Dr. Markovitch (Yugoslavia). — In principle, the Yugoslav delegation is in favour of the British proposal. We have already said so when we accepted the principle of indirect limitation by budgetary methods. We have, thus, voted in favour of this principle: but, on examining the British proposal, we find certain difficulties in accepting it as it stands.

In the first place, account must be taken of the observation made by the Italian delegate, which I had also intended to offer, if Lord Cecil had not replied that this matter would be left to the Committee of Budgetary Experts. I should like to add, however, in order to explain the views of the Yugoslav delegation on this point, that, in asking for the right to carry forward credits from one year to the next, we do not propose that this right should be enjoyed for an indeterminate number of years, but that it should only apply from one year to the next, two years being the maximum. As this question has been left to the budgetary experts, I will not say any more at the present time.

According to the British proposal, a distinction is to be made between credits for the army, navy and air force. As Yugoslavia has only one War Ministry, for land, naval and air forces, there is a technical difficulty in carrying out this limitation, under separate heads, in such a way that no section may exceed the figures agreed to for it in advance.

I do not think it is possible to reconcile the Yugoslav organisation with the system proposed by the British delegation. In my opinion, the object of budgetary limitation would be completely attained if the expenditure on defence as a whole were limited. Such a system seems to me to be more in conformity with the principle of national defence. Political conditions and the military situation may change from one day to the next. I do not think it is our desire or intention to prescribe to any particular country the manner in which it is to organise its national defence. The purpose of budgetary limitation is to have a check on the extent of a nation's armaments, and not on its defensive system.

Therefore, with all due respect to the British delegate, whose arguments always carry great weight with me, I am unable to accept his proposal to add the word "respectively", although I could vote in favour of the limitation of budgetary expenditure as a whole. If the Commission considers it necessary to limit expenditure on land, naval and air armaments separately, the Yugoslav delegation will have to ask to be allowed to transfer, during any current year, credits intended for the army to those intended for the air force or the navy, and vice versa. This right is provided for in the financial laws of every country. If it is also allowed under the Convention, it is not necessary to distinguish in the provisions for budgetary limitation, or to require that each category of expenditure be limited separately.

Colban (Norway). — My country is entirely favourable towards a budgetary limitation, and I must confess that I do not see how we should be obliged to exclude budgetary limitation because we agree to a certain direct limitation. I have not heard any argument which convinces me against the superposition of different methods of limitation. Budgetary limitation will be extremely helpful for the control of direct limitation and vice versa. Budgetary limitation, direct limitation and publicity are the three methods before the Commission and we ought to try to apply each of them as far as possible.

M. Lounatcharsky (Union of Soviet Socialist Republics). — I do not see how it is possible to argue that budgetary limitation will follow automatically on the figures inserted in regard to the limitation of personnel and war material. You could quite well limit the quantity, and at the same time improve the quality, which would necessarily increase expenditure. This is not provided for in the British text, and the Soviet delegation proposes to provide for and prevent it. If, as Lord Cecil argues, these figures were automatically correlated, budgetary limitation in general would be unnecessary. Unless reduction is mentioned, the British amendment will lose a great deal of its value. I should like a separate vote to be taken on the two amendments, and I shall have a few words to say later in regard to the other amendment.

The Hon. Hugh Gibson (United States of America). — In my statement on budgetary limitation made on November 11th last, I said that, in spite of its definite views as to the impracticability of its accepting budgetary limitation as regards the United States, my Government did not wish that the special position of the United States should constitute an obstacle to any measures of agreement that might be found generally acceptable among the other Powers. That is still the position of the American delegation. Inasmuch, however, as so much of the general discussion of this subject has centred round the position of the American Government, I fear that, if the single text, without any accompanying commentary, were to go forward to the various Governments for study between now and the general Disarmament Conference, they might fail to find in that text a clear picture of the situation as brought out in the debate. First, a re-statement of the American position at the Conference might come as a surprise to those delegations which did not participate in our debates here and which, by reading the single text, might think there was no diversity of views about budgetary limitation and no problem such as that brought up here now. In order, therefore, that an entirely straightforward presentation of the situation may be found in our text, I desire that a reservation in the following language be stated in Chapter III:

"The American delegation makes a general reservation on the subject of budgetary limitation, and draws attention to its declaration of November 11th, 1930, fifth meeting, sixth session, second part."
There are three points to consider: the first is the principle of budgetary limitation itself. Two delegations are definitely opposed to it, but I think that, as Mr. Gibson said just now—and I hope M. Sato will also agree—they will content themselves for the moment with a reservation in the draft, opposite the article. There remain, therefore, the Soviet proposal to insert the words "shall be reduced and . . .", and the British proposal to add the word "respectively".

As regards the Soviet amendment, I entirely agree with Lord Cecil. However, if M. Lounatcharsky wishes to press the matter, I think we might adopt a formula similar to that which we accepted unanimously for naval armaments. If we say that each of the contracting parties agrees to limit and, as far as possible, to reduce its expenditure on land, naval and air forces, we shall avoid any difficulty.

The third question is that raised by M. Markoivitch in regard to the possibility of the separate limitation of land, naval and air forces. If I have rightly understood M. Markoivitch, his principal difficulty is due to the fact that air forces are organised in a different manner in different countries. That is a very grave obstacle to separate limitation.

At the present time, countries having a separate Air Ministry are in the minority. In some the air force is attached to the other two Ministries of national defence, while in others it is attached to only one of them. Systems differ widely. Moreover, even in countries with a separate Air Ministry, expenditure on material is not all included in the air budget; some is frequently included in the naval or military budgets. Lastly, certain expenditure is not split up—for instance, supplies, health services and so on, come out of a common fund. In these circumstances, it is very difficult to make distinctions.

I would also draw the Commission's attention to the fact that in many countries, even those which have accepted the principle of an independent air force, this principle is a subject of controversy. Some administrations are in favour of a return to the previous system—to a large extent, at all events; others, on the contrary, are anxious to increase the importance of the Air Ministry. The question is therefore very vague, and if the administrations of the various countries were asked to give separate figures for the expenditure referred to in the Convention, they might simply allot the figures almost by guess-work. It is highly undesirable that an important Convention involving solemn obligations should contain figures arrived at by perfunctory methods.

I need not stress the fact that certain countries having colonial obligations, such as the British Empire and France, may find it necessary to make radical changes in their military organisation by giving greater importance to the air force than to the other arms.

If we are going to insist on three separate maxima we shall be encouraging the administrations concerned to fix ample margins so that they may not run short of funds, and consequently the total of these three separate items will exceed that of a single item. That is a great danger; more especially as, once you fix a maximum, there is a natural tendency on the part of the administrations concerned to work up to that maximum.

I would ask you to consider these arguments very carefully. Personally, I should very much prefer the word "respectively" to be left out, and I ask for a separate vote to be taken on this point.

Moreover, if the method of global limitation be adopted, it will be necessary, in the chapter on publicity, to give some supplementary indications. Also I think that, as Mr. Gibson said, paragraph 3 of the French proposal (the first two paragraphs of which have already been accepted) should be adopted, so that the Committee of Experts may be asked to extend their studies and to furnish information in regard both to the question of transferring credits, raised by General de Marinis, and to the question of subsidies, raised by the Netherlands delegation.
in the neighbourhood of £100,000,000 annually; I speak without the figures before me but that is roughly the case with my own country. Let us assume that £40,000,000 goes to the army, £40,000,000 to the navy, and £20,000,000 to the air. If there is a total of £100,000,000, with the power of playing about with those great sums, it is quite evident you might entirely transform the whole atmosphere of the international situation by suddenly transferring £10,000,000, £20,000,000 or £30,000,000 from the military or naval forces to the air force. Suppose it turned out to be the case, as it may well do, that developments make the air force the most important force of all, you have no kind of means to prevent that being done, and you are not really going to make your total budgetary limitation effective at all. I beg my colleagues to consider that. How far it should be done and to what extent is a matter for the experts. I quite agree on the general principle that the three should be limited separately, and we shall have to see if that can be done practically.

I wish to remove a misconception which appears to be in the mind of my Yugoslav colleague, and perhaps in the minds of other delegations. There is no question of our asking any country to alter its system of budgets; that is not our object at all. If he will cast his eye over the report of the experts he will see that this is not contemplated. What is contemplated is what we all admit to be desirable—that countries shall make a return in some more or less identical form. I say more or less, because the experts admit that there must be some variation in the expenditure on these various armaments for the purposes of publicity. You must have some system of that kind. Having made that calculation, it is, after all, only a matter of taking items out of your budget and putting them under certain heads, not a matter which would trouble any accountant in the least; any qualified accountant who was familiar with the system could do it without difficulty. Having made your return, you have got the facts and there is no difficulty in limitation. Of course, if you desire not limitation of the three arms, but the power to transfer expenditure from one to the other, that is a different matter. I am afraid I should find myself in decided opposition to any proposal of that kind. That would really cut at the root of a great deal of the value of budgetary limitation, because, when you are dealing with these great sums in great countries—I should have thought it would have been the same in Yugoslavia—you destroy the whole value of the thing if you can maneuvre the figures in such a way as sometimes to spend a great deal on one arm and sometimes on another. Therefore I hope we shall insert "respectively". Of course, it is entirely for the Commission to do so, but I am afraid I cannot comply with the request so courteously put to me by the delegate of Yugoslavia, and withdraw that word. If the Commission decides against me, I must submit, but I hope they will adhere to the word "respectively", which appears to me to be a very important part of the whole proposal.

I really think that is all I need say in answer, but I may perhaps just emphasise what I have been saying to M. Massigli, because he does recognise that you have got to have entire publicity of the very facts which will enable you to make your restriction. I need not develop the argument; he will have followed it before it is out of my mouth, and he will know exactly what I desire to say. With regard to the suggestion to the experts, I quite agree we must make certain alterations in the resolution we passed, so as to include all the items we decide to limit. I would suggest we might defer that until we have finally decided what we are to do about the air, so that we may not always be tinkering at the resolution. It is understood that all these subjects must go to the Expert Committee, and I would press very strongly that there should be no delay in summoning this Committee. 

M. Antoniade (Roumania). — The Roumanian delegation has always supported the system of budgetary limitation, and has frequently put forward arguments on the subject which hold good for all countries not having yet been able to carry out their modest programme of defence. I desire to confirm those observations and to add a few words in regard to the British amendment. I agree with that amendment in principle; but, as my Yugoslav colleague and the French delegate observed, my delegation would find it difficult to apply the system of the separate apportionment, or specification, of expenditure in respect of the three groups.

In this respect, the position of Roumania is similar to that of Yugoslavia. In our country, there is only one Ministry of National Defence for all three arms, and the difficulties in regard to apportionment, explained by the Yugoslav delegate, apply equally to my country.

As M. Markovitch pointed out, it is first of all necessary to limit expenditure and to exercise control over that expenditure. That is the essential point, and there can be no question of controlling the system of defence. The difficulties mentioned by M. Massigli apply to countries having a separate Ministry for each arm; but they apply even more strongly to those which have only one Ministry of National Defence, whose expenditure on various items—personnel, material, supplies, health service, etc.—is indivisible.

Consequently, in spite of the explanation which Lord Cecil has just given, I cannot accept the form of publicity he requires, and would urge the Commission to retain the British amendment in its original form, that is to say, the publication of the global expenditure on the three groups in combination. This has the advantage, as M. Massigli has pointed out, of being more flexible and it does not run counter to the object in view—that is to say, it will not tend to an increase instead of a reduction in expenditure.

Dr. Markovitch (Yugoslavia). — I think Lord Cecil has misunderstood my arguments and the method which I suggested. In my opinion, this is not a new system. I entirely agree with
Lord Cecil regarding the system of budgetary limitation, and there is no reason to fear any weakening of that system if we content ourselves with limiting expenditure as a whole.

Our delegation has always been in favour of the application of the indirect method, because it is convinced that this would bring about a genuine limitation, and because we realise that armaments depend on credits. The armaments of a country may be said to depend on many different factors, but one thing is certain, and that is that credits are the primary factor. I simply propose that we should make the system advocated by the British delegation, and accepted by the Yugoslav delegation, more flexible and less likely to create practical difficulties. We certainly do not propose to give any country the opportunity of juggling with figures, and as far as Yugoslavia is concerned, we have never wished to do any such thing. I have merely pointed out briefly the practical difficulties in carrying out the British amendment. In the case of our navy, separate limitation would by possible; but in the case of the air force, which is an integral part of the army, I do not see how we could be expected to give separate maximum figures.

Lord Cecil gave us a theoretical example. So far as I am acquainted with British psychology—for which I have a great admiration—I do not think that is a method which finds much favour with it, because you can always take a theoretical example to suit a particular argument. M. Massigli has also reminded us of the difficulty—I had forgotten to mention this—which the departments concerned would have in specifying maximum figures. Each department would be obliged to ask for larger credits than it really needed. Consequently, in seeking the separate limitation of the expenditure of each department of the War Ministry, we should have a higher total than in the case of global limitation. I would ask the British delegate to give careful consideration to this point also.

M. Massigli (France).—I can assure Lord Cecil that, if I believed that we might incur the grave risks to which he has drawn attention, I should not for a moment have spoken as I have done; but it is manifest that the transfer of credits from one budget to the next could only take place within very narrow limits.

As regards land forces, we have limited effectives directly and material indirectly. As regards the navy, we have also limited effectives directly and to a great extent material as well. In the case of air forces, both material and effectives have been directly limited. All these factors involve regular expenditure, and it is hardly possible to increase one budget to any considerable extent at the expense of the others.

The principal effect of the proposed distinction would be to make it very difficult, and even impossible, to modify a country's military organisation. Questions of organisation (determination of the number of units, etc.) have not been touched in any part of our Convention. I am very much afraid, therefore, that objections may be raised to the British amendment; these objections, which may to some extent be unjustifiable, will be based on technical arguments, possibly of secondary importance, but no less weighty on that account. Consequently, in spite of my great desire to find myself in agreement with Lord Cecil in this matter, as I have done in many others, I would ask the Commission to vote separately on the word "respectively". If it be adopted I shall, of course, give way, but I think that in this case it would be desirable to insert at the end of the article a note similar to that which was added to Article TA, to the effect that, before coming to a decision, the Governments will have to take into consideration the studies of the budgetary experts.

M. Cobián (Spain).—I accepted the method of budgetary limitation as a compromise, in deference to the view of the great majority of the Commission. I need not repeat the reservations which I made. If the Commission accepts budgetary limitation it follows as a matter of course, in my opinion, that the governing idea of the British proposal can be accepted by everyone—except, of course, by the two important delegations which are opposed to the principle.

Some delegations fear that, if the word "respectively" be adopted—thus fixing the expenditure of each of the three categories of armaments without any possible exceptions—practical difficulties will arise. This shows once again the danger of adopting principles and solutions which at first sight may appear very simple, but which frequently involve considerable difficulties of detail.

If the Commission were a court of law it could easily take a decision by a majority, and the question would then be settled; but we are only preparing the way for the Conference. It is our duty to elucidate and explain certain questions, and to acquaint the Disarmament Conference and public opinion with the principal arguments for and against. What is the use of putting a question to the vote when we know that, in addition to a majority and a minority, there will be numerous abstentions? I remember that in another Commission dealing with disarmament we did everything we could to avoid taking votes when we felt that they were of no practical utility.

We are all agreed on the principle and are in sympathy with Lord Cecil's desire to "tighten up" limitation and the publication of budgets as much as possible. We do not wish to run the risk of seeing various Governments raise difficulties and refuse to accept the logical consequences of this method. In these circumstances, I fail to see what would be the value of a vote. I would repeat that I am entirely in favour of the principle underlying the British proposal, and I also agree that we ought to make this distinction if it be practicable; but I think it is dangerous to bind ourselves at the present time without knowing whether it will be possible to overcome the difficulties in the way of the execution and full application of this principle. I shall therefore abstain from voting, thus leaving my Government free to pronounce upon all the details of this question at the Disarmament Conference.
M. Bourquin (Belgium). — I feel somewhat perplexed in view of the very weighty speeches we have heard from Lord Cecil, M. Massigli, and M. Markovitch and other speakers. I will not go into their arguments, but will simply ask Lord Cecil if he could not accept the following suggestion, which I admit is somewhat improvised:

The Commission might agree to accept the total limitation of budgetary expenditure, and might indicate its desire that, where possible, there should be a separate limitation of military, naval and air expenditure.

We would thus formally decide in favour of total limitation and would express a recommendation in regard to separate limitation.

I would add that Belgium is in a similar position to that of Yugoslavia, as explained by M. Markovitch: our air force is not a separate arm, but forms part of the army, and these two arms have common services. It is obvious that, if we had to limit expenditure on land armaments and air armaments separately, we could not make a precise and accurate distinction between the two; we could only establish what I might call a conventional limitation. We should have to take some arbitrary coefficient because there would be no other solution. We might say, for instance, that as regards these common services, one-tenth was represented by air expenditure and nine-tenths by expenditure on land armaments.

