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 the Annex.

Note. — In pronouncing on this Article, and particular 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 requested from the Committee of Budgetary Experts, which will have been forwarded to them in order to permit of the drawing up of Annex...

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 (TA) and 23 (O), 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.

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 day's 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.

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.
Model Tables annexed to Article 29 (Part IV).

MODEL TABLES OF THE AVERAGE DAILY NUMBER OF EFFECTIVES REACHED DURING THE YEAR IN THE LAND ARMED FORCES.

## Table I. — Land Armed Forces Stationed in the Home Country.

<table>
<thead>
<tr>
<th>a</th>
<th>b</th>
<th>c</th>
<th>d</th>
<th>e</th>
</tr>
</thead>
<tbody>
<tr>
<td>Soldiers whose period of service has exceeded the legal period of service (Art. H. 1) or (Art. H. 3 and 7)</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>(Optional statement.) Recruits not trained as specified in the national legislation (Art. H. 8)</td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>Total effectives, including the effectives specified separately in this Table</td>
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<td></td>
</tr>
</tbody>
</table>

## Table II (See Annex). — Land Armed Forces Stationed Overseas.

<table>
<thead>
<tr>
<th>a</th>
<th>b</th>
<th>c</th>
<th>d</th>
<th>e</th>
</tr>
</thead>
<tbody>
<tr>
<td>Soldiers whose period of service has exceeded the legal period of service (Art. H. 1) or (Art. H. 3 and 7)</td>
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<tr>
<td>(Optional statement.) Recruits not trained as specified in the national legislation (Art. H. 8)</td>
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</tr>
<tr>
<td>Total effectives, including the effectives specified separately in this Table</td>
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</tbody>
</table>

## Table III. — Total Land Armed Forces.

<table>
<thead>
<tr>
<th>a</th>
<th>b</th>
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</thead>
<tbody>
<tr>
<td>Soldiers whose period of service has exceeded the legal period of service (Art. H. 1) or (Art. H. 3 and 7)</td>
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<tr>
<td>(Optional statement.) Recruits not trained as specified in the national legislation (Art. H. 8)</td>
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<tr>
<td>Total effectives, including the effectives specified separately in this Table</td>
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</tbody>
</table>

**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.
### Table IV. — Formations organised on a Military Basis stationed in the Home Country.

<table>
<thead>
<tr>
<th>High Contracting Parties</th>
<th>Total effectives, including the specified separately in this Table</th>
<th>Officers or officials ranking as officers (Art. H. 1)</th>
<th>Other soldiers or officials who have completed more than 11 months of service (Art. H. 2)</th>
<th>Soldiers or officials whose period of service has exceeded the legal period but is less than 11 months (information to be supplied only for effectives recruited by conscription (Art. H. 3 and 7)</th>
<th>Total effectives, including the specified separately in this Table</th>
<th>Officers or officials ranking as officers (Art. H. 1)</th>
<th>Other soldiers or officials who have completed more than 11 months of service (Art. H. 2)</th>
<th>(Optional statement.) Recruits not trained as defined in the national legislation (Art. H. 8)</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Contracting Parties</td>
<td></td>
<td></td>
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<td>A.</td>
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</tr>
</tbody>
</table>

**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.

### Table V (see Annex). — Formations organised on a Military Basis stationed Overseas.

<table>
<thead>
<tr>
<th>High Contracting Party</th>
<th>Total effectives of the armed land forces stationed in the territory</th>
<th>Total effectives of the land formations organised on a military basis stationed in the territory</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Contracting Party</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Annex to Tables II and V.

**Distribution according to Territories of the Average Daily Number of Effectives Figuring in Column a of the Model Tables II and V.**

<table>
<thead>
<tr>
<th>High Contracting Party</th>
<th>Overseas Territory</th>
<th>Total effectives of the armed land forces stationed in the territory</th>
<th>Total effectives of the land formations organised on a military basis stationed in the territory</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Contracting Party</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Table VI. — Naval Forces.

