which may have been drawn up by Governments but which have not been ratified or have not been registered.

As regards projects for treaties of arbitration or conciliation or security put forward by private associations or individuals, it will perhaps be sufficient for the Secretariat to include in the Committee's documentation any of these drafts which the Rapporteurs or members of the Committee may think deserving of consideration and bring to the attention of the Secretariat for inclusion in the documentation. To endeavour to include the texts of all such projects would, I fear, involve an enormous documentation, the undertaking of which would be apt to delay the work of the Committee.

M. SATO (Japan). — After the eloquent speech of M. Politis, I find it difficult to address you. I would nevertheless like to express my views in regard to this question.

The resolution adopted by the last Assembly will form the basis of the programme which the Committee will have to examine. I do not need to repeat here the words of those resolutions. I merely wish to observe that they may be interpreted in different ways.

If we analyse the problem of security we may say that it contains two principal elements, — firstly, collective action organised by the League of Nations to prevent or impede any recourse to war, and, secondly, to afford effective protection to any State victim of aggression. In my opinion the Committee's essential duty is to seek out the best way for the peaceful settlement of international disputes, and for giving effective aid to a State victim of aggression.

As far as concerns security, there already exist the provisions of international conventions. I might quote, in the first place, the terms of the Covenant of the League of Nations. Bilateral treaties have been concluded, and their number increases daily. They provide either the specific settlement of disputes which might arise in the relations between Contracting States, assistance in case of aggression by a third party or the respect for political independence and territorial integrity in the mutual relations of the Contracting States.

According to this analysis of the question of security and the present situation, the Committee should, in my opinion, first concentrate its attention on the study of the provisions of existing agreements, in order to determine the present conditions of regional and general security, as mentioned by Resolution V of the last Assembly.

The Committee should then examine the case of every country which claims a higher degree of security, and decide whether its claim is justified with regard to the present political situation. If the Committee concludes that this request is legitimate it will then have to draw up concrete proposals in order to give them satisfaction.

It has not been my intention in making these observations to define any line of conduct for the Committee different from that indicated by our Chairman. On the contrary, I entirely accept the procedure which he has laid down. I merely wish to define the spirit in which the Committee should interpret the directions furnished by the Assembly and accomplish the task which has been assigned to it.

M. RUTGERS (Netherlands). — I have listened with great interest to the speech delivered by the Greek delegate. I venture to submit certain observations on that speech.

My first remark refers to the sub-committees mentioned by M. Politis. I wish to ask one question. If it is premature, it may be ignored. In the first place, I recognise that, in order to speed up our work, it is necessary to create sub-committees, but will these sub-committees be composed of part of the members of our Committee, or will they include representatives of each delegation? I should personally prefer the second choice, for I suppose that most of the delegations, if not all, will be interested in all the questions studied by these sub-committees.

My second observation refers to the Optional Clause in Article 36 of the Statute of the Permanent Court of International Justice. In reading Resolution V of the Third Committee of the Assembly, one feels some doubt as to the competence of our Committee regarding the study of that clause. I personally feel that this doubt is unjustified and that we should be failing in our duty if we did not study this optional clause as well as arbitration properly so-called.

My third remark deals with the documentation mentioned by M. Politis. I confess that I was rather aghast when he said that it would be immense. I cannot accept that description as commendable. The Secretary-General has told us that the preparation of such a documentation would take a certain amount of time and that the work would consequently be delayed. I would add that the members of the Committee must be allowed the time, not necessarily to read the documentation, but at any rate to take note of all of it. My parliamentary experience has shown me that too extensive documentation often has unfortunate results, in that even the members who speak on a particular question have not taken note of all the documents which had been submitted. We must limit our documentation. The delegate of Greece recently spoke his praises of the Protocol of Geneva. I may say that this Protocol was drawn up in a few weeks and without any voluminous documentation being submitted to the Assembly or the members of the Committees.

I think, however, that a solution might be found. The Bureau, with the help of some of the members of the Committee perhaps the Rapporteurs of the future sub-committees, might appoint a small commission which, would decide with the Secretariat upon the
documentation to be prepared. This Commission should not forget that the Committee does not want its next session put off for too long. I think we must fix a date for the next meeting and the amount of the documentation will depend on the length of time allowed. In conclusion, I hope that the Committee will adopt my suggestion that we entrust the Bureau and Rapporteurs with the task of providing the necessary documentation with the help of the Secretariat.

M. Paul-Boncour (France).—As regards the question of procedure, I venture to ask for time for reflection. We have heard the different and interesting proposals. We shall have to examine them when they come before us in writing in order to gain a correct idea of the progress of our work. I should like the minutes of the discussions which have taken place this morning to be distributed as soon as possible in order that we can examine the proposals, particularly as regards those of M. Beneš and M. Politis, as they were the two speakers who particularly dealt with the question of procedure and manner of work. Subject to my right to reconsider the question after a closer study, and speaking only of the points which have impressed me in the speeches delivered, I think it would be inconvenient to begin our work only by preparing documentation. We are snowed under with documentation. We know the terms of most of these treaties. In any case, as the Secretary-General has just told us, a second edition is in course of preparation and will be automatically communicated to us. What we are really interested in is positive, constructive work. We are all agreed that documentation is necessary, but it must be for the purpose which the Committee will have before it. The mere piling up of documentation will not mean that we have added new guarantees for security which is the purpose for which we have been called together.

As regards the choice between the proposal of M. Beneš to appoint Rapporteurs who would themselves constitute a sort of more complete Bureau of the Committee, and that of favouring sub-committees suggested by M. Politis, I cannot make a decision without having time to reflect. In any case, I could not support what I have just understood to be the declaration of the delegate of the Netherlands. The sub-committees could not include representatives of all States on the Committee. I feel that these sub-committees cannot but be extremely limited in number. I should like their numbers to be chosen not because they represent a certain country, but because they possess definite competence in a particular class of questions.

I am in substance in agreement with what has just been said by M. Sato. We must not forget that we are here not in order to draw up legal instruments, but in order to reply to a definite question in the questionnaire of the Preparatory Commission on Disarmament, a questionnaire which to some extent constitutes the Covenant on which we have agreed to take part in this work and to participate later in a Disarmament Conference.

The Preparatory Commission has not even begun this question. In order to begin upon it the last Assembly expressed the view that a special Committee should be appointed which would be called the Committee on Arbitration and Security. Everything that has to be done must be looked at in the light of the final object, which is to allow nations taking part in the Conference for the reduction of armaments to fix at the lowest possible level in exchange for collective guarantees of security the figure for the armaments which they consider necessary for their security.

All our work, in short, consists in establishing two columns of figures; one will be the column of assets and the other the column of liabilities.

We must add to one column something which will enable us to make a deduction from the figures of the armaments considered necessary for security. In this connection I find it unnecessary to tell M. Politis how fully I am in agreement with him. I am convinced that the Protocol and its provisions constitute the best solution which can be reached as regards collective guarantees of security. The reasons why the Protocol has not come into international operation are well known and there is no need to repeat them. We are here in order to examine whether we cannot find in the very terms of the resolution of the last Assembly means for increasing the present guarantees of collective security. That resolution has clearly traced out the different paths where we have not to enter but to continue.

For want of the Protocol, i.e., of a general treaty of mutual guarantee based on arbitration, we have turned to the field of special agreements. Many of those who are now present, including myself, regard these agreements as makeshifts. They have no enthusiasm for them, and I fully appreciate the dangers involved; for want of a better plan, however, we were obliged to resort to them. However, to the extent that these treaties increase in number, we are bound to note that their diversity and their contradictory ideas would put almost insurmountable difficulties before the Disarmament Commission when it tries to establish its security balance sheet.

