I must apologise — I accept the Bureau's suggestion that the proposal should be left in one column and that the delegations which object to it should insert their notes in the margin.

118. Examination of the Text resulting from First Reading. Information (continuation).

Article I C.

General de Marinis (Italy). — I would remind the Commission that I have already emphasised the importance of Article IC. We all recognise its value and Lord Cecil has stated that the British delegation attaches particular importance to it. As no objection has been raised, we may take it that it has been accepted. I would ask you to refer to the Washington Treaty. I see that the article in question has been amended by the British delegation, and, as there has been no discussion on the subject, I should like now to submit the Italian delegation's views.

The first British proposal was a reproduction of Article 16 of the Washington Treaty, while the amended draft is designed to bring the text into line with the Convention concerning the Trade in Arms. The aims of this Convention are different from those of a Convention on the limitation and reduction of armaments.

If we accepted the text which we have just examined, this would really mean a five months' delay as regards publicity, whereas the object of this communication is to inform the High Contracting Parties promptly of the date of the signing of a contract for the construction of a vessel and the date of laying down the keel. The Italian delegation would prefer, therefore, to keep to the text of Article 16 of the Washington Treaty and to provide that, if the construction of any vessel of war for a non-contracting Power is undertaken within the jurisdiction of any of the Contracting Powers, such Power shall promptly inform the Secretary-General of the League of Nations, with a view to publication in the Official Journal of the date of the signing of the contract and the date on which the keel of the ship is laid (with further particulars concerning displacement in metric tons, etc.).

Article 16 of the Washington Treaty has received the support of the five Signatory Powers which are also the principal shipbuilding countries. If, however, there is to be a change in Article 16, this should be, not on the lines indicated in the amendment (which would involve a delay in notification), but in the form of an obligation requiring the States, before even laying down the keel of the vessel, to communicate all information to the Secretary-General of the League of Nations, with a view to publication in the Official Journal.

The President. — It is obviously useless at the present stage of our work to discuss texts; the Commission will therefore probably have no objection to inserting this text as a proposal.

Sir Cecil Hurst (British Empire). — I am sorry that there should be any delay over this matter. The position is this, that, if we have erred, we have erred merely from a desire to please and, if it is the fact that by going back to the form of Article 16 of the Treaty of Washington the article can be printed as one universally accepted, we shall be delighted to do it. We made the change solely because we were invited by the Secretary-General, and the Secretariat thought it would be better to put it in the form of the Traffic in Arms Treaty of Geneva in order to keep the Geneva Treaty and this treaty on parallel lines. But we ourselves regarded the difference between the Washington Treaty and the Geneva Treaty as being so small that, if it were thought preferable to have an article on the lines of the Geneva Treaty, we were willing to do it. On the other hand, if an article strictly on the lines of Articles 16 of the Washington Treaty meets with universal approval, we shall be delighted to go back to the original form. If, on the other hand, it does not meet with universal acceptance, we will keep the British draft as it is and accept General de Marinis's proposal and put in the Italian proposal.
The President. — If the Commission accepts General de Marinis's proposal, we will draw up a single text.
Agreed.

Article IG.

The Secretary. — As regards Article IG, there are three reservations submitted by the British, American and Italian delegations respectively.

Article ID.

The Secretary. — The German delegation proposes that the words “also be applied to material in reserve” at the end of its reservation to Article ID should be replaced by the words “... be applied to all aerial war material, and hence to material in reserve and stocks of material.”

Article IE.

The Secretary. — As regards Article IE, the German delegation desires to replace the marginal note by the following note:

“The German delegation reserves the right to give its definitive opinion at the Second Reading.”

The articles on publicity in the matter of expenditure which, according to the Commission’s decision at our last meeting, are to figure under the heading of “Information”, should be inserted before Article IF.

Article IF.

No observations.

119. Examination of Text resulting from First Reading. Derogations and Procedure with regard to Complaints and Revision.

The Secretary. — No remark has been made on the section “Derogations”.