<table>
<thead>
<tr>
<th>High Contracting Parties</th>
<th>a</th>
<th>b</th>
<th>c</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total effectives, including effectives specified separately in this Table</td>
<td>Officers (Art. H. 5)</td>
<td>Other effectives who have completed more than ( x ) months of service (Art. H. 5)</td>
<td>(Optional statement.) Recruits not trained as defined in the national legislation (Art. H. 8)</td>
</tr>
</tbody>
</table>

### Table VII. — Sea Formations organised on a Military Basis.

<table>
<thead>
<tr>
<th>High Contracting Parties</th>
<th>a</th>
<th>b</th>
<th>c</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total effectives, including effectives specified separately in this Table</td>
<td>Officers (Art. H. 5)</td>
<td>Other effectives who have completed more than ( x ) months of service (Art. H. 5)</td>
<td>(Optional statement.) Recruits not trained as defined in the national legislation (Art. H. 8)</td>
</tr>
</tbody>
</table>

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* 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?

† 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.
### Model Tables of the Average Daily Number of Effectives Reached During the Year in the Air Armed Forces.

<table>
<thead>
<tr>
<th>Table VIII. — Air Armed Forces stationed in the Home Country.</th>
<th>Table IX. — Air Armed Forces stationed Overseas.</th>
<th>Table X. — Total Air Armed Forces.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>High Contracting Parties</strong></td>
<td><strong>Total effectives, including the effectives specified separately in this Table</strong></td>
<td><strong>Total effectives, including the effectives specified separately in this Table</strong></td>
</tr>
<tr>
<td></td>
<td><strong>b</strong> Efficiency who have completed more than ( x ) months of service (officers, non-commissioned officers and men) (Art. H. 6 and 7)</td>
<td><strong>b</strong> Efficiency who have completed more than ( x ) months of service (officers, non-commissioned officers and men) (Art. H. 6 and 7)</td>
</tr>
<tr>
<td></td>
<td><strong>c</strong> (Optional statement.) Recruits not trained as defined in the national legislation (Art. H. 8)</td>
<td><strong>c</strong> (Optional statement.) Recruits not trained as defined in the national legislation (Art. H. 8)</td>
</tr>
<tr>
<td>A.</td>
<td>Total effectives, including the effectives specified separately in this Table</td>
<td>Total effectives, including the effectives specified separately in this Table</td>
</tr>
<tr>
<td>B.</td>
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<tr>
<td>C.</td>
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<td>D.</td>
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</tbody>
</table>

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.
**Model Tables of the Average Daily Number of Effectives Reached during the Year in the Air Formations organised on a Military Basis.**

<table>
<thead>
<tr>
<th>Table XI. — Air Formations organised on a Military Basis stationed in the Home Country.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>High Contracting Parties</strong></td>
</tr>
<tr>
<td>A, B, C, D, ...</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Table XII. — Air Formations organised on a Military Basis stationed Overseas.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total effectives, including the effectives specified separately in this Table</strong></td>
</tr>
</tbody>
</table>

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.
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.

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 regarding limitation referred to in Article 9 of the present Convention.

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

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 waterline;
   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 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 I8 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.

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

### Model Table I. — Aeroplanes of the Land, Sea and Air Armed Forces.

<table>
<thead>
<tr>
<th>High Contracting Parties</th>
<th>Number</th>
<th>Total horse-power</th>
<th>Number</th>
<th>Total horse-power</th>
<th>Number</th>
<th>Total horse-power</th>
<th>Number</th>
<th>Total horse-power</th>
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<tbody>
<tr>
<td>A.</td>
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</tbody>
</table>

### Model Table II. — Aeroplanes of the Land, Sea and Air Formations organised on a Military Basis.

<table>
<thead>
<tr>
<th>High Contracting Parties</th>
<th>Number</th>
<th>Total horse-power</th>
<th>Number</th>
<th>Total horse-power</th>
<th>Number</th>
<th>Total horse-power</th>
<th>Number</th>
<th>Total horse-power</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
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</tbody>
</table>

