would make no difficulty in according complete freedom of transfer from the class of submarines to that of light surface vessels, that is to say, destroyers and small cruisers.

On the other hand, I desire to state that we shall oppose transfers in the opposite direction, that is to say, from the class of light surface vessels to that of submarines.

M. Rutgers (Netherlands). — I do not think it was the intention of the previous speakers to induce the Commission to adopt their views, but perhaps it is desirable for me to state the views of the Netherlands delegation.

I regard the first rule as being as general as possible, because it leaves the Conference to consider all the circumstances; the second rule applies to a particular case, and gives a perfectly clear and definite solution for that case. I think that if this clear and definite rule is made subordinate to the general rule, which is somewhat obscure, we shall alter its significance.

For that reason, I desire to make every reservation in regard to the interpretations to which we have just listened.

Rear-Admiral von Schoultz (Finland). — With reference to the Swedish statement, I consider that the three rules ought to be interpreted as of equal force, and that none of them should be allowed precedence over the others.

M. Colban (Norway). — We are not trying to draw up any declaration by the Commission. The British delegate said that he was prepared to take into account the special situation of very small navies; it is obvious that my country, which has a particularly small fleet and will only ask for very low figures, will claim at the Conference the greatest freedom in the matter of transfer.

Dr. Markovitch (Yugoslavia). — My impression is that we are not now discussing Table III, but are being given an opportunity to express our views solely in regard to the British delegation's statement. In this matter I entirely agree with the Swedish delegate.

M. Cobián (Spain). — In regard to Lord Cecil's statement I should have had nothing to say, for I cannot fail to recognise that when we settled this question, which was of some importance, in the Sub-Committee, we accepted, as a compromise, a number of principles which we should certainly not have accepted otherwise. Lord Cecil displayed a most conciliatory spirit, and said that he personally saw no objection to the proposal, but that, in any case, he would have to consult his Government. He did so, and he now brings us the good news that the British Government accepts this solution, and had I intended to speak, it would have been merely to express my satisfaction.

Unfortunately, I am compelled to say a few words in view of the unexpected statement which we have just heard from my friend General de Marinis. As you are all aware, this text was adopted by the Sub-Committee without any reservation or objection on the part of any delegation. It was recognised as a compromise, and it is for that reason that I am unable to agree to any alteration now, especially as it implies that at the Conference there will be a great naval Power which will oppose the legitimate claims of numerous, though smaller, other Powers.

The Hon. Hugh Gibson (United States of America). — I had not anticipated speaking again, as there have been so many declarations of the points of view of the various delegations. There is, however, one point I should like to bring up.

I assume that it is already amply covered by the provisions of Article EA concerning the maintenance of stipulations of existing treaties, which we passed the other day; but I should merely like to say that, in accepting the three rules of Table III which are drawn up as the compromise text, I assume that the application of the inverse ratio was not intended to apply to Powers which are signatories of the Washington and London Treaties.

M. Politis (Greece). — I should like to say, on behalf of my Government, that I desire to associate myself with the statements made by the Norwegian and Swedish delegates, and wish this statement to be embodied in the report.

M. Massigli (France). — I had not intended to speak, because I also thought that we should simply have to take note of the reservation made a few days ago by Lord Cecil. However, since the naval Powers have expressed their views, I think it my duty to indicate briefly the attitude of the French delegation.

The French delegation took the initiative in proposing a system of transfers, because it considered that this system was sufficiently flexible to safeguard the interests of fleets of small tonnage. We desire that this debate should end now on an optimistic note. We feel sure that, notwithstanding these reservations, the proposed formulae will provide the Conference with a clear and definite solution for that case. I think that if this clear and definite rule is made subordinate to the general rule, which is somewhat obscure, we shall alter its significance.

For that reason, I desire to make every reservation in regard to the interpretations to which we have just listened.

General de Marinis (Italy). — I had not expected that my statement would have troubled M. Cobián so much. In any case, I should like to point out that there is no contradiction between what I said before and my present statement. The second paragraph of Table III provides that:

"Powers whose total tonnage does not exceed 100,000 tons will have full freedom of transfer as regards surface ships."
But, we are obviously not concerned at the moment with surface ships, but with submarines. We have agreed to transfers from the submarine class to that of surface vessels, but not vice versa. I should like to reassure M. Cobián, and to express the same hope as M. Massigli. I entirely agree with the French delegate, and am convinced that the Conference will find a means of satisfying everybody.

General Dumitresco (Roumania). — The Roumanian delegation is in agreement with the Swedish delegation’s statement.

Munir Bey (Turkey). — The Turkish delegation also associates itself with the Swedish statement.

M. Cobián (Spain). — I thank General de Marinis for his explanation, but I must say that what is written is written. I am also grateful to M. Massigli, and I think that, if the Conference reaches agreement, it will be after each has defended his legitimate rights on a basis of equity, justice, and the compromises we have arrived at here.

General Kasprzycki (Poland). — The British representative’s statement has given us the greatest satisfaction, and has removed any doubts as to the value of the compromise between the two conflicting points of view. I wish to state that we regard the three principles in Table III as an indivisible whole, from which no part could well be taken away without weakening the effect of the other parts. I also desire to support what was said by the Swedish delegate.

Dr. Woo Kaiseng (China). — The Chinese delegation agrees with the view stated by the Norwegian delegate. In view, however, of the special position of China and the length of her coastline, the question requires very careful examination, and we have not yet been able to form a very definite opinion. We shall wait until the Conference to define our attitude.

The President. — After the very interesting and, I think I may say, reassuring statements we have just heard, we can regard the discussion as closed.

IIO. Date of summoning the First Disarmament Conference: Proposal by Count Bernstorff.

TEXT OF THE GERMAN PROPOSAL.

"Whereas the Council of the League of Nations at its meeting on December 8th, 1926, having regard to the resolution adopted by the Assembly on September 24th, 1926, relating to the work of the Preparatory Commission for the Disarmament Conference, forwarded the said resolution to the Preparatory Commission and requested it to submit proposals with regard to the date at which it would be possible to convene the Conference, due allowance being made for the probable progress of its work;

"And whereas the report of the Third Committee to the Assembly of the League of Nations mentioned the Committee’s desire that a Conference for the reduction and limitation of armaments should be convened in 1931, and whereas, after taking note of this report, the Assembly at its meeting on September 30th, 1930, expressed the conviction that, during its session next November, the Preparatory Commission would be able to finish the drawing up of a preliminary draft Convention, and would thus enable the Council to convene, as soon as possible, the General Conference for the Reduction and Limitation of Armaments;

"The German delegate has the honour to submit the following resolution for the approval of the Preparatory Commission:

"'The Preparatory Commission for the Disarmament Conference, having completed its work, suggests that the Council of the League of Nations should, in conformity with the general desire that a general Conference for the Reduction and Limitation of Armaments be summoned at the earliest possible date, convene the said Conference for Monday, November 2nd, 1931.'"

Count Bernstorff (Germany). — I assume that all my colleagues have read my proposal, and I have therefore very little to say about it.

The Council instructed us to propose a date. The Third Committee of the Assembly expressed the desire that that date should be in 1931. These two desires taken in conjunction led me to propose November 1931 for the Conference.

I must apologise for one mistake in my proposal: I suggested November 2nd, the first Monday in the month, but that day is a festival of the Catholic Church, and I shall therefore propose Thursday, November 5th, instead.

If the Council decides in January to convene the Conference for November 5th, we shall have ten months in which to prepare for the Conference. If ten months are not enough, then probably ten years would not be enough either. I think ten months gives us ample time, and that is why I have proposed that date.

Dr. Woo Kaiseng (China). — The Chinese delegation desires to state that it is in sympathy with the German delegation’s suggestion that the General Conference for the Reduction and Limitation of Armaments should be convened at the earliest possible date.
were very carefully chosen, I doubt not, and we should propose that the Council in January which affects my Government as a Member of the League, and that resolution does not suggest fix a date, and I think we should suggest that the Council ought to do so. But I hesitate to go report and suggestions, and of considering the necessary arrangements for the proper convening we might do is to beg the Council to fix a date definitely, and not say it shall take place as soon as possible. I think that by January next, when it has had the opportunity of considering our report and suggestions, and of considering the necessary arrangements for the proper convening of the Conference, the date ought to be fixed.

I think the German delegation is right. By January, the Council ought to be in a position to fix a date, and I think we should suggest that the Council ought to do so. But I hesitate to go further than that. I think it would be rash for us to try and do what is, after all, the Council's business. Here, I fortify myself by reading the careful wording of the resolution of the Assembly, which affects my Government as a Member of the League, and that resolution does not suggest that we should fix the date, but merely "submit proposals with regard to the date". Those words were very carefully chosen, I doubt not, and we should propose that the Council in January should fix the date for the Conference. I agree with the German delegation that after January there should be no doubt as to when the Conference will take place.

M. Massigli (France). — I share Lord Cecil's doubts. I am quite aware that a question was put to us in 1926, but its wording and the circumstances in which it was propounded, clearly showed its object. The Council wished to know when we should have completed our work. In reply we are sending it a report and a draft Convention. Should we go further? Ought we to add to this report a suggestion in regard to the date for the Disarmament Conference? I do not think we ought. It is not proper to shift responsibilities, and fixing the date of the Conference is a responsibility. If the Council considers that eight, ten or fifteen months are required for the preparations for the Conference, that is a matter for it to decide, in the light of the political considerations of which it is then aware. It is not for us to take the Council's place. It is true that public opinion is awaiting the summoning of the Conference with impatience, but I do not think that a month or two will make much difference from that point of view. It is our duty to explain to the public the unfortunate effects—as shown by experience—of convening a Conference without adequate preparation. If we explain this clearly, the public will understand that we cannot take this responsibility in the Council's stead. The Council will meet in two months' time, and can then fix a date. As Lord Cecil says, we can even make a recommendation to that effect, but I do not think that we should go any further than that.

M. Beneš (Czechoslovakia). — I agree with the German delegation that the Conference ought to meet at the earliest possible moment, but, at the same time, I agree with Lord Cecil as regards the fixing of the date.

In previous discussions, both in the Assembly and in the different Committees, this question has always assumed great political importance. It was sometimes imagined that the Conference was being postponed, or that an attempt was being made to postpone it; but now we have reached a far more advanced stage. We are approaching the end of our labours—everybody knows it and can see it—and the last step we have to take is to make the final preparations. Political considerations no longer enter into it; everyone desires the Conference to meet as soon as possible. All that remains—and in my opinion it is a matter for the Council—is to decide how long the preparations will take. This question will have to be settled by the States Members of the Council, with whom in accordance with the Covenant and all our past decisions, the responsibility rests, as M. Massigli has pointed out. It is not for the Preparatory Commission, which was assigned a perfectly definite task, to take this responsibility.

Public opinion will be perfectly satisfied if we explain our views, especially as it is a matter of common knowledge that the Conference will meet at the end of next year or early in 1932. The difference in the dates is so small that, both for reasons of tact and on political grounds, we should leave the decision to the Council.

M. Politis (Greece). — I entirely agree with what M. Beneš has said, and merely wish to make a few additional remarks. Since most of the delegates who have spoken belong to countries represented on the Council, they will have an opportunity of urging the reasons for the selection of any particular date during the Council's discussions.

I think it is desirable that you should also learn the point of view of countries not represented on the Council, and they have their opportunity of stating their views here. It is essential—I cannot repeat this too often—that the Conference should be successful, because if it should fail, this would be the greatest disaster since the war; and, in fixing the date of such an important
Conference, the Council will have to take into account weighty political considerations, and will also assume an enormous responsibility. It is not for me to examine the political conditions in favour of any particular date. What I should like to say—and this is the point of view, I think, of most Governments which are not represented on the Council, and especially of small States—is that as this Conference is to be an exceptionally long one, lasting a great many months, the delegations will have to consist of many different elements—political, military and technical. Small countries have not a large choice of such personnel, and they will have to settle the difficult question of whom they will immobilise at the seat of the Conference for many months.

They will thus need time not only to reflect—for it is not solely a matter of reflection—but also to arrange their affairs. They will have to transfer diplomats from their posts, and arrange for their replacement while they are away; they will have to detach naval and military staff officers and send them as experts to the Conference, and these officers also will have to be replaced. These questions cannot be settled in a few weeks, or even a few months. Governments must be given ample time to make their preparations.

Moreover, there is another consideration of a technical nature. We have called the instrument which is the outcome of our labours a “Draft Convention”, but it is not really a draft Convention; it is only a skeleton. A draft Convention usually means a document which is complete and ready for signature; but the instrument which we have drafted is something very much less than that, and I might even go so far as to say that we have not inserted the essential element of the future Convention—namely, the figures. It will take a considerable time for each country to determine, with due regard to what has been done here, the logical and practical figures which can be proposed to the Conference with a reasonable chance of acceptance. Countries like my own, which have not very large services at their disposal, will require a very long time to go into these matters and come to the Conference adequately prepared, and it is absolutely essential to the success of the Conference that they should come adequately prepared.

For these reasons, although we are all agreed that this Conference should meet as soon as possible, I feel that we must not, now that we know that it is going to be held very shortly, display too much impatience over a matter of two or three months.

Count Bernstorff (Germany).—I wish to make a final appeal to the Commission. I have always endeavoured to understand the scruples of my colleagues, and I have tried to do so in regard to the question with which we are dealing; but I really cannot understand how they can feel any scruples about proposing a date to the Council, when the Council itself transmitted to us an Assembly resolution, asking us to make proposals with regard to the date when it will be possible to convene the Conference. For my part, I should feel considerable scruples in not proposing a date when the Council has asked us to do so. It would be discourteous on our part not to comply with the Council's request.

In the second place—and this is a question to which I have frequently referred in this Commission—I really think that we do not display sufficient sympathy with or understanding of public feeling.

I assure you that world public opinion cannot tolerate any further repetition of the expression “as soon as possible”. Those words have been repeated so often without result that they no longer have any meaning, and are no longer accepted. I earnestly advise you at the last moment not to repeat them once more.

Dr. Markovitch (Yugoslavia).—I think the German representative has every reason to be satisfied, because, in point of fact, our work is completed, and it will be possible for the Disarmament Conference to be summoned in the near future. I quite understand Count Bernstorff’s arguments and scruples, but I think that the British delegation’s proposal is more in accordance with the real desires of the German delegate than the German proposal itself. If, when we submit our report to the Council, we ask it to convene the Conference, that is beyond question within our province, and our request will carry more weight than a decision which is really outside our sphere, and which might be regarded as inspired by a desire for popular applause, rather than as the result of ripe reflection. For this reason, I earnestly beg the German delegate not to insist on a formal vote, but to accept the British proposal.

M. Morfoff (Bulgaria).—The Bulgarian delegation also desires the Conference to be held as quickly as possible: it considers that the only way to emerge from this uncertainty is to fix a definite date, and as no other date has been proposed, we shall vote in favour of November 5th.

M. Sato (Japan).—I thought it would be unnecessary for me to speak, but, since Count Bernstorff has pressed his proposal, I am constrained to define the attitude of the Japanese delegation.

In the first place, Count Bernstorff refers to the Council resolution dated December 8th, 1926, transmitting to the Preparatory Commission a resolution adopted by the Assembly of that year. But when the Assembly decided to ask the Preparatory Commission to make a proposal in regard to the date of the Conference, the circumstances were very different from what they are to-day. M. Massigli has already alluded to those circumstances. In 1926, the Preparatory Commission had only just been set up, and no one had any idea when it would be able to complete its task. Consequently, the Assembly, anxious that the Conference should be convened as soon as possible, requested the Preparatory Commission to make a proposal on the matter.
Lord Cecil (British Empire). — I am very sorry to trouble the Commission again, but I really cannot allow Count Bernstorff's observations to pass, because this is not the first time he has tried to occupy the position of being the only person who is really in favour of disarmament, a claim which I am utterly unable to square with the conduct he has pursued during the sessions of this Commission. He says we ought to have regard to public opinion. Certainly we ought to have regard to public opinion, but equally certainly we ought not to allow our decisions to be guided simply by what we think will be most popular.

We are engaged on a task of infinite importance and complexity. We have to try and bring about a Conference for the disarmament of the world, a Conference which is absolutely unique in its character. We should be utterly unworthy of the positions we hold in this Commission if we allowed ourselves to be diverted from that immensely important and responsible duty by any question as to what would, or would not, be popular. I am astounded that anyone should think that was an argument we ought to consider for a moment. Let me just remind the Commission of how we stand. It is not for us to fix the date of the Conference. That is admitted. We cannot do it. The Council of the League is the body that is going to call the Conference, and therefore the only body which can fix the date is the Council of the League. The only question is whether we shall suggest a particular date or say to the Council that we hope that, at their next meeting, they will definitely fix a date. That is the only issue. To my mind it is perfectly evident, if we take our business seriously, that the proper course is to say to the Council: "We think the time has now arrived at which you can fix a date, and we wish you to fix a date at your next meeting, but you must be the judge of what that date ought to be." That seems to me to be perfectly clear.