It might be possible for us to do this; but I wished to make the matter quite clear at the outset, so as to avoid any misunderstanding. It must be understood that if we accept separate limitation, no accurate distinction will be possible.

Lord Cecil (British Empire). — I should like of course to respond to anything which my friend M. Bourquin suggests, and I quite agree to something of that kind. If I may say so, I rather think the proposal which M. Massigli hinted at might be a more satisfactory way of dealing with the matter. Naturally, it would suit me better that we should insert the word “respectively” and have a note saying that the extent to which this could be applied depends upon the studies of the Experts Committee. I should be prepared to accept that, if it would meet the views of the delegates, because I think the situation we have got to now is that it is a technical matter. M. Massigli and I would both like the system of the closest possible limitation, but I doubt whether it can be done practically as a technical matter. I have no doubt it can be done in some countries, and I am inclined to think, in spite of the arguments, that it can be done in all; but it is a technical matter which ought to be enquired into by the Committee of Experts. I suggest, therefore, that we might make a compromise on these lines.

PROPOSAL BY THE FRENCH DELEGATION.

M. Massigli (France). — Perhaps Lord Cecil would accept the following text:

“Each of the High Contracting Parties agrees to limit and, as far as possible, to reduce its total annual expenditure on land, air and sea forces. The relevant figure and the conditions governing such limitation or reduction, in particular as regards the possibility of a distinct limitation of land, naval and air expenditure, are stated in Annex No. . . . to the present Convention.”

This might be followed by the note at the end of Article TA:

“In pronouncing on this article, the Governments will take into account at the Conference the report requested from the Committee of Budgetary Experts, which will have been forwarded to them in order to permit of the drawing up of Annex No. . . .”

Lord Cecil (British Empire). — I do not know whether M. Massigli sees any objection to the following form of procedure: that we should first, by way of indication to the experts, have a trial vote of the Commission to see whether they are in favour of dividing the three as far as possible. In any case—whatever the result of the vote giving this indication to the Conference is—I should be prepared to accept this suggestion of M. Massigli, subject of course to questions of drafting which, I feel sure, he will be prepared to leave to a drafting committee. I should, however, like to know what the balance of opinion in the Commission is and how far it is in favour of limiting the three arms either respectively or globally.

The President. — A vote will now be taken on the principle of the separate limitation of the three arms.

M. Sato (Japan). — I must ask for a preliminary vote. I am opposed to budgetary limitation of any kind and I should like to know whether the Commission is of opinion that this limitation should be provided for or not. I am almost certain that I shall be in a minority of one, but the vote will enable my Government to know the Commission’s views.

Lord Cecil (British Empire). — I only want this trial vote to find out the opinion of the Commission because I think it would be useful for the Conference.

The President. — I think, on the contrary, that the Commission must first vote on the general principle of budgetary limitation.

VOTE ON THE GENERAL PRINCIPLE OF BUDGETARY LIMITATION.

This was adopted by nineteen votes for to two votes against, with some abstentions.
VOTE ON THE PRINCIPLE OF THE SEPARATE LIMITATION OF THE THREE ARMS.

This was rejected by eight votes against to seven for, with some abstentions.

M. Politis (Greece). — I should like to explain my vote. I abstained, not because I am opposed to limitation by categories, but because there is some doubt as to the methods of applying that principle. As I did not quite know under what conditions these methods could be accepted, I was unable to vote either for or against, and I feel sure that other delegations were in the same position. I do not think, therefore, that the vote which has just been taken is very significant.

VOTE ON THE FRENCH PROPOSAL.

The President. — I will now put M. Massigli’s proposal to the vote. This reads as follows:

“Each of the High Contracting Parties agrees to limit and, as far as possible, to reduce its total annual expenditure on land, air and sea forces. The relevant figure and the conditions governing such limitation or reduction, in particular as regards the possibility of a distinct limitation of land, naval and air expenditure, are stated in Annex No. . . . to the present Convention.

Note. — In pronouncing on this article, the Governments will take into account at the Conference the report requested from the Committee of Budgetary Experts, which will have been forwarded to them in order to permit of the drawing up of Annex No. . . .”

This text was adopted unanimously.

SOVIET PROPOSAL TO INSERT AN ARTICLE DB.

The President. — The Soviet amendments to Article DA have thus been waived and we now come to the Soviet proposal to insert an Article DB worded as follows:

“Secret funds intended in a disguised form for extraordinary expenditure on special preparations for war or an increase in armaments shall be excluded from the national budgets. In conformity with the above provision, all expenditure for the upkeep of the armed forces of each State shall be shown in a single chapter of the national budget; their full publicity shall be ensured.”

I will now put this proposal, the text of which is before you, to the vote.

M. Massigli (France). — I do not wish there to be any misunderstanding in regard to my vote. I have already stated that I am in sympathy with the principle laid down in the Soviet proposal—namely, that all military, naval or air expenditure should be covered. However, as we are going to ask the experts to make proposals covering all this expenditure, I cannot vote in favour of the proposal but must await their report.

M. Lounatcharsky (Union of Soviet Socialist Republics). — If the Commission adopted this amendment it would give the Committee of Budgetary Experts a helpful indication of its views.

The President. — Since the question has been submitted to the experts I am afraid the vote would not be very clear. It will all be explained in the report.

M. Litvinoff (Union of Soviet Socialist Republics). — We do not insist.

This Soviet proposal was withdrawn.

63. Discussion on the French Proposal to add to the Instructions to the Committee of Experts on Budgetary Questions.

The President. — We still have the French proposal to add to the first two paragraphs of the resolution adopted on November 17th, 1930, the following third paragraph:

“The Committee of Experts should be asked to make a similar enquiry in connection with the limitation of the aggregate annual expenditure of every country on its land, naval and air forces and to make a report which will also be transmitted to Governments.”

M. Westman (Sweden). — I shall vote in favour of the French proposal, but I feel bound to say that the discussion has confirmed the fears of the Swedish delegation in regard to the difficulties of applying the budgetary method. Nevertheless, as the Commission has decided in
favour of this method, it is to be hoped that the Committee of Experts will find it possible to eliminate—at all events, to a large extent—the drawbacks inherent in the budgetary method. In this connection, I am of opinion that it is hardly possible not to allow credits to be transferred from one budgetary year to the next. To take only one example: Governments might be prevented by prolonged strikes from acquiring certain material during the current budgetary year, etc. It will be difficult, therefore, to prevent them from making use of the credits in question during the following year.

There is also the very serious question of an increase in prices, which might prevent a programme from being carried out. All these problems, which arise when we attempt to apply the budgetary method, will have to be examined by the Committee of Experts.

Moreover, if we look at the model statement proposed by the Committee of Experts on Budgetary Questions, we shall see, for instance, that the expenditure on personnel is indicated in aggregate figures, but that there is no mention of the calculations on which those figures are based. It is obvious that the cost of the maintenance of personnel varies appreciably in the different countries according to whether special equipment for hot or cold climates, special rations, heating, quartering, etc., are involved. For all these reasons, the cost of the maintenance of each man per day, to give you a concrete example, necessarily differs in the military budgets of the various countries and even in two successive budgetary periods in one and the same country.

It is highly desirable, therefore, that the experts should consider the possibility of formulating their new proposals in such a way as to show the part played by these factors. This would certainly make it easier to justify the budgetary figures submitted by the various Governments to the Disarmament Conference, and would also supplement the budgetary information which the Governments will have to exchange with one another with a view to a future Convention.

In conclusion I would say that the result of the work of the experts is bound to play a very important part when the time comes for the various Governments to take up a definite attitude in regard to the question of budgetary limitation.

The President. — We can regard this proposal which refers to the third paragraph of the resolution of November 17th, 1930, as adopted.

64. Discussion on Chapter IV. — Chemical Arms, postponed to Third Reading.

The President. — The text of this chapter was adopted at second reading. It consists of a single article in regard to which a memorandum has been submitted by the British delegation and a proposal by the German delegation. In accordance with our practice, the examination of these two documents will be postponed until we come to the third reading.

Count Bernstorff (Germany). — We have already accepted your decision on this point.


M. Massigli (France). — I should like to submit a few suggestions in regard to the order of discussion of this chapter, which is both a very important and a very complicated one. It deals with widely different questions: organisation, exchange of information, derogations, procedure with regard to complaints and revision, ratification, entry into force, and denunciation. Somewhat paradoxically, Section I is that dealing with the organisation of the Permanent Disarmament Commission. If we are to discuss the composition of this Commission, we must first know what its task is going to be. The question of organisation should therefore be the last to be dealt with under Chapter V. I might even go so far as to say that we ought to begin with Section II: " Exchange of Information ". Then we could go on to the questions of derogations and procedure with regard to complaints and revision. After that, we could deal with the organisation of the Commission, as its functions would then have been clearly determined. Lastly, we should take the provisions relating to the actual Convention. We should thus be dealing with this complicated question, in regard to which there is a certain amount of repetition and overlapping, in a more orderly fashion. Moreover, the very interesting proposal submitted by the British delegation affects provisions which are to be found in various sections.

Proposal to appoint a sub-committee to examine the question of the Permanent Disarmament Commission.

M. Politis (Greece). — I had intended to make a similar proposal to that of M. Massigli. There is a regrettable overlapping between the text drawn up at first reading and the various amendments proposed. It is difficult for us to determine the composition of a Commission until we know exactly what it is going to do. It would make the discussion clearer if we put all the texts relating to the Permanent Disarmament Commission together and appointed a
sub-committee to undertake a preliminary examination of them. When we had the findings of the sub-committee we could decide whether the various texts should be combined in one section or should form several sections.

I accordingly propose that a very small sub-committee be appointed to examine all the texts relating to the organisation, competence and working of the Permanent Disarmament Commission, while the Commission is discussing the question of the exchange of information.

Tewfik Rüstü Bey (Turkey). — I agree with M. Politis, although, if we begin with the section which he suggests and leave the question of organisation on one side, I might not be able to give a definite opinion at the moment. A large part of the Convention has already been examined, and before we can determine the powers and task of the proposed organ we must know the nature of the guarantees under which it will be constituted.

In any case, no matter what decision the Commission may come to, it seems to me desirable that we should have a general discussion on Chapter V as a whole.

Lord Cecil (British Empire). — I think it would be a mistake at this stage, if you will not think it impertinent of me to say so, to have a general discussion. We do not really know, until we see the work of the suggested sub-committee, what the definite proposals will be which will be submitted to the Commission. I understand M. Politis' conception not to be so much that the sub-committee will draft a new scheme, as that they will put together the actual proposals that are made, so that we shall know exactly what we have to discuss. I think that is a preliminary thing which ought to be done before we enter upon the discussion at all. At the same time, I see no objection to going on with the discussion as to the exchange of information—which is an entirely separate matter and one that is really governed by Article 8 of the Covenant.

I see no objection to going on with the discussion— which ought to be done before we enter upon the discussion at all. At the same time, I see no objection to going on with the discussion as to the exchange of information—which is an entirely separate matter and one that is really governed by Article 8 of the Covenant.

M. Litvinoff (Union of Soviet Socialist Republics). — I have a few remarks to make which apply to all the sections of Chapter V, and in order not to waste time in repetitions I think it is better that I should do this at once. I am speaking of a general reservation by the Soviet delegation with regard to practically the whole of Chapter V.

We have just finished with that part of the draft Convention which is taken up with questions directly referring to limitation and reduction of armaments. The Soviet delegation has taken a most active part in this work, trying to get the utmost possible results attainable, if only within the limits of the present draft Convention. Unfortunately, our efforts have been practically in vain. Formally no doubt, we can, and probably shall, suggest amendments during the third reading, but we entertain no illusions as to the fate of these amendments.

I will refrain at present from a general appraisal of the work of the Commission, merely stating that that part of the draft Convention which has already been gone through does not satisfy the Soviet delegation in the least, and is not in the least in accordance with the tasks which confronted the Preparatory Commission in the opinion of the Soviet Government when it agreed to take part in it. We consider that the chapters drawn up are incapable of even being an adequate framework for decisions as to real reduction of armaments. The Soviet delegation in coming here had in mind nothing but disarmament, or at least considerable reduction of armaments, and not the mere stabilisation of existing armaments—still less their increase for the sake of establishing some sort of military equilibrium between States, which is apparently all that is provided for by these chapters.

The President. — I would remind M. Litvinoff that we are not having a general discussion.

M. Litvinoff (Union of Soviet Socialist Republics). — I am only making a general reservation in regard to Chapter V. The Soviet delegation cannot attach serious importance to the technical and organisational questions which the Commission is now proceeding to discuss. The attitude of the Soviet Government to these questions will depend ultimately upon the measure of the reduction of armaments which may be decided, not by the Commission, but by the Conference. The Soviet delegation will, therefore, probably abstain from voting on most of these questions. I would like, however, here and now, to give notice of the fact that any solution of these questions which binds the fulfilment of the Convention, control, and so on, with the League of Nations and its organs, will be unacceptable to the Soviet Government.

Having made this general reservation, the Soviet delegation reserves to itself the right of making supplementary reservations on individual points in Chapter V, if the discussion takes a turn calling for this.

Count Bernstorff (Germany). — I have no objection to the method proposed, but as regards the exchange of information, I would point out that the Commission has two German proposals before it. One is an old proposal, dealing solely with the "Armaments Year-Book," and as the Commission has decided that this question is solely a matter for the Council, it may not wish to discuss it here; but there is another German proposal which deals with quite a different matter—namely, the preparation for the Disarmament Conference. Consequently, it does not belong to what is called "Exchange of Information" in the Convention, which provides for the exchange of information after the Convention is in being; whereas our proposal states that it is necessary for the Conference to ascertain the present position of all Powers in regard to armaments. I therefore desire to submit this proposal to the Commission.
The President. — It will have to come at the end of the second reading.

Tewfik Rüstü Bey (Turkey). — Now that we are going to discuss Chapter V, it is my duty to submit some important considerations on behalf of the Turkish delegation.

I have every sympathy with the desire that there should be guarantees for the working of the system of disarmament. Nevertheless, if those guarantees are to be effective they must be well thought out and capable of application.

While international conventions can only exist if the engagements which they involve are freely respected, and while the moral obligations of States are the true foundation of international relations, the complex nature of the problem with which we are dealing justifies the desire to find a special solution by the establishment of special rules.

It is, doubtless, for this reason, that it has been proposed to set up an organ in the form of a permanent commission to see that the Convention is being properly carried out.

Would a commission, such as that proposed in the draft Convention, fulfil that purpose? This is a point which requires careful consideration and in regard to which I have something to say.

The idea of an organ which would collect and centralise information, hear complaints, carry out enquiries, and possibly exercise supervision even in the territory of the parties to the Convention, is, I think, too new, and its incompatibility with the principle of the sovereignty of States does not justify much optimism in regard to the possibility of the Permanent Commission being accepted.

It is therefore necessary to be very cautious in regard both to the powers and composition of this organisation, it if is to be successful.

If the cause of disarmament is to triumph, the equal treatment of all countries is an absolutely essential condition. I have urged this constantly and urge it now even more strongly than before.

The creation of a commission which did not include representatives of all countries parties to the Convention we are drafting would be an anomaly, and would not be in keeping with the spirit of equity and realism by which we should be guided and which is undoubtedly the best guarantee of success.

I regret to observe that the text as discussed at first reading, loses sight of these requirements.

It provides that the Permanent Commission shall consist of the representatives of:

(a) The High Contracting Parties Members of the Council of the League, for the duration of their term of office on the Council;
(b) The United States of America and the Union of Soviet Socialist Republics;
(c) The representatives of High Contracting Parties to be appointed by the Conference.

This third paragraph, although making it possible for countries not enumerated in the two preceding paragraphs to be represented on the Commission, does not altogether meet the legitimate aspirations of the countries concerned. The amendment proposed by the British delegation makes the actual position clearer by eliminating even this possibility.

Although States Members of the League can be represented on the Commission by the contracting parties Members of the Council, non-Member States, with two exceptions, would not be assured of any representation on the Commission. What is to be the position of those countries, the number of which is very small as compared with the size of the Commission, and how is their status to be regulated? Will they be excluded from the rights and obligations laid down in the Convention, or is it fair that they should be asked to accept certain obligations without being assured the same rights as the other contracting parties?

Notwithstanding its keen desire to facilitate this great work, the Turkish delegation could not accept, for fundamental reasons which have been approved by the Grand National Assembly, any of the obligations enumerated in this Convention which do not ensure to it equality and the same treatment as is accorded to the most favoured nations.

The President. — I did not wish to interrupt Tewfik Rüstü Bey, but I would point out that there is a previous question—namely, M. Politis’ proposal to appoint a sub-committee.

Tewfik Rüstü Bey (Turkey). — I desired to communicate and submit to the Commission certain general considerations which are not connected with any particular article.