### Model Table III. — Dirigibles of the Land, Sea and Air Forces.

<table>
<thead>
<tr>
<th>High Contracting Parties</th>
<th>Number</th>
<th>Total horse-power</th>
<th>Number</th>
<th>Total horse-power</th>
<th>Number</th>
<th>Total horse-power</th>
<th>Number</th>
<th>Total horse-power</th>
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</thead>
<tbody>
<tr>
<td>A.</td>
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</tbody>
</table>

### Model Table IV. — Dirigibles of the Land, Sea and Air Formations organised on a Military Basis.

<table>
<thead>
<tr>
<th>High Contracting Parties</th>
<th>Number</th>
<th>Total horse-power</th>
<th>Number</th>
<th>Total horse-power</th>
<th>Number</th>
<th>Total horse-power</th>
<th>Number</th>
<th>Total horse-power</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
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<td>D.</td>
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</table>
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).

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.

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.

PART VI. — MISCELLANEOUS PROVISIONS.

CHAPTER A. — PERMANENT DISARMAMENT COMMISSION.

Article 39 (New 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.

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.

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.

CHAPTER C. — PROCEDURE REGARDING COMPLAINTS.

Article 50 (Article ZA).

The High Contracting Parties recognise that any violation of the provisions of the present Conventions 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.

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 the 29th of November by the Special 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.

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.

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.

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 . . .) 1

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.

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.

Article 57 (Article EG).

Before the end of the period of years provided for in the preceding article, and not less than 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

1 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).
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 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.

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.

ANNEX 13.

C.P.D.294.

Geneva, December 4th, 1930.

DRAFT REPORT (FIRST PART).¹

M. BOURQUIN and M. COBIÁN (Rapporteurs).

HISTORICAL.

Page 1. The origin of the draft Convention on which we have the honour to report to you is found in the following resolution adopted on September 25th, 1925, by the sixth Assembly of the League of Nations:

"The Assembly,
"Taking note of the declarations submitted to the Council and the Assembly of the League of Nations in respect of the Protocol for the Pacific Settlement of International Disputes and of the fact that the said Protocol has not up to the present received the ratifications necessary for putting it into operation immediately;
"Convinced that the most urgent need of the present time is the re-establishment of mutual confidence between nations;
"Declaring afresh that a war of aggression should be regarded as an international crime;
"Regards favourably the effort made by certain nations to attain those objects by concluding arbitration conventions and treaties of mutual security conceived in the spirit of the Covenant of the League of Nations and in harmony with the principles of the Protocol (Arbitration, Security, Disarmament);
"Records the fact that such agreements need not be restricted to a limited area but may be applied to the whole world;
"Recommends that, after these conventions and treaties have been deposited with the League of Nations, the Council should examine them in order to report to the seventh Assembly on the progress in general security brought about by such agreements;
"Undertakes again to work for the establishment of peace by the sure method of arbitration, security and disarmament;
"And, in conformity with the spirit of Article 8 of the Covenant, requests the Council to make a preparatory study with a view to a Conference for the Reduction and Limitation of Armaments, in order that, as soon as satisfactory conditions have been assured from the point of view of general security as provided for in Resolution XIV of the third Assembly, the said Conference may be convened and a general reduction and limitation of armaments may be realised."

In pursuance of this decision, the Council requested a Committee of Enquiry, under the chairmanship of M. Paul-Boncour, to submit to it proposals for setting up an organ entrusted with the preparation for a conference for the reduction and limitation of armaments. This Committee's conclusions were adopted almost in their entirety by the Council on the report made to it by M. Beneš. This was the origin of the "Preparatory Commission for the Disarmament Conference."