I also agree with M. Politis in calling for a clear and well-defined table of these special agreements, but I also ask for details. I want to know exactly what results have been attained regarding collective guarantees of security. This is the first task which will have to be undertaken by the Rapporteurs or the sub-committees. The more we enter into these special agreements in the absence of a general treaty of mutual guarantee — which alone could give me an assurance of the maintenance of peace in the world — the more we feel their limitations.
which are quickly reached. One cannot but notice all the dangers which may slip into these systems of old diplomacy, of alliances and counter alliances, which seem to be, or are, within the framework of the League of Nations. The resolution of the last Assembly contemplated something of a rather fuller nature. This is gathered by the last two paragraphs of the resolution, which refers to a more general agreement between a certain number of Powers bound by geographical or other considerations and which accept, without imposing on others, the more precise provisions which the Protocol added to the Covenant of the League of Nations. The Covenant of the League is an excellent document, which is our hope and our confidence, but which is far from being sufficiently precise to allow a nation to know exactly what and how much security it can rely upon in time of danger. The idea I have mentioned gives rise to two other ideas. Such a result may be obtained either by an agreement between a certain number of nations, united as I have said, by geographical or other ties, which would strengthen its solidarity, or it might be obtained by the action of the League. I do not believe that the League would do more than the actual League of Nations has done, and which would do for us what and how much security, but which is far from being sufficiently precise to allow a nation to know exactly what and how much security it can rely upon in time of danger. The idea I have mentioned gives rise to two other ideas. Such a result may be obtained either by an agreement between a certain number of nations, united as I have said, by geographical or other ties, which would strengthen its solidarity, or it might be obtained by the action of the League. The League might endeavour with decided deliberation and reason, and would be more inclined to which the Covenant of the League of Nations might call forth explanations and definitions on the nature and extent of the security which States might be able to offer to a given State in given circumstances.

I must ask the Committee to excuse me for having reminded it of what I feel sure it had no need to be reminded. I felt, however, that such a reminder was necessary at the outset of our work and that I should tell you that if we take our eyes from the aim of our labours, which is to increase the balance of security and to decrease the armaments which are admitted by the nations, we shall have only academic discussions. Lord CUSHENDUN (British Empire). — I have no intention of attempting an oration on the important questions which we are examining, nor have I any desire to cover more than a very small portion of the ground of the work before us. I wish to deal with practical suggestions rather than with general principles. Perhaps I may be forgiven, however, as I am here to-day for the first time, if I preface my observations by a remark of a more or less personal nature. I am quite sure that all who have been engaged on this work hitherto are very sensible of the loss they have sustained through the absence of my friend, Lord Cecil. I can assure you that I am fully alive to that sense of loss and of my personal inferiority, for work of this character, to Lord Cecil. At the same time, I should like to give the assurance that the policy of the British Government remains exactly as it was. To express that in a single sentence, I need say no more than that that policy is to promote, to encourage and to assist in every possible way in our power the great causes which we are here to discuss: disarmament, arbitration and security among nations. The only questions which we have really to discuss are how those great causes are best to be promoted and how the particular difficulties of one nation or another can be overcome with a view to the accomplishment of a common purpose.

After listening to the very interesting debate and eloquent speeches of our Chairman, M. Politis, and M. Paul-Boncour, there is left upon my mind a certain feeling of apprehension lest we fail to arrive at practical propositions which we can ultimately discuss and bring, if necessary, to the test of an aye or nay. That appears to me to be something at which some time or other we shall have to arrive. It is proposed that we should embark upon a very extensive study of these questions, and that a large number of documents should be prepared for that study. I confess I agree in this respect with M. Paul-Boncour, that we are in danger of having an avalanche of documents, possibly some of them not very relevant to our discussions, and such an amount of material to study that it will be an immense discouragement to us to arrive at a very clear notion of what can be done and of what may or may not be practicable.

I am a little bit alarmed about one or two things that have been said relative to this study. Being, I hope, a person of discretion, if I had been the first speaker I should have been very careful to be silent in regard to one particular word; there is one word I should scrupulously have avoided — the word "Protocol"; but I find that that word, to some a blessed word, to some perhaps a dangerous word, has been uttered by M. Politis and endorsed by M. Paul-Boncour. In this great mass of documentation are we going to have a great amount of literature on the subject of the Protocol? I agree with you, Mr. Chairman, that we must take account of what has hitherto been taken place; we cannot leave out of account the past. The past, among other things, contains a certain number of choses jugées, and M. Politis, after describing what he took to be the main objections entertained to the Protocol, which I will not now discuss (whether I altogether agree with his summary of the objections or not is not now relevant), said that we should study how far these objections corresponded to reality. I am not going to raise any formal objection to that study being undertaken and carried out, but I do not think that that study will advance us very much on the road to a definite proposal to lay before the Preparatory Commission. I have heard long periods mentioned as being necessary for our study. I think if we are to go into the objections which may be entertained to the Protocol, to rediscover them and examine how far they correspond with reality, I may express the hope that we may all live long enough to see the end of our investigations, and I would seriously ask you whether embarking upon discussions and investigations of that sort is not likely to retard the practical outcome of our labours.
I throw that out as a suggestion, repeating that I make no formal objection to any study which any of my colleagues think will be useful for the purpose we have in view.

It has been further suggested, and I entirely agree, that it would be useful to have before us the treaties of arbitration which have been concluded, not merely a list of the treaties but a view of their contents and of the character of the disputes which are covered by those treaties. I noticed that the Secretary-General intimated that it would be possible to have a view of those treaties which have been registered with the League of Nations, and some other speaker referred to the treaties which have been concluded since the League of Nations came into being. I entirely agree with that; I think that would be very useful material, but in that connection there is one point which I should like to reserve. It is probably known to many that arbitration, so far as my country is concerned, is no new thing. We have many important arbitration treaties dating long before the war, long before the League of Nations was ever thought of. If it were necessary I could, of course, unfold to the Committee, and at the proper time would be prepared to do so, the very important national interests which long years ago the British Government submitted to arbitration, thereby, as I hope I may claim, not only giving a lead to the world, but showing their anxiety and determination to resort to arbitration rather than to war. It may be desirable, when the proper time comes, when we have before us the treaties which have been concluded in recent years, that I should call attention to the larger field which has already been covered by the practice of my own country.

I still feel that this study alone is not going to lead us much closer to a practical result. I would suggest that what we really want, without making any practical suggestion as to the precise method by which it should be done, is something of this sort. We have those four paragraphs at the end of Resolution V, which forms the basis of our work, and what I think we want is something like a series of short resolutions or proposals put forward by different members of the Committee, or its Bureau or sub-committees. I merely desire that a number of different minds should be brought to bear upon these clauses and put into the form of definite propositions what they think can be done, what practical measures can be taken, because the Assembly uses the word "measures," and to my mind that term implies some actual practical step, not merely a pious resolution or a statement of general methods.

I want to know what measures my colleagues think should be adopted for carrying out each of these four clauses. If we had these propositions before us, coming from different minds, there might be a great many that would prove to be impracticable; and which we should decide presented difficulties which could not be overcome. But we might here and there have suggestions which at sight would seem practicable, and which we could decide to discuss.

I am always struck by the fact that, unless you get some definite, tangible, practical proposition to discuss — as long as you keep to generalities, to wide statements of general principles — you make no progress at all, and I am most anxious that we should arrive at some real big result which we can show to our Governments and to the world, and it is in that spirit, and in that spirit alone, that I have made these remarks. I hope I shall be forgiven if I have spoken strongly, but it is with the sincere desire to assist in the work which we have in view that I venture to lay these suggestions before the Committee.