The German delegation suggests November 5th. Why? They have given no particular reason why it should be November 5th, or any other date. They have had no information from the Secretariat as to what would be a suitable date. They do not know what would be possible. They have made no enquiry from other Governments as to what would suit them. They have made no enquiry at all, but merely fixed that date because it will be popular. That is the only argument which has been given in favour of the suggestion.

I venture to hope we shall adhere to what is the business-like and proper course, and say to the Council: "We think the time has now arrived when it is possible to fix a date, and we hope you will fix it;" but it is for the Council after taking all the circumstances into consideration, to say what is the best date for the Conference, and it is for them therefore to fix the date. Any suggestion we make would be neither suitable nor useful.

Count Bernstorff (Germany). — I do not see any reason why this question of the date of the Conference should be treated with so much heat. I have endeavoured to avoid doing so myself. I do not think my argument in regard to public opinion is so very extraordinary, because it can be truly said that if public opinion were not demanding disarmament, the Governments would not be demanding it either. That, I think, is beyond dispute.

Moreover, as a special argument I said that the Council had asked us to propose a date. I propose, therefore, that we should suggest a date to the Council, and I think we have a right to do so.

When I suggested November, it was not without having made enquiries. Indeed, I have been very carefully into the question. It was quite clear that the Conference could not be convened before the Assembly. We are all agree on that. Nor could it be summoned immediately afterwards—that is to say, in October. That is why I proposed November, as the first possible month after the Assembly. I think that is a very simple proposal, and one which could quite well be discussed calmly.

The President. — After hearing the opinion of almost all the delegations, I would ask Count Bernstorff whether he would agree as a compromise to an alteration in the wording of his proposal. We might say:

"... suggests to the Council... that the Conference should be convened at the earliest date which the Council considers expedient."

The latest resolution adopted by the Assembly is that of September 1930. This resolution contains two recommendations. The first is that the present session of the Preparatory Commission should be its last. That desire has been fulfilled, since our task is practically completed. The second recommendation is that the Conference should be convened as soon as possible. It is true that in the Third Committee's report an approximate date was indicated for the Conference, the desire being expressed that it should be convened during 1934. As, however, our work is nearly concluded, our present task is to submit a report to the Council, and it will be for the Council to fix the date of the Conference in accordance with the resolution adopted by the last Assembly.

In saying this, I am by no means seeking reasons for postponing the date of the Conference. I can assure Count Bernstorff that my Government will instruct its representative on the Council to accept the earliest possible date, provided always that due regard be paid to the somewhat peculiar position of countries which, like my own, are remote from Europe. You must remember the time it takes for documents to reach Japan, and a long time must also be allowed for the passage of the Japanese delegates and experts. If, however, these special circumstances are taken into consideration, my Government will accept the earliest possible date, provided it be fixed by the Council.
This would reflect the views of the great majority of the Commission.

**Count Bernstorff** (Germany). — We have always said that our votes were given simply as an indication, and I do not see why we should not indicate the Commission's opinion in regard to the date. After all, this would be of great interest to the Council. Why then should we not give an opinion on this point as we have done on others? Is the Commission in favour of a definite proposal or not?

**M. Beneš** (Czechoslovakia). — I should like to reply to what Count Bernstorff has just said. I have special reasons for thinking that it is difficult to fix a precise date. In the first place, I could not conscientiously vote in favour of November 5th, because I am absolutely convinced that two or three months more will be needed for the preparations, and therefore I might be disavowed by the Council. I do not like being disavowed at any time, and I should not like to be in this case above all. Secondly, supposing we adopt November 5th and the Council next January fixes a later date, the Preparatory Commission will appear to have been in a great hurry to show public opinion that we wish to disarm quickly, while the Council, which includes the Foreign Ministers of the great Powers, who are responsible for their policy, will appear to be less eager. I hesitate to place those Ministers in such a position, and that is the real reason why I should prefer not to fix a date. I think we should state that we wish the date to be fixed by the Council, so that we may not be disavowed and may avoid giving the impression that we are in a greater hurry than the Foreign Ministers of the great Powers.

I should like to add that I entirely agree with Count Bernstorff that we should avoid the expression “as soon as possible.”

**The President.** — Count Bernstorff wishes his proposal to be put to the vote; but it is understood that even if the majority of the Commission opposes it, that will not mean that the Commission is against the date of November 5th. It will simply mean that it does not wish to take any responsibility for fixing a date, and that that responsibility rests solely with the Council.

**M. Cobian** (Spain). — According to the statements which have just been made, there appears to be a certain conflict between our desire to fix a date and the powers of the Commission. No one opposes Count Bernstorff’s motion in principle, but the Commission is nearly unanimous in feeling that it cannot fix a date. I therefore propose that we should first vote on the question whether the Commission considers that it can fix a date.

**AMENDMENT PUT FORWARD BY THE BRITISH DELEGATION.**

**Lord Cecil** (British Empire). — I venture to think it would be better to put Count Bernstorff’s motion, which has been moved quite regularly, unless somebody moves an amendment to it. I should be quite prepared to move an amendment that we ask the Council at its next meeting to fix a date for the Conference.

**The President.** — As this is an amendment to Count Bernstorff’s proposal, we must vote on the amendment first.

**Lord Cecil** (British Empire). — The exact terms of the amendment I move are as follows:

> “The Preparatory Commission for the Disarmament Conference, having completed its work, requests the Council of the League at its next meeting to fix the date for the meeting of that Conference.”

**Count Bernstorff** (Germany). — When are we going to vote on the date? If the date is not voted on, I will move an amendment to the amendment and propose November 5th.

**Lord Cecil** (British Empire). — Count Bernstorff has proposed that we should suggest to the Council that they fix the date at November 5th and as an amendment to that I suggest that we should ask the Council to fix the date. If the Commission adopts my amendment it is quite plain they will not be in favour of Count Bernstorff’s proposal. The question is whether we should ask the Council to fix a date or suggest that they should fix it at November 5th.

**Count Bernstorff** (Germany). — In every Parliament in the world it is the practice to vote first on the proposal which goes furthest, and my proposal goes furthest because it fixes the date.

**Lord Cecil** (British Empire). — I am afraid Count Bernstorff is not sufficiently informed. In the assemblies which I have had the honour to attend in my own country, the amendment which I have moved would certainly be put before the resolution, and if the amendment is rejected you then put the resolution. That is the ordinary practice in my country; I do not know what it may be in other countries.

**VOTE ON THE BRITISH AMENDMENT.**

**The President.** — I will now put Lord Cecil’s proposal to the vote.

*This amendment was adopted by seventeen votes.*
Count Bernstorff (Germany).—I do not oppose Lord Cecil’s proposal, but I should like to see agreement as to the date.

The President.—Then you abstain, I understand.

GERMAN AMENDMENT TO THE BRITISH AMENDMENT.

Count Bernstorff (Germany).—In order to make the position perfectly clear, it is necessary that I should now move an amendment to this amendment, fixing the date of November 5th.

VOTE ON THE GERMAN AMENDMENT.

The President.—Count Bernstorff therefore proposes to add the words “...this date to be November 5th, 1931”.

This amendment was rejected by nineteen votes to four.

The Commission rose at 7.30 p.m.

TWENTY-SECOND MEETING.

Held on Friday, December 5th, 1930, at 10 a.m.

President: M. Loudon (Netherlands).


The President.—You have all had the draft Convention as remodelled and corrected by the Drafting Committee. You have no doubt studied it, and will certainly agree with me that the Drafting Committee has accomplished an immense task, and that the Commission has every reason to tender its heartiest thanks to M. Westman, M. Jean Paul-Boncour and Sir Henry Malkin, who have done work that will be of the greatest value to us. Their draft is a most admirable summary of what the Commission has done.

M. Westman (Sweden), Chairman of the Drafting Committee.—Some days ago the Drafting Committee distributed a short preliminary notice with regard to the first part of its text (Personnel). The Committee then stated that its proposals, though implying a number of changes in form, did not affect the substance of the draft, but were merely designed to simplify and clarify the provisions. I am bound, however, to add that, in the course of its work, the Committee has found it necessary, on one or two points, to make proposals which affect the substance of the draft: but it is anxious to draw the Commission’s attention expressly to the few cases where this has been done. I shall have occasion to point out the articles where these changes have been made, when our draft comes up for discussion.

I am also anxious to make it clear that the Drafting Committee has confined itself to making proposals for the drafting of the text of the Convention, without taking into account the reservations that have been made. It was not for the Drafting Committee to append these reservations, and it would have been undesirable to do so until all the reservations were in the hands of the Bureau.

Lastly, I want to call attention to a change of form affecting the actual headings of the draft. The annexes to the naval clauses taken from the London Naval Treaty contained “sections” which were liable to confusion with the sections of the various chapters. To avoid such confusion, the sections of the chapters have been called “chapters”, and the chapters have been called “parts”.

The Hon. Hugh Gibson (United States of America).—I note that the general American reservation on Part III of the Treaty (Budgetary Expenditure) has been dropped from the text of the Convention and relegated to the report, together with all other reservations. You will remember that in our meeting of November 21st last, I drew particular attention to this subject and said:

“Inasmuch 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. Further, a re-statement of the American position at the Conference might come as a surprise to those delegations which did not participate

1 Note by the Secretariat.—See Annex 12.
2 Note by the Secretariat.—Document C.P.D.287; see Annex 10.
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."

No objection was raised to my specific request that the reservation be printed in the language I submitted, and I feel obliged to bring the matter up again and ask that our reservation be printed with the text of Part III of the Convention as we had understood would be done.

M. Westman (Sweden), Chairman of the Drafting Committee. — The Drafting Committee thought the reservations should not be inserted in the text, but that reference should be made to the report. As to this, it is of course for the Commission to decide.

The Hon. Hugh Gibson (United States of America). — Provided there are very clear cross-references in the draft Convention to the portions of the report which contain the reservations, I find no difficulty.

Lord Cecil (British Empire). — I have not the least wish to make any objection to anything the American delegation may think necessary from their point of view. At the same time I hope they will realise that this puts some of us into a little difficulty, because other people have reservations which they regard as of great importance. If we fill these texts with reservations, it may look as if we had done nothing at all. I was wondering whether it would be possible to have some general note at the beginning, to say that reservations are not included, and that references to the report are given to show what reservations had been made regarding particular articles. Otherwise, I am a little afraid the general result might be to give a rather discouraging impression, because it is obvious that, in a Commission of this kind, there must be differences of opinion about almost every important question. We can only do our best. Perhaps the American delegation could consider my suggestion.

The Hon. Hugh Gibson (United States of America). — I do not believe there is any real, practical difficulty. So far as I understand it, Lord Cecil's concern is that the text shall not be obscured by an accumulation of reservations in it. I should think M. Westman's suggestion that references be made in the texts to the reservations, which would be found in a separate document, might cover that fully. If that be not satisfactory, consideration might be given to the idea of printing after our text, in the same document, an entire list of reservations, so that they might be found conveniently. I would be willing to fall in with either procedure.

Lord Cecil (British Empire). — I should be quite content if M. Westman would be good enough to insert opposite each article of this Convention a reference to the part of the report which deals with that article. That would be sufficient for me.

The President. — I think we are all agreed on this point. We might now proceed to take the draft Convention, part by part.

112. Text drafted by the Drafting Committee (document C.P.D.292): Examination and Discussion.

DRAFT CONVENTION.

Article I (new).

The High Contracting Parties agree to limit and, so far as possible, to reduce their respective armaments as provided in the present Convention.

PART I. — PERSONNEL

CHAPTER A. — EFFECTIVES.

Article 2 (former Articles A and H).

The average daily effectives in the land, sea and air armed forces and formations organised on a military basis of each of the High Contracting Parties shall not exceed, in each of the categories of effectives defined in the tables annexed to this chapter, the figure laid down for such party in the corresponding column of the said tables.

1 Note by the Secretariat — See Annex 12.
**Article 3** (former Article E).

The average daily effectives are reckoned by dividing the total number of day's duty performed in each year by the number of days in such year.

The above articles were adopted.

**Article 4** (former Articles C and D).

By formations organised on a military basis shall be understood police forces of all kinds, gendarmerie, Customs officials, forest guards, which, whatever their legal purpose, are in time of peace, by reason of their staff of officers, establishment, training, armament, equipment, capable of being employed for military purposes without measures of mobilisation, as well as any organisation complying with the above condition.

By mobilisation, within the meaning of the present article, shall be understood all the measures for the purpose of providing the whole or part of the various corps, services and units with the personnel and material required to pass from a peace-time footing to a war-time footing.

**Lord Cecil** (British Empire). — This is just a mere matter of drafting. In the English text in line 2 of Article 4, after the words " Customs officials", the word " or " should be inserted. Again, in line 3, after the word " armament", the word " or " is necessary to make it read properly. I might add that personally I do not understand the meaning of the last ten words in this first paragraph.

**M. Rutgers** (Netherlands). — If I remember rightly, the word " et " appeared in the French text and the word " or " in the English text in the enumeration in the first paragraph of this article. It was decided, after some discussion, to omit these two words. That solved the difficulty, but left the text more or less unintelligible. I cannot say now which of the two words is preferable.

**M. Massigli** (France). — I can confirm what M. Rutgers has just said. The wording adopted was intended to show that this article did not mean that all the conditions must be fulfilled before the formations in question could be taken into account. It was sufficient if one or other of those conditions were fulfilled. The Conference will have to settle in each case what formations are to be taken into consideration.

**Lord Cecil** (British Empire). — I am quite content whether the word " or " is omitted or not. It is more a matter of style than of sense. But with reference to the last ten words of the first paragraph I must ask what they mean. I do not understand them. I have read the text a dozen times and cannot make out the meaning of the words " as well as any organisation " If you say " any other organisation " it has a meaning.

The President. — In the French text the word " autre " is used. The word " other " should be inserted in the English text before the word " organisation ".

**Article 4 was adopted.**

Tables annexed to Chapter A of Part I.

**Tables of the Average Daily Effectives which are not to be exceeded in the Land Armed Forces.**

<table>
<thead>
<tr>
<th>High Contracting Parties</th>
<th>Table I</th>
<th>Table II (optional)</th>
<th>Table III</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total effectives, including the effectives specified in columns a, b, and c.</td>
<td>Total effectives, including the effectives specified in columns a, b, and c.</td>
<td>Total effectives, including the effectives specified in columns a, b, and c.</td>
</tr>
<tr>
<td></td>
<td>Officers (Article H. 1)</td>
<td>Officers (Article H. 1)</td>
<td>Officers (Article H. 1)</td>
</tr>
<tr>
<td></td>
<td>a</td>
<td>b</td>
<td>c</td>
</tr>
<tr>
<td></td>
<td>Other soldiers who have completed more than x¹ months of service (Article H. 2).</td>
<td>Other soldiers who have completed more than x¹ months of service (Article H. 2).</td>
<td>Other soldiers who have completed more than x¹ months of service (Article H. 2).</td>
</tr>
<tr>
<td></td>
<td>a</td>
<td>b</td>
<td>c</td>
</tr>
<tr>
<td></td>
<td>Total effectives specified in columns a, b, and c.</td>
<td>Total effectives specified in columns a, b, and c.</td>
<td>Total effectives specified in columns a, b, and c.</td>
</tr>
<tr>
<td></td>
<td>a</td>
<td>b</td>
<td>c</td>
</tr>
<tr>
<td></td>
<td>Total Land Armed Forces.</td>
<td>Total Land Armed Forces.</td>
<td>Total Land Armed Forces.</td>
</tr>
<tr>
<td></td>
<td>a</td>
<td>b</td>
<td>c</td>
</tr>
</tbody>
</table>

¹ Note. — This figure will be determined by the duration of the period of service which is in force in the conscript army of any High Contracting Party at the time of the signature of the Convention.
### Tables of the Average Daily Effectives which are not to be exceeded in the Land Formations organised on a Military Basis.

<table>
<thead>
<tr>
<th>High Contracting Parties</th>
<th>(a)</th>
<th>(b)</th>
<th>(c)</th>
<th>(a)</th>
<th>(b)</th>
<th>(c)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total effectives, including the effectives specified in columns (b) and (c)</td>
<td>Officers or officials ranking as officers (Article H. 1)</td>
<td>Other soldiers or officials who have completed more than (x) months of service (Article H. 2)</td>
<td>Total effectives, including the effectives specified in columns (b) and (c)</td>
<td>Officers or officials ranking as officers (Article H. 1)</td>
<td>Other soldiers or officials who have completed more than (x) months of service (Article H. 2)</td>
</tr>
<tr>
<td>A. B. C. D.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Tables of the Average Daily Effectives which are not to be exceeded in the Sea Armed Forces.