¹ Note by the Secretariat. — The page numbers in the margin show the pages in the roneoed document to which reference is made in the Minutes.
The Council was led, naturally, not only to draw up regulations for the composition and working of this new organ, but also to determine to some extent the direction of its work. For this purpose, the Council submitted to it a questionnaire which was based upon suggestions made to the Committee of Enquiry by the representatives of Great Britain, France and Spain.

According to the Council resolution, the Preparatory Commission was to consist of delegates of all States Members of the Council of the League, and invitations to send representatives were also to be addressed to the Governments of Germany, the United States of America, the Union of Soviet Socialist Republics, Bulgaria, Finland, the Netherlands, Poland, Roumania, and Yugoslavia. Finally, the Secretary-General of the League of Nations was requested to bring to the notice of all other Powers, together with the questionnaire which was to be placed before the Preparatory Commission, the means placed at their disposal for stating their points of view.

The Preparatory Commission met for the first time on May 13th, 1926, and elected as President His Excellency Jonkheer Loudon (Netherlands), and as Vice-Presidents M. Cobian (Spain) and M. Buero (Uruguay). In consequence of resignations, certain changes had subsequently to be made in the composition of the Bureau. During the sixth and last session, the places of the two Vice-Presidents were filled respectively by M. Politis (Greece) and M. Cobian (Spain).

To provide for the preliminary study of the questions on which it had to give its opinion, the Preparatory Commission decided to appoint two Sub-Commissions, each under the chairmanship of one of its Vice-Presidents.

The first—known as Sub-Commission A—was entrusted with the technical examination of military, naval and air questions, and for this purpose split up into sub-committees. It was composed of experts appointed by all the States then represented on the Preparatory Commission; it met three times in 1926, under the chairmanship, first of M. Cobian, and then of M. Buero, M. de Brouckère, and General de Ceuninck. The voluminous report it subsequently submitted to the Commission contained extremely valuable technical observations and very detailed replies to the questions referred to it.

The second Sub-Commission—known as Sub-Commission B—under the chairmanship of M. Buero, and subsequently of M. Veverka, and with the assistance of the Joint Commission set up by the Council for this purpose, studied the other aspects of this problem.

This Commission’s deliberations, as did those of Sub-Commission A, furnished valuable material providing a solid basis for the Preparatory Commission’s work.

The Preparatory Commission held six sessions—two in 1926, two in 1927, one in 1928, the sixth, which began on April 15th, 1929, was suspended on May 6th, 1929, was resumed on November 6th, 1929, and lasted until December 9th.

At the opening of its third session, the Commission had before it the technical reports referred to above. The time had come for it to discuss the problem referred to it in its entirety. A general discussion gave the several Governments an opportunity of explaining their points of view in regard to this matter. Two preliminary draft Conventions were submitted to the Commission by the French and British delegations respectively. The Commission examined these jointly and finally adopted at first reading a text which, though it was accompanied by numerous and important reservations, nevertheless remained the basis of its subsequent work and of the draft Convention which we have the honour to lay before you to-day.

At its fourth session, the Union of Soviet Socialist Republics, which was represented at the Preparatory Commission for the first time, submitted a proposal which differed radically from the draft adopted at first reading and aimed at complete and universal disarmament in the immediate future.

This draft, referred to the fifth session, was rejected. A further Soviet proposal was, however, then submitted to the Commission providing for partial disarmament on the basis of a fixed percentage of reduction. It was decided to postpone the consideration of this proposal to the next session.

This session opened in Geneva on April 15th, 1929.

The Commission decided to continue its work on the basis of the 1927 draft, while signifying its readiness, should the Soviet delegation so desire, to annex to the final report the draft Convention submitted by the latter.

This decision having been adopted, the Preparatory Commission began to consider at second reading the text framed as a result of the preceding discussions. It had to interrupt this session, however, after having reached agreement on a certain number of points. At that time the naval problem began to rise to considerable difficulties.