The CHAIRMAN. — I think that we are all agreed with Lord Cushendun in thinking that we should pass as quickly as possible to the practical side of our work. We have to examine how we are going to pursue our labours. In his speech M. Paul-Boncour asked that proposals should be made in writing and as clearly as possible. In this I entirely agree with him. I therefore propose that we suspend our work for this afternoon. To-morrow morning we will have before us clearly formulated proposals, and we can then examine how to reach the practical conclusions the necessity of which Lord Cushendun has emphasised. I should also like to raise two points. I venture to say to the honourable delegate of the Netherlands that at the League of Nations these sub-committees which have been appointed have always been limited in order that they might work as quickly as possible. I would add that it seems to me most desirable to appoint the Rapporteurs first and the sub-committees afterwards. However, I have no desire to make any final suggestion. The discussion to-morrow will settle the matter for us.

The meeting rose at 1.45 p.m.
SECOND MEETING (PUBLIC)

Held on Friday, December 2nd, 1927, at 10.30 p.m.

Chairman: M. Beneš (Czechoslovakia).

4. Programme and Method of Work of the Committee: General Discussion (continuation).

General de Marinis (Italy). — I should like to say a few words as regards the method of working which we ought to adopt.

The document containing the proposals of the Bureau in this matter (Annex 1, page 55) has just been distributed, and I have not yet had time to read it.

The first of the suggestions made yesterday referred to the documentation necessary for the proper perusal of our work. In this matter I share the preoccupations of Lord Cushendun and M. Rutgers, that a too voluminous documentation might endanger our practical work and lead us into purely theoretical fields. Moreover, the Secretary-General has pointed out the difficulty there would be in amassing too much documentation. I think that his proposals are wise and acceptable, and that the volume prepared by the Secretariat, which will contain the treaties of arbitration, conciliation and security registered with the League of Nations, would be sufficient for a study of the problem contemplated.

As regards the plans for treaties of arbitration, conciliation and security put forward by learned societies or private individuals, I think that we should merely confine ourselves to those plans which the Rapporteurs may consider worthy of being taken into consideration.

As regards the question as to who will draw up this documentation, I find myself in favour of the idea that this task might be entrusted to the Bureau working in concert with the Secretariat and the Rapporteurs which the Committee will appoint.

As regards the choice of the Rapporteurs, I entirely agree with M. Paul-Boncour that they should be appointed not by reason of their nationality but from a consideration of their particular competence to deal with the questions involved.

The question then arose whether to appoint the sub-committees and when, and how they would be appointed. M. Rutgers thought that all the delegations ought to be represented on them, as it is true we are all interested in closely following their investigations. I am, however, fully in agreement with the representative of France that sub-committees consisting of a large number of delegates would not facilitate the progress of our work, and, though I recognise the justification for the anxiety of the honourable representative of the Netherlands, I would prefer the number of delegates appointed on these sub-committees to be as limited as possible.

On the other hand, it should be clearly understood that, before the committee holds a plenary meeting to study the documents prepared by the sub-committees, all the delegates should be put in a position to study them sufficiently, in order to take proper part in the plenary discussions. This is a definite proposal which I wish to submit to my colleagues.

I think that we might well constitute the sub-committees immediately. They might thus get to work rapidly and let us have results at a suitable time. In this way the Committee might meet two or three months later. This procedure would be particularly desirable if the number of members of the sub-committees is very limited — if the Committee thinks fit, reduced to the number of Rapporteurs.

These are the observations I desired to present to the Committee, and I would once more draw its attention to the fact that we must have the documents in our hands before the plenary meeting where they are to be discussed.

M. Markovitch (Kingdom of the Serbs, Croats and Slovenes). — I will refrain for the moment from speaking of the procedure to be followed by the Committee. I merely propose to put forward a few ideas as regards its programme of work.

We have just received the proposals of the Bureau, and, though I have naturally not had sufficient time to study them thoroughly, after a brief perusal I can see that they rather weaken the first impression which I had yesterday in listening to the first speakers. The substance of their speeches reminded me, if I may say so, of meetings of legal experts discussing purely academic points. In my opinion, the task which the Assembly of the League of Nations has entrusted to the Preparatory Commission and to the Committee on Arbitration and Security, is of a totally different nature, for it is a purely practical task. After the speech of M. Paul-Boncour and the very wise remarks of the British delegate, I thought that all the discussion would turn towards the search for practical means for guaranteeing the security of the nations, and enabling States Members and non-Members of the League of Nations to attain at least a relative state of disarmament. In the arguments invoked by these two speakers I find a confirmation of those ideas which are also held by the delegation of the Kingdom of the Serbs, Croats and Slovenes. I will venture to add a few words to those statements.

I consider that the problem of security is, in the first place, a practical problem. I am astonished that it has not yet been stated that the problem of security is clearly a political one: the solution of which is to be found by political and not by legal means and that this
truth must dominate all the work of our Commission and of our Committee. You must not believe that I take exception to jurists who frequently appear in places where politicians and statesmen ought to have the first word. Such an idea is far from my thought, as I am myself a jurist and a Professor of Law. I think, however, that law ought to take a back seat when we endeavour to constitute the framework and define the truths established in the political and practical field. Accordingly, if we begin by purely legal investigations and leave aside practical and political questions, we shall find ourselves in a road without an end. What is the essential task of our Committee?

Reading the resolutions of the last Assembly and those of previous Assemblies, we find certain principles on which we ought always to rely, but which have unfortunately not been mentioned so far. These resolutions are continually referring to the political conditions of security, and I venture to lay great stress on these words. The task of our Committee, then, is to examine these political conditions of security, and to find others which will be more effective. I support the very wise arguments of the British delegate, who yesterday reminded us that the resolution of the last Assembly spoke of “measures”. That resolution certainly makes it our duty to look for measures which will ensure the security of the peoples and not to make legal investigations. We must therefore not leave this practical field. In my opinion, the question of security is of a purely practical and essentially political nature. It is a problem the solution of which depends on real and practical measures being taken. Now what are measures? Measures are means of action, the practical enforcement of a desire. They are not legal formulae. I have the greatest respect for the science of jurisprudence, but our work is bound to be political. I assume that this Committee is composed not of jurists but of politicians looking for a political solution.

That being so, I regret that I am not very favourable to the suggestions which have been made by the Bureau. I am sorry that I have not had the time to study them thoroughly, but in looking them over I obtained the impression that they provided a programme for a conference of jurists. This might contribute towards the development of international law, but that, after all, is not the task of the Preparatory Commission for Disarmament, nor of the Committee on Arbitration and Security. Our duty is to devise measures by which we can increase the present state of security of all countries. I understand the idea of devising means and measures to mean that, when the results of our work are put into practice, a greater state of security will follow and the nations will therefore be placed in a position to proceed to disarm.

I apologise if I speak in somewhat different terms from those which are usual in Committees of this kind, but I think the question of security is of such fundamental importance for disarmament that we must do everything possible to get clear upon it and to speak the whole truth. I am going to speak still more definitely; I am going to tell you the whole of my thoughts upon the matter and to quote examples. I hope that you will not take exception to what I say, for the League of Nations is a political institution where questions dealing with present international life may suitably be discussed. I am going to refer to my own country as an example.

The Kingdom of the Serbs, Croats and Slovenes recently signed a treaty of arbitration and friendship with France. This agreement was constructed within the spirit and scope of the Covenant of the League of Nations. It is on the lines recommended by the League. Obviously our aim was to increase our security. We recognised that the security guaranteed by the League was appreciable but insufficient. In the absence of something better, as M. Paul-Boncour said yesterday, we endeavoured to obtain another guarantee.