<table>
<thead>
<tr>
<th>High Contracting Parties</th>
<th>Total effectives (officers, petty officers and men) (Article H. 4)</th>
<th>Total effectives (officers, petty officers and men and officials of every grade (Article H. 4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. B. C. D.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Table of the Average Daily Effectives which are not to be exceeded in the Air Armed Forces.

<table>
<thead>
<tr>
<th>High Contracting Parties</th>
<th>(a)</th>
<th>(b)</th>
<th>(a)</th>
<th>(b)</th>
<th>(a)</th>
<th>(b)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total effectives, including the effectives specified in column (b)</td>
<td>Effectives who have completed more than (x) months of service (officers, non-commissioned officers and men) (Article H. 6)</td>
<td>Total effectives, including the effectives specified in column (b)</td>
<td>Effectives who have completed more than (x) months of service (officers, non-commissioned officers and men) (Article H. 6)</td>
<td>Total effectives, including the effectives specified in column (b)</td>
<td>Effectives who have completed more than (x) months of service (officers, non-commissioned officers and men) (Article H. 6)</td>
</tr>
<tr>
<td>A. B. C. D.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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1 Note. — This figure will be determined by the duration of the longest period of service which is in force in the conscript army of any High Contracting Party at the time of the signature of the Convention.

* Note by the Drafting Committee. — When drawing up the column headings of Tables VIII to XII, annexed to Part I, and of the Model Tables VI to XII, annexed to Article 29, the Drafting Committee assumed that the Commission had decided to fix the figure \(x\) at a period of service equal to the longest period of service completed in any of the armies of the High Contracting Parties by effectives recruited by conscription. In the event of this assumption being erroneous, should the figure \(x\) be different in the case of land, sea and air forces?
General de Marinis (Italy). — I have some remarks to make on the addition which the Drafting Committee has made to the Tables of the Average Daily Effectives which are not to be exceeded in Land Formations organised on a Military Basis. The words “or officials” have been added in columns b and c.

There was never any mention of this addition in our discussions. The Drafting Committee merely states that it has thought well to make the addition, without giving any other reasons. For my part, however, I am very glad to accept these additions, which I think are altogether justified. There can be no doubt that officials who replace officers, non-commissioned officers or men should be taken into account.

I may say that I have always given much consideration to this question of civilian personnel permanently attached to formations organised on a military basis and serving with the armies. I have again and again been tempted to raise the question in the Commission, but have always refrained, in order not to add to our labours or to make difficulties. Now that the question is raised at the last moment, I am compelled to deal with it.

It is quite obvious that the civilian personnel attached to formations organised on a military basis will have to be taken into account; and, *a fortiori*, the civilian personnel attached to the armed forces themselves will have to be taken into account.

There are armies which include civilian staff permanently attached to certain services in very large numbers, even up to tens of thousands of men. This civilian personnel releases a corresponding number of officers, non-commissioned officers and men. Consequently, the addition should also be made in the Tables of the Average Daily Effectives which are not to be exceeded in the Land Armed Forces in the Home Country and Overseas: in column b the words “or officials” should be inserted after the word “Officers”, and in column c the words “or officials, employees or similar agents” should be inserted after the words “other effectives”.

If we accept this addition in the second series of tables, there is no reason why we should not accept it in the first series. It is a very important question, to which I draw the Commission's attention. Take the case of two armies of 100,000 men. The first army has 30,000 civilian employees permanently attached, who take the place of non-commissioned officers and men in the services required for the maintenance of the fighting units. This army consequently has the whole of its 100,000 men available for fighting purposes. The second army, which has no permanently-attached civilian personnel, will not have 100,000 men available for fighting purposes, since it is compelled to detach a part of them for services in the rear of the armies and the like, which, in the first army are left to the civilian personnel. I think, therefore, the addition I propose is absolutely essential.

M. Massigli (France). — I also noticed the Drafting Committee's proposal, but I understood it in a different sense from General de Marinis. To my thinking, the proposed addition to Table IV does not raise the very large question brought up by the Italian delegate.

As I understood it, the idea in the mind of the Drafting Committee in using the forms “officers or officials ranking as officers” in column b and “other soldiers or officials who have completed . . .” in column c, was the following: There are among the formations organised on a military basis enumerated in Article 4 (Customs officials, forest guards, etc.) formations which do not use the military terms. In my own country, for example, the waterway and forest officers are treated on a similar footing to soldiers, but are called “Gardes généraux” or “Inspecteurs” of waterways and forests.

I understood this Table to mean that it was desired to cover the personnel equivalent to officers, just as in Table I, when the word “officers” is used, I naturally assume that all armies will include in the table the personnel equivalent to military officers of, for example, the intendance, the medical corps, etc. Am I right in thinking this was the idea in the minds of the Drafting

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Note. — This figure will be determined by the duration of the longest period of service which is in force in the conscript army of any High Contracting Party at the time of the signature of the Convention.
Committee? I feel sure the latter never meant to cover all the civilian personnel employed in military administrative services. That idea would lead to absurdities; the tables would have to include, for example, typists!

I should like, therefore, to know exactly what is the object of the wording proposed, and whether I understand it aright.

General de Marinis (Italy). — Though I attach great importance to this question, I should never have raised it; but, once it has been brought before the Commission, it must be settled. I think that if we do not include in Table I the civilian personnel permanently attached to the army services, the reduction we are proposing to make will be entirely illusory, since the civilian personnel in question performs exactly the same services as the officers, non-commissioned officers and men discharging the same functions in other armies.

The civilian personnel in certain armies is so numerous as to exceed the total effectives of other armies. Allow me to say that not to take this civilian personnel into account would be monstrous.

If the Commission cannot see its way to accede to my request, I shall put in a formal reservation.

Lord Cecil (British Empire). — I hope we shall be rather careful about this discussion. I thought it was very well understood that we were only going to discuss questions of drafting, and I trust that we are not going to be launched into questions of substance. It seems to me that General de Marinis has a perfect right to say that these words which are inserted in Table IV are an addition, and ought not to be inserted as a matter of drafting. If he takes that view, personally I should agree with him that they ought to come out, because they have never been before the Commission at all. I think we can do that, but do not think we can alter now, in substance, Table I, otherwise we shall be launching on a precedent of discussion which may be very serious. As far as I am personally concerned, I had always understood the expressions "officers" and "soldiers" in Table I to mean all those who were doing the duty of officers and soldiers. If there be any doubt about it, the Conference will no doubt have to make it quite plain as to who is to be included and who is not to be included. But I certainly understood that anyone doing the work of an officer was an officer for the purposes of these tables.

I think personally that the best course would be, in the circumstances, to strike out all the references to these words in all the tables so that the matter may be left entirely free when we come to the Conference.

M. Westman (Sweden), Chairman of the Drafting Committee. — In several cases, one of which is the old Article H, there is reference to "armed forces" in the general sense—that is to say, as an expression embracing both armed forces proper and armed forces organised on a military basis. Moreover, provision was made in the texts for a special note relating to "officials". In interpreting those texts, the Drafting Committee was forced to recognise that there are not necessarily any "soldiers" or "officers" in the forces organised on a military basis. It was for that reason that the Committee agreed to add the words "officials" or "officials ranking as officers", as the case may be. The text the Committee proposes involves no substantial change.

The second question raised by General de Marinis is a new one, and the Commission will have to decide the point.

M. Rutgers (Netherlands). — I have no objection to the insertion of the word "officials", which I do not think makes any difference at all. The officials of formations organised on a military basis—that is to say officials capable of being employed (as Article 4 says) for military purposes without measures of mobilisation—in other words, without the necessity of providing them with arms—are armed officials. That being so, it seems to me the question is not of much importance, and is really a question of wording.

General de Marinis (Italy). — Lord Cecil has just proposed to omit the word "officials", which I do not think makes any difference at all. The officials of formations organised on a military basis—that is to say officials capable of being employed (as Article 4 says) for military purposes without measures of mobilisation—in other words, without the necessity of providing them with arms—are armed officials. That being so, it seems to me the question is not of much importance, and is really a question of wording.

The Hon. Hugh Gibson (United States of America). — Under column c of Tables I, II and III, the words "other soldiers" are used, but I think it would be more elegant to say "other effectives".

Lord Cecil (British Empire). — These tables, it will be seen, refer to Articles H.1 and H.2, but this will have to be modified in the final text so as to refer to the relevant articles.

General de Marinis (Italy). — I do not understand why the Drafting Committee has departed from the terms which had the sanction of three or four sessions of our Commission. We have always said "Maximum Land Armed Forces stationed in the Home Country", and so on. It seems to me the general heading "Tables of the Average Daily Effectives which are not to be exceeded in the Land Armed Forces" should be left as it stands, while in the case of the headings of the first two tables we should, in each case, revert to the form we have always employed, beginning "Maximum Land Armed Forces . . . . " In Table III, we should say "Maximum of the Total Land Armed Forces".
M. Westman (Sweden), Chairman of the Drafting Committee. — We chose this form to bring the headings into conformity with the actual text of Article 2; but, if General de Marinis prefers the change he has proposed, I have no objection.

The Italian proposal was adopted.

Tables I, II and III as amended, were adopted.

Tables IV and V were adopted.

Table VI.

Count Bernstorff (Germany). — This table uses the term "hommes d'equipage"; but on page 21, in connection with publicity, it is said "total effectives, including effectives specified separately in this Table". There is no question there of "hommes d'equipage". Is this expression meant to cover all naval effectives, including coast-defence effectives and men embarked on board a ship or on the point of being embarked?

May I, Mr. President, return for one moment to Article 4. I am anxious to state that I regard the interpretation given to Article 4 on May 1st, 1929, as still being the interpretation given to it by the Commission.

M. Massigli (France). — Count Bernstorff's observation is quite right. It only affects the French text. It will meet the case if the word "equipage" be omitted.

Table VI, as amended, was adopted.

Table VII.

Count Bernstorff (Germany). — Here again the word "equipage" should be omitted.

Table VII, as amended, was adopted.

Tables VIII and IX.

M. Westman (Sweden), Chairman of the Drafting Committee. — I draw the Commission's attention to the first footnote under Tables XI and XII, and wish to say that the figures of the tables should be corrected. Instead of "...of Tables VIII to XII", the text should read: "...of Tables I to V and VIII to XII..."

The question before the Drafting Committee was whether the longest period of service is to be uniform for the three arms: in other words, whether a single figure (x) should be given, or three different figures for land, sea and air forces respectively. This problem has never been settled by the Commission, but in cannot avoid reaching a decision now.

General de Marinis (Italy). — If I am not mistaken, it is for the Governments to decide whether they wish to give three figures, two figures, or only one figure.

The President. — That is so.

M. Fierlinger (Czechoslovakia). — I do not think there is any option in the matter. I think there should be only one figure.

The President. — Does the Commission agree to Table VIII as it stands?

M. Sato (Japan). — I should like to know how the Commission interprets the expression "x months". M. Fierlinger has made a suggestion. Does the Commission agree to it? This expression is too elastic, and there should be an exact interpretation of it for the Conference.

The President. — The interpretation is given in the footnote.

Lord Cecil (British Empire). — But that is no interpretation—it is a question.

That does not resolve the question put in the first part of the note. The first part says that when you say "the longest period of service completed in any of the armies", you mean the longest period of service in the land arm or the air arm as the case may be. Whichever way you decide that is to be the longest period of service.

You have to decide primarily whether in Tables VIII, IX and X you are going to put in the longest period of service in the air arm, or the longest period of service in either the land or the air arm, whichever is the longest. In order to carry out the wishes of the Commission, you must put in the longest period of service in that arm.

The point is to have some kind of record of those who are serving as professional soldiers; or airmen, or those who are serving merely in discharge of their duties under the conscription laws. I should have thought the thing did not admit of argument, but evidently I am wrong. The note was made contrary to our wishes, we did not insert that particular provision in reference to the sea at all.
M. Fierlinger (Czechoslovakia). — The division into three classes is not of much importance, and I think we might adopt a uniform figure for land, sea and air forces. The period of service in certain arms is long enough to compare with the period of service in the navies.

I have no objection to Lord Cecil’s proposal. I will only observe that it cannot be of much importance to fix a separate figure for each arm, and that it would be better, in my view, to have uniformity in the matter.

M. Westman (Sweden), Chairman of the Drafting Committee. — If there are to be three figures, we shall have to say “x” for the land forces, “y” for the naval forces, and “z” for the air forces.

Lord Cecil (British Empire). — The only difficulty is it does not apply to the naval forces.

M. Westman (Sweden), Chairman of the Drafting Committee. — Quite so, but we must settle the system now, because the question will come up again in the passage dealing with the exchange of information.

Tables VIII and IX were adopted.

Tables X, XI and XII were adopted.

CHAPTER B. — PERIOD OF SERVICE.

Article 5 (new).

The provisions of this chapter apply only to effectives recruited by conscription.

Article 5(a) (former Article I).

For each of the High Contracting Parties concerned, the maximum total periods of service to which the effectives recruited by conscription are liable in the land, sea or air armed forces or formations organised on a military basis respectively, shall not exceed the figures laid down for such party in the table annexed to this chapter.

Article 6 (former Article I).

For each man, the total period of service is the total number of days comprised in the different periods of service which he is liable under the national law to perform.

Article 7 (former Article XB).

As an exception, each of the High Contracting Parties concerned may exceed the limits which he has accepted by the table annexed to this chapter in so far as, owing to a falling-off in the number of births, such an increase may be necessary to enable the maximum total number of effectives fixed in his case by the tables annexed to Chapter A of this part.

Article 8 (former Articles I and XB).

In any case, the total period of service shall not exceed . . . months.

Table annexed to Chapter B of Part I.

<table>
<thead>
<tr>
<th>High Contracting Parties</th>
<th>Maximum total period of service to which the effectives recruited by conscription are liable in the armed forces or formations organised on a military basis</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Land</td>
</tr>
<tr>
<td>A.</td>
<td></td>
</tr>
<tr>
<td>B.</td>
<td></td>
</tr>
<tr>
<td>C.</td>
<td></td>
</tr>
<tr>
<td>D.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

M. Westman (Sweden), Chairman of the Drafting Committee. — Up to now, the text of the draft Convention has referred to “the contracting State having the conscription system”. In the new article, 5 (a), proposed by the Drafting Committee, however, this expression has been replaced by “effectives recruited by conscription”. The reason is that, side by side with conscription, some countries have effectives recruited by the voluntary system, to which limitation and publicity as for conscripted armies do not apply (Article 5(a) and table).

Our object in adding the new article (Article 5) was to settle this question once for all and prevent confusion.

The President. — For greater despatch, I will ask whether there are any observations on the chapter as a whole.

Lord Cecil (British Empire). — In Article 7—just as a mere matter of drafting—in the English text the words “to be attained” ought to be added at the end—this would make it intelligible. It dropped out in the translation.
The Commission will remember that there was a discussion in which the Belgian and French delegates and myself took part in regard to whether notice should be given to the contracting parties and to the Permanent Disarmament Commission if any action should be taken under this article. First, I suggested that the Permanent Disarmament Commission should decide on the matter. There were objections and we decided it should be done by notice as follows:

"Provided that any High Contracting Party proposing to exceed such limits shall immediately notify the nature and extent of his proposed action to the other High Contracting Parties and to the Permanent Disarmament Commission through the Secretary-General of the League, together with reasons for it."

That is a shortened version of what is stated in the derogations clause; I thought the form simpler, but the substance is much the same.

M. Massigli (France). — I agree with the sense of Lord Cecil's proposal. If I am not mistaken, it means that when a country has decided through the legislative channels—for it rests with parliament to decide—on extending the period of service for the reasons given in the article we are considering, it will inform the other contracting parties and the Permanent Disarmament Commission.

I wonder if it would not be possible to say the same thing more simply and clearly. Could not M. Bourquin, who drafted the article, suggest a form of wording which takes account of this consideration?

Lord Cecil (British Empire). — I should have thought there was no difficulty about this, because, as M. Massigli pointed out the other day, in point of fact it could only be done by legislation, and therefore it would be necessary to send the proposed legislation to these various authorities. I think there ought to be something in the nature of a statement of the reasons, so that it would be known why they desired it. Doubtless, the legislation would give these reasons. I am content to have the drafting seen to by the Drafting Committee; the substance is all I ask the Commission to adopt.