Wholly divergent proposals had been put forward in regard to the methods of limitation. The statements of certain Powers more directly concerned in the question, however, gave reason to hope that negotiations would be entered into very shortly with a view to removing these

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1 The composition of the Commission was subsequently extended to enable Members retiring from the Council to retain their membership of the Commission. Greece and Turkey were invited, in 1927 and 1928 respectively, to take part in the work of the Commission.

2 M. de Brouckère (Belgium) and M. Veverka (Czechoslovakia) acted temporarily as Vice-Presidents.

3 The Joint Commission set up under the Council resolution of December 7th, 1926, was composed of representatives of the technical organisations of the League of Nations and of the Employers’ Group and Workers’ Group of the Governing Body of the International Labour Office, to whom were added subsequently experts in industrial questions, transport and the chemical industry.
divergencies and to reaching an agreement upon a concerted formula. This hope was justified. Negotiations took place and resulted in the convocation of the London Naval Conference on January 21st, 1930.

In these circumstances the Preparatory Commission considered it wiser to postpone to a later date the completion of its work. Before it adjourned, the German representative, considering the resolutions adopted during the first part of the sixth session unsatisfactory and likely to impair the value of the draft, declared that he "found himself obliged to dissociate himself definitely from the programme which the majority of the Commission had drawn up and to leave to it henceforth, as its course was being shaped at that moment, the sole responsibility for the preparation of the Conference ".

As soon as the London Conference had completed its work, it communicated the results to the Preparatory Commission through its President. Subject to a general reservation, an agreement had been reached between the naval Powers which were the most immediately concerned on a method of limitation. The formula adopted established the principle of limitation by classes, but gave it greater elasticity by allowing in certain cases the possibility of making transfers from one class to another.

The obstacle which had temporarily brought the work of the Preparatory Commission to a standstill in 1920 having been removed, the President of the Preparatory Commission decided to resume the work of the sixth session which had been suspended. The eleventh Assembly adopted with regard to this matter the following resolution proposed by the Third Committee:

" The Assembly has noted with satisfaction the results obtained at the London Conference and communicated to it by a letter from the President of that Conference dated April 21st, 1930. It considers that these results are of a nature to facilitate a general agreement on the occasion of the next meeting of the Preparatory Commission regarding the methods to be applied in the matter of the reduction and limitation of naval armaments.

" It trusts that negotiations, pursued in a spirit of conciliation and mutual confidence and with the determination to arrive at practical solutions, will make it possible to complete and extend the work of the Naval Conference.

" The Assembly accordingly expresses the conviction that, during its session next November, the Preparatory Commission will be able to finish the drawing up of a preliminary draft Convention and will thus enable the Council to convene, as soon as possible, a Conference on the Reduction and Limitation of Armaments.

" The Assembly decides that the proceedings and the report of the Assembly regarding disarmament shall be forwarded to the Preparatory Commission."

The Preparatory Commission therefore met again on November 6th last and was able to bring its delicate task to a successful conclusion.

It is for your Rapporteurs to give you here a concise survey of the results it has achieved. Before analysing them, however, they must outline briefly the results obtained by the Committee on Arbitration and Security, whose terms of reference were merged in those of our Commission.

As soon as it set to work, the Preparatory Commission was faced by the problem of international security. This was inevitable, for the connection between this problem and that of disarmament is obvious. Traces of it are, moreover, to be found in Article 8 of the Covenant, and it has become increasingly evident as the League of Nations has pursued its task.

There is no need to recall here the many resolutions in which the Assembly and the Council have emphasised the interdependence of these two factors. It may, however, be appropriate to point out that, at the very time when it invited the Council to set up this Commission, the sixth Assembly affirmed " the fidelity and unanimity with which the Members of the League " remain attached to the triple object which had unceasingly inspired their efforts—namely, arbitration, security and disarmament. The attempts previously made to organise a complete system of mutual assistance had encountered insurmountable obstacles. It was now proposed, not in any sense to abandon the undertaking, but to prepare for its accomplishment on another plane and " to indicate methods or measures by which an approach might be made to this object, pending the achievement of a general settlement which many consider indispensable ".