Dr. Woo Kaiseng (China). — There are two proposals before us, one submitted by M. Massigli, for the postponement of the discussion, and the other by M. Politis, for the appointment of a sub-committee. Let us therefore vote on these two proposals, and we shall then know on what basis we are going to deal with this chapter.
The President. — I think the Commission agrees with M. Massigli that we ought not to discuss questions of organisation at the moment. We can therefore pass on at once to M. Politis' proposal to appoint a sub-committee.

Dr. Woo Kaiseng (China). — Before a sub-committee is appointed I think we should have a general discussion to lay down some guiding principles for the sub-committee.

Dr. Markovitch (Yugoslavia). — Unless I am mistaken, the sole task of the sub-committee, as Lord Cecil has said, will be to collect the texts of the proposals and to combine them for our examination.

Dr. Woo Kaiseng (China). — I agree.

*It was agreed to appoint a sub-committee to examine questions of organisation.*

**APPOINTMENT OF THE SUB-COMMITTEE.**

The President. — I propose that this Sub-Committee should consist of the representatives of the following countries: The United States of America, Belgium, British Empire, China, Finland, France, Greece, Italy, Japan and Turkey, with M. Politis as Chairman.

Agreed.

The Commission rose at 1 p.m.

**THIRTEENTH MEETING.**

*Held on Saturday, November 22nd, 1930, at 10 a.m.*

President: M. Loudon (Netherlands).


The President. — Yesterday we reached the last chapter of our draft Convention. I need not remind you that Article OA (Questions of Organisation), cannot be discussed until we receive the report of the Sub-Committee which you appointed.

67. Discussion on Chapter V. — Miscellaneous Provisions: Section II. — Exchange of Information: Discussion on Article IA.

**Observations and Reservations.**

The form and the number of tables have not been decided as regards naval and air armaments.

The German delegation makes a reservation concerning this article, the tables mentioned therein not providing for publicity regarding trained reserves.

The Italian delegation makes a reservation and does not agree to all the distinctions referred to in these tables.

The President. — I wish to point out at once that the decisions adopted in second reading in the year 1929 and during the present session in regard to the limitation of land, naval and air effective involve important alterations in the wording of Article IA.

These alterations primarily affect Tables I, II, III, V, VI and VII of Chapter I (first reading, Chapter I. — Effectives: Article AI, Land Armaments).

These tables were replaced at the second reading by the following:

1. Maximum armed forces stationed in the home country.
2. Maximum armed forces stationed overseas.
Table III. — Maximum of the total armed forces of the High Contracting Parties.
Table IV. — Maximum of the forces belonging to formations organised on a military basis stationed in the home country.
Table V. — Maximum of the forces belonging to formations organised on a military basis stationed overseas.

Furthermore, at its meeting on November 7th last, the Commission decided that naval effectives should be limited as follows:
Table VIII. — Maximum armed forces.
Table IX. — Maximum forces belonging to formations organised on a military basis.

At the same time we decided to number the tables drawn up at the second reading for Air Armaments as follows:
Table I (optional). — Maximum armed forces stationed in the home country.
Table II (optional). — Maximum armed forces stationed overseas.
Table III. — Maximum of the total armed forces of the High Contracting Parties.
Table IV. — Maximum of the forces belonging to formations organised on a military basis stationed in the home country.
Table V. — Maximum of the forces belonging to formations organised on a military basis stationed overseas.

Then again, the two-fold system of “average daily effectives” and “actual effectives on service” has been replaced by the single system of “average effectives”, which is to be applied both to formations organised on a military basis and to armed forces.

Finally, I draw the attention of the Commission to the reference in Article IA (first reading) to Table IV (Overseas forces). This table has been removed from the list given in Article A of Chapter I (Effectives) because it was not designed for purposes of limitation but it was retained in Article IA for purposes of publicity.

The Commission will have to decide whether Table II (Overseas forces), which is mentioned as optional in Article IA, should, by analogy with what was decided at first reading, be made compulsory when we are dealing, not with limitation, but with the publication of land effectives.

The same question will arise in regard to Table I (Maximum of armed forces stationed in the home country) and Table II (Maximum armed forces stationed overseas), relating to air armaments.

Further, we shall have to add something to Article IA to provide for the publication laid down in Article H of Chapter I.

In view of the above considerations, I have decided to submit to the Commission, as a basis of discussion for the second reading, the text of Article IA, first reading, amended and amplified as follows:

**ARTICLE IA.**

*New drafting proposed by the Secretariat and submitted to the Commission as a basis of discussion.*

\[1\] The wording of Article H (Chapter I) not yet having been determined as regards naval effectives, Article IA will be completed later.

\[2\] The modifications made in the former text are based on the decisions taken at the second reading with regard to Articles A and H (Chapter I) during the first part of the sixth session and during the present session.

\[3\] Note. — This figure will be determined by the duration of the longest period of actual service with the colours which is in force in the conscript armies of the contracting parties at the time of the signature of the Convention.

1. On the model of Tables I, II, III, IV, V (Land Armaments); I and II (Naval Armaments), and I, II, III, IV and V (Air Armaments) mentioned in Article A, Chapter I, a statement of the average daily effectives on service with its armed forces and in its formations organised on a military basis.

2. As regards their armed forces on land:
   A statement indicating the number of soldiers, other than officers, who have completed more than \(x^3\) years of actual service with the colours on the date on which the statement was prepared.
   A statement indicating, in the case of conscript armies, the number of men whose service exceeds the legal period in force in their respective countries, but is less than \(x^3\) years on the date on which the statement is prepared.

3. As regards their armed forces in the air:
   A statement indicating the aggregate number of officers, non-commissioned officers and men who have completed more than \(x^3\) years of actual service with the colours on the date on which the statement is prepared.

4. For purposes of information, and, if desired, a statement indicating the proportion of recruits not trained as defined in the national legislation, who are embodied in the effectives of its armed forces.
"The statements laid down in the present provision shall be forwarded to the Secretary-General of the League of Nations within three months after the close of the budgetary year."

You will remember, gentlemen, that the German delegation made a reservation at first reading concerning this article because the tables referred to do not provide for publicity in respect of trained reserves.

The Polish delegation has submitted an amendment to Article IA reading as follows:

Article IA.

Proposal by the Polish Delegation.

"Add a new paragraph 2:

"'Each High Contracting Party shall attach to the statements referred to above an explanatory note showing the elements on which they are based, in accordance with the stipulations of Article E, and stating for each category of effectives (recruits, militiamen, reservists, territorials, etc.), the number of these effectives and the number of days service they have performed.'"

The French delegation proposes to add to Section II of Chapter V an article in the following terms:

Proposal by the French Delegation.

"Add an Article IA as follows:

"'Each of the High Contracting Parties shall forward to the Secretariat of the League of Nations within three months of the end of the budgetary year an annual statement showing the number of youths having compulsorily received preparatory military training during the previous year.'"

I now open the discussion on Article IA.

I venture to remind you once more of what I have so often said about brevity and conciseness in your speeches. I would add that the wording of Article H has not yet been settled as regards Naval Effectives, so that it will require to be amplified later on.

I think I am right in assuming that the Commission agrees to take Article IA in the new drafting proposed by the Secretariat as a basis of discussion.

Agreed.

General Kasprzycki (Poland). - The method based on average daily effectives does not in all cases give sufficient information. In a standing army effectives are present with the colours practically throughout the year, and the average figures do not fluctuate greatly. But, in some other military systems, the figures vary and the actual number of effectives may be far above that of the average effectives. The object of the Polish amendment is to deal, in the chapter on publicity, with this special situation which arises under some military systems.

We have kept our amendment within the bounds of the provisions already adopted for limitation; in other words it only relates to effectives in service and not to trained reserves.

As there are several amendments to Article IA it might be better to sub-divide this article into separate articles; and the Polish delegation would have no objection to its amendment, once adopted, forming a separate article.

The President. — The Polish amendment will therefore, if necessary, be embodied in a separate article.

This leaves us with the French amendment.

M. Massigli (France). — Ours is a separate article; it was submitted as such.

The President. — In that case, we should deal now with this Article IA in the new drafting proposed by the Secretariat. If nobody desires to speak I shall regard it as adopted.

This article was provisionally adopted.

68. New Article IZ (Publicity concerning the Duration of Service): Proposal by the Secretariat: Procedure.

The President. — As M. Rutgers observed at the end of our meeting on November 11th, the publicity tables regarding the duration of service would be out of place in Article IA, which only refers to average daily effectives. I therefore propose, in accordance with a suggestion from the Secretariat, that we insert in the draft Convention an Article IZ as follows:
Article IZ.

Proposal by the Secretariat. 1

Insertion in the Draft Convention of an Article IZ on Publicity regarding the Duration of Service.

"Each of the High Contracting Parties shall prepare, on the model of Table Z annexed to the present Convention, an annual statement showing for their land, naval and air forces respectively: (1) The number of days' active service required of the annual contingent; (2) the total duration (in days) of periods of training in the reserve; (3) the total duration of service as defined in Article I of Chapter I.

"The statements laid down in the present provision shall be forwarded to the Secretary-General of the League of Nations at the same time as those laid down in Article IA."

1 This draft article has been prepared on the basis of the decisions taken in the course of the present session regarding the duration of service.

Lord Cecil (British Empire). — I want to understand where we are. If this is only a drafting matter, I hope we shall not deal with it now, as we shall have to deal with drafting later on. If this does not change the subject matter I think it should be left over. I cannot see at the moment how this Article IZ differs from Article IA.

The President. — This is not merely a question of drafting, but of inserting a new article because, in M. Rutgers' view, the publicity tables concerning duration of service would be out of place in Article IA.

M. Bourquin (Belgium). — This is a very important question and we must be quite clear what we are doing when we come to vote on it. The texts before us are numerous, and somewhat complicated because they make constant reference to other texts. I had in mind to propose that we should appoint another sub-committee to co-ordinate all these drafts. That does not seem to be possible; but I think that we might take the first-reading texts, as they stand, one at a time. Each of them is the subject of several amendments, which their authors might briefly explain to us.

The President. — I naturally wish to do my utmost to expedite our work. As the procedure I had proposed gives rise to difficulties I am prepared to accept M. Bourquin's proposal, which appears reasonable. If I understand rightly we ought to take the first-reading text of Article IA as a basis of discussion.

M. Bourquin (Belgium). — That is my proposal. We would take the several articles, and the relevant amendments, in succession. The delegates who have submitted these amendments would explain them briefly.

Lord Cecil (British Empire). — If that course be adopted the first amendment, as I see it, will be the Secretariat's redraft of Article IA, but I venture to ask that that be postponed. It is purely a question of drafting and I think we had much better take all drafting questions together at the end, when we shall see the whole document and no doubt have a drafting committee to make general proposals regarding the final draft of the Convention. If there is any change then it ought not to be proposed, if I may say so respectfully, by the Secretariat. If this is merely redrafting then it ought to be delayed until we have the drafting committee to deal with it in common with all other drafting amendments. Let us, as M. Bourquin suggests, take each of the texts before us with the amendments of substance and not the amendments of drafting, which ought to be left for the present.

Therefore I suggest we do not deal with the Secretariat amendments to Article IA, which are purely questions of drafting, and that we take the first amendment, whatever it may be, on the substance.

The President. — I think we are all agreed. The Secretariat has, of course, not altered the substance of the article under discussion, but has merely adapted the text to the decisions already taken. I thought that it would simplify matters if we took that text as our basis of discussion.

Lord Cecil (British Empire). — I am sure the Commission will agree with me that if we do that we shall have to be perpetually redrafting other amendments to the substance of Article IA. If we make an alteration to the substance Article IA will again have to be redrafted. It would be a great mistake for us to try to redraft now, as we do not know yet what we want to put into the redraft. I suggest all questions of redrafting be postponed for the present until we know exactly what it is we want to put into the Convention.

The President. — I would ask Lord Cecil what he purposes that we should discuss at this moment?
Lord Cecil (British Empire). — There are French and Polish amendments to Article IA and both these are of substance. I should have thought we ought now to discuss one or other of them, or both of them, one after the other. There is also a British proposal, which may or may not be thought to come before Article IA, proposing the general safeguarding of the rights under Article 8 of the Covenant. Whatever is thought to be the right course as to the particular amendments it is for the President and the Commission to judge; all I say is, do let us try and get on as far as possible with the formation of our text.

M. Cobian (Spain). — A few minutes ago we showed, by our silence, our assent to Article IA. That is tantamount to saying that we are agreed on the principle of that article, which remains the same as in the first reading text. At the first reading we were content to regulate this question in regard to land effectives. When we came to Section II, regarding exchange of information, we were again content to provide tables for land effectives. We have drawn up a very clear note stating that, as regards naval and air armaments, the models and the number of the tables have not yet been settled. At the third reading we made further progress and we settled—though not entirely—the question of naval and air effectives. The Secretariat has submitted a draft, which is based on the agreement reached at the first reading but gives effect to all the changes introduced during the present session of the Commission.

Lord Cecil has observed, very truly, that we cannot discuss the wording so long as certain questions of substance are in suspense. I think, however, that when we adopted Article IA—for I regard it as adopted—we did express our opinion on the principle. When we have discussed and approved Article A and Article I, the drafting of the whole passage can be referred to the drafting committee which Lord Cecil thinks we should appoint. Then we shall have a text which we can adopt definitely.

We have now before us Article IZ, which fills a gap left in the first-reading text. Following the method proposed by Lord Cecil, we might express our opinion on the principle embodied in that article. As regards its final wording, we must, naturally, await the decisions on certain other points, but the Commission should express its views forthwith on the principle—i.e., whether it is desirable to have a table such as proposed by the Secretariat in Article IZ. We could next decide on the new draft articles submitted by the French, Polish and British delegations.

If we begin to discuss drafting questions we shall meet the same difficulties at every step. There are some provisions of a general character which affect the questions dealt with in the first chapters. That is a difficulty we shall have to reckon with. Our work is complicated, because the subject itself is complicated.

The President. — I understand that the Commission desires to discuss the Secretariat's proposal, Article IZ, as regards the principle it embodies.

M. Westman (Sweden). — I am not opposing the adoption of the principle in Article IZ as proposed by the Secretariat, but I wish to draw the Drafting Committee's attention at once to the fact that a whole series of technical questions will arise in regard to land effectives. As regards its final wording, we must, naturally, await the decisions on certain other points, but the Commission should express its views forthwith on the principle—i.e., whether it is desirable to have a table such as proposed by the Secretariat in Article IZ. We could next decide on the new draft articles submitted by the French, Polish and British delegations.

M. Massigli (France). — Any technical questions can be discussed at once. Drafting questions will be settled later on.

M. Westman (Sweden). — In point 1, in the first paragraph of Article IZ, as proposed by the Secretariat, there is a reference to the "number of days' active service required of the annual contingent." Does that mean the number of days' service actually performed, or the number laid down by the law in force in any country?

It will be very difficult for some countries to reply to point 2 in the same paragraph, concerning the total duration in days of periods of training in the reserve. For instance, in Sweden we have no reserve, properly speaking. The text ought to be more general, and should apply to periods of training of all kinds; otherwise we cannot reply to that question.

M. Massigli (France). — I think that the Polish amendment should give satisfaction to M. Westman. It provides for explanatory notes, in which the contracting parties will show the number of days' service actually performed in their respective armies. As regards Article IZ proposed by the Secretariat, it gives accurate effect to our decisions concerning effectives in Chapter I.

General de Marinis (Italy). — I share the doubts of the previous speakers. I am not clear as to the exact meaning of this article. For instance, in Sweden we have no reserve, properly speaking. The text ought to be more general, and should apply to periods of training of all kinds; otherwise we cannot reply to that question.

M. Massigli (France). — I hope I shall not be thought presumptuous in defending a text of which I am not the author. But in truth I am defending the work of the Commission itself. We adopted an Article I, which is accurately reproduced in Article IZ, as proposed by the Secretariat. If we re-open the discussion on Article IZ we are re-opening the discussion on Article I. Is that what the Commission desires?

1 Note by the Secretariat. — See page 220.
DISCUSSION ON THE TWO ARTICLES PROPOSED BY THE SECRETARIAT ADJOURNED.

Lord Cecil (British Empire). — That is exactly the difficulty I foresaw. Either this is a redraft, and in that case it ought to go to the Drafting Committee before coming here, or else it is a fresh text, and the Secretariat should not propose that either. I do not think they have proposed anything fresh because they are always most scrupulous about introducing new ideas. Therefore this is a redraft and we shall be wasting our time in discussing it, as it will have to go to the Drafting Committee first. I propose formally that the two proposals of the Secretariat be adjourned, pending redrafting by the Drafting Committee.

The President. — Does the Commission agree with this proposal?

This proposal was agreed to.

DISCUSSION ON THE POLISH PROPOSAL.

The President. — We must now examine the Polish proposal. Does the Polish delegation desire to make it into a separate article?

General Kasprzycki (Poland). — That is a matter which I leave to the decision of the Bureau.