M. DE BROUCKÈRE (Belgium). — I note that at the end of the right-hand column of Article ZA the last two paragraphs are presented under the heading of “Belgian draft”. I asked our President what was happening to this draft, and I understood him to say that it had been adopted. If this is so, I think that it should be printed right across the page.

The President. — We are endeavouring to draw up a single text. We will do as M. de Brouckère suggests, and delete the words “Belgian draft”.

The Secretary. — No observations have been submitted concerning Article ZB.

The Commission rose at 1.10 p.m.

THIRTY-NINTH PUBLIC MEETING.

Held at Geneva on Tuesday, April 26th, 1927, at 4 p.m.

President: M. LOUDON (Netherlands).

120. Continuation of the Examination of the Text resulting from First Reading. Procedure with regard to Complaints and Revision (continuation).

Article ZC.

The President. — When we adjourned this morning we had come to Article ZC. We will now continue the discussion.

The Secretary. — The British delegation proposes to take this article out of its present place and insert it after Article XA.

Count CLAUZEL (France). — I can see no objection to this change at first sight, but I should like to ask Sir Cecil Hurst why the British delegation desires it.

Sir Cecil Hurst (British Empire). — It was merely that the British delegation thought it would be logical if this provision appeared here. I quite appreciate we are dealing with a French article, but it is no more than a suggestion.

Count CLAUZEL (France). — May I point out that in this text there are two references to other Articles, ZA and ZB? If we take this article out of its proper place, we shall have to change these references.
Sir Cecil Hurst (British Empire). — In that case, I do not press the suggestion.

Article ZD.

The Secretary. — The British delegation has asked for the following clause to be inserted in this article:

"The British delegation reserves its opinion until the Second Reading as to the desirability of this proposal."

121. Examination of the Text resulting from First Reading. Ratification. Entry into Force. Denunciation.

Article EA.

The Secretary. — The German delegation has asked for the marginal note to Article EA to be replaced by the following passage:

"The German delegation makes a general reservation with regard to Article EA, in view of the fact that the draft Convention does not yet show whether certain fundamental conditions will be fulfilled; these conditions were formulated during the proceedings at the Third Session of the Preparatory Commission, and without them Germany could not regard the Convention as a first step towards general disarmament. In addition, guarantees should be given that this first step will be followed, at suitable intervals, by other steps towards a progressive reduction of armaments."

Count Clauzel (France). — The German delegation's reservation had already been put forward, but it now assumes a new form, and a cursory examination on it suggests to me the following point. The passage runs: "The German delegation makes a general reservation with regard to Article EA, in view of the fact that the draft Convention does not yet show whether certain fundamental conditions will be fulfilled; these conditions were formulated during the proceedings ..."

Should we not make it quite clear that these conditions were formulated by the German delegation by adding the words: "... which were formulated by the German delegation during the ..."

Count Bernstorff (Germany). — I accept this amendment.

Article EB, EC and ED.

No observations.

Article EF.

General De Marinis (Italy). — The French delegation has made a reservation with regard to Article EF. The Italian delegation agrees with this reservation and asks the Secretariat to note it.

M. De Brouckère (Belgium). — Mr. President and gentlemen — We adopted yesterday, at the Swedish delegate's suggestion, an introductory sentence which aimed at making special reservations unnecessary.

The Belgian delegation wishes to fall in with the Commission's advice to its members and not to submit unnecessary special reservations. I shall confine myself therefore to stating that the Belgian delegation accepts Article EF, paragraph 2, in its present form, subject to the statement made at the previous meeting by Sir Cecil Hurst, who declared that Article 8 of the Covenant remained in force, and that its scope could not be restricted by any provisions which might be drawn up. Accordingly, if Article 8 of the Covenant implies stricter obligations for the Members of the League than our present text does, these obligations will still be binding.

122. Examination of the Text resulting from First Reading. Preamble.

No observations.


The President. — We will now consider the draft report. As we can no longer discuss its substance, we must confine ourselves to a few observations regarding its form.

The Secretary. — Has anyone any remarks to make on Chapter I?

No remarks were made.