Two years later, pursuing the same course, the eighth Assembly requested the Council to give the Preparatory Commission the necessary instructions for the creation of the " Committee on Arbitration and Security ". This Committee, which was to consist of representatives of all the States which have seats on the Commission and are Members of the League of Nations, other States represented on the Commission being invited to sit on it if they so desire ... would be placed at the Commission's disposal, and its duty would be to consider, on the lines indicated by the Commission, the measures capable of giving all States the guarantees of arbitration and security necessary to enable them to fix the level of their armaments at the lowest possible figures in an international disarmament agreement ".

The eighth Assembly further directed that these measures should be sought at the same time:

" In action by the League of Nations with a view to promoting, generalising and co-ordinating special or collective agreements on arbitration and security;

" In the systematic preparation of the machinery to be employed by the organs of the League of Nations with a view to enabling the Members of the League to perform their obligations under the various articles of the Covenant;
In agreements which the States Members of the League may conclude among themselves irrespective of their obligations under the Covenant, with a view to making their commitments proportionate to the degree of solidarity of a geographical or other nature existing between them and other States;

And, further, in an invitation from the Council to the several States to inform it of the measures which they would be prepared to take, irrespective of their obligations under the Covenant, to support the Council’s decisions or recommendations in the event of a conflict breaking out in a given region, each State indicating that, in a particular case, either its whole forces, or a certain part of its military, naval or air forces, could forthwith intervene in the conflict to support the Council’s decisions or recommendations."

Thus, from the outset, a vast programme of enquiry was outlined for the Committee on Arbitration and Security.

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 that the time had come to conclude a first General Convention for the Reduction and Limitation of Armaments, which Convention would, moreover, of itself tend to increase international security. It took that opportunity to assert that, after the conclusion of such a Convention, the work relating both to disarmament and to arbitration and security should be pursued "so that, by further steps, armaments may be progressively reduced as the increase of security allows".

The Committee on Arbitration and Security, which was set up on November 30th, 1927, under the chairmanship of His Excellency M. Ed. Beneš, Czechoslovak Minister for Foreign Affairs, has so far held four sessions.

In the present report, no attempt can be made to analyse, even in summary fashion, the enquiries this Committee has undertaken or the practical effect given to them by the Council and the Assembly. A simple reference to the results achieved is all that can be undertaken here.

These results are, first, in the field of the pacific settlement of international disputes, the three model general conventions which the 1928 Assembly decided to combine in a single Act, this being the origin of the “General Act for the Pacific Settlement of International Disputes”, to which, up to the present, eight States have acceded, thus ensuring its entry into force.

Next, in the same connection, come the three model bilateral conventions which the Assembly proposed for the consideration of States, and which have already served as a basis for the drafting of a large number of treaties.

Next, there are the “Collective Treaty” of Mutual Assistance and the Collective Treaty and Bilateral Treaty “of Non-Aggression”, the models for which were recommended by the same Assembly.

There is the resolution of September 26th, 1928, in which the Assembly recommends that States should accede to the Optional Clause of Article 36, paragraph 2, of the Statute of the Permanent Court of International Justice, and draws their attention to the elasticity of that clause and to the facilities it offers them. There is the model Treaty to strengthen the Means for Preventing War, which the Assembly, in a resolution adopted on September 20th, 1928, recommended for consideration by States, and the “Preliminary Draft General Convention” of which the eleventh Assembly decided to continue the study.

There are the studies on Articles 10, 11 and 16 of the Covenant, which, on the recommendation of the Assembly, the Council adopted as “a useful piece of work”, providing valuable indications as to the possibilities offered, in time of emergency, by the different articles of the Covenant.

There are the resolutions adopted by the Assembly on September 30th, 1930, with a view to ensuring, also at times of emergency, the normal working of the communications of the League of Nations.