General de Marinis (Italy). — I would like to know exactly what is meant by the terms "recruits, militiamen, reservists, territorials, etc." For instance, the meaning of the word recruit varies in different countries. In some countries, a man who has served three months is no longer considered as a recruit; in others, two, or four, months may be required. Then I suppose that the term "militiamen" refers to all formations organised on a military basis. Finally, the meaning of the words "reservists, territorials" is different in different countries. I think that the meanings of these terms ought to be fixed.

General Kasprzycki (Poland). — The words which General de Marinis alludes to are given in brackets, and only for purposes of illustration. The point of the amendment is contained in the words "for each category of effectives". Except as regards the standing army, each country will compile the list of categories of effectives referred to in Article E as it thinks best.

General de Marinis (Italy). — I think that, if we adopt anything so vague, the result will be too indefinite. It is essential that every country should know clearly what it is asked for, otherwise it may be suspected of not complying with its obligations. Unless we fix these things more precisely, any country may be exposed to a sort of prosecution by the Permanent Disarmament Commission.

I rather feel that the adoption of this text would be a retrograde step. We were quite agreed on a text which showed very clearly what was required. The proposed classification would complicate matters.

In any case, we could not accept obligations the effect of which was uncertain.

M. Massigli (France). — If I am not mistaken, the Polish delegation's amendment is designed to supplement, so far as possible, any incompleteness in the general rules for limitation which we fixed in Chapter I. Having regard to the diversity of army organisations we had to be content with a few simple rules for limitation, by fixing the average daily effectives.

We next provided for publicity tables, designed to show the actual number of these effectives in a given year. Owing to the diversity of army organisations the transmission of these figures to the Secretariat will only give a very vague idea of the position in each country. The Polish proposal merely seeks to enable each country to show how it arrived at its figure for average daily effectives. Such data, which give a more accurate picture of conditions in an army during a given year, are very useful and cannot embarrass anybody. As has been said, it is a question of good faith. Every contracting party will give these average daily effectives, and will explain how they were computed.

The value of such information will be manifest if any discussion arises regarding a total of daily effectives, and if the total shown forms the subject of a complaint to the Permanent Disarmament Commission; in such a case the explanatory notes would greatly facilitate the work of this future Commission.

I believe therefore that such information cannot fail to be of use, and I support the Polish amendment.

VOTE ON THE POLISH PROPOSAL.

The Polish proposal was adopted by eighteen votes, with some abstentions.

DISCUSSION ON THE FRENCH PROPOSAL AND ON AN ITALIAN AMENDMENT TO THAT PROPOSAL.

M. Massigli (France). — The French proposal is due to the same desire for clearness as the Polish proposal which you have just adopted.
At the second reading we adopted the following paragraph as part of Article H:

“Each country may, if it so desires, show for purposes of information, in a special column Publicity Table IA of Chapter V, the proportion of recruits not trained as defined in the national legislation who are embodied in the effective of its armed forces.”

If any country has a system of preparatory military training, the information derived from the return of the above-mentioned untrained recruits will be incomplete.

We therefore ask that contracting parties having a system of compulsory pre-regimental military training in their countries shall show the number of youths who have received such preparatory military training.

We should thus be observing the spirit of the observations in Sub-Committee A’s report, page 38, where the majority of that Sub-Committee say that it is highly desirable to publish complete information in regard to pre-regimental military training.

**General de Marinis** (Italy). — The Italian delegation supports this proposal, which it considers well justified. It would, however, desire to see it amplified. In its view, it would be necessary to show, not only those who have received compulsory preparatory military training, but all who have received any preparatory military training, whether compulsory or voluntary.

I therefore move to delete the word “compulsorily” in the text submitted by the French delegation.

Thus, all youths who have received preparatory military training will have to be shown in a return to the Permanent Disarmament Commission.

**M. Massigli** (France). — I thank General de Marinis for supporting my proposal, and for his very interesting suggestion. But I must observe that it involves a difficulty, which we had already noticed without finding a remedy for it. In countries where preparatory military instruction is compulsory the Government has means of information; it knows how many youths are being trained, because they would be contravening a legal obligation if they failed to undergo preparatory training. But where military training is optional, the situation is different. How is the Government to be informed as to the number of youths trained? That is the difficulty, and it was because we could not find any solution for it that I inserted the word “compulsorily” in my proposal.

**M. Fierlinger** (Czechoslovakia). — We are now touching on a question of the highest importance, which deserves to be thoroughly examined.

M. Massigli was quite right in drawing our attention to this point. Our system must be as complete as possible to enable us to estimate the military value of any army, especially as regards effective. Undoubtedly, the pre-regimental training of youths increases the offensive value of an army, and this very important factor must be taken into account.

General de Marinis was also right in his comments on the word “compulsorily”, which appears in the French proposal. But what is the significance of that word? There are men, especially non-commissioned officers, who serve beyond the term required by the law and who are therefore not obeying a duty, and not complying with an obligation, but who are contracting a voluntary engagement. You may compare that category of men to the youths performing service which is not a direct obligation upon them. In my view, this question is very important and deserving of careful discussion.

**General de Marinis** (Italy). — I wish to reply to the objection that, as regards voluntary preparatory training, it would be difficult for a Government to know how many youths had been thus trained. I believe that this preparatory training is now well organised in all countries and that the Governments keep careful watch over it, so that I think it must be very easy for them to know how many youths have received such training. I therefore maintain my proposal to delete the word “compulsorily”.

I have another observation to make. If we vote without giving any heed to each other’s arguments we shall place the Conference in a difficult position. The arguments which I have ventured to offer have been left unanswered, and the Commission has simply proceeded to vote. When I asked just now for explanations regarding the meaning of “recruits”, “militiamen”, etc., I was simply told that every country would do as it thought fit. I pointed out that it would be embarrassing for some Governments to be left in such a state of uncertainty; and a vote was taken without any solution being offered. By these methods, gentlemen, we do no useful preparatory work for the Conference. It is a mistake to consider that important questions can be disposed of by majority votes. Despite such votes these questions will reappear in their entirety, I assure you, at the Conference.

**The President.** — I must reply to General de Marinis. I am sure he is mistaken if he believes that the Commission pays no heed to his observations. Even if some of them have been left unanswered, I can assure him that they will not be disregarded in the report, and that the Conference will, therefore, be informed in regard to all observations made.

**General de Marinis** (Italy). — I thank the President for his explanation.

**The President.** — We will now vote, first on General de Marinis’ amendment for the deletion of the word “compulsorily” in the French proposal.

**The Hon. Hugh Gibson** (United States of America). — It seems to me clear that for countries with a voluntary military system the words “preparatory military training” would have no
practical application. As long as the word “compulsorily” remains, I have no difficulty in accepting the amendment, but if that be struck out the article would apply to a good deal of military training over which the Federal Government of the United States has no control, extending to training in cadet corps in high schools and colleges, boy scouts, and so on. I cannot therefore vote for the suppression of the word “compulsorily”.

M. Massigli (France). — I maintain my text for the reasons I have given.

VOTE ON THE ITALIAN AMENDMENT TO THE FRENCH PROPOSAL.

The President. — I put to the vote General de Marinis’ proposal for the deletion of the word “compulsorily”.

This amendment was rejected by fourteen votes against to one vote for, with some abstentions.

Count Bernstorff (Germany). — I would have voted for General de Marinis’ proposal, but I abstained, in view of the general reservation we have made.

VOTE ON THE FRENCH PROPOSAL.

The President. — I put the French delegation’s proposal to the vote.

This proposal was adopted by nineteen votes with some abstentions.

69. Discussion on Article 1B: Appointment of a Sub-Committee of Experts.

Observations and Reservations.

Owing to the various considerations brought forward by the Japanese delegation at the meeting of the Commission on April 21st, 1927, it formally opposes this proposal, and also the proposal of the German delegation opposite Article 1A (Chapter II).

The Italian delegation agrees with the above remarks of the Japanese delegation.

First Reading.

(Netherlands Draft.)

Each of the High Contracting Parties shall prepare an annual statement of the number (weight) of arms and ammunition and implements of war in service and in reserve in its land, naval and air forces distributed between the following twelve headings and existing on the date of December 31st of the preceding year:

1. Rifles, muskets, carbines (number).
2. (a) Machine-guns, automatic rifles and machine-pistols of all calibres (number);
   (b) Mountings for machine-guns (number);
   (c) Interrupter gears (number).
3. Projectiles and ammunition for the arms enumerated in Nos. 1 and 2 above (number).
4. Gun-sighting apparatus including aerial gun-sights and bomb-sights, and fire-control apparatus (number).
5. (a) Cannon, long or short, and howitzers, of a calibre less than 5.9 inches (15 cm.) (number);
   (b) Cannon, long or short, and howitzers, of a calibre of 5.9 inches (15 cm.) or above (number);
   (c) Mortars of all kinds (number);
   (d) Gun-carriages (number), mountings (number), recuperators (numbers), accessories for mountings (weight).
6. Projectiles and ammunition for the arms enumerated in No. 5 above (number).
7. Apparatus for the discharge of bombs, torpedoes, depth charges and other kinds of projectiles (number).
8. (a) Grenades (number);
   (b) Bombs (number);
   (c) Land mines, submarine mines, fixed or floating, depth charges (number);
   (d) Torpedoes (number).
9. Appliances for use with the above arms and apparatus (number).
10. Bayonets (number).
11. Tanks and armoured-cars (number).
12. Arms and ammunition not specified in the above enumeration (number and weight).

With a view to the exchange of information as provided for in the present Section, the statement laid down in the present provisions shall be forwarded to the Secretariat of the League of Nations before March 1st of the year following the year to which it refers.
The President. — We now pass to Article IB, the draft submitted by the Netherlands delegation, providing for publicity in regard to various categories of arms and ammunition, and implements of war in service and in reserve. This proposal was discussed at first reading during the third session, and the Commission took note of it, without, however, adopting it. We must, therefore, proceed to a second reading of this article and come to a final decision about it.

General van Tuinen (Netherlands). — As the Netherlands delegation’s proposal was discussed at the first reading, I will not delay the Commission by repeating the arguments used by our first delegate during the third session, at the meetings on April 21st and 22nd, 1927.1

Our proposal, like others of the same kind, is based on the sixth paragraph of Article 8 of the Covenant. At the meetings I have just referred to it was favourably received by several delegations. Yesterday, again, I told you how little the Netherlands delegation would value budgetary limitation if it were not accompanied by the fullest publicity.

As regards the list of material contained in the proposal, our delegation borrowed it from Article I of the Convention on the International Trade in Arms.2 As that Convention had other objects in view than that of the Netherlands draft or of the Convention on which we are now engaged, we believe that this list should be regarded as merely illustrative.

You will perhaps allow me to repeat what M. de Brouckère, the Belgian delegate, said on April 21st, 1927, at the end of his speech on our proposal. He spoke as follows:

"For these practical reasons, while supporting the proposal in principle, I would ask you to allow me, before giving my formal consent to the list as now submitted to us, to make certain reservations and to wait until the list has been examined in greater detail and, if necessary, revised."

The Netherlands delegation has no objection to that attitude, provided that the proposal be accepted in principle. It might be advisable to appoint a small committee of military experts to cast the list.

Count Bernstorff (Germany). — I only wish to say that I cordially support the Netherlands delegate’s proposal, and that I wholly approve the procedure he suggests in regard to it.

Proposal to set up a sub-committee of experts.

M. Bourquin (Belgium). — Reference has just been made to a statement by M. de Brouckère in 1927. I agree with the suggestion General van Tuinen has just made—namely, that we should get a committee of experts to examine the list in the Netherlands draft. I think that will certainly be necessary, and I entirely agree.

As regards the principle of publicity, it does not seem absolutely necessary that we should vote before we see the result of the experts’ deliberations, seeing that most of us at any rate, have admitted that principle when we acceded to the Covenant—which provides for the fullest publicity.

I would only suggest one alteration in the procedure recommended just now by General van Tuinen—namely, that we should refer the examination of the purely technical portion of this proposal to a sub-committee of experts, and should decide on the article as a whole as soon as the experts have sent in their report.

General van Tuinen (Netherlands). — I desire to thank the two last speakers and to say that the Netherlands delegation is perfectly ready to accept M. Bourquin’s suggestion.

General de Marinis (Italy). — For the same reason as given by the Italian delegation during the discussion on the limitation of war material, I now support the Netherlands delegation’s proposal, and withdraw our reservation made at the first reading.

Dr. Markovitch (Yugoslavia). — I must make an express reservation regarding the principle of publicity in respect of all war material, more particularly in respect of material in reserve.

In my view, the Netherlands delegation’s proposal goes beyond the general aims of our Convention. To require every country to reveal the complete and exact state of its armaments is to ask something which no country, conscious of its responsibilities, could grant in the present state of international relations. I am therefore compelled to make an express reservation, and would revive, in my own name, the reservation which has just been withdrawn by the Italian delegation.
Nobody is compelled to perform the impossible. That is a principle. But, apart from this general principle, I must also ask you to consider the special case of Yugoslavia, and of other countries similarly situated. These countries, having no war industries, are obliged to maintain a small and limited reserve of material. If they are compelled to publish exact figures regarding their war material, they will be placed at a great disadvantage as compared with other countries. I therefore prefer that we should vote, first, on the principle, and then consider how many categories should be provided in the table which the experts are to compile.

M. Sato (Japan). — I well remember a controversy between M. Rutgers and myself three years ago on this very article. That controversy gave rise to a very emphatic reservation which I had to make on the first-reading text, and which I still maintain. There are many points to be considered in this article: publicity in regard to material in service; publicity in regard to material in reserve; and, finally, the preparation of the list of war material which the Netherlands delegate has just referred to.

I do not think all these questions can be discussed together. It might be wiser to proceed by small sub-divisions; but that is a question of procedure on which the Bureau alone can decide.

Three years ago a debate on this point took place in our Commission. M. Rutgers, on that occasion, complained that I had not read Article 8 of the Covenant with sufficient care, and drew my attention to the last paragraph of that article. Not only am I aware of the existence of that paragraph, but I am also familiar with those which precede it, as I always commence reading an article from the beginning and not from the end. I do not think it possible that the first and sixth paragraphs can be in conflict with one another. It is perfectly true that we are obliged to publish the fullest possible information; but, under the first paragraph, we are entitled to maintain the minimum armament consistent with national safety.

I am, therefore, compelled to state that I cannot assume this obligation of publicity in respect of everything affecting national security. On that point my Government holds very strong views, and that is the reason for my reservation.

To illustrate what is in my mind I will give you an example. Can you imagine a cruiser, or a battleship, putting to sea in search of its enemies, and announcing beforehand to its adversaries how much ammunition it has in reserve? Surely the captain of such a ship would never agree to tell his enemy: “I can fire a thousand rounds, and after that, I shall be at your mercy”.

The same reasoning applies to a country which has to defend itself against external attack. Obviously, such a country will not declare the amount of war material which it has in reserve; it would not be normal, in matters affecting national defence. At any rate, it would be courting a grave risk, and it is to avoid doing so that my country declares itself unable to agree to a form of publicity which would be incompatible with the idea of national defence.

If we desire to proceed as indicated in the first-reading text, it would first be necessary to put all countries on an equal footing. But that is absolutely impossible, having regard to their natural resources, their financial and economic capacities, the numbers of their population, their geographical positions, etc. These are factors which we cannot alter, and, as long as inequality subsists in all these spheres, we cannot contemplate a rigid and complete equality in regard to publicity affecting all questions of national defence. If a State feels it necessary to preserve silence regarding this or that point which affects its security, it must be free to do so. We must be content to do what is possible in existing circumstances. If one country has no great natural resources, or if another country has no highly-developed industries, it would manifestly be dangerous for them to publish the same information as could be given by countries more fortunately situated.

I must therefore maintain my reservation concerning publicity in regard to material in reserve.

As regards the list appended to Article IB, I quite agree with the Netherlands delegate that this question should be referred to a sub-committee. But I think it necessary that we should first discuss it in a general way. We must decide whether we wish to have detailed categories, as in the first-reading text, or whether we prefer wider categories. Personally, I do not much like the headings in the present text; they appear to me too detailed, and, again from the standpoint of security, my Government would find great difficulty in accepting the proposed list. To facilitate the accession of my country, I would urge you to be content with wider categories. I shall have further remarks to make on this point when the Commission discusses it. For the time being, I will merely ask the Commission to undertake a regrouping of these headings.

May I revert once more to the example I gave you just now, of a warship putting to sea, in a period of emergency, to seek out its enemies. You may reply that it is an inappropriate example, having regard to the existence of the Pact of Paris. Naturally, I cannot discuss political questions in this Commission, or consider the Pact of Paris from that standpoint; that would be outside our terms of reference. Of course, no one would deny the existence of that Pact; but it is only two years old. We do not know what its effects will be. Before the world can have confidence in it it must have stood the test of practice for many years. On the other hand, the Pact of Paris recognises the right of self-deferee and, therefore, I believe personally that the illustration I gave you was not inappropriate.
The Hon. Hugh Gibson (United States of America). — The views of the American delegation as to the general subject of publicity and exchange of information are so well known that I shall not have to take up the time of the Commission in re-stating them now.