The Secretary. — As regards Chapter II, the Secretariat has received the following statement from the French delegation.

Read in right-hand column: French draft for compromise.

Add in the margin opposite "Article NA":

Observation: The French delegation points out that the accompanying French text constitutes the draft for reaching a compromise, which, after discussion and with a view to finding a formula for agreement, it has substituted for its original draft, which included only the first four paragraphs of this text.
In addition, the Japanese delegation has submitted the following reservation:

"The delegation of Japan makes a general reservation as regards limitation of material proposed in Article TA (German draft)."

General De Marinis (Italy). — The Italian delegation associates itself with this reservation. In the right-hand column of Article NB you will find a text headed "French draft". I would ask the Secretariat, if Count Clauzel agrees, to add "and Italian".

Count Clauzel (France). — I agree to this.

Sir Cecil Hurst (British Empire). — I desire to raise a point in connection with the marginal note to section III, Article AA, in the names of the British Empire and France. I have had no opportunity of discussing the matter with Count Clauzel, but I hope that if he does not disagree with me he will co-operate with me. The wording seems to me to be a little obscure. I would suggest that the wording of that marginal note should be as follows:

"The delegations of the British Empire and France" — if Count Clauzel agrees — "reserve for the Second Reading their decision on Article AA in so far as it suppresses the distinction between overseas and metropolitan air forces."

You will see that it is not only a question of the tables; it is a question of the article itself. I need scarcely say that if there is any other wording to the same effect which the French delegation would prefer, I shall be quite prepared to accept it.

Count Clauzel (France). — I must thank Sir Cecil Hurst for having suggested this drafting, which is better than the original.

Chapter III.

The Secretary. — The United States delegation has submitted a reservation on Chapter III:

"The United States delegation makes a general reservation on the inclusion in the draft Convention of any provisions for the limitation of budgetary expenses."

General De Marinis (Italy). — The Italian delegation wishes to associate itself with the reservation made by the British delegation on Article DA.

M. Sato (Japan). — I desire to associate myself also with the British and Italian delegations.

Chapter IV.

The Secretary. — With regard to Chapter IV, the United States delegation proposes the following note: "The discussion of this chapter has been deferred till the Second Reading."

If I understand the proposal of the United States delegation, it does not intend this note to figure under the delegation's name, but to appear as a statement by the Commission. Do you accept the proposal of the United States delegation?

Assent.

The Draft Report was adopted.

124. Close of the Session.

The President. — We have now come to the end of the first stage of our work. You may remember that at the beginning of our first meeting I told you that we must prepare the public not to expect miracles from our first step towards a reduction and limitation of armaments. The general political situation was not propitious, and our way was beset with difficulties, the extent of which public opinion did not, and could not, realise.

In 1921, the five most important naval Powers made a beginning at Washington towards checking competition in naval armaments, and the result they achieved was appreciable. But the problem of the limitation of armaments in its widest sense has never before in the history of the world been approached by a meeting of political delegates. Our work had indeed been admirably prepared by first-class experts who deserve our highest praise; nevertheless, from the political point of view, it would have benefited by even more careful preparation.

The public seems to have forgotten the fact that we are only a Preparatory Commission, and to have ingenuously imagined that we were straightforwardly going to draw up a sort of programme of disarmament. As this did not happen, it naturally concluded that, directly a marked difference of opinion arose on an essential question —limitation of naval material— we were checked all along the line. This mistake was perhaps excusable, but it was, none the less, a mistake. Our task was to prepare for a Conference for the reduction and limitation of armaments in accordance with Article 8 of the Covenant (our Bible, as the Japanese delegate said in other words). We thought that, in preparation for this conference, the important thing was not to submit to the Council a lengthy report on the rather extensive work of our Sub-Commissions, containing replies to the questionnaire submitted to us by the Council with a view to indicating the scope of our work, but to draw up a preliminary draft convention. We, therefore, had to sketch roughly a first text after mature consideration. We had two drafts before us at the beginning of our discussions. It soon became apparent, in view of the problems we had to solve, that it was impossible to draw up a single text and in our report
to the Council and to our Governments we have therefore made a rough draft which has only been decided upon provisionally at the First Reading. In this draft, we have marked the points on which unanimity was obtained with or without reservations, placed side by side the texts on which agreement had not yet been established, and noted the statements and proposals on which unanimity was not reached but which the delegates who made them expressly wished to keep until the Second Reading.