M. Bourquin (Belgium). — I think we are in agreement as to the substance of the matter, and that it is a mere question of wording. I do not feel, therefore, that we should now discuss these points of detail, since the form will certainly not affect the substance, as to which all are agreed.

The President. — M. Massigli, Lord Cecil and M. Bourquin will agree on a form of words. The article is consequently adopted subject to the incorporation of the new wording. Article 7 was adopted subject to rewording.

Article 6.

The President. — I must now go back to Article 6, on which General Kasprzycki wishes to speak.

General Kasprzycki (Poland). — The new wording of Article 6 differs from the former wording. The new wording is as follows:

"For each man, the total period of service is the total number of days comprised in the different periods of service which he is liable under the national law to perform."

The original wording was:

"... the total period of service shall be the total number of days of active service and of days of service during the periods of instruction which he undergoes."

I think a new idea has been inadvertently introduced to which a certain importance attaches in the technical sense. The idea of active service and periods of instruction, which we discussed in the Experts Committee and which is reproduced in the successive texts of our draft, is replaced by a different conception—namely, that of the total number of days comprised in the different periods of service. That means that we are eliminating from the Convention the conception of active service, and I think that is not the view which has found expression in the Commission hitherto. I think it might be possible to revert to the former wording with a slight amendment, keeping the words: "... the total number of days of active service and of days of service during the periods of instruction ...", instead of substituting the new wording proposed. By "active service" is meant, not only the periods of training with the colours, but the period fixed by law during which the man is under special obligations and may be called up at any moment to serve with his unit for a period the total length of which must not exceed that fixed by law.

This conception is important, and I for one cannot agree to the proposed change.

M. Westman (Sweden), Chairman of the Drafting Committee. — Article 6 is one of those which were discussed at the greatest length in the Drafting Committee, and, in the course of our discussion, we learned from our military experts that the expression "active service" lent itself to different interpretation. It appears, for example, that in England "active service" means
war service, and I believe the same is true of Switzerland. Moreover, there are countries, such as Sweden, where there is no such thing as active service—in the strict sense of the term. It was to avoid this expression “active service” that the military experts have proposed, and the Drafting Committee recommends, a change in the text.

General Kasprzycki (Poland).—I am very sorry the military experts cannot agree on a definition of active service. I seem to remember that, in the course of long discussions which took place some three or four years ago, the military experts accepted this text, which has subsequently been reproduced many times in our documents.

I think M. Westman’s remark is well founded up to a point, and I feel that, if the conception of active service leads to confusion, some agreement must be reached for an accurate definition of the term. I propose therefore to get the military experts together again to arrive at a definition. I would suggest the following, without proposing that it should be adopted here and now, since it requires study by the experts:

“Duration of active service: The period during which the man is permanently at the disposal of the military authorities (whether serving with his unit or on furlough or at home), the military authorities retaining the power to call him up at any moment, without measures of mobilisation, for an indefinite period.”

This eliminates the idea of war. I am astonished that there should be any difficulty in admitting that the effective period of service in peace time can be understood otherwise. I accordingly suggest we should round off our work by a definition, and adhere to the text previously accepted.

The President.—As the question has been discussed already at such length, and as all appear to be in agreement as to the essential point, I think the simplest solution is to make mention in the report of the objections that have been raised, and it will then be possible to come to an agreement at the Conference.

General Kasprzycki (Poland).—If the Commission so decides, I have no objection.

Article 6 was adopted.

Articles 5, 5(a) and 8 and the Table annexed to Chapter B of Part I were adopted.

PART II. — MATERIAL.

CHAPTER A. — LAND ARMAMENTS.

Article 9 (former Article TA).

The annual expenditure of each High Contracting Party on the upkeep, purchase and manufacture of war material for land armaments shall be limited to the figures laid down for such Party, and in accordance with the conditions prescribed, in the annex to this article.

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 the annex to this article.

The Preparatory Commission, by sixteen votes to three and six abstentions, adopted the principle of limitation by expenditure. It also discussed the following resolution:

“The Preparatory Commission is of opinion that the principle of direct limitation should be applied to land war material.”

When this resolution was put to the vote, there were nine votes in favour, nine against and seven abstentions.

Lastly, it examined the principle of a combination of the two methods. Nine members of the Commission voted in favour of this principle; eleven voted against and five abstained.

M. Cobián (Spain).—I am uncertain whether the Drafting Committee means to retain the note which appears after this article where it stands, instead of putting it at the bottom of the page. The first paragraph of this note might be put at the bottom of the page, all the rest being left to appear in the report, where its natural place is. We should risk giving rise to confusion if we stated the conditions in which this vote took place, whereas it is normal to do so in the report.

The Hon. Hugh Gibson (United States of America).—I am sorry not to be able to agree with my friend M. Cobián, but the text of the note as it now stands was the result of more than an hour of very patient discussion in the Commission. It was the result of mutual concessions, and presents a picture which we consider it is important to have in the text.

I have no objection to its going at the bottom of the page, but I should be obliged to offer definite objections to suppressing any part of it. I think we should be making a great mistake to relegate all our reservations to a separate document, and though I have been willing to fall in with the general view, I think it would give an entirely inaccurate and misleading impression as to the value of our text.

M. Cobián (Spain).—If this note mentioned Mr. Gibson’s reservation, I should have had nothing to say; but it does not do so. I think, therefore, we should append the reservation of the United States delegation or give a reference to the report. This note states that there were so
many votes on one side, so many on the other, and some abstentions, but does not mention the United States delegation. I have no personal interest in the matter; but I should like to see the position more clearly stated. I suggest we should give a reference to the report for the United States reservation. In the report, the conditions under which the vote took place would be stated. But we must avoid establishing a precedent in the case of this article which might be inconvenient in the case of other articles.

The Hon. Hugh Gibson (United States of America).—M. Cobián has made an appeal to me, and I find myself in the peculiar position of being more conciliatory than he asks me to be. He asks me to be content with a reference to our reservation. I did not make a reservation, and have merely tried to prevent the necessity for a reservation by asking that the text should be put in the form of a note. Therefore, I am offering more than he asks me to give.

Lord Cecil (British Empire).—I hope M. Cobián will not insist on his proposal. After all, the purpose of this drafting is merely to reproduce the decisions of the Commission. Rightly or wrongly, we arrived very definitely at the decision that this note should appear in the Convention, and I hope we shall adhere to that. I think it would be better to put it at the bottom of the page, but otherwise I think we cannot do better than be very strict in our determination not to re-open any of the questions we have discussed, at least in substance.

The President.—Very well then, the note can stand at the foot of the page. Agreed. Article 9 was adopted.

CHAPTER B.—NAVAL ARMAMENTS.

(Note.—Such figures and dates as appear in this Chapter are only given as an indication; most of them correspond to the figures and dates laid down in the Treaties of Washington and London.)

Article 10 (former Article A).

Throughout the duration of the present Convention, the global tonnage of the vessels of war of each of the High Contracting Parties, other than the vessels exempt from limitation under Annex I to this Chapter and the special vessels enumerated in Annex II, shall not exceed the figure laid down for such Party in Table I annexed to this Chapter.

Article 11 (former Article B).

Table II annexed to this Chapter shows, by tonnage per category, the way in which each High Contracting Party intends to distribute during the period of application of the present Convention the global tonnage which is limited in the case of such Party to the figure laid down in Table I.

Article 12 (former Article C).

Within the limits of the global tonnage fixed for such Party in Table I, and failing any stricter conditions resulting from special conventions to which it is or may become a party, each of the High Contracting Parties may modify the distribution shown for it in Table II, subject to the following conditions:

(i) The tonnages by category shown for each High Contracting Party in Table II shall in no case be the object of increase beyond the figures shown for it in Table III annexed to this Chapter.

(ii) Before the laying-down of the ship or ships for the construction of which the transferred tonnage has been assigned, due notice must be given to all the other High Contracting Parties of the amount of tonnage transferred, the length of such notice being that laid down for each of the High Contracting Parties in Table III.

Article 13 (former Article D).

No capital ship shall exceed 35,000 tons (35,560 metric tons) standard displacement or carry a gun exceeding 16 inches (406 mm.) in calibre.

Article 14 (former Article E).

No aircraft carrier shall exceed 27,000 tons (27,432 metric tons) standard displacement or carry a gun with a calibre in excess of 8 inches (203 mm.).

No aircraft carrier of 10,000 tons (10,160 metric tons) or less standard displacement shall carry a gun exceeding 6.1 inches (155 mm.) in calibre.

If the armament carried includes guns exceeding 6.1 inches (155 mm.) in calibre, the total number of guns carried, except anti-aircraft guns and guns not exceeding 5.1 inches (130 mm.), shall not exceed ten. If, alternatively, the armament contains no guns exceeding 6.1 inches (155 mm.) in calibre, the number of guns is not limited. In either case, the number of anti-aircraft guns and of guns not exceeding 5.1 inches (130 mm.) in calibre, is not limited.
Article 15 (former Article F).

No submarine shall exceed 2,000 tons (2,032 metric tons) standard displacement or carry a gun exceeding 5.1 inches (130 mm.) in calibre.

Article 16 (former Article G).

No vessel of war exceeding the limitations as to displacement or armament prescribed by the present Convention shall be acquired by, or constructed by, for or within the jurisdiction of any of the High Contracting Parties.

Article 17 (former Article H).

In regard to the replacement of the vessels of war limited by the present Convention, the High Contracting Parties will comply with the rules set out in Annex IV to this Chapter.

Article 18 (former Article J).

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, other than the necessary stiffening of decks for the mounting of guns not exceeding 6.1 inches (155 mm.) in calibre.

Article 19 (former Article K).

In the event of a High Contracting Party’s being engaged in war, such Party shall not use as a vessel of war any vessel of war which may be under construction within its jurisdiction for any other Power, or which may have been constructed within its jurisdiction for another Power and not delivered.

Article 20 (former Article L).

Each of the High Contracting Parties undertakes not to dispose, by gift, sale, or any mode of transfer, of any vessel of war in such a manner that such vessel may become a vessel of war in the navy of any foreign Power.

Article 21 (former Article M).

Any vessels of war which have to be disposed of as being surplus to the tonnage figures allowed by the present Convention shall be disposed of in accordance with the rules set out in Annex V to this Chapter.

Article 22 (former Article N).

Existing ships of various types, which, prior to April 1st, 1930, have been used as stationary training establishments or hulks, may be retained in a non-seagoing condition.

Article 23 (former Article O).

(Provisional text pending the drafting of the Annex.)

The annual expenditure of each High Contracting Party on the upkeep, purchase and manufacture of war material for naval armaments shall be limited to the figures laid down for such Party, and in accordance with the conditions prescribed, in Annex . . .

* * *

Note. — The two following articles appear in Part III of the London Naval Treaty, and are quoted as examples of supplementary restrictions which certain High Contracting Parties may be prepared to accept:

Article ...  
“Not more than 25 per cent of the allowed total tonnage in the cruiser category may be fitted with a landing-on platform or deck for aircraft.”

Article ...  
“In the destroyer category, not more than 16 per cent of the allowed total tonnage shall be employed in vessels of over 1,500 tons (1,523 metric tons) standard displacement.”

* * *

The President. — I propose to discuss only articles on which explanations have to be given or objections raised.

Article 10.

M. Westman (Sweden), Chairman of the Drafting Committee. — I would draw attention to the fact that Article 10 begins with the words: “Throughout the duration of the present Convention.”

This phrase was suggested by M. Massigli to meet certain difficulties raised by M. Cobian. From the legal point of view, it may possibly lead to some misunderstanding if the phrase be retained, because this is the only article which allows to the self-evident fact that the provisions of the present Treaty hold good for the duration of the Convention.

I draw attention to the fact without suggesting any change. In order not to endanger the compromise at which we have arrived on the subject of Article 10, it will perhaps be sufficient to give an explanation in the report, stating the reasons for the addition of the phrase.
M. Cobían (Spain). — I am opposed to the amendment which the Drafting Committee has made in a text of its own drafting!

I may at once correct M. Westman's statement that the phrase in question appears only in this article. Without going any further, I find, in Article 11, the words: “during the period of application of the present Convention”.

M. Westman has also stated that this phrase was inserted after lengthy discussion. It was adopted on the proposal of M. Massigli. But M. Westman has forgotten that M. Massigli waived his amendment, but afterwards brought it forward again, and by a very close vote (M. Westman voting on the same side as myself) we managed to agree on this form. In these circumstances, I cannot agree to the omission of this phrase.

M. Westman (Sweden), Chairman of the Drafting Committee. — I do not propose to strike out the phrase; I only suggested that one should give an explanation in the report.

Article 10 was adopted on the understanding that an explanation—as proposed by M. Westman—would appear in the report.

The Hon. Hugh Gibson (United States of America). — I wish merely to make an observation on the translation of the note at the head of the chapter. It says the figures are given as an “indication”. I think that is probably a literal translation of the French. Probably what we should have is the word “illustration”, inasmuch as “indication” implies some form of “recommendation”.

Agreed.

Article 12.

M. Westman (Sweden), Chairman of the Drafting Committee. — I would draw attention to the fact that, in the paragraph numbered (2), which is in the following terms:

“(2) Before the laying-down of the ship or ships for the construction of which the transferred tonnage has been assigned, due notice must be given to all the High Contracting Parties of the amount of tonnage transferred, the length of such notice being that laid down for each of the High Contracting Parties in Table III.”

nothing is said about notifying the Secretary-General. We have simply followed the Commission’s decision, without attempting to alter this article; but some addition in regard to this point is perhaps required.

Lord Cecil (British Empire). — That means that it must be given to the contracting parties and the Secretary-General, and the Permanent Disarmament Commission.

Agreed.

Article 12 thus amended was adopted.

Articles 13 to 22 were adopted.

Article 23 (former Article 0).

M. Westman (Sweden), Chairman of the Drafting Committee. — When this article was accepted, the matter of the former Article 28 (now Article 22), with regard to general budgetary limitation—in which it was stated that the question of the possibility of a distinct limitation of the expenditure on land, sea and air forces would be submitted to a Committee of Experts for examination—was still unsettled. But the other day the Commission would not agree to the insertion of an article on the lines of Article 23 referring to air material, and a number of delegations were against its adoption on formal grounds, arguing that, while in principle they were in favour of the article, they could hardly undertake to limit expenditure on material while at the same time referring the possibility of a separate budgetary limitation of expenditure on land, sea and air forces to the experts.

I remember very well, however, that Lord Cecil drew attention to the fact that there was no material inconsistency between the two decisions, and that it was possible after all to proceed immediately with the discussion of the question of budgetary limitation of material, while leaving it to the Committee of Experts to consider the wider problem of the possibility of limiting expenditure on material and on personnel in the various budgets separately for the different forms of armament (land, naval and air).

I would call the Commission’s attention to this question.

Lord Cecil (British Empire). — I hope the Commission will stick to its rule of procedure and not make any alteration of substance in the Convention as we have settled it. M. Westman has stated a part of what has happened; he forgot for the moment to remind the Commission that we have already passed an article dealing with land armaments in exactly this form, in spite of the fact that we propose to have a general limitation of expenditure under the latter part. As the Commission knows, I deeply regret the failure to carry out that policy with regard to the air, but I do not propose to argue that now. It would be very improper for me to do so. I propose to insert a reserve on the point in the report, and I hope that the Conference will be able—perhaps with the help and advice of the Committee of Experts—to take a more progressive view than the Commission was able to take in this matter. I hope we shall make no alteration in this case, because it is a question of substance and not of form.

The Commission decided to retain Article 23.
M. Westman (Sweden), Chairman of the Drafting Committee. — Is a note to be added to this article stating that the Committee of Experts is also going to deal with the question?

Lord Cecil (British Empire). — I do not know whether it ought to come in here. That will be a matter for consideration. I contemplated that exactly the same procedure would take place with regard to this article as with regard to the land article.

Agreed.

Tables I, II and III appended to Chapter B of Part II.¹

Annex I to Chapter B of Part II.
Annex II to Chapter B of Part II.
Annex III to Chapter B of Part II.
Annex IV to Chapter B of Part II.

No observations being made, these Tables and Annexes were adopted.

Annex V to Chapter B of Part II.¹

M. Sato (Japan). — When we come to discuss the general clauses, I shall return to the subject of previous treaties to which reference is made on page 13, section III, in the following terms:

"(b) . . . "Moreover, the High Contracting Parties who are signatories of the Washington Treaty retain the rights which they possess in this respect under the same Treaty".

This Annex was adopted, subject to M. Sato's reservation.

CHAPTER C. — AIR ARMAMENTS.

Article 24 (former Article AA).

The number and total horse-power of the aeroplanes, capable of use in war, in commission and in immediate reserve in the land, sea and air armed forces of each of the High Contracting Parties shall not exceed the figures laid down for such Party in the corresponding columns of Table I annexed to this Chapter.