To take a purely theoretical case, suppose that Italy had also placed its signature to that treaty. Such a three-fold agreement would have given still greater security to the Kingdom of the Serbs, Croats and Slovenes, for security guaranteed by three is better than that guaranteed by two. Italy did not do this and I regret it.

Let us take another example, purely theoretical. Supposing Great Britain, whom no one will suspect of wishing to provoke war, had also signed the treaty. Our security would have again been increased. However, Great Britain is pursuing a different policy and has no desire to bind herself by agreements of this kind, but relies entirely upon the League of Nations.

This will serve to show that a country like mine, devoted to the League of Nations, armed, as many maintain, finds that its security is in danger and has tried to sign special treaties. How could you ask such a State to disarm when it does not consider its security sufficiently assured with its present armaments? We must therefore create new conditions of security for that country in order to persuade it to disarm.

I will give you yet one more striking example. I venture to mention a State which is not represented here—Albania. As you know, Albania has signed two agreements with Italy—the Treaty of Tirana and a recent treaty of alliance. Now Albania is a Member of the League of Nations and enjoys all the privileges of a Member of the League. In addition to this, the independence of Albania is specially guaranteed by a decision of the League, and furthermore there is a declaration by the great Powers which lays down the action to be taken in the event of the independence of Albania being threatened. Yet the Albanian Government does not consider these guarantees as sufficient and what is more, its opinion is shared by another great Power, Italy. I may say that, as far as my own country is concerned, there is no political party, no statesman and no citizen who would ever even dream...
of threatening the independence of Albania. There is no difference between us. Nevertheless, as you see, the Albanian Government, which decides its own policy, has taken the view that it is necessary to seek to protect itself by a treaty of this kind.

By these two examples, which I have taken merely from the Balkans and not from other parts of Europe, you will see what the conditions of security are at present. If you think that by this theoretical investigation which you propose to make you are going to improve the conditions of security, I must confess that I am not so credulous.

The first principle which I would suggest should guide the work of the Committee and its sub-committees is that the political element should everywhere predominate. I refer to that "practical element" which the English tell us about. We must not bury ourselves in formulae; though you find the best formula in the world, international life will remain unchanged. But if you devise effective measures which will offer real though perhaps incomplete guarantees of security, there will come about a change in international relations, and the position as regards security will be entirely changed. Then alone will you have the right to ask the peoples to proceed to disarm.

I now come to my second observation. Are we to allow our search for practical measures to be unlimited, or are we to remain within the framework of the League of Nations? Personally, I find myself in support of the views of the British delegate that we should remain strictly within the scope of the Covenant of the League. I do not think that the provisions of the Covenant are ideal, but I do feel that our work must necessarily be capable of practical realisation. If we go outside the scope of the Covenant we shall run the risk of our work not being accepted by the Governments. If we remain within it, leaving apart ideal but impractical solutions, we shall have accomplished something useful. The provisions of the Covenant are very elastic. The reproach has often been made that the clauses of the Covenant are too elastic in character. I think that it is an advantage, for this elasticity will enable the Members of the League, if they work honestly, to create serious and sufficient guarantees of security. However, we have not only to place our good will and our energy at the service of the League, but we have also to put force at its disposal to carry out its decision. If we succeed in finding real and effective means which can be applied, if need be, by the League to all countries whether great or small, we shall have solved the problem of security within the scope of the Covenant of the League of Nations.

My third proposal is that the Committee should have full freedom within the Covenant of the League, and that it should not be tied down to the suggestions contained in the resolution of the last Assembly and in the recommendations of the Council. We must bear in mind those recommendations, but we must also look for other measures outside their scope.

If you will permit me, I propose to say a few words regarding the four suggestions made in the resolution of the last Assembly. The first paragraph of that resolution refers to arbitration. I suggest that we should not bury ourselves in an investigation of the various treaties of arbitration, because I do not think it would be useful. As my British colleague has rightly reminded us, the question of arbitration has already been discussed, and its principles are now clearly established. The only question which remains is whether or not States are ready to apply arbitration. Why should we go into deeper study? Why should we make further recommendations? We have only to ask States the definite question whether or not they are prepared to accept compulsory arbitration. I will add frankly that I do not imagine a minute study would lead us to the discovery of a model treaty. Of what use would this be? I might perhaps say that there is a model idea which is waiting to be applied, and which consists in compulsory arbitration in all international disputes.

The second point refers to the systematic preparation of the machinery to be employed by the organs of the League of Nations, with a view to enabling the Members of the League to perform their obligations under the various articles of the Covenant. I think that these points are placed in the wrong order. In my opinion, the essential point consists in Resolutions II and III, which concern the obligations of the Members of the League. How are these obligations to be carried out? If the Members of the League are willing to carry out their obligation in a serious manner, and if the Council and Assembly are determined to impose settlements, we shall very soon find practical means for carrying out these obligations. Why should we burden the organs of the League of Nations with the duty of defining such means when we have not yet settled the question whether the Council and the Members of the League intend to impose a settlement on those who do not respect the obligations of the Covenant. We must not sidestep the question, but we must remain and face realities. I propose that we should concentrate our attention on Resolutions II and III, which refer to the obligations of the Members of the League and to the working of the Council and the Assembly in times of crisis.

In the final paragraph of the resolution there is the very successful application of an idea which I have laid before you, and it is the only part of the resolution which is couched in specific terms. It refers modestly to an invitation

"from the Council to the several States to inform it of the measures which they would be prepared to take, irrespective of their obligations under the Covenant, to support the Council's decisions or recommendations in the event of a conflict breaking out in a given region."


This is the only positive and concrete thing in the resolution, but why do we limit it in this way? Why do you not put this question as generally as possible? I therefore propose that we put the question frankly. The great Powers which we know are the founders of the League of Nations must undertake their duties, if I may say so, conscientiously. The force which M. Politis mentioned yesterday, and which is indispensable for the respect of law, must be sought for where it is to be found.

I now come to the third point of the same resolution which refers to

"agreements which the States Members of the League may conclude among themselves irrespective of their obligations under the Covenant, with a view to making their commitments proportionate to the degree of solidarity of a geographical or other nature existing between them and other States."

I think this question ought to be cleared up. There are a host of agreements and treaties and covenants, and I think our Committee ought to say what kind of agreement it is desirable to conclude under the terms of this recommendation. In this connection I may perhaps be allowed to read a passage of the Report of M. de Brouckère, whose absence we all regret. It is taken from his Report submitted to the Assembly in the name of the Third Committee:

"With regard to the final paragraph of the resolution, the Committee desires to point out that the agreements therein mentioned are not in any way to be confused with such alliances as it was possible for countries to contract for political purposes of one kind or another before the Covenant of the League of Nations established general principles and obligations which introduced a special harmony into international life. The agreements referred to in the resolution are to be regarded as means for enabling States which wish to enter into closer mutual agreements than are provided by a Covenant to help each other to discharge more effectively, so far as they are concerned, the obligations embodied in the Covenant itself."

I think that this is a very sound idea. Our Committee should take up this question and not confine itself to recommending States Members of the League of Nations to conclude agreements and treaties of friendship and arbitration. I think we ought to give more definite indications. The Covenant itself makes a distinction between different kinds of treaties; some of them are compatible with the Covenant of the League, and others may be entirely incompatible with it. I feel that it would be impossible to contemplate taking the authority of the Covenant to ask the League of Nations to register a Treaty incompatible with the Covenant itself. Has the League of Nations the right to examine a Treaty? This is one of a series of questions which our Committee will have to examine. It will have to state clearly what kind of agreements it recommends to States, and it must state openly that there is no question of pre-war alliance.