Finally, there is the Convention on Financial Assistance, which was approved by the same Assembly, and has already been signed by twenty-eight States, its entry into force being dependent on that of the Convention for the Reduction and Limitation of Armaments.

ANNEX 14.

C.P.D. 294 (a).

Geneva, December 5th, 1930.

DRAFT REPORT (SECOND PART).¹

M. BOURQUIN and M. COBIÁN (Rapporteurs).

Part I. — Personnel:

Chapter A. — Effectives ........................................ 536
Chapter B. — Period of Service ................................... 539

Part II. — Material:

Chapter A. — Land Armaments .................................... 540

¹ Note by the Secretariat. — The page numbers in the margin show the pages in the roneoed document to which reference is made in the Minutes.
The draft Convention adopted by the Commission preserves the structure of the French and British proposals considered at the third session. It is in six parts, some of which are subdivided into chapters. The numbering of the articles is, however, continuous.

Article I.

A first article of a general character governs the whole Convention and defines its scope:

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

The form of this article is due to a suggestion of the Drafting Committee, made after the discussion by the Commission of the various sections of the Convention, particularly that relating to naval material.

The Commission has, therefore, recognised the principle laid down by Article 8 of the Covenant which provides for the reduction of armaments to the lowest point consistent with national safety, and the enforcement of international obligations.

The representatives of a number of Governments, while accepting the principle of limitation and reduction in the spirit of this article of the Covenant, desired to state that the reduction of all or some of the categories of armaments was not possible for them, their present armaments being far from sufficient to guarantee national safety. This reservation was made in precise form, particularly in relation to naval and air armaments, the latter being scarcely at all developed in the majority of States.

The Soviet delegation made the following statement:

"The Soviet delegation is opposed to the ambiguous formula 'limitation and, as much as possible, reduction', in the place of a clear and precise indication that it is absolutely essential for existing armaments to be appreciably reduced. The Soviet delegation notes that the formula adopted leaves a free field for the maintenance and even increase of armaments."

The Turkish delegation reserved its Government's right to submit to the future Disarmament Conference its proposal with regard to standards for the reduction and limitation of armaments, and to require any modification of the text which might be rendered necessary in the event of the adoption of this proposition (see document C.P.D.142).

PART I. PERSONNEL.

CHAPTER A. — EFFECTIVES.

Articles 2 and 3.

Chapter A of Part I of the draft deals with effectives, which it defines in the following manner in Article 2:

"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."

This definition of peace-time effectives did not give rise to lengthy discussion, and the interpretation it should receive is made the clearer by the fact that the articles which follow define the scope of the two conceptions which might be susceptible of question.

Article 3 lays down that "the average daily effectives are reckoned by dividing the total number of days' duty performed in each year by the number of days in each year".

It is thus laid down clearly and beyond question that the limitation and reduction of effectives applies only to effectives in service.

The Minutes of the meetings contain a number of interesting observations on this fundamental point, which was discussed at each session in greater or lesser detail.

At the third session, after simultaneous consideration of the initial proposals of the French and British delegations, the Commission adopted by a majority the solution which appears in the text of the draft. The representative of the British Empire, however, reserved his Government's opinion as to the limitation of trained reserves, while the representative of the United States formulated a general reserve on the ground of the inclusion of formations organised on a military basis and the exclusion of trained reserves. The German representative made a general reserve with regard to the whole of the chapter, as making no provision for limitation of trained reserves, registered and compelled by law to render military service in case of war, although such reserves in countries with the system of conscription represent (in his view) the main body of the personnel in time of war.

On the second reading (during the first part of the sixth session), the representatives of Great Britain and the United States withdrew their reservations on the subject, observing that the limitation of trained reserves was not a question of primary importance for them.
The Soviet delegation, on the other hand, maintained that, in view of the great military value attaching to trained reserves, a disarmament convention without limitation or reduction of these reserves would be seriously defective.