The number and total horse-power of the aeroplanes, capable of use in war, in commission and in immediate reserve in the land, sea and air formations organised on a military basis of each of the High Contracting Parties shall not exceed the figures laid down for such Party in the corresponding columns of Table II annexed to this Chapter.

Article 25 (former Article AA).

The number, total horse-power and total volume of dirigibles, capable of use in war, in commission in the land, sea and air armed forces of each of the High Contracting Parties shall not exceed the figures laid down for such Party in the corresponding columns of Table III annexed to this Chapter.

The number, total horse-power and total volume of dirigibles capable of use in war, in commission in the land, sea and air formations organised on a military basis of each of the High Contracting Parties shall not exceed the figures laid down for such Party in the corresponding columns of Table IV annexed to this Chapter.

Article 26 (former Article AC).

Horse-power shall be measured according to the following rules . . . [these rules will be established by the Conference].

The volume of dirigibles shall be expressed in cubic metres.

Lord Cecil (British Empire). — The point I wish to raise is one which some may think a matter of substance; if that be so, I shall not insist. Article 26 says that "horse-power shall be measured according to the following rules . . . [these rules will be established by the Conference]". It will be a very difficult matter for any party to make a statement as to the horse-power unless they know the rules by which they are to be governed. Could we not say there should be a Commission of Experts to draw up rules for measuring horse-power before the Conference meets? We might suggest this to the Council and the Council could act on it or not as it liked.

The President. — We might either add a note at the foot of the page or make mention of the matter in the report.

Agreed.

Article 27 (former Article AE).

I. The High Contracting Parties shall refrain from prescribing the embodiment of military features in the construction of civil aviation material, so that this material may be

¹ Note by the Secretariat. — The Tables and Annexes are shown in document C.P.D. 292; see Annex 12.
constructed for purely civil purposes, more particularly with a view to providing the greatest possible measure of security and the most economic return. No preparations shall be made in civil aircraft in time of peace for the installation of warlike armaments for the purpose of converting such aircraft into military aircraft.

2. The High Contracting Parties undertake not to require civil aviation enterprises to employ personnel specially trained for military purposes. They undertake to authorise only as a provisional and temporary measure the seconding of personnel to, and the employment of military aviation material in, civil aviation undertakings. Any such personnel or military material which may thus be employed in civil aviation of whatever nature shall be included in the limitation applicable to the High Contracting Party concerned in virtue of Part I, or Articles 24 and 25, of the present Convention, as the case may be.

3. The High Contracting Parties undertake not to subsidise, directly or indirectly, air lines principally established for military purposes instead of being established for economic, administrative or social purposes.

4. The High Contracting Parties undertake to encourage as far as possible the conclusion of economic agreements between civil aviation undertakings in the different countries and to confer together to this end.

Tables annexed to Chapter C (former Article AA) of Part II.

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<th>Table I.</th>
<th>Table II. — Aeroplanes of the Land, Sea and Air Armed Forces.</th>
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Chapter C, with the tables annexed, was adopted.

PART III. — BUDGETARY EXPENDITURE.

Article 28 (former Article DA).

(Provisional text pending the drafting of the Annex.)

The total annual expenditure of each of the High Contracting Parties on his land, sea and air forces and formations organised on a military basis, shall be limited to the figure laid down for such Party, and in accordance with the conditions prescribed in Annex.....

Note. — In pronouncing on this Article, and in particularly as regards the possibility of a distinct limitation of the expenditure on land, sea and air forces, the Governments will take into account at the Conference the report
Note by the Drafting Committee. — The Preparatory Commission adopted on second reading the following text for Article DA:

"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. ...

Inasmuch as this text leaves certain questions to be settled in the Annex, which has not yet been drafted, the Drafting Committee has confined itself to reproducing provisionally the text which it proposed, in somewhat similar conditions, for Articles 9 (TÁ) and 23 (Q), and has inserted in the note accompanying the article the reference to the possibility of a distinct limitation of the expenditure of the land, sea and air forces.

M. Rutgers (Netherlands). — I imagine the attention of the Committee of Experts will be drawn to the discussions we have had on the subject of limitation of budgetary expenditure and the various possibilities of evading the obligation not to exceed the maximum expenditure figures, and to the necessity for bringing into the reckoning the expenditure which is not included in the war or navy budgets.

M. Cobian (Spain). — I should like to ask the Drafting Committee for an explanation as to which is the exact text of Article 28.

M. Westman (Sweden), Chairman of the Drafting Committee. — It is the first text, with the first note. The note will be put at the bottom of the page. The note by the Drafting Committee will be omitted.

Lord Cecil (British Empire). — As a matter of English it ought not to be “pending the drafting of the Annex”, but “subject to the drafting of the Annex”. We shall never meet again, I hope, after a few days; therefore we must settle what we are going to do, and merely say that what we do is subject to any change made by the Conference as a result of the Annex.

Article 28 was adopted.

PART IV. — EXCHANGE OF INFORMATION.

Article 29 (former Articles IA and IA (2)).

For each category of effectives defined in the model tables annexed to this Article, the exchange of information each year shall apply to the average daily number of effectives reached during the preceding year in the land, sea and air armed forces and formations organised on a military basis of each of the High Contracting Parties.

For this purpose, each of the High Contracting Parties will forward to the Secretary-General of the League of Nations, within ............. months after the end of each year, the necessary information to enable the said tables to be drawn up in the case of such Party. Each Party shall attach to this statement an explanatory note showing the elements on which the figures supplied are based, and stating, in particular, for each sort of effectives (recruits, militiamen, reservists, territorials, etc.) the number of these effectives and the number of days' service they have performed.

The said tables shall be finally drawn up and published with the explanatory note referred to above by the Secretary-General not later than .......... in each year.

M. Rutgers (Netherlands). — I should like to make a remark on this part in general, and to remind the Commission of the proposal with regard to direct publicity in respect of material. This proposal was set on one side by an amendment which is found in another part of the preliminary draft, but it was not put direct to the vote. Although I am still not sure there would not be a majority of the Commission in favour of such a proposal, I am not bringing it up again. I only wish to express the hope that the report will mention this proposal and state that it was not put directly to the vote.

The President. — That will be done.

General de Marinis (Italy). — In the last paragraph it says: “The said tables shall be finally drawn up and published with the explanatory note referred to above by the Secretary-General ....". I think it would be preferable to say: “The said tables shall be finally drawn up by the Permanent Disarmament Commission and published by the Secretary-General”.\n
M. Massigli (France). — I do not consider the point to be of much importance; but I am inclined to think that if we adopt General de Marinis' proposal, we shall be compelled to make changes in Part VI. I am not aware that we have proposed to entrust functions of this kind to the Permanent Disarmament Commission. Article 48 says: “The Permanent Disarmament Commission shall receive all the information supplied by the High Contracting Parties to the
Secretary-General of the League in pursuance of their international obligations in this regard. Provision is therefore made in this article for the Commission to receive information. If we lay down that it is to draw up the actual tables, that will mean that it will have to receive this information “in bulk”—if I may so express myself—and do the preliminary work itself. On the other hand, if we keep the present text, the Secretariat will be able to classify the information and so help the Commission.

General de Marinis (Italy).—I think the compiling of the tables is a matter rather for the Permanent Commission. I should have no objection to our confining ourselves to stating that the tables are to be published by the Secretary-General. My objection applies mainly to those countries which are not Members of the League of Nations. The point is of no importance for my own country, since it is a Member of the League.

Lord Cecil (British Empire).—I think General de Marinis is right. The words “drawn up and” are superfluous and misleading. The tables are published with the explanatory note and then it is the duty of the Permanent Disarmament Commission to make and publish a report every year; it is not the duty of the Secretary-General to draw up these tables.

M. Politis (Greece).—It should be stated who is to draw up the tables. At the same time there should be some system for classifying the information received, and I think General de Marinis’ remark is very reasonable. It seems to me that the Commission, which is to examine the information supplied from the various quarters, and to observe the execution of the Convention, should determine the system of classification—in other words, the tables.

In reply to M. Massigli, I would say that it will be sufficient to alter Article 40. Article 40 says: “The Commission shall meet for the first time . . . . to elect a provisional President and Vice-President and to draw up its Rules of Procedure.” It would be sufficient to say: “. . . to elect a provisional President and Vice-President, to draw up the tables referred to in Article 29, and to establish its Rules of Procedure.”

M. Massigli (France).—I repeat that I do not attach much importance to this point; but I do not see that M. Politis’ amendment can solve the difficulty. The first paragraph of Article 40 refers to the first meeting of the Commission. But there will be no question in this case of evolving model tables; the models are already in the draft Convention, and they will have to be filled in, and that will have to be done every year. We might put in somewhere a provision to the effect that the Commission is to draw up the tables; but, in any case, the provision should be a separate one.

Lord Cecil (British Empire).—I do think personally that the words “drawn up and” in the last line but one are unnecessary. We should have to alter the earlier part of the article also if we make any change. It provides that the contracting parties are to forward to the Secretary-General of the League of Nations certain information, which is “the necessary information to enable the said tables to be drawn up in the case of such party.” Then it says, in the last paragraph: “The said tables shall be finally drawn up and published”. I should have thought that we might leave out those words “drawn up and”, as it is quite clearly the duty of the Permanent Disarmament Commission, under Article 48, to consider all this information, to point out what ought to be done about it, to make any observations it likes upon it and to receive it all. This is merely a mechanical duty to put into a form—which no doubt will be settled, if there is any difficulty about it, by the Permanent Commission—the information received. That is all that drawing up and publishing means here. It means nothing more elaborate than that, and I should have thought we could have left that as it is and made the explanation, if necessary, in the report—but I should have thought it was quite clear.

M. Westman (Sweden), Chairman of the Drafting Committee.—The interpretation given by M. Massigli and Lord Cecil is undoubtedly the right one. I think that it is the word “finally” which has caused all the misunderstanding, and that might be omitted, leaving the text to state simply that “the said tables shall be drawn up and published . . . .”

Lord Cecil (British Empire).—I agree.

The President.—I put to the vote the proposal to omit the word “finally”.

Agreed.

Article 29 thus modified was adopted.

Model Tables annexed to Article 29 (Part IV).\footnote{Note by the Secretary. — These Tables are shown in document C.P.D. 292; see Annex 12.}

Tables I to V.

General de Marinis (Italy).—In column d of Tables I to V there has been a change in the wording which alters the meaning of the column. In the text first proposed by the Drafting Committee the wording was:

“. . . soldiers whose period of actual service with the colours has exceeded the legal period of service, but is less than x years (information to be supplied only by the High Contracting Parties having the conscription system)”.

\footnote{Note by the Secretary. — These Tables are shown in document C.P.D. 292; see Annex 12.}
The passage in brackets has been replaced by the wording: " (information to be supplied only for effectives recruited by conscription) ".

This completely changes the meaning. I will give an example.

We want the conscript armies to give us the information in column d. Take the case of a conscript army with one-year service, the maximum period of service in which (here indicated as x) is three years. We want to know what men in this army do more than one year's and less than three years' service. Now these men fall into two classes. First, there are the soldiers called up by conscription who, after serving for one year, ask to be allowed to re-enlist for one or two further years. Secondly, there is another class, which is the larger—namely, the men who enlist voluntarily and, though not called up by conscription, apply to serve for, say, two or three years. Provision should be made here to cover this class, and the old text did so. For this reason, I ask for the restoration of the text originally adopted.

M. Westman (Sweden), Chairman of the Drafting Committee. — The heading in question was adopted after hearing the views of the military experts, and the safe idea was to make the text clearer. But on reflection I think General de Marinis' observation, if I understand it aright, is altogether justified, and I suggest that we reinsert the original text and say: " (information to be supplied only by the High Contracting Parties having the conscription system) ".

This proposal was adopted.

Table II.

M. Sato (Japan). — In Table II, publicity becomes compulsory, whereas it is optional in the chapter on limitation. It also becomes compulsory for air effectives in Tables VIII to XII.

I do not remember the Commission expressing a final view on this point. There was a document put in by the Bureau 1 in which it stated that " the tables . . . are optional as regards the limitation of effectives, but compulsory as regards publicity ". But this document was never formally discussed. The discussion was so confused that the Commission left this question without passing any resolution.

It seems to me there is an inconsistency here. In the case of air material, Table I of the tables annexed to Chapter C (former Article AA) of Part II, regarding aeroplanes of land, sea and air armed forces states, in columns b, c, and d that it is optional; and the same is the case in columns b, c and d of Table I of the Model Tables annexed to Article 35 (former Article ID). There is consistency, therefore, as between limitation and publicity in the case of air material, but not in the case of air effectives.

It seems to me, therefore, that the Commission has not come to any decision on this question of publicity, which is optional in one case and compulsory in the other. I have no objection of principle in the matter. If the Commission is for compulsory publicity in regard to effectives, the limitation of which is optional, I shall bow to its decision. But I think there should be a formal decision of the Commission in the matter.

M. Westman (Sweden), Chairman of the Drafting Committee. — We had the same doubts in the Drafting Committee on this point as M. Sato. We referred to the Minutes, and found that there was a decision of the Commission on the point.

M. Sato (Japan). — M. Westman reminds me that there was a formal decision in regard to effectives. I have no difficulty, therefore, in accepting the text proposed. But was there also a formal decision in regard to air material? Limitation and publicity are, I understand, optional.

M. Westman (Sweden), Chairman of the Drafting Committee. — We found nothing in regard to air material.

General de Marinis (Italy). — In the note under tables IV and V there is a printer's error. The note says: " Ce chiffre sera déterminé par la durée de service la plus longue en vigueur dans les années de conscription . . . " It should read: " . . . dans les armées de conscription . . . "

I should like the table shown under Tables IV and V and headed " Annex to Tables II and V " to be drawn up in the same form as the other tables, with columns a, b, c, d, e.

M. Westman (Sweden), Chairman of the Drafting Committee. — This will be done.

M. Massigli (France). — It is understood that in Tables IV and V, column d, the same change will be made as desired by General de Marinis in the case of Tables I, II and III.

M. Fierlinger (Czechoslovakia). — Perhaps it would be more logical to say in column c " other effectives who have completed x months of service or more ". In the following column, we find " less than x months " and that might lead to misinterpretation and possibly to the temptation to eliminate those effectives who serve exactly x months.

1 Note by the Secretariat. — See thirteenth meeting, No. 67.
2 The English text is not affected.
The President. — The Commission is in agreement to omit the words “more than x months of service” in column c, of Table I, and to replace them by the words “at least x months of service.” The same change will be made in the other tables.

Tables I to V, thus amended, were adopted.

Table VI.

The President. — In the second line of the “Note by the Drafting Committee”, under Table VI, it says: “. . . in any of the armies . . .”. The words “or navies” should be added.

M. Westman (Sweden), Chairman of the Drafting Committee. — The note is to be omitted.

Table VI was adopted.

Tables VII, VIII and IX were adopted.

Table X.

Lord Cecil (British Empire). — According to the decision we have arrived at the note should be changed to “. . . the longest period of service which is in force in the conscript air force . . .”

Agreed.

Table X was adopted.

Tables XI and XII were adopted.

The President. — It is understood that the note at the foot of these last two tables is to be altered.

Article 30 (former Article IA (1)).

If any youths have compulsorily received, during any year, preparatory military training within the jurisdiction of any High Contracting Party, such Party shall communicate to the Secretary-General of the League of Nations, at the end of such year, the number of youths who have received such instruction.

The above information shall be published by the Secretary-General not later than . . . . . . in each year.

M. Sato (Japan). — In the first paragraph, it is said “. . . at the end of such year . . .”. It is not possible to supply information just at the end of the year, for that is when the figures are being drawn up. There should be some interval allowed.

M. Westman (Sweden), Chairman of the Drafting Committee. — Very true. Perhaps it would be possible to take the expression which we find in Article 35: “. . . within . . . months after the end of each year”?

Article 30 was adopted with the above amendment.

Article 31 (former Article IZ).

The High Contracting Parties concerned shall forward to the Secretary-General of the League of Nations at the end of each year the following information as to the provisions of their law relating to the effectives recruited by conscription in their land, sea and air forces and formations organised on a military basis respectively:

(1) The total number of days comprised in the first period of service;
(2) The total duration in days of the ensuing periods.

The above information shall be published by the Secretary-General not later than . . . . . . in each year.

M. Massigli (France). — The question is rather different in the case of this article. The facts in this case are determined by legislative enactments, and the information can be supplied within twenty-four hours. There is no need for an interval of any length. We can therefore leave the words: “At the end of each year”.

Article 31 was adopted.