I should like to preface what I have to say by the statement that I quite concur as to the wisdom of setting up a small committee to deal with the details of the subject, and I am quite willing to fall in with the view of the Commission as to whether this should be done before, or after, a general discussion as suggested by M. Sato.

I have repeatedly stated in this Commission and its Sub-Committees that the American Government favours the broadest measures of publicity and exchange of information. As a matter of fact, we already have very broad measures of publicity—probably there is no Government that furnishes fuller and more detailed publicity than my own. I earnestly hope that we may be able to agree on something substantially along these lines in our draft Treaty, for we consider that full and frank exchange of information, and publicity, are essential to the success of any Treaty—that they are essential to the building up of that common confidence and goodwill without which no treaty will constitute a great forward step.

To state the question in the other way, we feel that failure to adopt very definite measures of publicity will saddle our Treaty in advance with a vital defect which will militate against its success.

Proposal by the British Delegation for Insertion of a New Article in Chapter V.

Lord Cecil (British Empire). — I am sure that we have all listened attentively to the very weighty observations which have just been made by Mr. Gibson, and that every delegation will consider them with the greatest care and attention. As far as the British delegation is concerned, they had already given notice of a motion which has a similar object to that of the Netherlands delegation. They propose to do it in a very general way by inserting a new article in Chapter V, saying:

"Nothing in this chapter restricts in any way the obligations imposed on any of the High Contracting Parties by Article 8 of the Covenant of the League of Nations."

They propose to put that at the head of Chapter V, Section II (Exchange of Information). That would have been one way of dealing with it; whether it would have been the most satisfactory way is a different matter.

I venture very respectfully to express my doubt as to the accuracy of the reading of Article 8 by my Japanese colleague. It is quite true that in the first paragraph of that article it is said that reduction is to depend on national safety, but that does not say the whole of the provisions of this Article 8 depend on the views of each country as to national safety. On the contrary, when you come to the sixth paragraph, this obligation is expressed in the most precise terms:

"The Members of the League undertake to interchange full and frank information as to the scale of their armaments, their military, naval and air programmes, and the condition of such of their industries as are adaptable to warlike purposes."

That is a very wide provision. It does not affect Mr. Gibson or M. Lounatcharsky, nor the Turkish delegation, but it does affect the other members of this Commission. As far as we are concerned we recognise we are bound by this obligation. As to whether this is the best way of doing it, and what ought to be put into the list, we shall be able to form a much better opinion on that, when we see the result of the considerations of the Expert Sub-Committee.

I dislike discussing any question twice over. I am afraid if we now discuss the principle of the thing, and then wait to have a report and discuss it all over again, we shall really have two entirely separate discussions. It would be, in my judgment, better to wait—after these very slight preliminary observations—until we see exactly what our experts recommend. Then we can discuss the considerations which have been put forward by M. Sato and others. I also feel a certain reluctance in discussing abstract principles, because you never know where they are going to land you, whereas when you see a definite proposal you know what you are letting yourself in for by accepting it.

I hope we shall adopt M. Bourquin's proposal, and not have any vote on this principle, which seems to me to be decided by Article 8 of the Covenant.

Count Bernstorff (Germany). — After what Mr. Gibson and Lord Cecil said I have little to add, because I agree with them. My only reason for speaking is that I cannot accept the construction which M. Sato has placed on Article 8 of the Covenant. The incorrectness of that construction is evident when we remember that between the paragraph relating to security and the sixth paragraph of that article we have the fifth paragraph. And, as I am referring to that paragraph, I would add that M. Markovitch's solicitude should be partly allayed by the fifth
paragraph, for as you all know, the two other Conventions on the Trade in, and the Private
Manufacture of, Armaments are awaiting the conclusion of our deliberations; both these
Conventions will deal with the ground of M. Markovitch’s objection.

Finally, I assume that the proposed military sub-committee will deal with material of all
kinds, including material in reserve.

M. Massigli (France). — We must deal with different questions one at a time. We are
not now discussing the application of Article 8 of the Covenant, as Count Bernstorff himself
pointed out yesterday, when he withdrew his proposal on the exchange of information, because
he held that the Council of the League must decide on that point. We are now discussing the
exchange of information, for the purposes of our Convention. For that reason, I am not going
to engage in any discussion, either with M. Sato or with Lord Cecil, regarding the effect of the
last paragraph of Article 8 of the Covenant. That is a question which, with all respect to the
American, Russian and Turkish delegations, we shall have to discuss with one another. But
here, our discussion is on other ground; we are drafting a Convention, and we are discussing
publicity within the limits of that Convention.

Hitherto, both at the first and second readings, we have always been guided in regard to this
question by the following rule: that publicity is, in principle, to relate to matters which are the
subject of limitation, except where publicity is necessary as an auxiliary means, to enable us to
keep close touch with the evolution of certain types of armaments, or to provide additional
information regarding a given kind of limitation.

Seeing that, as regards material, the majority of this Commission has decided in favour of
limitation by values, the question to be decided is whether we should have publicity in respect
of numbers or only in respect of values?

However, I am compelled to add, the arguments against direct limitation are equally valid
against direct publicity—that is, against publicity in respect of numbers. This applies in the
case of the argument relating to supervision, failing which, publicity in respect of numbers would
be meaningless, for the very good reasons given by M. Markovitch and M. Sato. It is beyond
doubt that non-industrial countries, possessing no great resources for arming themselves in times
of danger, will be led to inflate their lists of armaments, since otherwise they would be furnishing
weapons against themselves. I see no objection to appointing an expert committee, if the
Commission decides in the sense in which I have spoken; but I think we should ascertain, in the
first place, whether the majority desires publicity in respect of numbers, although they have
agreed to limitation in respect of values only.

M. Fierlinger (Czechoslovakia). — Lord Cecil gave us a very clear argument in favour of
the proposal before us. It is one that had already occurred to us. On the other hand, we must
not forget that the complete application of Article 8 of the Covenant will depend on a number of
other factors, and also on the application of other articles of the Covenant. That question
has been discussed here, and in other Commissions, and we must realise the weight of the arguments
used in favour of the interdependence of the different articles of the Covenant. We shall certainly
have to consider how far, and at what moment, it will be possible fully to apply all the paragraphs
of Article 8—since it is the full application of that article which we have in mind in the preparation
of the Disarmament Convention.

In principle, I do not oppose an examination of this question by the experts, but I am sure
that they will find the task very difficult. Nevertheless, such an examination may be of use;
though I must reserve my attitude in regard to its possible results. I can see objections of two
kinds. From a purely formal point of view I am compelled, like M. Massigli, to ask what is the
scope of Chapter V? It appears to me that it has a natural and logical purpose, which derives from
the preceding articles. Chapter V cannot, in my view, contain provisions which are not
directly related to those which precede it.

I can also see certain objections of principle against the proposal. We have already discussed
direct and indirect limitation, and we have seen that certain countries, particularly those without
war industries, will hesitate to publish returns of their war material, in service, or in reserve.
M. Bourquin himself told us how public opinion is apt to react in regard to such questions. He
spoke of the distrust which sometimes prevails. Mr. Gibson demands that this information
should be as frank and full as possible. But that is a very subjective standard. People will
require certain guarantees; and hitherto they have not been forthcoming.

We must also consider how far it would be possible to draw up such lists. There are certain
forms of armament respecting which it is difficult to publish information. Such, for instance, are
purely defensive fortifications, the existence of which makes it possible to reduce armies to an
absolute minimum. Is it justifiable to ask a country to make a detailed return of all its defensive
armaments?

I therefore feel some doubts regarding the results of such an undertaking. I think we shall
encounter obstacles which will make it impossible to give a complete table of armaments.

Dr. Riddell (Canada). — The Canadian delegation recognises fully that the sixth paragraph
of Article 8 of the Covenant obliges Members of the League to exchange full and frank information
as to the scale of their armaments. We can see no reason why that should be questioned at all.
There may be some opportunity for discussion and dispute as to what full and frank
information may mean, and, for that reason, the Canadian delegation supports the setting up
of a sub-committee to determine what we should do in order to comply with this paragraph of
Article 8 of the Covenant. Personally, I believe that one of the things most essential to
peace is full and frank information with regard to armaments. It removes fear and suspicion which are responsible for the reluctance of certain countries to disarm.

We therefore support the setting up of a sub-committee.

M. Cobian (Spain). — I agree with M. Massigli that the application of Article 8 of the Covenant does not arise. Nevertheless, for those countries which have assumed them, the obligations assumed under Article 8 are bound to dominate this discussion.

I also agree with M. Massigli, up to a point, in regard to the procedure we should adopt. M. Massigli has said we must give directives to the Committee of Experts, and that therefore the Commission must express its views in regard to the principle; but the statements we have heard to-day should lead us to reflect.

Perhaps those statements throw a shadow on the results of the Conference. I think therefore that for once we should do well to leave the path of strict logic and adopt Lord Cecil's proposal. Let us leave the experts to discuss the question. Perhaps they may discover a solution among the various views which have been expressed here. In that way, we shall have time for reflection, and we can return with the necessary serenity to this problem, which is the gravest of all that the Commission has yet approached.

I hope that M. Massigli will accept this suggestion, and that we can defer a decision on the principle until the experts have reported.

If M. Massigli presses for a vote on the principle I shall have to speak further on the subject.

M. Westman (Sweden). — I shall be very brief. I merely desire to support, in principle, the views of the Netherlands delegation. I think that the procedure proposed by the British delegation and supported by the Spanish delegation is the best for us to follow.

M. Politis (Greece). — I wish to say that Mr. Cobian has not only used the language of logic but of wisdom. I quite agree with him.

It would be unwise at this moment to take a vote on the question of principle. It would be far more practical to take Lord Cecil's advice, to refer this question to the experts and to express our opinion as soon as we have had their report.

M. Massigli (France). — In these circumstances, I feel that I should not press my proposal, and I will not ask for a vote; but I make an express reservation regarding the results of the work in the form in which it is proposed.

Colonel Ali Khan Riazi (Persia). — Even though Article 8 of the Covenant is binding on all Members of the League, its application would not cover the case of Persia since all her neighbours are not Members of the League, and have not accepted the principle of mutual support in case of aggression, as provided by Article 16 of the Covenant.

Furthermore, as Persia is not a producing country, our delegation could not accept the principle of publicity in respect of war material in service or in reserve.

General van Tuinen (Netherlands). — I do not wish to prolong this debate. A first discussion was held on this question during the third session of our Commission in 1927, as recorded in document C.310.M.109.1927.IX.1 There may perhaps be further discussions after the experts have met.

May I be allowed to add one observation? Our delegation fully agrees with what was said by Lord Cecil concerning the interpretation of Article 8 of the Covenant. I cannot understand how we can propose, in this Commission, to have the fullest and frankest exchange of information on naval matters, but reserve our right to keep such information secret in regard to land material.

Dr. Woo Kaiseng (China). — The Chinese delegation supports Lord Cecil's proposal for the appointment of a sub-committee. It also agrees with M. Politis that we should discuss this matter as soon as the experts have reported.

APPPOINTMENT OF A SUB-COMMITTEE OF EXPERTS.

The President. — We will now vote on M. Bourquin's proposal, supported by Lord Cecil and several other members of the Commission, for the setting up of a sub-committee of experts.

Mehmed Munir Bey (Turkey). — The Turkish delegation will reserve its attitude in regard to the vote till it sees the results of the Expert Committee's work.

The President. — Since M. Massigli agrees with us, it is perhaps not necessary to take a forced vote. I can therefore declare that the Commission agreed on this point.

We must now proceed to appoint the sub-committee of experts, which will include representatives of the United States of America, France, Germany, Great Britain, Italy, Japan, Belgium, The Netherlands, Norway, Spain and Yugoslavia.

Lord Cecil (British Empire). — May I suggest that it would be desirable that any other military expert who desires to give information or present his views should be at liberty to do so?

1 Note by Secretariat. — Minutes of the Third Session.
M. Massigli (France). — I support Lord Cecil’s proposal.

The President. — That is agreed. I will ask M. Cobian to be good enough to act as Chairman of the Sub-Committee, which will meet on Monday next, November 24th, at 4 p.m.

Agreed.

The Commission rose at 1.10 p.m.

FOURTEENTH MEETING.

Held on Monday, November 24th, 1930, at 10 a.m.

President: M. Loudon (Netherlands).

70. Appointment of a Drafting Committee.

M. Sato (Japan). — I think the time has come to consider the appointment of a drafting committee to give final form to the articles already adopted. If the Commission agrees with this view, I would suggest the appointment of a very small committee, consisting of three members only—for example, one member of the British delegation, one member of the French delegation and one member of the Swedish delegation. A committee so composed will, I think, be best able to work satisfactorily. I propose that the President ask the Commission to take a decision on this subject, and I hope it will accept my suggestion.

The President. — The Bureau fully accepts the Japanese delegation’s proposal, and, unless I am much mistaken, the Commission as a whole will, I think, wish to set up a small drafting committee of men of outstanding ability, and I will ask the delegations to nominate them. The committee should be appointed as soon as possible so that it may set to work without delay and determine the exact wording of the articles already accepted.

The Japanese proposal was adopted.


Proposal by the Italian Delegation to Insert a New Article.

"Add an Article IA (2) as follows:

'Each of the High Contracting Parties shall prepare annually:

'(1) A table indicating the armed forces stationed in each of its overseas territories;

'(2) A table indicating the formations organised on a military basis existing in each of its overseas territories.'"

The President. — The Commission has before it a proposal by the Italian delegation to the effect that an Article IA (2) should be inserted, providing that a table should be prepared annually indicating the armed forces stationed and the formations organised on a military basis existing in each of the various overseas territories. The Commission will doubtless desire to take a decision on this new proposal, upon which General de Marinis will, I think, probably wish to speak.

General de Marinis (Italy). — In the Italian delegation’s opinion the exchange of information must be as complete as possible. As regards overseas forces, my delegation asked that limitation should be established for armed forces stationed in each of the various overseas territories. It was pointed out, however, that this procedure was not possible because circumstances might necessitate the transfer of armed forces from one territory to another. But, if I remember aright, it had previously been observed that the data to be given every year might simply be confined to the situation as regards territorial forces stationed in each of the overseas territories. In our opinion, that information it essential if we are to fulfil the undertaking we have given to exchange information which shall really be as complete as possible. There is, I think, nothing in this proposal which might prove irksome to countries having overseas possessions.
Mehmed Munir Bey (Turkey). — As regards Article A, the Turkish delegation proposed, both for land and for air armaments, that a separate limitation should be laid down for the forces in each of the overseas territories. As the proposal was not accepted at the time, the Turkish and several other delegations made reservations on the point. The Turkish delegation, still taking the same view, now supports the Italian proposal.

M. Massigli (France). — Before stating my opinion on General de Marinis’ proposal, I should like to make clear a point on which I feel some doubt in my own mind.

When we discussed Article A, and the question of the separate limitation of overseas forces was raised, the Italian delegation was averse to such a distinction. During the second reading, the French delegation proposed, as a compromise, the optional limitation of overseas forces. The Italian delegation did not accept this suggestion and maintained its reservation. I should like to know, first of all, whether the position is still the same, because it is surely inconsistent to object to the special limitation of overseas forces and at the same time to claim special publicity for them.

General de Marinis (Italy). — The point of the Italian reservation was that a distinction should be drawn between overseas territories situated near the mother-country—and therefore to be regarded, from the point of view of armaments, as forming part of the mother-country—and more distant territories.

In my opinion, this reservation has no connection with our present proposal. I remember that, when I made it, the French delegation itself agreed—as will be seen from the Minutes—that the Conference should take into consideration the distance of overseas territories from the mother-country, and I regarded this attitude as implying a fundamental acceptance of my view. If this reservation be admitted, countries having overseas possessions will still have territories which must be regarded as “overseas” in the true sense of the term, and it is these territories for which we should like a simple statement to be given every year showing the forces stationed there. Such a statement would come under the general category of information.

Lord Cecil (British Empire). — Does “armed forces” include naval and air forces as well as land forces? It would be of very little use giving a return of naval forces, for instance, in a naval country, because these forces move continually and to some extent that refers also to air forces. I do not mind what you put in if the Commission desires it, but I would utter one word of caution: It is no use piling up these returns till they become too burdensome. I am a little afraid that some of the limitations we agreed to the other day may overburden the Convention. I am always desirous of doing something practical in this matter rather than of being led away by the desire to produce something symmetrical.

M. Sato (Japan). — When we discussed the tables in Article A, we considered it necessary to avoid any rigid requirements in regard to the forces stationed in overseas territories; and the intention was to leave a certain latitude as regards increasing or reducing, in special circumstances, the forces stationed in such territories. As we thought it highly desirable that this latitude should be allowed, we urged that there should not be too much rigidity in the limitation of these overseas forces.