I have ventured to make these observations merely out of a desire that the work of the Committee should be carried on on lines which will lead to practical results. I do not wish in any way to force my opinions or that of my delegation on the Committee. But I do think that I have put before you extremely objective considerations which are taken from the provisions of the Covenant itself, and from the very nature of the question with which we are now dealing. I think that they are worthy of consideration by the Committee on Arbitration and Security and by the Preparatory Commission.

The Chairman. — Before calling upon the next speaker, I desire to remove a misunderstanding.

M. Markovitch said that he had the impression when reading the proposals of the Bureau that we were going to embark on an immense field of purely theoretical study. I should like to explain that nothing was further from our thoughts when we drew up those proposals. We merely grouped the questions which have been submitted to us by the Assembly of the League. We entirely agree with M. Markovitch that we are to go directly forward towards a practical and clearly political object. It is for this reason that we systematically used the words "enquiry into the measures", "measures for their promotion", "suitable means of co-ordination and generalisation" in the proposals we submitted. The work of the Rapporteurs and of the sub-committees will naturally consist of the practical work to which M. Markovitch referred.

Count Bernstorff (Germany). — After hearing the statements of the speakers who have preceded me I desire to state the point of view of my country in regard to the problems with which we are concerned. The discussion in which we are engaged has enabled us to note some interesting points of view, together with an agreement in regard to fundamental conceptions, on which we may congratulate ourselves.

I agree with M. Politis that it will be indispensable for us to have ample documentation, but, like M. Paul-Boncour, M. Rutgers and Lord Cushendun, I am also convinced that, in collecting these documents, we must avoid dealing with anything that is not strictly necessary for the purpose of our work. Moreover, I would not desire that this documentation should be restricted to the collection of treaties, it should also cover the other half of our field of labour — the Covenant. I shall be very grateful if the Secretariat would be good enough to provide us with a collection of documents covering all the resolutions of the Assembly, the Council, all special Committees and particularly the awards of the Permanent Court of International Justice, so far as they contain interpretations of the articles of the Covenant. The
interpretation of the Covenant and the development of all which its articles contain in juridical
and political treasures not yet brought to light, is, in my view, a task of the very highest impor-
tance, and I attach value to that work, which is not inferior to other aspects of our problem.
In this connection I would observe that, when the honourable delegate for the Kingdom
of the Serbs, Croats and Slovenes referred just now to the great importance of developing
Articles 18 and 20 of the Covenant, I hope that, in future, he will not forget to mention
also Article 19.

As regards the procedure to be followed, I agree with those who spoke yesterday when
they said that our work ought to be prepared by a small committee chosen from among
our members, and it is of little moment whether this work is done by the Bureau or by
Rapporteurs appointed for the purpose, provided it is understood that the direction of the work
shall be retained entirely in the hands of this Committee. I assume that the Sub-Committee
will be furnished with instructions from ourselves, which have to be laid down later. Without
a general discussion, the value of the preparatory work accomplished by sub-committees
would be purely academic if it did not extend beyond a collection of documents.

I now come to the problem itself. As regards my opinion on the relations which exist
between disarmament and security, it is not necessary to repeat it, because it is sufficiently
well known and in conformity with the letter and spirit of the resolution of 1927. I will
only remark on the problem of security itself.

As M. Stresemann has already explained in the League of Nations Assembly, Germany
is ready to co-operate in a positive manner in the solution of the problem of security, and it is
glad to have the present opportunity of having this important problem subjected to a detailed
examination. The question of security presents various aspects, and I am in agreement with
those speakers who stated yesterday that it will be indispensable to study them all and to
arrive at a solution of the problem. I attach less importance to the various sub-divisions
which have been submitted to us at the last meeting. There are others which might be added
to the number, but they would not bring us very much farther on the way. It is essential
that the problem should be considered in its entirety.

As regards the point of departure of our labour, I am convinced that there is only one
possible point of departure, and I have reached this conviction by means of a very simple
process of reflection, namely, by asking what is the aim we wish to attain.

It is to prevent wars and guarantee peace; in other words, war must be abolished as a
means for settling international disputes. In making these observations, we must have before
us the fact that we shall never be able to prevent disputes from arising, for such disputes will
never cease to arise. The important point is that we must find some other means than war
for solving these disputes when they do arise. The Committee on Arbitration and Security
must begin by studying the means which are at its disposal to guarantee the pacific settlement
of existing disputes, or disputes which may come into existence. I consider that the opportu-
tunities which offer themselves are not entirely brought up by the Covenant of the League of
Nations or by the Optional Clause of the Statute of the Permanent Court of International
Justice. We must find supplementary means and methods. I will not go into the details
and the methods now, as they will come within the scope of the juridical experts. The
essential point is that our work should be governed by a creative spirit which will form con-
structive ideas, for it is those ideas alone which will lead to a solution of our problem; it is this
creative work which must be the task of the Committee. Let us beware of treating the
symptoms; we must go to the root of the evil and make every effort to find a procedure which
is capable of guaranteeing the pacific settlement of all international disputes. Once that is
found, the subject of other related problems will follow almost automatically.

The above is the first task which falls to the Committee on Arbitration and Security,
and it is in that task that the German delegation hopes to co-operate.

M. J. Valdes-Mendeville (Chile). — I desire to make a few brief remarks about the pro-
posals of the Bureau, and I will begin with those which deal with the appointment of
Rapporteurs.

After reflecting on the speeches made yesterday, I came to the conclusion that we might
adopt the procedure followed in the Committee for the Codification of International Law,
namely, that we should appoint two Rapporteurs for each group of questions. The Rappor-
teurs might perhaps represent different schools of opinion. I do not however, raise any fun-
damental objection to the proposals of the Bureau. I entirely agree with M. Paul-Boncour
that the Rapporteurs appointed by the Committee should be chosen for their special quali-
fications and not as representatives of countries or groups of countries.

As regards the division of the work, I agree to the proposal of the Bureau that it should be
classified in two main groups, of which the first would again be sub-divided.

I also agree as to the importance, the immense importance, of regional and special agree-
ments, which have on several occasions and in several ways been referred to by the resolutions
of the Assembly. Some reference is also made in the last paragraph of Dr. Nansen's proposal
for a draft Arbitration Convention, recommending that it would be made sufficiently flexible
to allow the contracting States to graduate their obligations, having regard to their special
position. You will not be surprised to hear a representative of Chile making such observa-
tions. My country, since the far-off days of the Temporary Mixed Commission, has not
ceased to support the system of regional agreements with a view to preventing recourse to war. Our delegation recalled this again at the last Assembly in discussing Resolution V of the Third Committee.

I recognise that one of the directions of the Assembly touching on a second aspect of the question is, as M. Paul-Boncour rightly said, a delicate task. It is that of inducing countries to sign special agreements. The Committee will doubtless have to move here with the greatest circumspection.

I was very glad to hear M. Politis refer yesterday to the treaties concluded in the American continent for the pacific settlement of disputes as a particularly valuable element in our work. Generally speaking, I would say that it is necessary, in my opinion, to take account, not only of the scheme which is being studied, but above all of the attempts already made and of the results obtained in Latin America for the prevention of war and the encouragement of the settlement of disputes by conciliation, arbitration and judicial procedure.

I will not state my views on the second group of questions, which concern the special examination of the articles of the Covenant. It is a fact that the Assembly has recommended this, but the enumeration of the articles of the Covenant as a basis for our studies must be restricted to those indicated by the Bureau; I insist on this. When the substance of this question comes before the Committee, the Chilean delegation will express its point of view on the problems raised.