Article 32 (former Articles DB* and IB).

Each of the High Contracting Parties shall, within . . . . . . months from the end of each budgetary year, communicate to the Secretary-General of the League of Nations a statement, drawn up in accordance with a standard model, showing by categories of materials the total actual expenditure in the course of the said year on the upkeep, purchase and manufacture of war materials of the land armed forces and formations organised on a military basis of such Party.
The information contained in this statement shall be published by the Secretary-General not later than . . . . . in each year.

Note. — In giving an opinion on this Article, the Governments will take into account the report requested from the Committee of Budgetary Experts regarding the number and nature of the categories to be laid down and the methods of publicity thus adopted in connection with the provisions of the annex referring limitation referred to in Article 9 of the present Convention.

Lord Cecil (British Empire). — In line 5 of the first paragraph of Article 32 I suppose we ought to put in the words "land and sea armed forces." We have made the same decision about each of them.

Agreed.

Article 32, thus modified, was adopted.

Article 33 (former Article I of document C.P.D. 260). 1

Within one month after the date of laying down and the date of completion respectively of each vessel of war, other than the vessels exempt from limitation under Annex I to Chapter B of Part II, laid down or completed by or for them or within their jurisdiction after the coming into force of the present Convention, the High Contracting Parties shall communicate to the Secretary-General of the League of Nations the information detailed below:

(a) The date of laying down the keel and the following particulars:
   Classification of the vessel and for whom built (if not for the High Contracting Party);
   Standard displacement in tons and metric tons;
   Principal dimensions—namely, length of water-line, extreme beam at or below water-line;
   Mean draught at standard displacement;
   Calibre of the largest gun.

(b) The date of completion, together with the foregoing particulars relating to the vessel at that date.

The above information shall be immediately communicated by the Secretary-General to all the High Contracting Parties and shall be published by the Secretary-General not later than . . . . in each year.

Article 33 was adopted.

Article 34 (former Article IG).

There shall be communicated to the Secretary-General of the League of Nations the name and tonnage of any vessel (except vessels completed prior to 1921 which were designed for a speed of less than 12 knots) whose decks have been stiffened as authorised in Article 18 of the present Convention.

As regards vessels whose decks have already been stiffened this communication shall be made by the High Contracting Party whose flag the vessel flies within x months from the coming into force of the present Convention for such High Contracting Party.

As regards other vessels whose decks are stiffened in future, the said communication shall be made by the High Contracting Party within whose jurisdiction the stiffening has been effected, as soon as the stiffening has been completed.

The above information shall be published by the Secretary-General not later than . . . . in each year.

M. Westman (Sweden), Chairman of the Drafting Committee. — The Drafting Committee had difficulty in finding a wording for this article, because it seemed difficult to settle which contracting party should give the information in the case, first, of vessels whose decks are already stiffened at the time of the coming into force of the Convention, and secondly of vessels whose decks are stiffened subsequent to the coming into force of the Convention. The text of the former Article IG did not specify which Power was to be under obligation to supply the information. That is another problem the Commission has still to settle.

Lord Cecil (British Empire). — It has never been decided by the Commission.

General de Marinis (Italy). — We might put in the third paragraph of this article: "by the High Contracting Party whose flag the vessel flies".

The President. — There are no brackets in the English text. The same form will be used in the third paragraph as in the second paragraph.

Agreed.

Lord Cecil (British Empire). — This was agreed to. I am a little puzzled by this article. It appears to me to have been very much changed from what it was when we passed it and to go a great deal further now. It requires information of all vessels which have been stiffened. I have not instructions about that. Of course we can give information about any vessels that have been stiffened by the Government, but if they have been stiffened by private individuals I do not know that we have any means of knowing about that. I understood it was only to

1 Note by the Secretariat. — See Annex II.
be information regarding the vessels which were stiffened by the Government. That is Article 18 of the present Convention, which permits Governments to stiffen the decks of certain vessels, if they wish, in order to carry guns. It is quite right that that information should be given, but to ask them to give information as to all vessels whose decks have been strengthened is a different matter. I do not think in my own country there exists any possible means by which one could know this. We have no right to look at vessels except to ascertain whether they are seaworthy.

The Hon. Hugh Gibson (United States of America).—I do not think there is any disagreement as to the essential purpose of this article, but I confess that, after further study, I find there still remain certain ambiguities which can undoubtedly be readily cleared up between now and the General Conference. As an example of the sort of ambiguity I refer to, it is stated:

"As regards vessels whose decks have already been stiffened, this communication shall be made by the High Contracting Party whose flag the vessel flies."

I venture to point out the difficulty of carrying out this obligation which might arise in the case of a citizen of one country purchasing, for private use, a vessel of which the decks had been stiffened, from a citizen of another country. In that case the citizen of the first country might not be in a position to furnish the information necessary to carry out the obligations under the Convention.

There are a number of other possible complications, but I do not think there are any really serious difficulties involved. Study between now and the General Conference will result in the formulation of a perfectly clear text which will achieve our purpose. I therefore suggest we can readily adopt this text, with the understanding that we will all study the formulation of a better text between now and the Conference.

Lord Cecil (British Empire).—All the same—if Mr. Gibson will allow me—I think it will be as well to make this text as good as we can. I suggest adding this wording:

"As regards vessels whose decks have already been stiffened, this communication shall be made by the High Contracting Party who has carried out, or caused to be carried out, the stiffening."

That is the only thing they can really speak to; they cannot speak to what has been done by other people, at least in my country.

For my part, I should prefer to make no change in this article; otherwise we shall be embarking on a discussion of substance. This is no longer a question of drafting. If cases are really discovered of vessels whose decks are stiffened without the Government concerned knowing anything about it, the Conference can be informed, and can alter the article accordingly.

M. Rutgers (Netherlands).—I think there is a serious objection to this modification. I do not imagine there can be many cases of private persons having vessels built with stiffened decks without the knowledge of their Governments. I think such very rare cases—if there be any such cases at all—might be left out of account.

For my part, I should prefer to make no change in this article; otherwise we shall be embarking on a discussion of substance. This is no longer a question of drafting. If cases are really discovered of vessels whose decks are stiffened without the Government concerned knowing anything about it, the Conference can be informed, and can alter the article accordingly.

M. Westman (Sweden), Chairman of the Drafting Committee.—Lord Cecil’s interpretation of the decision taken by the Commission is hardly correct. The old Article IG is in the following terms:

"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 . . . ."

It does not deal merely with vessels constructed by the Governments. The text is of general application.

It was because of the inadequacy of Article IG that the Drafting Committee thought fit to suggest the solution before you.

Lord Cecil (British Empire).—This still does not answer the question. It depends on what ships were constructed in accordance with the other article. As I read the other article, it refers only to Government action. It is not, however, of very great importance.
M. Rutgers (Netherlands). — That is not my reading of the article.

Lord Cecil (British Empire). — It seems to me we should settle this point one way or another. It is not a matter of great importance, but when you put a duty on Governments it must be only a duty which they can carry out. They have no means and no right to interfere with what private individuals do with their ships. As a matter of fact I believe that a considerable number of ships built now are built with decks sufficiently strong to carry 6-inch guns, not with any view to their being used as part of the armed forces of the country, but merely to defend themselves against submarine attack. I am told, but I do not know, that it is merely a measure of protection for the ship, and is quite a common practice. I do not know how the Governments can ascertain if that be so or not without inspecting the building of a ship. I should have thought all you can ask here is to see that the Government preparations for war are limited. That is the whole basis of our Convention. I do not think this is a very important matter, but we should proceed on some kind of principle if we discuss what private individuals are doing which may, or may not, increase the strength of a country when it goes to war. Then we should require returns about transport, and other things not used perhaps in war. I am content to say that everything the Government has done or caused to be done in this matter should be returned, but it does not seem right to go further than that.

The Hon. Hugh Gibson (United States of America). — I am in the happy position of being able to fall in with almost any possible solution; but I confess, among them all, the one that appeals to me most is the amendment offered by Lord Cecil, because it seems to me to be very simple and sound and, if we adopt it, we shall know exactly where we are. I, therefore, suggest that you put that amendment to the vote, as I should like to have the privilege of voting for it.

M. Rutgers (Netherlands). — Article 18 says:

"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 . . ."

I do not believe private individuals can do such things without the knowledge of their Governments. It is not possible to convert a merchant-ship into a vessel of war without the Government's having a hand in it. Article 18 comprises an undertaking by the Governments not to make any preparation for the installation of armaments for the purpose of converting merchant-ships into vessels of war. There will be no difficulty for the Government in fulfilling this undertaking: they can assume much more far-reaching obligations in connection with the supervision of private enterprise—for example, in the case of the International Labour Office. This obligation can be assumed by the Governments, not only in cases in which they grant subsidies, but generally and without exception.

M. Sato (Japan). — I agree with M. Rutgers in respect of his interpretation and comments; but I have a few words to add. Article 18, which M. Rutgers has just quoted, is the old Article NH, which is taken from the Washington Treaty. After the conclusion of that Treaty, there was never any question of such an interpretation as has been given by Lord Cecil. My country, as a party to the Washington Treaty, could not accept any novel interpretation of any one of the articles adopted at Washington. The only possible thing to do would be to keep the present text and submit it to the Conference, as Mr. Gibson has proposed. At the Conference each country will state its interpretation, and we shall see whether there are circumstances which preclude the supply of full information by certain countries. The Conference will consider each particular case and the solution required.

As, however, the Drafting Committee's present text has given rise to much discussion, I propose we adopt the original second-reading text.

Lord Cecil (British Empire). — Rather than prolong the debate I should be quite content to accept that, or any other decision. It is a most important matter. I think it would be better, as a matter of principle, to take the last suggestion of M. Sato, because I think that is free from the objection of allowing the Drafting Committee to legislate for us.

The President. — The former Article IG will therefore take the place of Article 34.

Agreed.

Lord Cecil (British Empire). — It should be stated in the report that certain delegates pointed out that it would be very doubtful how far they would be able to comply with such an article.

Article 35 (former Article ID).

For each of the categories of aircraft defined in the model tables annexed to this Article, the exchange of information shall apply to the maximum figures attained in each year in respect of the number and total horse-power, and for dirigibles the total volume, by the aircraft referred to in Articles 24 and 25 of the present Convention.

For this purpose, each of the High Contracting Parties will forward to the Secretary-General of the League of Nations within . . . . . . months after the end of each year the necessary information to enable the said tables to be drawn up in the case of such Party. The tables referred to in the preceding paragraph shall be finally drawn up and published by the Secretary-General not later than . . . . . . . in each year.
The President. — In the third paragraph of this article the word "finally" must be omitted.

Article 35, thus amended, was adopted.

The Commission rose at 1.20 p.m.

TWENTY-THIRD MEETING.

Held on Friday, December 5th, 1930, at 5 p.m.

President: M. LOUDON (Netherlands).

II3. Texts drafted by the Drafting Committee (document C.P.D.292 1): Examination and Discussion (continuation).

Model Tables annexed to Article 35 (former Article ID).

These Model Tables I, II, III and IV were adopted.

Article 36 (former Article IE).

In order to ensure publicity as regards civil aviation, each of the High Contracting Parties shall indicate at the end of each year (to the Secretary-General of the League of Nations) the number and total horse-power of civil aeroplanes and dirigibles registered within the jurisdiction of such Party. Each Party shall also indicate the amounts expended on civil aviation by the Government and by local authorities.

(The above information shall be published by the Secretary-General not later than . . . . . . . in each year).

M. Westman (Sweden), Chairman of the Drafting Committee. — To bring the text of this article into conformity with the decision reached this morning, it will be necessary to modify the second line to some extent and draft it as follows: "... shall indicate within x months after the end of each year . . . . . . . . ." It will also be necessary to delete the brackets round the words "to the Secretary-General of the League of Nations".

Thus amended, the article was adopted.

Article 37 (former Articles DA* and IH).

Each of the High Contracting Parties shall communicate to the Secretary-General of the League of Nations within ........... months of the end of each budgetary year a statement drawn up in accordance with the standard model (annexed to this Article) showing the total amounts actually expended in the course of the said year on the land, sea and air armaments of such Party.

The information supplied in this statement shall be published by the Secretary-General not later than ........... in each year.

Note by the Drafting Committee. — It is for the Preparatory Commission to decide whether the standard model referred to in the first paragraph of the proposed article should be the model statement in document C.P.D.90 or whether further study by experts is necessary: in that case, a note to that effect shall be inserted after this Article as has been done for Articles 9 (TA) and 32 IB.

M. Westman (Sweden), Chairman of the Drafting Committee. — I should like to draw the Commission's attention to the Drafting Committee's note at the foot of this article, which states that it is for the Preparatory Commission to decide whether the standard model referred to in the first paragraph of the article should be the model statement in document C.P.D.90, or whether further study by experts is necessary.

M. Sato (Japan). — When this article was discussed by the Commission, I proposed that the question should be referred to the Committee of Budgetary Experts, whose powers should be extended. I am under the impression that the Commission agreed.

General de Marinis (Italy). — I agree with this suggestion.

M. Westman (Sweden), Chairman of the Drafting Committee. — A note will therefore be made to this article, substantially the same as the note to Article 32.

1 Note by the the Secretariat. — See Annex 12.
Lord Cecil (British Empire). — I suppose we shall have to consider the actual wording of the reference to the experts when we have finished this.

Article 37 was adopted with this reservation.

PART V (former Chapter IV). — CHEMICAL ARMS.

Article 38.

The High Contracting Parties undertake, subject to reciprocity, to abstain from the use in war of asphyxiating, poisonous or similar gases, and of all analogous liquids, substances or processes. They undertake unreservedly to abstain from the use of all bacteriological methods of warfare.

Proposal by the Polish Delegation regarding a Convention for affording International Aid to any Country chemically or bacteriologically attacked.

General Kasprzycki (Poland). — I have no desire to re-open the discussion on this grave problem, but before our work comes to an end I wish to place before you the point of view of my delegation. Our concern, I may say, is shared by a number of other delegations.

I should like first of all to remind the Commission of the origin of Part V (Chemical Arms). We urged at the outset that a special chapter dealing with the prohibition of the use of asphyxiating, poisonous or similar gases and also of bacteriological weapons in war should be embodied in the Convention; and our object was to establish fresh guarantees in this regard and, in particular, to make an advance upon the Protocol of June 17th, 1925.

The conditions under which we have been working, however, have not enabled us for the time being to achieve this aim.

The texts which we have succeeded in drawing up in Part V (Chemical Arms) do not represent any essential change in the present situation.

Further, I recognise that the scope of the Convention, the aim of which is the limitation and reduction of armaments, does not easily lend itself to provisions of this nature. We agree, therefore, not to insist that this very important problem be dealt with in the draft Convention; but I will take this opportunity of explaining briefly to you our point of view in the matter.

Having regard to the notable development of science in the sphere of chemistry and bacteriology, and considering the enormous growth of the chemical industry in particular, the temptation to use one of the most formidable weapons in a future war would be too strong to be removed merely by a prohibitory measure. With regard to this I should like to quote to you the remarks made by the Greek delegate in his excellent speech of December 2nd last:

"If ever we have the misfortune to be involved in another war", said M. Politis, "I do not think that prohibitions imposed on belligerents by law will be respected any more than they were last time — indeed, even less than last time."

This is very true, and therefore the prohibition should be supplemented by measures increasing its practical force, which would make its violation, if not impossible, at least more difficult, and would introduce serious dangers for the aggressor.

I would take this opportunity of emphasising that we have in no way abandoned our original point of view. We are of opinion that only collective reprisals could afford us adequate safeguards. They are the only means which might act as an adequate deterrent to induce the aggressor to abandon once for all the idea of using a weapon of this nature against an adversary.

I am, however, perfectly aware of the position in practice. The discussions in our Commission last year showed that, for the moment, the majority were unable to agree to definite pledges with regard to punitive action.

We are therefore at present forced to be satisfied with less, and we are ready to limit ourselves to the lowest possible minimum. What we do not desire is to remain inactive in the face of the possibilities outlined by M. Politis, and in the past by M. de Brouckère, which must be plain to us all.

But there is one thing which, it appears to us, might be done immediately without the risk of encountering serious opposition: an undertaking on the part of all States to give their support to a country which has been attacked by chemical or bacteriological weapons.

As we have admitted that for the moment we do not see how, either materially or morally, such an attack may be rendered impossible, we ought at least to agree to give our support to any possible victim.

Primarily, States should assure to any country, which has been the victim of a chemical or bacteriological attack, rapid and efficient sanitary and medical assistance. Further, they should undertake to give the country the support of the scientific resources at their command, in order to devise suitable means of defence and ways of nullifying these weapons. These resources should be put at the disposal of the people who are threatened, or who have been already attacked, as quickly as possible and in sufficient quantity.