We thought that, with the help of these documents and the Minutes of our debates, our Governments would be able to examine all the points raised during the discussion, and give them the close study which is indispensable if the negotiations and exchange of views between the various Foreign Offices are to result in our drawing up, at the Second Reading, a single text which may be submitted to the proposed Conference. It matters little whether this Second Reading takes place in the near future or in a few months' time; it must, and will, take place. The different Conferences which are soon to meet at Geneva, and especially the big Economic Conference and the Conference of the three Naval Powers convened by President Coolidge, will be of great value to our work. The essential point is that, now that we have cleared and marked out the ground, we can meet again when our ideas have matured, when our Governments have had time for reflection, and intelligent public opinion has been able to pronounce on our discussions, which have now been full publicity. When I refer to intelligent public opinion I mean chiefly the Press, that powerful factor in guiding public opinion. I beg the Press, which can do so much good and prevent so much evil, to realise its responsibility and the gravity of its mission, and not to distort the position by sensational reports, but to try to understand, to pacify and to conciliate.

Besides the Press, there are other factors in enlightening public opinion — I mean those people who are devoted to our cause, and the societies and associations interested in disarmament which are steadily increasing in Europe and America, such as the Inter-Parliamentary Union, which has already, on its own initiative, drawn up a remarkable scheme for the reduction of armaments, the Carnegie Foundation and several others.

As M. Paul-Boncour so aptly said, the problem of disarmament is no longer wrapped in mystery but has become a very real and concrete question. Your debates have shown the truth of this remark, and yesterday again Lord Cecil declared that these debates have proved that disarmament is essentially a practical proposal. We must allow nothing to discourage us, even though the feeling of security which a limitation of armaments would produce, but which in its turn is necessary before an appreciable degree of disarmament can be arrived at, has not yet reached the stage we could desire.

You were good enough to appoint as President of your Commission the representative of a country which, in defending its small continental territory against invasion, in establishing its independence and maintaining its place in Europe and in its colonies, has always been inspired by the motto: "Never despair". You will not therefore be astonished if I am guided on this occasion especially by the great saying of William the Silent, which has often been quoted here: "It is not necessary to hope in order to undertake, nor to succeed in order to persevere", and I venture to add these words: "But to succeed we must persevere". We shall persevere, for I think you will agree with me that another proverb we must never forget is: "Where there's a will there's a way".

It is not for me to thank you all individually. I should be justified in doing so but I will refrain. I must, however, say how much I appreciate the way in which you responded to my appeal at our first meeting to speak plainly and to speak frankly. I venture to say that you have done this, and your clearness and frankness have been of inestimable value to our Governments and to public opinion. In spite of what I have just said, I think you will agree with me that another proverb we must never forget is: "It is not necessary to hope in order to undertake, nor to succeed in order to persevere".

You were good enough to appoint as President of your Commission the representative of a country which, in defending its small continental territory against invasion, in establishing its independence and maintaining its place in Europe and in its colonies, has always been inspired by the motto: "Never despair". You will not therefore be astonished if I am guided on this occasion especially by the great saying of William the Silent, which has often been quoted here: "It is not necessary to hope in order to undertake, nor to succeed in order to persevere", and I venture to add these words: "But to succeed we must persevere". We shall persevere, for I think you will agree with me that another proverb we must never forget is: "Where there's a will there's a way".