Our delegation is sincerely desirous of assisting in the general solution of this problem within the limits of its means and ability. Other Chilean delegates with more authority and experience than mine have pointed out the special nature of our situation, and have shown that, though we are convinced of the necessity of subordinating the reduction and limitation of armaments to the requirements of security these problems present themselves in very different aspects in Latin America, and are not nearly so acute as in Europe. This, however, does not prevent our Government from giving our full assistance to the settlement of the great problems which we are now discussing. They are of fundamental importance for Europe, and will not fail to have their effect in every corner of the world.

M. COMNÈNE (Roumania). — It is not necessary for me to repeat my unshakable confidence in the successful issue of the work of this Committee, for I know that we have all come here in good faith and with the desire to succeed. I am convinced that the limitation followed by the reduction of armaments is a possibility if we can succeed, as I feel sure we shall, in organising a maximum security by the methods of the League of Nations. The time has come when we should no longer waste our time in mystical studies of the question of security. We have received our instructions and our only duty remains to carry them out.

I have, so far as possible, studied the interesting document which has been put before us by the Bureau, and I am personally entirely in favour of these suggestions. It seems to me that they are very suitable, as they give satisfaction up to a certain point to all the different opinions expressed. I think I may have one amendment to make to them, but I imagine it will be possible to do so when we examine each of the points of this programme of work. The second part of the proposal appears to me particularly satisfactory as the text is extremely flexible. I would particularly refer to the expression “without limiting the future field of action of the Committee in these matters” and if I rightly understand the author’s meaning this expression leaves it open to the Committee to consider other hypotheses than those submitted by the Bureau.

I think that the investigation and establishment of suitable measures for the possible enforcement of Articles 10, 11, 16 and 17 of the Covenant will give us the maximum of essential security which we continually demand and which it is the duty of the League of Nations to assure if disarmament work is to succeed. I find in Article 10 as regards the question of aggression most important provisions which might be studied, and whose application we must organise if we are to provide proper measures for preventing war. Article 11 offers the Council and the Assembly a vast field of action. The application of Articles 16 and 17 of the Covenant would give us considerable guarantees against aggression, provided that the application of these articles is thoroughly organised and the signatories of the Covenant are prepared to sign their signature, for we must not deceive ourselves. We must remember that we have now reached a time when we must know whether the Covenant is or is not of real value. The peoples of the world are entitled to know if the Covenant is worthy of credit and every country must accept its own responsibilities. In conclusion, I would like to point out what is probably a slight omission in the articles which we are to give the sub-committees to study. In paragraph B (2) of the proposals of the Bureau, reference is made to the study of existing treaties of security with regard to their use by the Council for the application of Articles 10, 11, 16 and 17 of the Covenant. Further down in the enumeration of the articles of the Covenant, reference is made to Articles 8, 10, 11 and 16, but Article 17 is omitted. I venture to ask you to add Article 17 and to refer to it in the same terms as are used for Article 16, namely, that “the study of Article 17 in conditions similar to those which have been applied to the study of Article 11”.

The Chairman. — There are no further speakers on the list and the discussion is therefore closed. We will now proceed to our practical conclusions. We have to fix the date for the next session and to take a decision as regards the proposals of the Bureau and the appointment of Rapporteurs.

The first question which I wish to put before you concerns the proposals of the Bureau. You have examined them and have seen that they do not differ as regards the substance of
the question from the resolutions of the Assembly. We have suggested a procedure for you to follow, and, if I have rightly understood the various speakers who have touched upon this subject, the Committee as a whole will accept this procedure. I should like to emphasise, however, that we have not a hard-and-fast text before us but a suggestion as regards the preparatory work. The Committee is clearly at all times free to determine its own procedure and to decide on the substance of the proposals put before it.

The different speakers have suggested that, in the course of our work, we might examine other questions. If the point should arise, the Committee will take a decision. As we have divided our work into two groups, of which the first is sub-divided, we feel that there would be three memoranda to draw up and, therefore, three Rapporteurs to be appointed. Those of our colleagues who have remarks to make and observations to submit will do well to cooperate with the Bureau and the Rapporteurs. I therefore ask them to submit their texts to the Bureau before January 1st. We feel that this date is a suitable one, because of the amount of work which will have to be done by the Secretariat and the Rapporteurs in connection with these texts, and also in view of the date of the next session, for which I will propose a date later.

My third practical proposal concerns the appointment of the Rapporteurs. I have consulted several of my colleagues, and some of them whose competence would have been extremely valuable to us found some difficulty in undertaking the task. We have received the following proposals and suggest the following appointments. With regard to the question of arbitration we suggest M. Holsti, delegate of Finland, with regard to the question of security, M. Politis, delegate of Greece, and with regard to the articles of the Covenant, M. Rutgers, delegate of the Netherlands.

I would ask the Committee to take a decision on the different proposals.

M. Markovitch (Kingdom of the Serbs, Croats and Slovenes).—I have noted the statement of the Chairman that when the Bureau drafted the proposals before us it intended to establish the work of the Committee and the sub-committees on the practical basis recommended by M. Paul-Boncour and Lord Cushendun, with whom I am fully in agreement. If, however, that declaration is intended to be interpreted as outlining the character of the work of the Committee, I agree with the programme subject to one small modification, which I am about to suggest.

We have just listened to the declaration of the representative of Germany, who insisted on the necessity of finding some other means of settling disputes than by resort to war. I think we all agree that this means consists either in arbitration or in judicial settlement. However, apart from this means, and in case of an aggression taking place in spite of the recommendations and undertakings, we also have the system of guarantees and sanction provided for by the Covenant. The proposals submitted by the Bureau do not contain any reference to the second resolution of the Assembly, which deals with the elaboration of the decisions of the Council. This I fear is an essential point, and I venture to ask whether the omission of the examination of this question was made by design or in error. I personally feel that this question comes within the class of problems which are very directly related to security. I therefore ask that Resolution II be added to the series of problems which the Committee will be called upon to examine.

The Chairman.—I should like to make a few explanations in view of what M. Markovitch has said. I agree with him as to his first declaration and I think these proposals should be understood as designed to lead to practical measures and concrete results.

As regards his second observation concerning Resolution II, I will give the following explanation. Resolution II confirms the work which has been done during the past year as regards Article 11 and which has already been summed up in a resolution of the Council. In our proposals, we referred to it in connection with Article 11 and in the following terms: “Study and co-ordination of the results of the work at present being examined by the Transit Organisation as regards communications in an emergency”. If this does not appear to be sufficiently explicit, I see no difficulty in its being more closely defined and completed if M. Markovitch so desires.

M. Markovitch (Kingdom of the Serbs, Croats and Slovenes).—That would give me entire satisfaction.

Count Bernstorff (Germany).—I understand that we are now speaking of the document which we received this morning. I should like to make two small observations regarding Article 11. We think that the work of the Committee has been too greatly limited and that this article should be dealt with as a whole.

The Chairman.—The Committee is agreed that satisfaction should be given the Count Bernstorff in this matter.

Count Bernstorff (Germany).—Then this point is settled.

As regards Article 8, I consider that that article, at any rate as it has been dealt with here, is within the competence of the Preparatory Commission. The last paragraph is indeed the essential point in the question of disarmament. All disarmament depends on the fact that in the future there must be no secret between the States regarding their armaments.
This is the first step towards disarmament, and, as the Preparatory Commission has a Military Sub-Commission at its disposal, we consider that this point is within the exclusive competence of the Preparatory Commission. We attach much importance to the study of this paragraph of Article 8, since we consider it as the most essential point in the whole disarmament question.