1 Note by the Secretariat. — Twentieth Meeting, No. 107.
I was anxious to explain to the Commission, before our work is finished, the point of view which we shall shortly propose for examination outside this Commission.

Regarding this, I should like to make a statement. I am happy to be able to say that our view is shared by certain delegations with whom I have been able to discuss the subject—I refer to the Belgian, Finnish, Roumanian and Yugoslav delegations. I have not had time to discuss the matter with other delegations, but I am sure that many of them share this view.

I would ask the President to be kind enough to insert the following declaration in the report:

"Though recognising the moral value of international instruments forbidding the use in warfare of chemical and bacteriological methods in war, we nevertheless feel that it is necessary to make provision, in addition to these instruments, for practical preventive and executory measures. These measures should be such as to render chemical or bacteriological attack, if not impossible, at any rate difficult, and should limit the chances of success and efficacy of such attack. They should also constitute a fresh guarantee that no violation of the undertakings solemnly signed could be committed without involving very unpleasant consequences for the guilty State.

"In this connexion, therefore, it would be desirable to consider the possibility of concluding a Convention for affording international aid on as liberal a scale as possible to any country chemically or bacteriologically attacked. As such aid would be essentially of a humanitarian nature (sanitary, scientific, etc.), it should meet with general approval.

"This problem might be studied in due course by the League of Nations ".

The President. — The observations made by General Kasprzycki will be mentioned in the report.

M. Fierlinger (Czechoslovakia). — The suggestion made by the Polish delegation is most interesting, and I therefore support it; but I must add that our delegation has not had the time to study it, and I think that the Polish proposal requires very thorough examination from the technical point of view and from that of international law. The body which inherits the unfinished task of the Committee on Arbitration and Security might place this question on its programme.

My Government will always support any effort to establish punitive measures to ensure respect for treaties, particularly in the case of a treaty having the moral importance of the Convention regarding Asphyxiating Gases. It is, I think, no secret that my Government favours a system of international guarantees, even if, owing to the insurmountable difficulties it encounters, such a system can only be achieved by stages.

But, as the Polish delegate has just said, the question at issue is not one of punitive measures, but rather, in my opinion, of an investigation which might fall within the sphere of the International Red Cross. Here we touch upon the general rules regarding the laws of war . . . .

The President. — You may continue to speak, but, strictly speaking, this has nothing to do with the Drafting Committee’s text.

M. Fierlinger (Czechoslovakia). — . . . but, as General Kasprzycki has explained his ideas on the matter, I would remind the Commission that attempts were made to codify the laws of war before the recent war, and that, last year, the International Red Cross called a conference to study the rights and duties of belligerents. The measures contemplated by the Polish delegation might come within the scope of such work, and I think it would be better to mention them in our report.

M. Massigli (France). — The French delegation understands the concern which the Polish delegation feels on this point. It fully realises the importance of the question, and would be glad to see it considered, and mention of it will be made in the report.

Mr. Lester (Irish Free State). — I just want to make a remark on this subject. There was some discussion on the interpretation of this article on December 2nd last, following the circulation of a memorandum by the British Government, and, on that occasion, several delegations made declarations. I have only to say that the Government of the Irish Free State accepts entirely the interpretation of the article as given in the memorandum of the British delegation.

Article 38 was adopted.

PART VI. — MISCELLANEOUS PROVISIONS.

CHAPTER A. — PERMANENT DISARMAMENT COMMISSION.

Article 39 (Former Article OA).

There shall be set up at the seat of the League of Nations a Permanent Disarmament Commission with the duty of following the execution of the present Convention. It shall consist of $x$ (figure to be fixed by the Conference) members appointed respectively by the Governments of . . . . . . . (list to be drawn up by the Conference),
Members of the Commission shall not represent their Governments. They shall be appointed for $x$ years, but shall be re-eligible. During their term of office, they may be replaced only on death or in the case of voluntary resignation or serious and permanent illness.

They may be assisted by technical experts.

**Article 40 (Article OB)**

The Commission shall meet for the first time, on being summoned by the Secretary-General of the League of Nations, within three months from the entry into force of the present Convention, to elect a provisional President and Vice-President and to draw up its Rules of Procedure.

Thereafter it shall meet annually in ordinary session on the date fixed in its Rules of Procedure.

It may also, if summoned by its President, meet in extraordinary session in the cases provided for in the present Convention and whenever an application to that effect is made by a High Contracting Party.

**Article 41 (Article OC)**

The Commission shall have full power to lay down its own Rules of Procedure on the basis of the provisions of the present Convention.

**Article 42 (Article OD)**

The Commission may only transact business if at least two-thirds of its members are present.

**Article 43 (Article OE)**

Any High Contracting Party not having a member of its nationality on the Commission shall be entitled to send a member appointed for the purpose to sit at any meetings of the Commission during which a question specially affecting the interests of that Party is considered.

**Article 44 (Article OF)**

Each member of the Commission shall have only one vote.

All decisions of the Commission shall be taken by a majority of the votes of the members present at the meeting.

In the cases provided for in Articles 49 and 51 the votes of members appointed by the Parties concerned in the discussion shall not be counted in determining the majority.

A minority report may be drawn up.

**Article 45 (Article OG)**

Each member of the Commission shall be entitled on his own responsibility to have any person heard or consulted who is in a position to throw any light on the question which is being examined by the Commission.

**Article 46 (Article OH)**

Each member of the Commission shall be entitled to require that, in any report by the Commission, account shall be taken of the opinions or suggestions put forward by him, if necessary in the form of a separate report.

**Article 47 (Article OI)**

All reports by the Commission shall, under conditions specified in each case in the present Convention, or in the Rules of Procedure of the Commission, be communicated to all the High Contracting Parties and to the Council of the League of Nations, and shall be published.

*Articles 39 to 47 were adopted.*

**Article 48 (Article IF)**

The Permanent Disarmament Commission shall receive all the information supplied by the High Contracting Parties to the Secretary-General of the League in pursuance of their international obligations in this regard.

Each year, the Commission shall make at least one report on the information submitted to it and on any other information that may reach it from a responsible source and that it may consider worth attention, showing the situation as regards the fulfilment of the present Convention.

This report shall be communicated forthwith to all the High Contracting Parties and to the Council of the League and shall be published on the date fixed in the Rules of Procedure of the Commission.

**M. Politis** (Greece). — I should like to ask why the Drafting Committee has thought it better to transfer this text. I still believe, until it is otherwise shown, that it will be better to place it at the end of the part regarding exchange of information—that is to say, after Article 37. I suppose that the reason for the transference is that the Permanent Disarmament Commission is mentioned for the first time in this chapter. But this no longer holds good since this morning, as the Permanent Disarmament Commission is already mentioned in Articles 7 and 12. I therefore ask whether there is any plausible reason for interfering with the logical order of the articles.
M. Westman (Sweden), Chairman of the Drafting Committee. — The reason was that indicated by M. Politis. It has now lost much of its force, and if M. Politis wishes, and the Commission so decides, Article 48 can perhaps be placed among the other provisions regarding information.

M. Politis (Greece). — I should like to propose that the reference "referred to in such and such an Article" (Article 39) should be placed in Articles 7 and 12, where the Permanent Disarmament Commission is alluded to.

Lord Cecil (British Empire). — I am a little in doubt whether the whole of this article should go to the Exchange of Information part, because the second and third paragraphs deal with the annual report that the Commission is to make, and that is—or ought to be—one of its principal duties; the drafting of an annual report containing all the information that reaches it showing the general situation of disarmament. I should have thought that the ideal plan might have been to put the first paragraph of Article 48 at the end of the Exchange of Information part—that is, the paragraph saying that the Permanent Disarmament Commission shall receive all the information supplied by the contracting parties—and then keep the other two paragraphs where they are now. I merely suggest that to M. Politis and to the Commission, because I am afraid of putting into the Exchange of Information part what would be, as I see it, if this plan goes through, the most vivid and important part of the work of the Commission.

M. Politis (Greece). — Rather than divide Article 48 thus, I would prefer to maintain it as it is; for otherwise the drafting of the second paragraph, dealing with the information above mentioned, would have to be modified.

M. Bourquin (Belgium). — I desire to support the last solution indicated by M. Politis. I think it better to leave the article as it is. In any case, in the part containing Article 37, the obligations of the contracting parties are mentioned. They are obliged to send information, while, in Article 48, the use to be made by the Commission of this information is dealt with. These are two distinct ideas, and I think it would be better to include the use made of the information in the chapter regarding the Commission's powers.

Article 48 was adopted.

CHAPTER B. — DEROGATIONS.

Article 49 (Article XA).

If, during the term 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 suspend temporarily, in so far as concerns itself, from any provision or provisions of the present Convention, other than those expressly designed to apply in the event of war, provided:

(a) That such Contracting Party shall immediately notify the other Contracting Parties and at the same time the Permanent Disarmament Commission, through the Secretary-General of the League of Nations, of such temporary suspension, and of the extent thereof.

(b) That simultaneously with the said notification, the Contracting Party shall communicate to the other Contracting Parties and at the same time to the Permanent Disarmament Commission, through the Secretary-General, a full explanation of the change of circumstances referred to above.

Thereupon the other High Contracting Parties shall promptly advise as to the situation thus presented.

When the reasons for such temporary suspension have ceased to exist, the said High Contracting Party shall reduce its armaments to the level agreed upon in the Convention, and shall make immediate notification to the other Contracting Parties.

Lord Cecil (British Empire). — In the English, the word "from" in the third line ought to be struck out. You do not "suspend from" any provision; you "suspend" any provision. The word "from" was deleted from the English text.

Article 49, thus modified, was adopted.

CHAPTER C. — PROCEDURE REGARDING COMPLAINTS.

Article 50 (Article ZA).

The High Contracting Parties recognise that any violation of the provisions of the present Convention is a matter of concern to all the Parties.

Article 51 (Article ZB).

If, during the term of the present Convention, a High Contracting Party is of opinion that another Party to the Convention is maintaining armaments in excess of the figures agreed upon
or is in any way violating or endeavouring to violate the provisions of the present Convention, such Party may lay the matter, through the Secretary-General of the League of Nations, before the Permanent Disarmament Commission.

The Commission, after hearing a representative of the High Contracting Party whose action is questioned, should such Party so desire, and the representative of any other Party which may be specially concerned in the matter and which asks to be heard, shall as soon as possible present a report thereon to the High Contracting Parties and to the Council of the League. The report and any proceedings thereon shall be published as soon as possible.

The High Contracting Parties shall promptly advise as to the conclusions of the Report.

If the High Contracting Parties directly concerned are Members of the League of Nations, the Council shall exercise the rights devolving upon it in such circumstances in virtue of the Covenant, with a view to ensuring the observance of the present Convention and to safeguarding the peace of nations.

Articles 50 and 51 were adopted.

CHAPTER D. — FINAL PROVISIONS.

Note by the Drafting Committee. — The Drafting Committee has inserted in this chapter, with a few formal alterations, the provisions drawn up on November 29th by the Sub-Committee presided over by M. Politis and adopted in plenary session on December 1st.

The Committee desire to point out that a certain number of formal provisions (such, for instance, as those relating to the signature of the Convention) which usually figure in treaties signed at Geneva, have not been inserted in this section. The text of any such provisions should in any case be settled by the Conference.

The President. — The above note has been inserted in front of Article 52 by the Drafting Committee.

M. Westman (Sweden), Chairman of the Drafting Committee. — This note is to be omitted from the text of the Convention.

The President. — Certainly. It will be mentioned in the report.

Article 52 (Article EA).

The present Convention shall not in any way diminish the obligations of previous treaties under which certain of the High Contracting Parties have agreed to limit their land, sea or air armaments, and have thus fixed in relation to one another their respective rights and obligations in this connection.

The following High Contracting Parties signatory to the said treaties declare that the limits fixed for their armaments under the present Convention are accepted by them in relation to the obligations referred to in the preceding paragraph, the maintenance of such obligations being for them an essential condition for the observance of the present Convention.

M. Sato (Japan). — I would like to draw the attention of the Committee to the drafting of Article 52, which deals with obligations arising from previous treaties. According to the present reading of Article 52, which is the same as that of the British amendment, the article reads as follows:

"The present Convention shall not in any way diminish the obligations of previous treaties under which certain of the High Contracting Parties have agreed to limit their armaments . . . ."

But, in the opinion of the Japanese delegation, not only obligations arising from previous treaties are to be considered inviolate; there are also in these treaties acquired rights which should be dealt with on the same basis, as, for example, in the Treaty of London:

- Article 7, paragraphs 2 and 3;
- Article 16, paragraphs 3 and 4;
- Article 18;
- Article 20.

Provisions of a similar nature appear in the Washington Treaty. In order not to invalidate the above-mentioned provisions in these two treaties, it is the opinion of the Japanese delegation that the present drafting of Article 52 should be modified, and should read as follows:

"The present Convention shall not affect the provisions of previous treaties under which . . . ."

I had an opportunity the other day of expressing my opinion on this object to the Sub-Committee presided over by M. Politis, and he appeared to have received my observations favourably, in that it was agreed to transmit them to the Drafting Committee. No doubt it is owing to a technical error that the Drafting Committee has not been informed of what took place in the Sub-Committee. I therefore venture to draw the attention of the Commission to
the consideration of the amendment proposed by the Japanese delegation. If this amendment be adopted, the last sub-paragraph of paragraph (b), Section III (Vessels to be converted to Target Use) in Annex V to Chapter B of Part II, in document C.P.D.292 should be deleted being superfluous.

M. Massigli (France). — I beg M. Sato to excuse a misunderstanding for which I am partly responsible. I may have forgotten to have the article altered by the Drafting Committee in the manner indicated by him; in any case, his amendment is perfectly justified.

The Hon. Hugh Gibson (United States of America). — The proposal of the Japanese delegation seems to us so entirely reasonable and sound that no arguments are needed to emphasise its value. I merely wish to say, therefore, that I support M. Sato’s suggestion.

Lord Cecil (British Empire). — The only thing I wish to ask is whether, in the last paragraph of this Article 52, you will not need to make a similar alteration of the words “obligations” to read “provisions”.

The President. — Article 52 will read as follows:

“ The present Convention shall not affect the provisions of previous treaties . . . ”

and, in the second paragraph, the word “provisions” will replace the word “obligations”.

Also, the last sub-paragraph of paragraph (b), Section III (Vessels to be converted to Target Use) in Annex V to Chapter B of Part II in document C.P.D.292, will be omitted.

Article 52, thus amended, was adopted.

Article 53 (document C.P.D.282).

If a dispute arises between two or more of the High Contracting Parties concerning the interpretation or application of the provisions of the present Convention, and cannot be settled either directly between the Parties or by some other method of friendly settlement, the Parties will, at the request of any one of them, submit such dispute to the decision of the Permanent Court of International Justice or to an arbitral tribunal chosen by them.

Dr. Markovitch (Yugoslavia). — When we discussed the Belgian proposal, I found myself in some doubt as to the word “application”, and I suggested its deletion, as I thought that it would be sufficient to refer to the interpretation of the provisions of the present Convention. However, after carefully considering the arguments put forward by Lord Cecil, I changed my opinion and did not submit any fresh amendment; I did not propose any change in the text to the Drafting Committee. I shall therefore vote for Article 53, understood in the sense explained by Lord Cecil.

The President. — M. Markovitch’s observation will be mentioned in the report.

Article 53 was adopted.

Article 54 (Article EB).

The present Convention shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods. The instruments of ratification shall be deposited with the Secretary-General of the League of Nations.

The present Convention shall come into force, for each Party whose instrument of ratification has been deposited, as soon as the instruments of ratification have been deposited by . . . (list to be drawn up by the Conference).

(Should the present Convention not have come into force in accordance with the preceding paragraph by . . . the High Contracting Parties shall be invited by the Secretary-General of the League of Nations to meet and consider the possibility of putting it into force. They undertake to participate in this consultation, which shall take place before . . .)

Note by the Drafting Committee. — It will be for the Conference to decide whether this paragraph and any supplementary provisions which may be necessary would not be better placed in a protocol of signature (see document C.P.D.232).

Article 54 was adopted.

Article 55 (Article ED).

Each of the High Contracting Parties will begin the necessary measures for carrying the provisions of the present Convention into effect as soon as it has come into force for such Party.

M. Rutgers (Netherlands). — The Drafting Committee has greatly improved this article. It was stated originally that, as soon as the Convention entered into force, each of the contracting parties “will begin (entreprendra) the necessary measures”, etc.