I must remind you that we shall meet again without fail some time during this year, and I should be glad if as a last decision you would leave me free to fix the date of our meeting. For the moment, if you will allow me, I shall fix it at about the beginning of November, but if you will allow me, I shall fix it at about the beginning of November, but if I should be very grateful if you would give me complete freedom on this point. I shall, of course, consult the necessary authorities; but you will understand that we must not meet again too soon, for we must allow our Governments time to reflect and agree and we must allow public opinion, to which I appealed just now, to weight the facts of the situation and come to our assistance. We all have the same end in view: it may take time to achieve and we may encounter many difficulties, but sooner or later we shall accomplish general...
disarmament, or, at any rate, a reduction and limitation of armaments, which will prevent inhuman carnage between civilised nations who really at heart respect each other. Let us do our best. I ask your help and I shall be deeply grateful for it.

Count Clauzel (France). — Gentlemen, I am sure that I voice the feelings of you all — and I am addressing not only the members of the Commission but all present in this room, including the Press — when I tender to our eminent President in my own name and in the name of M. Paul-Boncour, who very deeply regrets that he was prevented from attending this last meeting, our sincere thanks for having directed the difficult work of the Preparatory Commission for the Disarmament Conference in such an able way. Thanks to his tact, diplomatic ability, courtesy and unfailing patience, the barque of disarmament has steered clear of the rocks; it has avoided Charybdis and Scylla and has finally reached port more or less up to time. It has not, perhaps, arrived at the port of disarmament, but it has reached a port where it can be re-fitted, ready to sail as soon as possible, as our President put it, for the true port of disarmament, the harbour of refuge which all nations desire to reach.

We therefore tender our most sincere and warmest thanks to the President for his most helpful work, and, at the same time, we would follow his example in thanking his neighbours on either side of him. After their arduous work they are certainly entitled to our warmest thanks.

The Hon. Hugh Gibson (United States of America). — Count Clauzel has expressed so eloquently and so accurately the sentiments of this Commission that I really hesitate to speak after him. However, I should like to have the privilege of supporting very warmly the remarks in which he has so well spoken for all of us. We are all — and I speak especially for the American delegation — I am sure, deeply sensible of the extreme difficulty of the task of our President and of the great skill, fairness, and kindliness with which that task has been discharged. We join very cordially in extending to him our sincere thanks for his unfailing consideration and for his unfailing and inexhaustible patience. We thank him for what he has done, and we look forward to his wise and friendly guidance in the future.

Sir Cecil Hurst (British Empire). — Speaking for Lord Cecil, I wholeheartedly agree with the words which have just been spoken.

The President. — I declare the Third Session of the Preparatory Commission for the Disarmament Conference closed.

The Commission rose at 5.30 p.m.
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<td>2. Preliminary Draft Convention for the Limitation of Armaments, submitted by the French Delegation</td>
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<td>3. Synoptic Analysis of the Provisions of the British and French Draft Conventions (Annexes I and II)</td>
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PREAMBLE.

Persuaded that the maintenance of peace requires the reduction of armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations;

Considering that all Members of the League of Nations are already pledged by Article 8 of the Covenant of the League to the acceptance of the principle enunciated above;

Realising that the purpose of the limitation of armaments by international agreement is to diminish the risk of aggressive action by one State against another and that all agreements for limitation of armaments should be construed in the light of that purpose;

Believing that, in order to obtain the greatest possible advantage from a reduction and limitation of armaments, such reduction and limitation must cover military, naval and air armaments and must embrace as many nations as possible;

Anxious to overcome the obstacles to the economic restoration of the world which the competition in armaments now imposes on nations impoverished by war:

Have resolved to conclude a Convention with a view to accomplishing these purposes and have appointed as their plenipotentiaries:

The President................................

Who, having communicated their full powers, found in good and due form, have agreed as follows:

CHAPTER I. GENERAL.

1. Each of the High Contracting Parties undertakes to limit its land, naval and air armaments to the figures laid down in Tables I, II and III of Annex I* of the present Convention.

2. The provisions of the preceding article shall not prevent any of the High Contracting Parties from increasing its land, naval or air armaments beyond the figures set out in Tables I, II and III of Annex I*, if:

   (1) A war in which it is belligerent has broken out; or
   (2) If it is threatened with (a) a rebellion or (b) an emergency involving serious military operations, or
   (3) If such increase is effected with the concurrence of the Council of the League of Nations.