M. Paul-Boncour (France).—I have only a few observations to make. In the first place, I accept the proposed plan from the same point of view as that indicated by M. Markovitch, i.e., that we are not to make merely theoretical investigations but we are to aim at positive and practical proposals. Practical proposals, however, must first of all be studied, and I am therefore compelled to accept the programme which has been submitted. I confess that this programme first of all appeared to me to call for one objection, because it makes some distinction between the study of treaties of arbitration and that of treaties of security. Pushing this distinction still further, the Chairman even proposed that these questions should be dealt with by separate Rapporteurs. I am, however, reassured, as I understand we agree to accept in full the meaning of the paragraph on procedure which says: "The two memoranda on points I and II (i.e., on arbitration and security) will be co-ordinated by the three Rapporteurs with the help of the Chairman". This paragraph means that the distinction in question is only for the purposes of work, and that there will be no separation of arbitration and security as regards the positive measures which we shall have to take. We have met to endeavour to increase the guarantees of security. Many of us believe that security can be increased by arbitration supported by guarantees and sanctions but not without them.

My third remark is that, while I very naturally differ from the views of M. Markovitch, I venture to believe that what is really at the base of our work is the resolution of the last Assembly. I should personally raise no objection to its being given an extended interpretation, but I am somewhat bound towards my colleagues, with whom I reached agreement after some difficulty at the end of the last Assembly. We must clearly endeavour to respect the terms of the resolution and we must avoid endeavouring to twist them so as to meet our own personal views. This resolution is, moreover, the basis of the scheme of work on which we have agreed. It has the advantage that it fully meets the objections of our colleague in calling not for theoretical study but for practical results. It provides measures which will increase the present conditions of security, which, I agree with you, are quite insufficient.

My fourth and final remark is that, as regards the enumeration of the articles of the Covenant, we agree with our colleagues that there is no question of attempting to define them, but that we merely have to devise means for their effective application. I agree with Count Bernstorff that Article 8 — or at least that part of it which is quoted and concerns the exchange of information as to effectives and military material — concerns the Preparatory Commission and not the Committee on Arbitration and Security. This is a matter not only of theoretical but of practical interest. Certain States members of the Preparatory Commission are not, to our regret, members of the Committee on Arbitration and Security. It therefore follows that, on the day when the International Disarmament Convention is signed, the exchange of information or supervision which may be established will affect not only the Members of the League but also the States signatories of the Convention who may or may not be Members.

Lord Cushendun (British Empire).—I fully agree with what the Chairman has said with regard to the bringing of this stage of our proceedings to a conclusion. I wish, however, to express my thanks to the Bureau for the document they have put before us this morning, to some extent in response to a suggestion which I made yesterday. This document supplies us with the sort of sketch which I desire to have as a guide to our future work. It is a very large programme and it has given rise to a certain amount of friendly criticism and examination in this room this morning. I find myself in general agreement with what has been said by my colleagues with regard to this study.

It is a very large question, and I hope when we come to examine it in detail it will be recognised that no part of the subject is excluded from examination. I hope it will also be recognised that we are not in any way committed to any proposition which may have been placed before us by the Bureau or which may be placed before us in memoranda sent in to the Bureau. We want to approach the examination of the question with completely open minds and without being in any way committed to any particular solution of any part of the problem.

A very large and difficult question arises, in my opinion, on the very meaning of the word "security". I was struck by what M. Paul-Boncour said just now, that he was a little alarmed or disturbed at the apparent separation of the examination of treaties of arbitration from treaties of security. I think it would be well that some careful examination should be made of what is meant by "security". As I see it, security as applied to nations varies enormously with the circumstances, geographical position, and possibly the constitutional government of each nation. It will not help us very much if a too rigid definition is attempted of a generalisation to include all the different circumstances of different nations. If we try to draw the line too closely we shall lose the elasticity of interpretation which seems to me to be essential.

That is all I have to say at this stage, and, if I understand the proposal aright, that we
should now accept this document and that there should be no further sitting, I am in agreement with that suggestion.

The CHAIRMAN. — The Bureau accepts the suggestions of Count Bernstorff and M. Paul-Boncour concerning Article 8. If there are no objections, I shall take it that the proposals of the Bureau thus amended are adopted by the Committee.

If there are no objections, I shall also consider the proposal regarding the Rapporteurs as adopted by the Committee.

The Committee adopted these proposals.

5. Fixing of the Date of the Next Session.

The CHAIRMAN. — I now propose to give you a few indications as to the dates in connection with our work.

In order to satisfy the desires expressed by certain delegations, the Bureau will do its best to circulate the various documents prepared by the Rapporteurs and by itself fifteen days before the meeting of the Committee.

I now come to the question of the date of our next meeting, and I ask M. Loudon to take his place by the officers of the Committee, as this question is closely connected with the meeting of the Preparatory Commission. The preparation of the material necessary for the study of the problem will take up a certain amount of time. We have given the various Governments until January 1st to submit their memoranda. The Rapporteurs will then have the month of January at their disposal to deal with the material. We must also provide about a fortnight for the circulation and study of the documents by the delegations. Under the circumstances, I think we might fix the date of February 20th for the next meeting of the Committee. Our meeting would be followed by that of the Preparatory Commission.

In making these proposals, I have the agreement of M. Loudon, President of the Preparatory Commission.

Count Bernstorff (Germany). — I should be very grateful if the Chairman would not decide the question of the date of the next session to-day, but would leave it until the meeting of the Preparatory Commission to-morrow. If you will allow me to say so, the Preparatory Commission is really the mother of this Committee, and it is natural that such a decision should be taken by the Preparatory Commission. We must not forget that the fixing of this date raises a number of questions of principle to which it is impossible to say "yes" or "no" at the last minute. I personally could not agree to discuss the fixing of the dates in this way at the last minute.

The chief reason for which I asked you not to hasten this decision is that we have a moral obligation to the Assembly to hold the first Disarmament Conference on the basis of the present conditions of security in the year 1928. We cannot present ourselves before the Assembly without having done our utmost to secure the holding of that Conference next year. If it should be impossible, we should have to have a good reason for not having done so. Otherwise, I do not know what attitude I should take at the next Assembly. I therefore ask you not to open the debate immediately and to allow us to discuss the matter to-morrow.

The CHAIRMAN. — I will endeavour to explain this point. The proposal of Count Bernstorff seems to me to raise the question of principle as to the relations of two committees. The dates of their respective meetings are practically bound together. Nevertheless, in my opinion, the Committee should have the right to decide when it will meet. It is, however, impossible for it not to take into consideration the decisions of the Preparatory Commission. If our colleagues agree not to take a decision immediately as to the date of our next meeting, we might await the results of the discussions of the Preparatory Commission in this matter. When their decision is known, we might fix the date of the next meeting of the Committee. If you would agree to leave it to your Bureau to decide when they know the decision of the Preparatory Commission, it would be possible to do so without having to call a meeting to-morrow.

The Committee adopted this proposal.

6. Declarations by the Rapporteurs.

M. Politis (Greece). — I rise to express my warm thanks to the Committee for the great honour which they have done me in appointing me as Rapporteur on the question of security. I do not conceal from myself the enormous difficulty of the task or the considerable responsibility which I accept in taking it up.

The exchange of views which has taken place yesterday and this morning in the Committee will to some extent facilitate my work. It seems to me that our discussions clearly show that one thing is to be definitely excluded from the work we are about the undertake: I mean the idea of seeking to erect some theoretical structure which would have no chance of success. On the
contrary, our efforts must be confined to an attempt to devise practical means along the four lines indicated in Resolution V of the last Assembly. I am particularly grateful to the honourable delegate of the British Empire, who has put this matter beyond all doubt, and to all my colleagues who supported him in that point of view.