 Accordingly, and in order to retain a certain latitude as regards publicity also, I should like the word “optional” to appear in brackets. Those Powers able to publish the strength of the forces stationed overseas would do so, while others would be exempt, if they considered it impossible to do so.

ITALIAN AMENDMENT TO THE ITALIAN PROPOSAL.

General de Marinis (Italy). — The objection has been raised that this table can hardly refer to land forces only. In my opinion, it would be of no practical use to make it comprise air and naval forces: the situation might change soon after publication, because air forces, and indeed naval forces, situated in one territory, may rapidly be transferred to another, whereas such a transfer would be much more difficult for land forces. I should therefore be quite prepared to limit this table to land forces alone.

It has been said that certain complications might arise. I cannot see what complications could arise, but I should like to point out that a knowledge of such data, even once a year, may be of importance to the security of countries adjacent to overseas territories. It is not wholly immaterial to a country having a possession near territory belonging to another Power to know what forces are kept in that territory. The minimum we can accept is to be informed at least once a year as to the strength of the land forces in the various overseas territories.
I therefore suggest that my proposal should be drafted as follows:

"Each of the High Contracting Parties shall prepare annually:

"(1) A table indicating the land forces stationed in each of its overseas territories;
"(2) A table indicating the land forces organised on a military basis existing in each of its overseas territories."

M. Massigli (France). — In reply to what General de Marinis has just observed, I should like to say that, when the second reading was taken, I did not approve of his views, as he appears to think. If he will refer to the Minutes, he will see that I simply mentioned distance as a factor which might be taken into consideration by the Conference; I did not say more.

As regards the actual amendment proposed, I agree with Lord Cecil that its sole result will be to make the work very complex. It is doubtless very important to know—I take my own country as an example—the number of effectives stationed in Martinique and Guadeloupe; but information of the same kind would be equally important in regard to Bordeaux and Marseilles. If we wanted to take that line, we should have to apply the system universally. We should be asked to publish information regarding all changes of garrisons. You can imagine what suspicions we should awaken, what grounds for recrimination, what complaints we should evoke. All that is, I think, extremely dangerous.

Then again, the phrase "overseas territories" is very vague. Such territories comprise colonies and groups of colonies. Is the separate limitation to apply to a particular colony or to a whole group?

The question seems to me not to be of major importance in any case, and I should therefore be glad if General de Marinis would withdraw his proposal.

General de Marinis (Italy). — I cannot see any possible comparability between the distribution of forces in overseas territories and the distribution of forces in the garrisons of the home country.

There is, it seems to me, a vast difference between knowing the distribution of forces in various towns, and in overseas territories.

I therefore maintain my proposal, and I think it is the least we can do in order to comply with the principle that the exchange of information shall be as complete as possible.

I do not think that I am asking too much. It is surely desirable to know once a year what are the land forces allocated to the various overseas territories.

VOTE ON THE ITALIAN PROPOSAL AS AMENDED.

The President. — I think the Italian delegation's proposal might be put to the vote. I would remind you that General de Marinis has himself amended it.

The new text reads as follows:

"Each of the High Contracting Parties shall prepare annually:

"(1) A table indicating the land forces stationed in each of its overseas territories;
"(2) A table indicating the land forces organised on a military basis existing in each of its overseas territories."

I put the amended proposal I have just read to the vote.

The Italian proposal was adopted by five votes for to four against, with some abstentions.

M. Massigli (France). — I ask to enter a reservation in regard to this proposal.

M. Sato (Japan). — I wish to make the same reservation.

72. Discussion on Chapter V. — Section II: Article IC.

First Reading.

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 and shall publish in its Official Journal the date of the signing of the contract and the date on which the keel of the ship is laid, as well as the following specifications: the standard displacement in metric tons and the principal dimensions—namely, the length at water-line, the extreme beam at or below water-line, mean draft at standard displacement; the date of completion of each new ship and its standard displacement in metric tons, and the principal dimensions—notably, length at water-line, extreme beam at or below water-line, mean draft at standard displacement, at time of completion.
The President. — We now come to Article IC, which was adopted at first reading.

Article IC provides that a contracting party which constructs a vessel of war for a non-contracting party must furnish information on the subject.

A few days ago, when we were dealing with naval material, we adopted an article which was similar, but rather more general, in scope. Since you have already adopted that article, you will have to decide whether Article IC should be retained. It corresponds to Article L of document C.P.D.230,¹ and therefore seems to me superfluous.

Lord Cecil (British Empire). — I think it is clearly unnecessary to put the thing in twice.

The President. — I think we are all agreed and therefore Article IC will be suppressed.

73. Discussion on Chapter V. — Section II: Article IG.

Observations and Reservations.

The delegations of the British Empire, the United States and Italy reserve their opinion concerning this article.

First Reading.

Each of the High Contracting Parties shall communicate to the Secretariat of the League of Nations the name and the tonnage of any vessel constructed in accordance with Article NH (Chapter II). With regard to existing vessels of this type, this communication shall be made within two months after ratification of the present Convention. With regard to vessels to be constructed, the communication shall be made on the date of completion.

The President. — We now come to Article IG, corresponding to Article NH, which deals with the limitation of naval material and which was adopted at first reading. Article NH does not differ from the text adopted at second reading a few days ago as Article M in document C.P.D.230,¹ except that, in Article M, 6.1 inches (155 mm.) has been substituted for 6 inches (152 mm.).

At the first reading, the Italian, British and United States delegations made reservations in regard to Article IG.

Lord Cecil (British Empire). — I ought to say that my Government is opposed to this article for reasons which I think the Commission will recognise are sound. In the first place, they think any such return would be misleading, because a large number of merchant vessels do in fact strengthen their decks in view of possible necessities for the defence of their existence, and to enter in a return those which had received payment from the Government for that purpose would mislead everybody for the reason that such a return would not indicate all the vessels that strengthened their decks. That is one reason. The other, a technical one, is this—and I think it will have some weight with the Commission. We have proceeded in this Convention on the theory that what we are dealing with are the forces available in peace for use without mobilisation; that is the principle of our Convention. It is quite plain that a vessel with strengthened decks would not be available without mobilisation, it would have no gun on board, it would have no trained personnel to man the gun, it would be entirely unavailable without mobilisation. The British Government therefore thinks that in this case it would be wrong to include this particular class of material, which can be used in war, but which cannot be used without mobilisation. They desire me to point out that, if that principle be adopted, you ought to have a return of all land transport that can be used—lorries and so on—which would be a burden quite intolerable. They think, therefore, that an exception ought not to be made for this particular kind of material.

Further, they point out that any expense to which they are put in this connection—which is, in fact, infinitesimal—will of course be returned as part of their naval expenses if the scheme adopted by the Convention be accepted, and therefore to that extent there will be a control. They feel that, on the whole, it would be improper to accept this clause and they hope the Commission will not adopt it.

The Hon. Hugh Gibson (United States of America). — Mr. President, as a practical matter I cannot see that this paragraph is of any particular importance. It would be a very different matter if the stiffening of decks were a very difficult operation or called for a great deal of time, but as a matter of fact I am informed that this can be done at any time within a week, which is even a generous allowance of time for adequate stiffening operations. I do not think it a very great advantage, from the point of view of our Treaty, to have a thing of this sort, but I should not be disposed to stand in the way of its adoption if very much desire be shown for it, provided we find we are all in a position to carry out this obligation. As Lord Cecil indicated, it sometimes happens that a shipping company will stiffen the decks of its ships

¹ Note by Secretariat. — See Annex 2.
without being required to do so by the Government, and while the Government is disposed to give returns, it may not have all the necessary information. Some doubt has arisen among our technical advisers as to whether there is any agency which we can definitely be sure will be in possession of all this information, and I cannot help thinking it would be a mistake to assume a treaty obligation that we are not sure we are able to carry out. If it be desired to maintain this article, I shall be glad to make telegraphic enquiry of my Government, and shall be ready to state the position of the American delegation on receipt of an answer.

General de Marinis (Italy). — The Italian delegation agrees with the arguments and conclusions of the representatives of the British Empire and the United States.

M. Sato (Japan). — I am in favour that this article should be retained. We have adopted a clause corresponding to the former text of Article NH, which lays down the principle that no preparations shall be made in merchant ships for the installation of warlike armaments for the purpose of converting such ships into vessels of war. We allowed, as an exception in certain circumstances, the stiffening of decks. In time of war, merchant ships must be enabled to defend themselves against attacks by submarines or other vessels of war. That is quite true; but we also know — history proves it — that merchant ships have been converted into auxiliary warships, and we know the damage they cause. We must bear that in mind.

Article IG provides for publicity in regard to merchant ships whose decks have been stiffened in time of peace. I agree that there will be difficulties in the way of such publicity. We imposed limitations in respect of warships at Washington and in London. If, on the one hand, we directly limit the material of naval forces, and if, on the other, we cannot exercise any supervision over merchant ships with stiffened decks which may be transformed into auxiliary warships, then we shall leave a way open to all kinds of possibilities. I am therefore of opinion that publicity is essential in the present case.

In the circumstances, I am very gratified to be able to accede wholly to the views of those of my colleagues who favour wide publicity in all matters.

I therefore warmly support the proposal made at first reading by the Netherlands delegation. I hope that despite the difficulties — and in my opinion they are not insurmountable — the Commission will adopt this proposal.

M. Rutgers (Netherlands). — I consider this question of auxiliary warships to be of very great importance. The part played by merchant ships transformable into warships will become more important as the tonnage of fighting ships, in the strict sense of the term, is reduced.

The number of merchant ships convertible into auxiliary warships is unlimited, and therefore publicity is of particular importance in their case. The transformation of a large number of merchant ships would constitute a serious danger, particularly for Powers with small navies. Indeed, at the second Peace Conference these merchant ships were christened "chameleon-ships". Lord Cecil has said that the principle of the Convention was to deal only with armaments utilisable immediately upon mobilisation. I was not aware of any such principle. I remember how, side by side with Lord Cecil, I pleaded for the limitation of trained reserves. The majority was against us, but that does not mean that the principle was formally rejected. It is the same here: only in the last few days the principle of an article providing for publicity for arms, ammunition and war material in service and in reserve has, I believe, been discussed and adopted. The question will be discussed still further, but I do not think that article can be set aside on the ground that the principle invoked by Lord Cecil would be violated.

If I am informed aright, the stiffening of a deck so as to enable it to carry, for example, ten 15 cm. guns, would, contrary to what Mr. Gibson has said, be more likely to take a month than a week. Indeed, at Washington it was agreed to prohibit in time of peace preparations for the transformation of merchant ships into auxiliary war vessels. If an exception were allowed, it would presumably mean that the question was considered to be of very definite importance. An exception was allowed — namely, the stiffening of decks to enable merchant ships to carry guns of a calibre not exceeding 15 cm. If that exception were of no importance, if it were so simple a matter to stiffen a deck after mobilisation, if it only required a few days, would it not be better simply to drop this exception altogether and not to allow any stiffening of decks in time of peace?

In any case, Mr. Gibson is not opposed to the article. He merely expressed certain doubts about it. The possibility of giving information arises, I think, out of Article M of document C.P.D. 230, which provides as follows:

"No preparation shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war . . ."

No exceptions to this prohibition can be allowed unless the Governments concerned are informed.

I may add in conclusion that, even before the war, some countries had voluntarily adopted this kind of publicity in regard to their auxiliary cruisers, and for that reason I hope the Commission will retain this article.
M. Massigli (France). — The French delegation was one of those which at the first reading voted for Article IG. It considered that the merchant ships in question represented an important war potential, more particularly since, in some countries, the construction and plans of ships of this kind must be submitted to the naval authorities before building is begun. That is evidence of the value of such vessels for war purposes.

I must admit, moreover, the force of what Lord Cecil has just said. Since we have been working out this Convention, we have realised that war potential is an elusive factor, and in these circumstances, and since the question does not constitute an essential element of the text we are preparing, the French delegation will abstain from voting.

**VOTE ON ARTICLE IG.**

The President. — I put to the vote Article IG, adopted at first reading.

*Article IG was adopted by seven votes for to three against, with some abstentions.*

74. **Discussion on Chapter V. — Section II: Article ID.**

**Observations and Reservations.**

The German delegation makes a reservation concerning this article, considering that publicity should be applied to all aerial war material and hence to material in reserve and stocks of material.

**First Reading.**

*Italian Draft.* 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 laid down in Article AA (Chapter II, Section III —Air Armaments).

*French Draft modified.* 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 IA of the present Chapter.

Dr. Riddell (Canada). — In view of the fact that the Commission has before it a proposal dealing with the limitation of the total horse-power of aircraft, it might be well to postpone the consideration of Article ID until the third reading when the amendment of the Canadian delegation will have been disposed of.

M. Massigli (France). — May I point out that there is a text regarding military aviation which has already been adopted at second reading? The Canadian delegation is the only one to submit an amendment modifying rules adopted at second reading, though the principle is admitted. This important discussion must, therefore, I think, take place now; we ought not to defer it to the third reading, when we shall probably be working hurriedly and will perhaps be unable to give it the attention which it deserves.

Dr. Riddell (Canada). — I do not press my proposal.

The President. — We have before us an Italian proposal and a French proposal in the first-reading text. The British delegation has submitted a proposal as follows:

" *Article ID (First Reading).*

" Should read:

" 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 as laid down in Article AA of Chapter II, Section III, Air Armaments.

" This statement shall be forwarded to the Secretary-General of the League of Nations within three months after the close of the budgetary year."

The President. — The first paragraph of the British amendment does not seem essentially different from the Italian first-reading draft. In the second paragraph, the British draft provides for the annual statement to be published within a time-limit of three months after the close of the budgetary year.

At the first reading, the German delegation made a reservation regarding Article ID because it does not relate to air material in reserve and in stock.

Lord Cecil (British Empire). — I do not think it is necessary for me to trouble the Commission on the first part of the British amendment. As far as I can see, the only difference between the Italian and French drafts and our own in the first paragraph is that they speak of " according to their distribution ". We have decided, as I understand it, not to make a distinction according
to their distribution and therefore it will be as laid down in the relevant article. That is a drafting matter and I need not trouble the Commission about it. With regard to the three months I do not know whether it is appropriate to put that in here. Sometime or another we shall have to make a statement as to when all this information is to be returned, and I should have thought it would come in better there. I do not think that there is any idea on the part of my Government to make a distinction here between this information and other information; it is put in merely for the purpose of providing a period within which the information must be given.

General de Marinis (Italy). — The Italian delegation maintains its proposal, and accepts the slight amendments proposed by Lord Cecil. It also agrees to add that the statement shall be forwarded to the Secretary-General of the League of Nations within three months after the close of the budgetary year.

Lord Cecil (British Empire). — I wish to point out that in Article I A a period of three months is referred to, and no doubt that is where the three months comes from. I had not noticed it when I spoke just now. I think this is a matter which should go to the Drafting Committee so as to arrange for the delay applicable to all these returns.

M. Massigli (France). — The French delegation also accepts the British amendment and withdraws its own first-reading text.

Count Bernstorff (Germany). — Our reservation is, of course, maintained, and I shall vote against this article.

VOTE ON ARTICLE ID modified.

The British proposal was put to the vote and adopted by seventeen votes for to one against, with some abstentions.

75. Discussion on Chapter V. — Section II: Article IE.

Observations and Reservations.

The German delegation reserves the right to give its definite opinion at the second reading.

First Reading.

In order to ensure publicity in the matter of civil aviation, each of the High Contracting Parties shall prepare an annual statement showing the total number of civil aeroplanes and dirigibles registered in the territory under jurisdiction of each of the High Contracting Parties.

The President. — The British delegation submits an amendment as follows:

PROPOSAL BY THE BRITISH DELEGATION.

"Article IE (First Reading).

"Add at end:

"... together with the expenditure by Government or local authorities.'"

Lord Cecil (British Empire). — This article refers to expenditure on aircraft. We have not yet decided whether we are going to limit expenditure, because that has been referred to the third reading. Therefore I should have thought that this should stand over until we reach the third reading, because it is rather difficult to provide for the return of the expenditure until we know whether we are going to limit it or not.

M. Rutgers (Netherlands). — I think we might now discuss everything in this article unconnected with budgetary limitation.

Lord Cecil (British Empire). — Surely it is not a good plan for us to have the discussion piecemeal, the first part of the discussion now and another part later on when we come to adopt the article. Surely, if we are not going to take a decision on this point, it is a great mistake to begin with a discussion. I venture to ask the Commission to try to observe some regularity in our discussion.

M. Rutgers (Netherlands). — My point is, that in order to avoid a piecemeal discussion, we must consider Article IE now, immediately after Article ID.

Article IE itself does not deal with a question of budgetary expenditure on armaments. It deals with publicity of expenditure on civil aviation.
The British delegation's amendment also relates to expenditure on civil aviation. It is an admitted principle that civil and military aviation must be kept absolutely separate.

There is no question here, therefore, of limitation of armaments by budgetary means.