Notice to all the other High Contracting Parties shall be given by the Party increasing its armaments in pursuance of this article.

Subject to any agreement to the contrary by the Parties to this Convention, a High Contracting Party increasing its armaments in pursuance of the first paragraph of this article shall, when peace is restored or the rebellion or emergency has come to an end, reduce its armaments to the amounts set out in Tables I, II and III of Annex I*.

3. Each of the High Contracting Parties will, while the present Convention is in force, communicate to the Secretary-General of the League of Nations, not later than . . . . in each year, in the form set out in Table IV of Annex I,* a statement of the amount proposed to be expended on its land, naval and air armaments in the current financial year.

4. Each of the High Contracting Parties will, while the present Convention is in force, communicate to the Secretary-General of the League of Nations, not later than . . . . in each year, a statement, in the form set out in Table V in Annex I,* showing the amount actually expended on its land, naval and air armaments during the preceding financial year.

CHAPTER II. LAND ARMAMENTS.

5. The limitation of land armaments in pursuance of Article 1 of the present Convention shall be effected by limiting the number of effectives, meaning thereby troops who could within . . . . of the outbreak of hostilities be available for despatch to the fighting-line.

* Note: Except for the form for Table II, neither the Annexes on the Tables have been drawn up.
6. (1) The total number of effectives maintained by each of the High Contracting Parties as part of its land forces shall not exceed that prescribed in Table I of Annex I.*
(2) The number of serving regular officers (“officiers de carrière actifs”) shall not exceed one in fifteen of the number of men serving with the colours.
(3) The number of regular soldiers serving in the rank of warrant officers and sergeants (“sous-officier”), shall not exceed one in nine of the number of men serving with the colours.

CHAPTER III. — NAVAL ARMAMENTS.

7. As to each of the classes of ships mentioned in Table II of Annex I,* the tonnage of any one ship, the number and tonnage of all the ships in that class and the calibre of the guns mounted in such ship must not exceed the figures there set down. The calibre of the torpedo carried by any ship shall not exceed . . . .
8. The High Contracting Parties accept and will observe the rules set out in Annex II* relating to the replacement of vessels of war.
9. Each of the High Contracting Parties accepts, so far as it is not already bound thereby, Articles 18 to 18 (inclusive) of the Treaty signed at Washington on February 6th, 1922, for the Limitation of Naval Armaments.

CHAPTER IV. — AIR ARMAMENTS.

10. (1) The limitation of air armaments shall be effected by limiting the number of shore-based aircraft of service types maintained in commission in first line combatant units within the limits of each State which is a Party to the present Convention.
(2) The number of such aircraft maintained by each of the High Contracting Parties shall not exceed the figure set out in Table III of Annex I.*

CHAPTER V. — MISCELLANEOUS.

11. Each of the High Contracting Parties undertakes that, as soon as the Convention has come into force for it, it will begin the necessary measures for carrying the provisions of the Convention into effect.
12. The High Contracting Parties recognise that any violation of the provisions of this Convention is a matter of concern to all the Parties. If any Party to the Convention is of opinion that another Party to the Convention is maintaining armaments in excess of the figures set out in Tables I, II and III,* or is in any other way violating the provisions of the Convention, it may bring the matter to the notice of the other Parties to the Convention.
Each of the High Contracting Parties agrees that, on receipt of any such notification by another Party to the Convention, it will co-operate in such measures as may be thought desirable by the Parties which are mentioned in Article 14 or represented in the Council of the League, but excluding the Party against which the complaint is made, for investigating the facts, and that it will join in such action as may be deemed wise and effectual to safeguard the peace of nations.
Provided that no investigation within the limits of the territory of any of the High Contracting Parties shall be made without its consent.
13. The present Convention shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods. The instruments of ratification shall be deposited at Geneva.
It shall come into force for each Party whose instrument of ratification has been deposited as soon as the instruments of ratification of the President of the Republic of Germany, the President of the United States, His Britannic Majesty on behalf of Great Britain and Northern Ireland and all parts of the Empire not separately represented in the League of Nations, the President of the French Republic, His Majesty the King of Italy, and His Majesty the Emperor of Japan have been deposited.
14. The present Convention shall remain in force for ten years from the date of its coming into force, except Chapters II and IV, which shall remain in force for five years from that date.
In case none of the High Contracting Parties shall have given notice to terminate two years before the expiration of the said periods, the provisions of the Convention shall continue in force until the expiration of two years from the date on which such notice shall be given by one of the Parties. Notice may be given to terminate the Convention as a whole or Chapter II, III or IV separately.
If the Party by which such notice is given is among those mentioned in the last paragraph of Article 13, all the High Contracting Parties shall, within one year of the date of the notice, meet in conference to consider the continuance of the provisions to be terminated. In the event of any such conference failing to come to an agreement, accepted by all the Parties other than the Party which has given the notice, as to the continuance of the provisions.