Our task will be all the greater because, according to the time-table the Chairman has proposed, we shall have to work very quickly, particularly at a time when the Christmas festivities will add various duties to those of us who are already busy with their normal occupations.

In view of the absolute necessity for success and the fact that we must submit a practical result to the Committee at its next session, we must make every effort to accomplish something in the short interval which is given us.

I am placing great reliance on the way in which our Chairman is going to direct our work, and on the devotion which he has shown to the League of Nations for so many years. But let me also count upon the invitation which he made to you just now, when he asked you to submit to the Bureau before January 1st any suggestions, indications or memoranda which may be useful for our work. This will be an extremely great help for us, and I shall be very grateful if there is a large recompense to the invitation of the Chairman.

M. Holsti (Finland). — I should like to express my most respectful thanks to you, Mr. Chairman, and to the Committee for the great honour you have done me in appointing me Rapporteur.

M. Rutgers (Netherlands). — I also desire to thank the Committee for the honour which it has done me in appointing me Rapporteur. If M. Politis feels a sense of responsibility in this matter, I have all the more reason to feel the same, because I do not possess his long and brilliant experience. I did not venture to refuse to accept the work which you have conferred upon me, but I only assume it relying upon the direction which the Chairman can give me and the devoted co-operation of the Secretariat of the League.

7. Convocation of the Preparatory Commission.

The Chairman. — The President of the Preparatory Commission asks me to inform you that this Commission will meet at 11 a.m. to-morrow morning.


The Chairman. — The work of the present session of the Committee on Arbitration and Security is now at an end. I wish to thank you very warmly for your co-operation, and I declare this session closed.

*The meeting rose at 1.50 p.m.*
ANNEXES

ANNEX 1.

PROPOSALS BY THE BUREAU RELATING TO THE PROGRAMME AND METHOD OF WORK OF THE COMMITTEE ON ARBITRATION AND SECURITY.

I. Proposal regarding the Programme of Work.

First Group of Questions.

Arbitration and security agreements.

Study of measures enabling the League of Nations to promote, generalise and co-ordinate special or collective agreements on arbitration and security (Resolution No. V, page 3, paragraph 4).

A. Treaties of Arbitration.

1. Measures for their promotion.
   Resolution of the 1926 Assembly: Recommendations to States Members and offer of the Council's good offices.

2. Suitable means of co-ordination and generalisation.
   Two methods may be indicated:
   
   (1) An analytical study of existing treaties for the purpose of extracting the substance common to all of them on which a model convention might be based;

   (2) A study of the draft optional convention for the obligatory arbitration of disputes, submitted to the Third Committee by Dr. Nansen on behalf of the Norwegian delegation taking into account the following recommendations of the First Committee of the Assembly.

   (a) Means should be sought for encouraging and promoting the acceptance of the Optional Clause of Article 36 of the Statute of the Permanent Court of International Justice and the conclusion of special treaties for judicial settlement, arbitration and conciliation.

   (b) In any investigation into the methods of pacific settlement of disputes between States, special attention should be paid to the procedure of conciliation, which is of the utmost importance.

   (c) Very special attention should also be given to the question of the relations between the Council's and the Assembly's mediatory action and the procedures of arbitration and conciliation.

   (d) In studying a general convention for compulsory arbitration, enquiry should be made as to how the convention could be given sufficient flexibility to permit the contracting States to adjust the obligations assumed to their particular circumstances.

B. Security Agreements.

1. Measures for their promotion.
   Resolution of the 1926 Assembly: Recommendations to States Members and offer of the Council's good offices.

2. Suitable means of co-ordination and generalisation.
   Study of existing security treaties from the point of view of their use by the Council for the application of Articles 10, 11, 16 and 17 of the Covenant.

   Study of agreements which the States Members of the League may conclude among themselves, irrespective of their obligations under the Covenant, with a view to making their commitments proportionate to the degree of solidarity of a geographical or other nature existing between them and other States (Resolution No. V, No. 3, paragraph 6).

   Study of the procedure to be followed by the Council to give effect to the last paragraph of the Assembly resolution, which proposes that the Council should invite States to inform it of the measures which they would be prepared to take, irrespective of their obligations under the Covenant, to support the Council's decisions or recommendations in the event of a conflict breaking out in a given region, each State indicating that, in a particular case, either all its forces or a certain part of its military, naval or air forces could forthwith intervene in the conflict to support the Council's decision or recommendations (Resolution No. V. No. 3, paragraph 7).
Second Group of Questions.

Systematic preparation of the machinery to be employed by the organs of the League of Nations with a view to enabling the Members of the League to perform their obligations under the various articles of the Covenant (Resolution No. V, No. 3, paragraph 5).

Though there is no desire to limit the future sphere of action of the Committee in this matter, the programme may forthwith be extended to the following articles:

Article 8. — Study of the means of applying the last paragraph of Article 8, which requires States to exchange information regarding their armaments, either by development of the Military Year-Book published by the League of Nations and its periodical consideration or by any other means.

Article 10. — Study of the criteria by which aggression may be presumed.

Article 11. — Investigation and co-ordination of the results of the work at present being examined by the Transit Organisation as regards communications in an emergency.

Article 16. — Study of Article 16 under conditions similar to those applied to the study of Article 11.

Study of the scheme of financial assistance to be given to States threatened with aggression, and particularly of the preliminary points raised by the Financial Committee.

(a) Study of the criteria by which aggression may be presumed and the procedure of the Council in this matter.

(b) Right of participation by States (the question of States not Members of the League).

Proposal regarding Procedure.

The Bureau contemplates a procedure consisting of two stages.

First stage: period between the first session of the Committee (present session) and the second session (date to be fixed).

The Secretariat, acting on the instructions of the Bureau and the Rapporteurs mentioned below, would prepare the necessary documentation, regard being had to the indications given at the meetings.

During this period, certain Rapporteurs would prepare memoranda on questions in the programme described above, which would serve as a basis for the discussion to be held during the second session.

The Bureau considers that three Rapporteurs might be appointed: One for Question I (A) — arbitration agreements; one for Question I (B) — security agreements; one for Question II — articles of the Covenant.

The memoranda prepared by the first two Rapporteurs would be co-ordinated by the authors in conjunction with the Chairman of the Committee and would thus constitute a general memorandum on point I.

The two memoranda thus obtained on points I and II respectively would also be co-ordinated by the three Rapporteurs in co-operation with the Chairman of the Committee, so as to submit to the Committee the final memoranda in the form of an organic whole. This could serve as a basis for the work of the Committee.

Second stage of the procedure:

On the basis of the above-mentioned memoranda, the Committee would examine the question with a view to preparing a report for submission to the Preparatory Commission. The Committee would then have to decide whether this investigation should be conducted entirely in plenary session or whether the Committee’s task ought to be facilitated by the creation of sub-committees (and if so, what number). In either case the final decisions as to the terms of the report to be submitted to the Preparatory Commission would, of course, be taken by the Committee at a plenary meeting. It is, indeed, only at that moment that questions relating to the constitution of these sub-committees (if required) could be usefully discussed.

ANNEX 2.

PROGRAMME AND METHOD OF WORK ADOPTED BY THE COMMITTEE ON ARBITRATION AND SECURITY.

The text adopted was that proposed by the Bureau (Annex 1 above), with the following amendments:

Second Group of Questions:

The paragraph relating to Article 8 is omitted.

The paragraph relating to Article 11 reads as follows:

"Article 11. — Study of this article, taking into account the work already done and at present being examined."