**Count Bernstorff** (Germany). — In view of the close connection between Article IE and Articles AD and ZD, in regard to which we shall have to decide whether the draft Convention is to deal with civil aviation, I think it would be advisable to postpone the discussion of this article until we deal with the other two articles.

**M. Sato** (Japan). — I think we must now discuss Article IE, which has nothing to do with the limitation of air budgets. It relates to publicity regarding aeroplanes and dirigibles.

I do not quite agree with Count Bernstorff regarding the connection he speaks of between the three Articles IE, AD and ZD. Article IE relates to publicity, but the other two articles do not.

I therefore propose that we now discuss Article IE in the form it received as a result of the first reading. As regards the British delegation's amendment, I think Lord Cecil was right in proposing that it should be postponed until the third reading.

**The President.** — We are in fact dealing with a question of publicity, and I think we ought now to discuss Article IE without the British amendment, which may be considered later.

**Agreed.**

**M. Rutgers** (Netherlands). — It would be somewhat illogical to adopt a rule such as that proposed in Article IE. Though we have left the question of material in reserve on one side, we should be undertaking to deal with civil aviation. Even supposing that we may discuss armaments that can be used without mobilisation, can we really deal with material which cannot be classified as armaments at all?

Moreover, the separation of civil and military aviation is a principle laid down in the experts' report, and it has been adopted by the Assembly, and by this Commission also.

If we deal with civil aviation here, we are, it seems to me, calling in question the whole principle of the complete separation of civil and military aviation, which has been accepted by the League Assembly. I personally have no objection to this article, but I cannot think it will enhance the value of the Convention.

**Lord Cecil** (British Empire). — I earnestly hope that the Commission is not going back on its decision on first reading on this point, which seems to me one of the most vital points in the whole Convention. There is no doubt that the great blot which remains on our Convention is the extreme difficulty of limiting the air arm in this regard. Anyone who has studied the matter will agree with me, I am quite sure. One of the reasons why it is difficult is because undoubtedly a certain proportion of civil aeroplanes can be used, not for defensive, but for aggressive purposes in a war. The great aggressive purpose of aircraft, so far as we know it, is the power of dropping bombs on any object they desire to attack. The experts are undoubtedly unanimous that any civil aeroplane, probably without any change and certainly with a change which can be made in a few hours, can be utilised for that purpose. Therefore it is of the utmost importance that we should do something or other—I will not say limit, because we cannot limit—at any rate, to get information as to how many of these aircraft exist, so that, if there be a sudden unexpected increase in a particular country of aircraft of this particular character, the other parties to this Convention may be informed of it.

It seems to me a very vital matter, and I confess I have some difficulty in reconciling the speech that M. Rutgers has just made with the arguments adduced on both sides, but before taking a final decision we are in duty bound to stick to this article which seems to me of vital importance to any scheme of disarmament.

**M. Massigli** (France). — I have every respect for considerations of procedure and for legal distinctions; but, as Lord Cecil has said, we must sometimes face hard facts: we must bring the Commission face to face with realities.

Civil aviation has already formed the subject of keen discussion here. I will not go over the arguments adduced on both sides, but before taking a final decision we are in duty bound to stick to this article which seems to me of vital importance to any scheme of disarmament.
to ascertain the true circumstances in which the problem arises to-day; and I am convinced that, when they realise the facts, the delegations which object to any mention of civil aviation in our draft Convention will recognise that the present position is too serious for the question to be neglected.

I will not recapitulate the facts already known or the arguments adduced in the past. I will take up the discussion at the point where we left it, and I will only cite such new circumstances and new facts as are calculated to influence our decision.

As regards the theoretical side of the question there is an extremely important document which must be brought into this discussion, and which indeed has already been mentioned.

Before coming to Geneva you all received from the Secretariat a volume, drawn up by the Communications and Transit Organisation, entitled "Enquiries into the Economic Administrative and Legal Situation of International Air Navigation." This document contains a report by the well-known British expert, General Groves, on the relations between civil and military aviation. I only wish this report had been read by everybody; I only wish it were given publicity throughout the world. While showing great moderation, it states facts which are of extreme gravity, and the conclusions it reaches are very definite. The author categorically claims that, in certain respects, civil aircraft undeniably possess very great and immediate value for purposes of offence. This work has been placed in the hands of the delegations and I will not therefore make further reference to it; I merely remind you of it in passing, and I now come to concrete facts.

If we examine what has taken place in aircraft construction, both civil and military, in the last two or three years, we find that military aviation has evolved on definitely defensive lines, and has concentrated on chaser planes, whereas civil aviation is evolving in an entirely different direction.

M. Rutgers reminded us just now of a recommendation made by one of the League Assemblies, and he expressed the hope—which was also voiced in the report of the Brussels experts—that the distinction between civil and military aviation would be drawn with increasing clearness. That is all very well; but facts outweigh wishes, and at the present time we must perforce realise that technical developments are by no means taking the direction which the Geneva Assembly hoped they would take. On the contrary, there is no doubt whatever that at the present time civil aircraft, through their great transport capacity and the principles on which they are constructed, may be said to have become the ideal type of offensive military machine, the ideal bombing aeroplane. That is a fact which we must take into account and which military experts can no longer ignore; yet in the draft Convention we propose to limit—apart, of course, from whether the Canadian proposal is adopted or not—the total (global) horse-power of aircraft. By so doing, we should be preventing military aviation from developing powerful types of machine. Moreover, we shall probably also limit the number of such aircraft—in fact, we shall set very definite limits both to the power and to the value of military aircraft. Consequently, if we neglect civil aviation, too, we may find the problem completely changed in a few years. A country having a powerful fleet of civil aircraft and a highly developed aeronautical industry might, in the first place, have at its disposal a large number of bombing aeroplanes; and further, through the mass production of extremely powerful machines, it could supplement the material drawn from civil aviation with a view to immediate aggression. Those are facts which we dare not overlook.

I will not go into details here, and I certainly do not wish to appear to be advertising any particular type of machine; but I must say this, that, since we came to Geneva, an incident has occurred, and there is a machine which has been much discussed, though not as much as I should like. I have here a weekly journal published in Madrid, containing an article of such interest that, with your leave, I venture to read it to you. Our colleague M. Cobian will pardon me if, instead of reading it in his own beautiful Castilian tongue, I only give a rather poor French translation. The pilot of the machine referred to in the article made to a journalist the following statement, which, so far as I know, has not been denied. I will shortly send the text of the article to the Bureau.

"This machine, which looks like a commercial aeroplane, may rapidly be converted into a terrible engine of war. It is so arranged as to be able to carry four guns of small calibre, which can fire in full flight, and also several machine-guns. It can rapidly be armed and can fire in all directions, including the rear. For war purposes it is an extremely formidable instrument. It can carry 5,000 kilogrammes of bombs and, starting for example from Saragossa, can drop them on London, Paris, Rome, Brussels, etc., and return to its starting-point without landing."

And here the pilot might almost seem to have had our Commission in mind:

"The machine can fly at a height of 6,000 metres carrying its full load, so that it will be out of range of attack. At that height it will be free from all attack from the ground, since anti-aircraft guns have not so great a range as that."

This text speaks for itself, and I will add no comment; I think the Commission has understood. I will say this, however, that if a machine with features of such outstanding military value can be built in a country in which, under the terms of a Decree-Law of 1926, the construction of any aircraft capable of being equipped with arms of any kind such as guns, machine-guns, etc., is forbidden—a country, too, which certainly is anxious to observe its international..."
obligations—if, I say, such a machine can be built in that country, we may justifiably ask what the position might be in countries where no such prohibition exists?

These are facts which the majority of the delegations cannot ignore. I only hope that a solution will be found which will enable us to take them into account in our draft Convention.

M. Fierlinger (Czechoslovakia). — I think all the reasons in favour of this article have already been stated. M. Rutgers, with his well-known penetration, has pointed out to us that we are perhaps acting illogically in trying to embody this article in our Convention. There is certainly some little inconsistency, but I think this small and purely formal defect should not weigh against the concrete facts, which have now been laid before us.

This is not, I think, a matter of material alone; it is also directly concerned with the number of air pilots at the disposal of an army. Every commercial aircraft in service means one experienced pilot. As you know, it is extremely difficult for an army to maintain a permanent staff of pilots, because the upkeep of a pilot is a very expensive affair. On the other hand, civil aviation maintains a very large staff of experienced pilots. Then again, commercial aircraft in use can always be kept up to date as regards technical developments, whereas military aircraft in reserve are of comparatively little use because they do not possess the necessary counterpart in human material—that is to say, pilots. They cannot keep pace with technical developments like commercial aircraft.

For these reasons, commercial aviation represents an enormous and unknown force constantly at the disposal of the various States, and I think there is no occasion to stress the need of publicity. Such publicity, moreover, will be an easy matter, since in every country there are registers of commercial aircraft. Each country need only draw up a statement based on these registers of commercial aircraft and place it at the disposal of the Secretariat. This publicity would apply equally to all countries, and I therefore see no objection to the rule being applied by all and to all.

The Hon. Hugh Gibson (United States of America). — While I may be wrong in all my views on this subject at least I am consistent, inasmuch as I would prefer to delete both the articles referred to by Lord Cecil and M. Rutgers.

I have been very much impressed by the arguments put forward by those in favour of maintaining the text. I recognise their preoccupation. I recognise the very great importance of this entire subject, and the need for devising methods of dealing with it effectively, but I do find difficulties in it purely on the basis of form. It seems to me that, in a treaty for the limitation of arms and material of war, we are getting on dangerous ground when we try to provide any form of limitation, however attenuated, for civil aviation, or any form of what might be called war potential.

As to the substance of this, I do not need to assure this Commission that we are in favour of the fullest publicity. We already give it; we have annual and semi-annual reports, in a very detailed statistical form, in regard to civil aviation, but as a practical matter I cannot help feeling it would be better to deal with this whole subject outside this Convention.

My objection is purely on the difficulty of form, and solely on that ground I shall vote for the deletion of the article. If the majority finds in favour of maintaining the article, I shall readily be able to fall in with it, and furnish the desired information.

M. Rutgers (Netherlands). — The articles we have discussed relate to material in reserve, stiffened decks and budgetary expenditure. We are concerned at the present moment with things that are not military in character but are essentially civilian. At the same time I am not absolutely opposed to the article. My difficulty is that, while we provide for publicity regarding civil aviation, we are going to dispense with it in regard to military air material.

If M. Massigli would plead for publicity regarding military aviation with the same lucidity as in the speech we have just heard, I feel sure the whole Commission would be ready to follow him and adopt his view. Whatever we may say, military aviation is really more dangerous than civil aviation.

I have also to congratulate Lord Cecil on the decision that the Commission has taken.

M. Cobián (Spain). — I desire to thank M. Massigli for having adduced evidence in the Spanish language in support of his arguments. But I must remind him of one fact, the importance of which no one can fail to realise. Two years ago a Committee, of which Count Bernstorff was chairman and M. Massigli, Mr. Gibson and other delegates were members, tried to draw a distinction between civil and military aviation, and no one was then able to tell us how to do it.

Moreover, to return to the problem of publicity, I have always said—and my acts have been consistent with my words—that my country was prepared to carry out the utmost publicity in all fields. I have no course therefore but to give my vote for the proposals before us. I am quite prepared to vote for limitation of every description provided that supervision is instituted.

Count Bernstorff (Germany). — I must make a reservation in respect of this article. I fully approve the arguments set forth by Mr. Gibson and M. Rutgers. It seems to me extraordinary that such importance should be attached to civil aviation, while no attempt is made to limit or publish the returns of material in reserve for war purposes.

M. Massigli also spoke of the military value of a civil aircraft of my own country. In reply I beg to quote certain remarks made by M. Brocard, an expert of his own country, and, I think,
You spoke just now”, said M. Brocard, “of commercial aviation and our alleged intention of using our commercial aircraft for war purposes. I refute that allegation, not on grounds of sentiment, but on purely logical grounds and purely in our own interest. We have no interest in using our commercial aircraft for war purposes, particularly for bombing. We should therefore be acting with incredible stupidity if we made commercial aircraft less efficient for the express purpose of using them in time of war, when we are wholly free to build bombing aircraft, which are far superior since they are designed for that specific purpose.”

After making certain entirely mistaken observations regarding Germany’s alleged intention of using her civil aircraft at a given moment for military purposes, M. Brocard continues as follows:

“But do not forget that, in order to do so, we must reduce the speed of the aircraft, we must increase the size of its fuselage in all directions and we must lower its maximum attainable height; we must make it far more vulnerable. If I had the honour to command pilots who had to fight against commercial aircraft so transformed, it would be a splendid thing for me; we should be fighting against aircraft whose speed would be reduced by 20 or 30 per cent, whereas our superiority in speed is based in some cases on very slight margins of difference in performance. To transform our commercial aircraft would be an error from every point of view.” (Applause.)

I have often explained to this Commission why I cannot agree that a disarmament convention should deal with civil aviation. It is important for Germany as for other States to know the exact state of development of aviation in the various countries. For some years now we have published an official and detailed list of all aircraft. We should be very glad if, apart from this Convention, all States agreed to publish annually a statement containing particulars of their civil aircraft; but I cannot agree that such an agreement should form part of a purely military convention.

M. Sato (Japan). — I have been greatly impressed by the speeches I have just heard, particularly those of Lord Cecil and M. Massigli. I find however—contrary to what I thought—that the Commission does not unanimously share their opinion, and, for that reason, I should like briefly to explain why I wish this article to be retained.

There is no universally adopted rule for publicity in the matter of civil aviation. There is, it is true, a Convention for the regulation of air navigation. There is also a special commission, set up as a result of the adoption of that Convention and called the C.I.N.A. 1 Several important countries, however, are not yet parties to the Convention; and that is a fact which the Preparatory Commission must bear in mind.

Up to a point, we may compare civil aviation to the mercantile marine. Their functions are approximately the same: but, in the case of merchant ships, full and comprehensive details have to be registered—I refer to the registration at Lloyd’s and with the Bureau Veritas. This registration or matriculation is quite sufficient and is universally recognised. For civil aviation, on the other hand, I repeat, there is no universal convention. An agreement providing for universal registration and publicity is urgently necessary. If a number of important delegations prefer this question to be settled outside our Convention I see no objection, provided that the same result is reached. In order to make our task easier, however, I should, perhaps, provisionally retain this article and leave the Disarmament Conference free to treat the question separately, if it thinks fit.

As regards the comparison between civil aviation and military air material in reserve, I do not entirely share M. Rutgers’ opinion. There is no bar to the development of civil aviation, and I personally am glad that is so. On the other hand, in view of the rapid, and I might even say unforeseen, development of civil aviation, it would be impossible to have in reserve large quantities of military air material, since it would soon be rendered obsolete by fresh technical developments. No country therefore would conceivably make the mistake of stocking a large quantity of reserve material for its military aircraft. Consequently there is no true parallel between civil aviation and military air material in reserve. We therefore might very well disregard this comparison, and concern ourselves with publicity, though without placing any obstacle in the way of the development of civil aviation. For these reasons, I am in favour of retaining the article in question.

Colonel Martola (Finland). — I support those who have asked to retain the article. I think it is impossible to restrict the development of civil aviation; but we must also recognise that civil aircraft may be utilised at once, not merely for military purposes in general, but for offensive purposes. We cannot agree that a country, in determining the military aircraft it needs, should pay no regard to the civil aircraft of its neighbours. In that connection we consider publicity in matters of civil aviation both natural and necessary.

1 Note by the Secretariat. — Commission internationale de navigation aérienne (French title); International Commission for Air Navigation (English title).
General Dumitresco (Roumania). — The Roumanian delegation had the honour to submit the first proposal recognising the importance of civil aviation. We still think that nothing should be done to check the development of civil aviation; on the other hand—as indeed has been recognised by the various Sub-Committees and at the sessions of this Commission itself—the military importance of civil aviation cannot be ignored. In point of fact, the development of civil aviation, its characteristics, the facts that have been adduced, and that are well known, all show that we must constantly bear in mind the possibility of civil aircraft being transformed, in a very short time, into military aircraft. Civil aircraft may be used, not only for bombing, but also for observation, for scouting, for liaison work, for ambulance services and for other purposes.

As civil aviation is in full course of development we can readily admit its possibilities in time of war. The least we can do, therefore, is to subject it to the requirement of publicity.

AMENDMENT PROPOSED BY THE POLISH DELEGATION.

General Kasprzycki (Poland). — The previous speakers have fully stated the arguments in favour of the interdependence of military and civil aviation. A number of examples have been given, and I should like to add another. Dr. Hans Oppikofer, of Königsberg, has published an article on the legal problem of commercial aviation. In a special chapter entitled "State Supervision of Air Undertakings of the Home Country" the author observes that the importance attached by the State to air navigation is primarily political and not economic. He notes that the policy of a number of the great Powers in regard to air communications is the outcome of a desire to increase their war potential with an eye to military needs.