* Note: see note on page 358.
to be terminated, or as to the substitution of others, they will terminate on the expiration of the two years provided for in the notice. If the High Contracting Parties, other than the Party which has given notice to terminate, agree upon the terms of other stipulations in substitution for those to be terminated, the latter shall continue in force for all Parties other than that which gave the notice until the coming into force of the new stipulations.

If the Party by which notice to terminate is given is not among those mentioned in the last paragraph of Article 13, the Convention will remain in force for all High Contracting Parties other than that by which the notice was given.

Notices under this Article shall be given to the Secretary-General of the League of Nations and shall be deemed to have been given on the day on which the notice was received by him.

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### Table II. — Naval Armaments.

#### PART I. — EXPLANATORY STATEMENT.

<table>
<thead>
<tr>
<th>Type of War-ship</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Battleships and Battle Cruisers</td>
<td>War-ships of great displacement that embody the maximum armament protection and mobility which it is practical to combine in a single vessel. In the Battle Cruiser armament and protection are, in some degree, sacrificed to speed.</td>
</tr>
<tr>
<td>Cruisers</td>
<td>War-ships of medium displacement in which moderate armament and protection are combined with great speed.</td>
</tr>
<tr>
<td>Aircraft Carriers</td>
<td>War-ships designed for the specific and exclusive purpose of carrying aircraft. They must be so constructed that aircraft can be launched therefrom and landed thereon. The aircraft carrier acts as a mobile base of operations for aircraft.</td>
</tr>
<tr>
<td>Aircraft Carriers (includes Flotilla Leaders)</td>
<td>War-ships of small displacement possessing great speed. A gun armament effective against their own kind, with the torpedo as their chief weapon. May also be fitted to carry mines, aircraft, etc.</td>
</tr>
<tr>
<td>Submarines</td>
<td>War-ships possessing the power of submerging which enables them to operate unseen, to deliver surprise attacks and to decline action with superior forces. Principal weapon, the torpedo.</td>
</tr>
</tbody>
</table>

**Note.** There are also other types in existence, such as Coast Defence Battleships specially constructed for operating in the vicinity of a coast line; Torpedo Boats, which are small destroyers lacking in seakeeping qualities; Sloops, Mine-sweepers, etc., which are small types of war vessel for patrol, convoy or mine-sweeping purposes; River Gunboats, which are specially designed for operating in shallow waters and in rivers.

#### PART II. — LIMITATIONS OF GENERAL APPLICATION.

<table>
<thead>
<tr>
<th>Type of War-ship</th>
<th>Maximum standard displacement permitted</th>
<th>Maximum calibre of guns that may be mounted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Battleships and Battle Cruisers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coast Defence Battleships</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cruisers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aircraft Carriers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Destroyers (includes Flotilla leaders)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Torpedo-boat Destroyers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leaders</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Torpedo-Boats (includes Coastal Motor-boats)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Submarines: Large</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Submarines: Small</td>
<td></td>
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<tr>
<td>Sloops, Mine-sweepers, etc.</td>
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<tr>
<td>River Gunboats</td>
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</tbody>
</table>

These vessels may not employ the torpedo as a weapon.