1 Note by the Secretariat. — See Annex 12.
2 Note by the Secretariat. — Belgian proposal; see seventeenth meeting, No. 85.
3 Note by the Secretariat. — See Annex 7.
The Committee has said: ". . . will take (prendrait) the necessary measures". "Entreprendre" means "to begin", "prendre" means "to accomplish". I shall be satisfied if the word "begin" is altered in the English text.

Lord Cecil (British Empire). — I see no difficulty and am ready to accept this modification.

Article 35, thus modified, was adopted.

Article 56 (Article EF).

Subject to the provisions of Articles 57 and 58, the present Convention shall remain in force for . . . years. It shall remain in force after the expiration of that period except in so far as it may be amended, superseded or denounced under the conditions specified in the following articles.

M. Westman (Sweden), Chairman of the Drafting Committee. — It was stated in Article EF:

"The present Convention shall in principle have a period of duration of . . ."

The words "in principle" have been replaced by: "subject to the provisions of Articles 57 and 58 . . ."

Article 56 was adopted.

Article 57 (Article EG).

Before the end of the period of $x$ years provided for in the preceding article, and not less than $y$ years after its entry into force, the present Convention shall be re-examined by the High Contracting Parties meeting in Conference. The date of this meeting shall be fixed by the Council of the League of Nations, after taking cognisance of the opinion of the Permanent Disarmament Commission and of the intentions of the High Contracting Parties non-members of the League of Nations.

The above-mentioned Conference may, if necessary, revise the present Convention and establish fresh provisions in substitution therefor, fixing their period of duration and laying down general rules regarding their examination and subsequent revision, if the latter is required.

Article 57 was adopted.

Article 58 (Article EH).

Before the end of the period of $y$ years provided for in the preceding article, but not less than $z$ years after the entry into force of the present Convention, the procedure for examination and revision laid down in that article may also be carried out at the request of a High Contracting Party, with the concurrence of the Permanent Disarmament Commission, if the conditions under which the engagements stipulated in the Convention were contracted have undergone, as the result of technical transformations or special circumstances, changes justifying a fresh examination and, if necessary, the revision of such engagements.

The Hon. Hugh Gibson (United States of America). — The American delegation is in full accord as to the purpose of Article 58, which is obviously to offer the possibility of examination and revision of the Convention, and, at the same time, to prevent the possibility of this right being used for light and frivolous motives. We have given a good deal of thought to this question; we recognise its extreme delicacy, and we are not convinced that this is the best possible method of achieving the double purpose in view. It may be that more mature thought on the part of the Governments coming to the general Conference will result in the discovery of a method which will be more effective and give us more general satisfaction. For that reason, I am not offering any amendments or suggestions; I merely wish to indicate the desirability of giving the Governments an opportunity of considering this question between now and the general Conference.

Article 58 was adopted.

Article 59 (Article EJ).

In the course of a conference held in the circumstances provided for in the two preceding articles, any High Contracting Party shall be entitled to notify its intention to denounce the present Convention.

Such denunciation shall take effect two years after its date, but in no case before the expiration of the period of $x$ years mentioned in Article 56.

Article 59 was adopted.

The President. — The draft Convention drawn up by the Drafting Committee has been adopted in its entirety, and I wish again to thank the members of the Drafting Committee in the name of the whole Commission.

MODEL TABLES ANNEXED TO ARTICLE 29 (PART IV): PROPOSAL BY THE ITALIAN DELEGATION.

M. Westman (Sweden), Chairman of the Drafting Committee. — In regard to the Model Tables annexed to Article 29 (Part IV), General de Marinis made certain suggestions about the annex to Tables II and V at the foot of Tables IV and V. This refers to the information to be given regarding the distribution of effectives according to oversea territories. According to the Minutes, General de Marinis proposed that the same procedure should be adopted for this annex as for the main tables—that is to say, that it should be divided into columns $a$, $b$, $c$ and $d$. I do
not know whether the Commission is in agreement with this proposal or not. The Minutes do not seem altogether clear on the point.

General de Marinis (Italy). — My proposal was adopted without comment, and therefore I withdrew my reservation. M. Cóbián told me that the Commission had adopted my proposal and that my reservation was no longer necessary.

M. Massigli (France). — If the Commission accepts this proposal, I would like to point out that when, on November 24th last, General de Marinis submitted the amendment, which is now to be discussed, I opposed it on the ground that it would lead to very considerable complications. As the Commission disagreed with me by five adverse votes, with thirteen abstentions, and the text was adopted, I made a reservation. I am convinced that insurmountable difficulties will be encountered. You ask that not only the total figure, but also the details of effectives (soldiers having served for a period of $x$ months, soldiers having served for a period of less than $x$ months, etc.), taking transfers into consideration, should be published for every oversea territory. Taking the case of my own country, it would therefore be necessary to provide a table for the Ivory Coast, another for the French Sudan, a fourth for Chad, and so on. This would be absolutely impossible, unless an army of assessors were employed in these territories. Further, a considerable number of civilian officials would have to be employed in ink-slinging all day long for the League of Nations. It could, of course, be done; but I think that the only result would be to lead the Governments to simplify their oversea organisations, as far as possible to establish very large territorial areas, and a result diametrically opposed to the one that we are aiming at would thus be reached.

The President. — M. Massigli does not agree, but he does not oppose the amendment.

M. Massigli (France). — I make a formal reservation.


Dr. Markovitch (Yugoslavia). — I should like to raise a point of procedure. We have adopted the draft Convention article by article. We shall probably discuss the report part by part. Will there be a formal vote or some sort of decision regarding the Convention in its entirety, or will there be a vote bearing on the draft Convention and the report together?

Lord Cecil (British Empire). — I was wondering whether it really would be worth while to press this enquiry. The report and the Minutes will show what has happened in regard to each passage in the report and each passage in the draft Convention. I think that, if we try to have a division on the general question, one of two things is bound to happen. Either you will have a certain number of delegates who will say that, because they do not agree with this or that particular point, they cannot vote for the adoption of the report, which will give a very false impression; or everybody will say that, rather than have no report and no Convention, they accept this. In neither case will you really convey any clear idea of what is in the minds of the delegates. I really hope that we shall not have a division on the report or the Convention as a whole, because I think the result, whatever it is, may be misleading to the public. After all, we shall have given them, with great detail, our opinions on every conceivable section of this report and this Convention, and I do not think we could clarify the matter by having a division or a vote on the thing as a whole. That is my first impression on the point raised by M. Markovitch.

Dr. Markovitch (Yugoslavia). — I made no proposal with regard to the vote. I simply asked a question. I thought that we should have the opportunity of making statements now on certain points that we have not discussed.

The President. — The text of the draft Convention has been adopted, and each delegation can make any statement it wishes when the report is discussed.

Dr. Markovitch (Yugoslavia). — In my opinion, the statements should not be limited. Shall I be allowed to make one both on the Convention and on the report?

The President. — Certainly.

Count Bernstorff (Germany). — I have not the least intention of beginning a further discussion. I do not ask for a vote on the draft Convention. What I had to say appears in the reservations that I made, but I should like to know clearly whether the majority has formally adopted the text of the draft Convention or not.

The President. — This document has been adopted, and the reservations have been noted.


The President. — We can now begin the discussion of the first part of the report, which we will consider page by page.

M. Lounatcharsky (Union of Societ Socialist Republics). — I should like to know whether we shall be allowed to make statements on the Convention and the report as a whole.
The President. — After discussion of the report, when each delegation has been able to judge in what manner its observations have been taken into consideration, we shall hear the statements.

Page 1 was adopted.

Page 2.

M. Massigli (France). — In the second paragraph of page 2, an allusion is made to an important document, the questionnaire which has been the basis of our work. Unfortunately, no analysis of it is given. I therefore request that the questionnaire be attached to the report, as it is an essential element in our work.

Page 3 was adopted.

Page 4.

M. Massigli (France). — Would it not be expedient to attach to our report, or at least to give a summary of, the first report made by our Commission to the Council in May 1926? This document, which has been forgotten to some extent, is important.

The President. — The document will be attached to the report. It is understood, moreover, that reference will always be made in the body of the report to the attached documents.

Page 4 was adopted.

Page 5 was adopted.

Page 6 was adopted.

Page 7.

Count Bernstorff (Germany). I propose that the sixth paragraph of page 7 should be drafted as follows:

"The Preparatory Commission therefore met again on November 6th last and was able to satisfy the wishes of the Assembly mentioned above."

This text appears to me more acceptable to everybody.

M. Cobíán (Spain), Rapporteur. — There is a slight difference. We thought we were interpreting the feelings of the majority of the Commission in drafting our text. I see no difficulty in changing it if the Commission so desires.

I will take this opportunity of proposing to add at the end of the paragraph the words: "with the co-operation of the twenty-five States represented, including Norway and the Irish Free State, who were represented for the first time on the Commission."

Lord Cecil (British Empire). — I just wanted to suggest that it is a good thing to leave out adjectives, and, if it will satisfy my friend Count Bernstorff, I should like to propose the following wording: "and was able to bring its task to a conclusion". We could then leave it to others to judge whether the task was a delicate one and whether its conclusion was successful.

Page 7, with Lord Cecil's amendment and M. Cobíán's addition, was adopted.

Page 8 was adopted.

Page 9.

Count Bernstorff (Germany). — I should like to request that an addition be made to the last paragraph on page 9, which is of some importance. I think the Rapporteurs will agree to this.

This paragraph states:

"The following year (1928), when the Committee had started its work, the ninth Assembly adopted a new resolution. After recalling that 'a close connection exists between international security and the reduction and limitation of armaments', it declared . . . ."

It appears to me particularly important to state also that the Assembly considered that:

" . . . the present conditions of security set up by the Covenant of the League of Nations, by the treaties of peace, and, in particular, by the reductions in the armaments of certain countries under these treaties, and also by the Locarno Agreements, would allow of the conclusion at the present time of a first General Convention for the Reduction and Limitation of Armaments."

The declaration made by the Assembly in 1928 that the present degree of security was sufficient for the drawing-up of an initial convention on disarmament has not been dealt with in the report. It is of such importance that it would be expedient to insert it.
M. Bourquin (Belgium), Rapporteur. — We entirely agree that this addition should be made. 
Page 9 was adopted, with the addition requested by Count Bernstorff.

Page 10.

Dr. Markovitch (Yugoslavia). — The first nine pages of the report contain an analysis of our work, and also of the work of the Committee on Arbitration and Security, but on page 10 an opinion of the Preparatory Commission appears in the second paragraph. I consider that the formula used is not complete, and I propose that, at the end of the first sentence, after the words "and the Assembly ", the words: " and by States Members of the League of Nations " should be added. I would also ask that, after this phrase, another sentence be inserted in this form:

"It is the duty of the Disarmament Conference to examine and weigh up these data. Here, we confine ourselves to a simple statement of the results achieved."

These additions appear to me to be entirely logical, because the Disarmament Conference itself should weigh up the data contained in the work to which we allude.

M. Bourquin (Belgium), Rapporteur. — In the main, I agree with M. Markovitch. It is apparent that it is the task of the Conference to consider all the data, including those resulting from the work of the Committee on Arbitration and Security. If this be not expressly mentioned, it is because it appeared to us to be self-evident, but we are quite ready to make this addition to the report.

Lord Cecil (British Empire). — I wonder whether it is desirable for us to attempt to define what will be the duty of the Conference. I should have thought that our business was simply to present them with the results of our now very prolonged deliberations—primarily, of course, our draft Convention and, secondly, any other information we have. I should have thought it unnecessary—or perhaps even presumptuous—for us to dictate to the Conference whether they are to consider this or that particular part of those results. I do not press the matter if M. Markovitch attaches importance to it, but personally I should rather have left it in the shape in which the Rapporteurs have drawn it, which seems to us the right shape in which to present our deliberations.

Dr. Markovitch (Yugoslavia). — I would also ask Lord Cecil not to press the matter. There is no question of dictating a line of conduct to the Conference. The only point is to make it clear that the Preparatory Commission has not weighed up the data resulting from the work, but that the results are referred to the Conference. I strongly urge that this amendment be adopted.

Count Bernstorff (Germany). — I agree with Lord Cecil. In my opinion, we have no power to tell the Conference to consider the question of security. This investigation has already been made, and I think that the League’s work on the matter is quite adequate.

Lord Cecil (British Empire). — We have got to such a very fine distinction in words that I do not personally attach any importance to whether we tell the Conference to read our report or not to read it—which is really the issue now, as I understand it.

Dr. Markovitch (Yugoslavia). — I do not wish to prolong the discussion, but in my view, this is an all-important question. I am diminishing the importance of my proposal by saying that it concerns the report and not the draft Convention. We simply say in the report that the Commission has deemed it neither useful nor expedient to weigh up the data resulting from the work of the Committee on Arbitration and Security, and that we leave this task to the Conference itself.

Lord Cecil (British Empire). — I have no objection, and I do not wish to prolong the discussion either, and it does not seem to me of any importance.

M. Massigli (France). — This is the essential fact. What we wish to know is whether the papers communicated to the Council and the Governments, preparatory to the Conference, will or will not include the material and investigations referred to in this paragraph. This seems obvious, I think, for the material and investigations provide in part the replies to certain questions asked by the Council. If you agree to this, it appears easy to me to find a formula which will give satisfaction to all. M. Markovitch’s last proposal appears to me a good one.

M. Bourquin (Belgium), Rapporteur. — We agree to say that the Conference will have to consider the work done, but it is not our place to say that it must attach any weight to that work.

Page 10 was adopted.

Page 11 was adopted.

The President. — If the Rapporteurs agree, we shall meet to-morrow at five o’clock to examine the chapter on effectives, the text of which will be distributed to-morrow morning.

M. Lounatcharsky (Union of Soviet Socialist Republics). — Sir, the vote on the draft Convention as a whole has not taken place, and I should like to avoid any misunderstanding. It is understood that the Soviet delegation has only noted the adoption of the text of the draft Convention by the majority of the Commission, and is not included in that majority.

The Commission rose at 6.45 p.m.
TWENTY-FOURTH MEETING.

Held on Saturday, December 6th, 1930, at 5 p.m.

President: M. Loudon (Netherlands).

116. Terms of Reference of the Committee of Experts on Budgetary Questions.

The President. — During its present session, the Preparatory Commission has discussed and adopted the following resolution to instruct the Committee of Budgetary Experts to enquire into the means by which the budgetary limitation of land material could be carried out.

CHAPTER II. — MATERIALS.

Resolution adopted by the Commission on November 17th and 21st, 1930.

"I. With a view to limiting land material by limiting expenditure on its purchase, manufacture and upkeep, the Preparatory Commission requests its President to instruct the Committee of Budgetary Experts to enquire into the means by which such limitation could be carried out, paying special attention to:

"(a) The necessity of limiting all the expenditure in question;

"(b) The variety of ways in which budgets are presented and discussed in different countries;

"(c) The adjustment of the proposed method of limitation to possible fluctuations in the purchasing power of different countries, especially with regard to the cost of war material;

"(d) The conditions in which credits for one financial year might be carried over to the following year or years.

"II. In order that the Governments may be able, before the Conference meets, to come to a decision on this point, the experts’ report should be transmitted to them in good time by the Secretary-General of the League of Nations.

"III. 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."

In this resolution, the only question is that of the budgetary limitation of land material and that of the limitation of the aggregate annual expenditure of every country on its land, naval and air forces.

When it adopted the former Article 2, now Article 23, the Commission also decided that the limitation of the annual expenditure of each High Contracting Party on the upkeep, purchase and manufacture of war material for naval armaments should be made the subject of a similar enquiry.

Further, according to Article 32 (former Articles DB* and IB), a similar enquiry must be made by the Committee regarding the statement to be drawn up in accordance with a standard model, showing by categories of material the total actual expenditure on the upkeep, purchase and expenditure of war material for the land and sea armed forces and formations organised on a military basis of each contracting party.

Lastly, I would remind you that when Article 37 was finally adopted, it was decided to append thereto a note similar to the note to Article 32, reading as follows:

"In giving an opinion on this article, the Governments will take into account the report requested from the Committee of Budgetary Experts with a view to drawing up a standard form for publicity in connection with the provisions of the annex regarding limitation referred to in Article 28 of the present Convention."

The Committee’s terms of reference are thus defined as follows:

"I. The Committee of Budgetary Experts is instructed to enquire into the means of carrying out the limitation of expenditure on the purchase, manufacture and upkeep of war material for land armaments (Article 9), paying special attention to:

"(a) The necessity of limiting all the expenditure in question;

"(b) The variety of ways in which budgets are presented and discussed in different countries;

"(c) The adjustment of the proposed method of limitation to possible fluctuations in the purchasing power of different currencies, especially with regard to the cost of war materials;

"(d) The conditions in which credits for one financial year might be carried over to the following year or years."