One way of dealing with this question would be to limit civil aviation. Some delegations have spoken in favour of such a course. As a compromise we adopted the solution contained in the first-reading text. It was, however, no more than a compromise.

I think it would be expedient to supplement Article IE by inserting, after the words "the total number of civil aeroplanes and dirigibles", the words: "and the global horse-power". I am rather late in making this proposal, but, if the President will allow me, I will submit a written text and we might decide on it at the third reading, if it is not possible now.

The President. — Although this amendment has not been circulated I do not think the Commission will object to adopting it.

Lord Cecil (British Empire). — I am afraid I could not accept that amendment. If we are to deal with horse-power, we must deal with a number of other circumstances. My information is that horse-power is a very inadequate method of measuring the strength or the aggressive power of aircraft. I hope the Polish delegation will not insist on pressing its amendment at this stage.

ADJOURNMENT OF THE DISCUSSION ON THE POLISH PROPOSAL.

General Kasprzycki (Poland). — I myself suggested that we should not discuss my proposal until we came to the third reading, as the proposal had not been distributed.

VOTE ON ARTICLE IE (FIRST-READING TEXT).

The President. — I will ask you to vote on the text adopted at first reading, it being understand that the proposals of Lord Cecil and General Kasprzycki will be discussed at the third reading.

M. Sato's suggestion that the Conference should be recommended to deal with the subject in a separate protocol will be mentioned in the report.

Article IE, as adopted at first reading, was adopted by seventeen votes, with some abstentions.

Discussion on Chapter V. — Section II: Articles DA* and DB*.

First Reading.

PREAMBLE TO ARTICLES DA* AND DB*.

Whereas it is in the general interest that the expenditure on armaments should be limited, and

Whereas the High Contracting Parties are not agreed at present on any satisfactory method of accomplishing this object, and

Whereas the High Contracting Parties consider that, as a preliminary to such limitation of expenses, full publicity should be secured so that on
PREAMBLE TO ARTICLES DA* AND DB* (cont.)

The High Contracting Parties agree to arrange for the publicity of their military, naval and air expenditure in accordance with the provisions contained in the two following articles.

Article DA*.

Each of the High Contracting Parties will communicate to the Secretary-General of the League of Nations, in a model form, a statement of the amount proposed to be expended on its land, naval and air armaments in the current financial year.

This communication shall be made not later than .... months after the entry into force of the legal provisions authorising the expenditure.

Article DB*.

Each of the High Contracting Parties will communicate to the Secretary-General of the League of Nations, in a model form, a statement showing the amount actually expended on its land, naval and air armaments during the preceding financial year.

This communication will be made not later than .... months after the close of the financial year.

PROPOSALS BY THE BRITISH DELEGATION.

"Chapter V. — Miscellaneous Provisions.

"Substitute the following article for Articles DA* and DB*:

"'Each of the High Contracting Parties shall communicate to the Secretary-General of the League of Nations, in a model form, a statement showing the actual total amount expended on land, sea and air forces, during the preceding financial year.

"'It shall at the same time communicate to the Secretary-General a statement showing the amount actually expended during the preceding financial year on the upkeep, purchase, and manufacture of war material as defined in Article DB of Chapter III of the present Convention.

"'This communication shall be made not later than .... months after the close of the financial year.'"

The President. — In view of what we decided in regard to Chapter III dealing with budgetary limitation, the preamble of Articles DA* and DB* may be omitted.
The British delegation proposes that these two articles should be replaced by a single article, as shown above.

Lord Cecil (British Empire). — I do not think I have very much to say about this; we have already discussed it in another form. The only point we have not decided is the question of limitation of expenditure in the air arm.

But, in any case, whether we decide on limitation or not, I do not know whether this affects the question of publicity. I hope everybody is in favour of publicity even if not in favour of limitation, and I hope, therefore, we will agree to this which only states in precise terms the necessary return that must be made if we are to have publicity as to expenditure.

M. Massigli (France). — Is it possible for us to vote on this point before the experts’ opinion on publicity in regard to material is known?

Lord Cecil (British Empire). — With regard to air forces we have adopted the principle of limitation and therefore I should have thought that we ought to adopt this in principle, but I quite agree that some note ought to be added to indicate the form in which this obligation should be carried out (whatever form M. Massigli may like). This must await the decision of the experts. I think, as we have decided on this principle once, we ought to decide on it again. Moreover, limitation is one thing, publicity another. M. Massigli and I are sincerely agreed as to the ineffectiveness of publicity; but still it is something, and this is merely for publicity. Therefore I should have thought we could go as far as this. Of course, the experts may require a change as to the exact way in which it is to be done, but that is a different matter.

M. Massigli (France). — I think Lord Cecil and I have not the same experts in mind. I did not mean the budgetary experts, but the experts who are to discuss the question of war material, and whose conclusions will substantially affect the question now under discussion.

Lord Cecil (British Empire). — I do not want to be unduly tenacious, but surely that is a question of whether we are going to make a list of particular articles. Certainly a very important question. This is only the totals; but publicity as regards totals is a very desirable thing, and therefore I hope we can accept the proposal as it stands. I do not want to overburden the Sub-Committee, who will have a very difficult task as it is.

M. Massigli (France). — As regards total (global) publicity, I agree. I may, however, revert later to the question of detailed publicity.

M. Rutgers (Netherlands). — I do not quite understand what M. Massigli has just said. It is a sufficient reason for not discussing the matter now. I should like to ask the British delegation a question.

The first-reading text contains the words: “of the amount proposed to be expended.” In place of these words the British proposal reads: “the actual total amount.”

Up to the present, it has been intended that the figures of various items should be published in accordance with a model form. Does the British delegation propose that only one figure should be published?

Lord Cecil (British Empire). — I am very sorry I cannot answer that question off-hand as I have not the French text before me at this moment. The authorized text in this case is evidently the English text, because it is an English amendment and we drafted in English and not in French. The words are: “in a model form.” No doubt the British had in contemplation the model form presented by the experts. The budgetary experts have drawn up a model form which satisfied us in London, and we drew up these articles assuming that that model form would be accepted. As a matter of fact, as M. Massigli has pointed out, in certain respects the work of the budgetary experts ought to be enlarged and we raise no objection. Therefore, if any change be desired the new model form will be adapted. At present, the model form of this amendment is the model form of the report of the budgetary experts. “... shall communicate to the Secretary-General of the League of Nations, in a model form, a statement showing the actual total amount expended on land, sea and air forces...” The object is to reach the total amount expended on land, sea and air forces, but the form in which that is given is the model form drawn up by the experts.

M. Sato (Japan). — I think it would be better to adjourn the question until to-morrow, because there appears to be some misunderstanding, and I think the point requires reflection. I will speak to-morrow.

The President. — . . . when we have the report.

M. Politis (Greece). — . . . when we have the reports of both Committees.

M. Sato (Japan). — Very well, then, I will give a brief explanation now, and we shall vote to-morrow.

The first paragraph of the British proposal speaks of a “model form.” But we have instructed the budgetary experts to draw up a model form for the limitation of expenditure, and we have not yet given them any instructions as regards publicity. Will the budgetary experts’ powers
be extended to enable them to establish a model form for publicity? That point must be made quite clear; otherwise the position of the Committee of Budgetary Experts will be somewhat confused.

I do not see any fundamental objection to the British proposal, but I think this point requires to be made clear.

The President. — When we have adopted the text we will give detailed instructions as regards the model.

Lord Cecil (British Empire). — Yes, I think it would be convenient for the experts to deal with this model form as well as with the other.

The President. — We will postpone the vote until to-morrow.

The Commission rose at 1.15 p.m.

FIFTEENTH MEETING.

_Held on Tuesday, November 25th, 1930, at 10 a.m._

President: M. Loudon (Netherlands).

77. **Discussion on Chapter V. — Miscellaneous Provisions: Section II. — Exchange of Information (continuation): Articles DA* and DB* (continuation).**

**Vote on the British Proposal.**

The President. — This morning we will continue the discussion of Articles DA* and DB* drawn up at first reading.

I stated yesterday that it would be better to do without a preamble, and I understood that the Commission agreed with me on this point. We then proceeded to examine Articles DA* and DB* and the British amendment relating to them.

At the end of yesterday's meeting there was a very interesting discussion between M. Sato and Lord Cecil. Some uncertainty still existed as to whether the budgetary experts who had been instructed to draw up a model form in respect of the limitation of expenditure, should also be asked to deal with publicity. Lord Cecil was of opinion that the experts should deal with both these questions, and M. Sato agreed with him, but no vote was taken.

I think that we might perhaps vote now, as I hope I am right in saying that the Commission agrees that the Committee of Budgetary Experts should also deal with publicity.

M. Lounatcharsky (Union of Soviet Socialist Republics). — To avoid any misunderstanding, I wish to state, on behalf of the Soviet delegation, that it will abstain from voting on all questions relating to publicity. The reasons for this attitude have been explained more than once by our first delegate, particularly in his last statement on November 20th.

The President. — I will not re-read the British proposal. Will those who are in favour of it kindly signify their assent by a show of hands?

_The British proposal was adopted by twenty-one votes._

78. **Discussion on Chapter V. — Miscellaneous Provisions: Section III. — Derogations: Article XA. — Procedure.**

**(British Draft.)**

The provisions of the present Convention shall not prevent any of the High Contracting Parties from increasing its land, naval or air armaments beyond the agreed figures:

(1) If a war in which it is a belligerent has broken out, or

**(French Draft.)**

If one of the High Contracting Parties is compelled by the unjustified aggression of another Power to resort to the measures of mobilisation referred to in Article D (Chapter I), it shall immediately inform the Secretary-General of the League of Nations and shall
(British Draft) (cont.)

(2) If it is threatened with a rebellion, or

(3) If this increase is effected with the consent 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 has come to an end, reduce its armaments to the amounts agreed upon.

**Proposition by the British Delegation.**

The British delegation submit the following draft, to replace Article XA (Derogations) of the first-reading text:

The provision of the present Convention shall not prevent any of the High Contracting Parties from increasing the peace strength of its land, naval, or air armaments beyond the agree figures:

(1) If it is faced with menace of organised rebellion or general uprising; or

(2) If this increase is effected with the consent of, and subject to any conditions laid down by, the Council of the League of Nations.

Notice to all the other High Contracting Parties shall be given forthwith by the Party so increasing its armaments, together with a statement of the reasons for such increase.

Subject to any agreement to the contrary, the High Contracting Party ipso facto shall be released for the duration of the conflict from the obligations which it incurs under the present Convention.

If the High Contracting Party is a Member of the League of Nations, it shall remain subject to the general obligations of the Covenant and to the decisions of the Council. The Secretary-General of the League of Nations shall be responsible for summoning the Council as quickly as possible.

**Proposition by the Yugoslav Delegation.**

The delegation of the Kingdom of Yugoslavia submits the following draft in lieu of the text adopted at first reading for Article XA (Derogations)

The provisions of the present Convention shall not prevent any of the High Contracting Parties from increasing temporarily its land, naval or air armaments beyond the agreed figures:

(1) If it is threatened with imminent aggression or if a wrongful act of aggression has been committed against it;

(2) If it is faced with the threat of an organised rebellion or general rising; or

(3) If the increase is effected with the consent of the Council of the League of Nations and subject to all conditions specified by the Council.

This possibility of increasing land, naval or air effectiveness, in exceptional circumstances, does not imply

**Proposition by the American Delegation.**

If, during the life of the present Convention, a change of circumstances constitutes in the opinion of any High Contracting Party, a menace to its national security, such High Contracting Party may modify temporarily, in so far as concerns itself, any article or articles of the present Convention, other than those expressly designed to apply in the event of war, provided:

(a) That such High Contracting Party shall immediately notify the other High Contracting Parties of such temporary modification, and of the extent thereof;

(b) That simultaneously with the notification referred to in point (a), the High Contracting Party shall make to the other High Contracting Parties full explanation of the change of circumstances referred to above.

Thereupon the other High Contracting Parties shall communicate to the other High Contracting Parties, and at the same time, to the Permanent Commission, through the Secretary-General of
increasing its armaments in pursuance of the first paragraph of this article shall, when the occasion for the increase has ceased, reduce its armaments to the amounts agreed upon.

any modification in the obligation of the United States Members of the League of Nations to comply with the provisions of the Covenant in case of conflict. A party increasing its armaments in conformity with the present article shall be bound to notify all the other contracting parties immediately, stating the reasons for the temporary increase. When these reasons no longer exist and the said contracting party has reduced its armaments to the agreed figures, it shall notify the other contracting parties of the fact.

The resulting text is perfectly clear and logical, and the Sub-Committee hopes that the Commission will adopt it. If further explanations appear to be necessary during the discussion I shall be happy to give them.

Withdrawal of the Yugoslav Proposal.

Dr. Markovitch (Yugoslavia). — The Yugoslav delegation withdraws its amendment to Article XA and will accept the American proposal, which it considers quite satisfactory.

Postponement of Discussion on Article XA.

Lord Cecil (British Empire). — I rise on a question of procedure. I am doubtful whether it is desirable for us to discuss this until we have the whole scheme of the Sub-Committee before us.
M. Politis has very rightly pointed out that when we began to discuss the question of the Permanent Disarmament Commission we found ourselves inevitably drawn into a discussion of the question of derogations, because the two things hang together so very much. I rather doubt whether it is wise for us to begin a discussion on derogations until we know exactly what the Commission is going to do with regard to the Permanent Disarmament Commission. I should have thought it would be better procedure to adjourn the discussion on derogations until we are able to see the whole proposals that come from the Sub-Committee, and to judge them as a whole. If my colleagues on the Sub-Committee do not agree with me, I am quite ready to go on with the discussion, but I think, as a matter of convenience, that it would be better to take the whole thing together.

M. Politis (Greece). — On further consideration, I think that Lord Cecil is right. For the members of the Sub-Committee the position is quite clear, since they all know what has been done, but as regards our colleagues on the Commission who did not take part in the Sub-Committee’s work, doubts may arise at any moment as to the exact nature of this Permanent Commission, its powers, and the connection between its other attributions and those mentioned in the article relating to derogations. With a view to avoiding preliminary explanations, which would not be complete or very clear to the members of the Commission until they have the Sub-Committee’s text and its accompanying report before them, it would be better to adjourn the discussion. In the end this will save time.

However, in order to avoid holding up our work, I propose a procedure which is somewhat different from our usual method. Instead of postponing our discussions until to-morrow—that is to say, until you have the texts before you—and thus wasting to-day’s meeting, I suggest that, as proposed by Lord Cecil, we should adjourn the discussion on Article XA and should take Article H, the only one in the first section which was left outstanding at the first reading. In order to finish the second reading down to and including Section II of Chapter V, we might take the third reading of all these texts, leaving until to-morrow or the day after—according to whether we complete this third reading to-day or to-morrow—the articles dealing with organisation, Article IF which relates to the Permanent Commission, Article XA on derogations, the whole of Section IV concerning the procedure with regard to complaints and revision, which will be included in the documents to be distributed to you to-morrow, and, finally, Section V, relating to ratification, entry into force and denunciation of the Convention.

Moreover, it is possible that amendments may be submitted to Section V; if there be any, they will have to be examined, but, as an exception to our general method, we could begin the third reading of the texts adopted at the second reading down to and including Section II, after which we could complete the second reading of the other texts, and immediately afterwards, if necessary, the third reading; we could thus save time and complete our work more quickly.

The President. — The procedure suggested by M. Politis is what I had intended to propose. I think with him that we can proceed at once to Article H.

PROPOSAL BY THE BELGIAN DELEGATION TO INSERT A NEW ARTICLE.

M. Bourquin (Belgium). — I fully agree with Lord Cecil’s proposal, which has been supported by M. Politis and approved by the President. I think it is better to postpone the discussion of the problem of derogations as a whole. However, I would remind the Commission that the Belgian delegation has submitted a proposal touching on this question, but which is of a strictly limited character: this proposal is as follows:

PROPOSAL BY THE BELGIAN DELEGATION TO INSERT A NEW ARTICLE IN CHAPTER V, SECTION III (DEROGATIONS). ¹

"Article XB.

The High Contracting Parties shall, as an exception, be entitled to exceed the figures accepted by them under Article I as a limit for the total period of service which their annual contingent is compelled to serve, in so far as, owing to a falling-off in the number of births, such an increase may be necessary to safeguard the rights conferred upon them by Article A.

Nevertheless, they may not exceed the figure laid down in virtue of Article I as a uniform standard for the period of service."

M. Bourquin (Belgium). — We could perhaps discuss this to-day, because, although it touches on derogations, it does not prejudge the solution of the problem but deals with one special point.

Dr. Markovitch (Yugoslavia). — I support the Belgian proposal as to procedure and also the amendment proposed by the Belgian delegation.

M. Lounatcharsky (Union of Soviet Socialist Republics). — It is somewhat difficult for us to accept M. Politis’ proposal, because the Soviet delegation has not had time to draw up amendments for the third reading.

¹ Note by the Secretariat. — This proposal is discussed at the sixteenth meeting. See page 252.