As regards the effectives of armed forces or formations organised on a military basis at sea, the representatives of the British Empire and the United States stated at the first reading that they only accepted limitation of naval effectives on condition of general adoption of this limitation and on condition of a satisfactory agreement being reached in regard to the limitation of vessels of war; but these reservations were not maintained at the second reading.

It is understood that the armed forces in the sense of Article 2 include all effectives receiving compulsory military training (other than preliminary training), wherever and however given.

It is understood that the effectives in reserve or under training are to be included in the calculation of the effectives in service during the period.

The Polish delegation expressed some doubt as to the practical results of this method of calculation, but agreed to it on the understanding that there would be an opportunity at the Conference of comparing the various systems of military organisation and arriving at practical conclusions.

Article 4.

Article 4 contains the following definitions:

"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 and 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."

The above text takes into account the different views expressed in the course of the discussion, and it is understood that the definition in Article 4 of "formations organised on a military basis" does not include organisations which might be mobilised, but would not be effectively employed in the active army, and might, for example, be used for economic purposes.

A certain number of military experts proposed the following additional text to the Sub-Committee:

"Police, gendarmerie, etc., who cannot be used as part of the war army without additional armament or equipment are not included in peace-time armaments."

It is understood that the Conference itself will be called upon to decide the condition or conditions to be taken into account in determining whether a particular case comes under the category of "formations organised on a military basis".

The definition of mobilisation is so clear and precise that it gave rise to no discussion and requires no comment.

The Commission had adopted a text, provisionally designated as Article H, with all the necessary particulars for drawing up the tables provided for in Article 2. The Drafting Committee, while taking account of the rules laid down in Article H in the preparation of these tables, thought it simpler to omit Article H as such. This change of form in no way affects the Commission's previous decisions, and the tables should be interpreted in the light of these decisions.

The Commission considered that, in order to prevent the number of officers and non-commissioned officers exceeding the legitimate requirements of the several armies, it would be desirable to lay down a special limitation for these categories of effectives. As regards the form of such limitation, differences of opinion became apparent, certain delegations proposing to lay down a fixed proportion between the number of officers, etc., and the total effectives, while others proposed to specify the absolute maximum figures. The Commission adopted the latter standpoint. It also decided on the proposal of the Italian delegation that it was desirable to limit the number of professional soldiers of other ranks.

When the question arose of practical measures for the application of these principles, certain difficulties became apparent, as a result partly of the differences between the system of voluntary armies and conscript armies, and partly of the differences between the periods of service in the conscript armies.

The compromise solution, which the Commission accepted, provides, in the case of land forces, for the limitation (a) of the number of officers and (b) of the number of soldiers other than officers, whose effective service exceeds the longest legal period of service in force in the conscript armies of the contracting Powers at the time of the signature of the Convention. A system of tables of publicity has been drawn up in the case of conscript armies to show the number of men whose service exceeds the legal period fixed in their respective countries, while remaining lower than the maximum period specified under (b).

The German delegation proposed that the standard of limitation should be the period of service fixed by the prevailing legislation in each country.
As regards naval armaments, *limitation* will apply to the aggregate figure of effectives (officers, petty-officers and men), while the publicity tables will show separately the number of officers and men who have completed more than $x$ years of effective active service.

The Soviet delegation proposed to limit separately the number (1) of officers, and (2) of non-commissioned officers, including sailors remaining on active service after having exceeded the period of service in force in their navy.

As regards air forces, it was not thought possible or desirable to make a distinction between the officers and men, the functions of the two not being as clearly distinguished in air forces as in land and sea forces.

The French delegation stated that it could not accept specific limitation of professional soldiers in land or air forces, unless provision were made for similar limitation in the case of sea forces.

The Commission, after a discussion, in the course of which divergent views were expressed as to the necessity of limiting separately the forces stationed in the home country and the forces stationed overseas, adopted a compromise under which the contracting parties are to undertake to submit tables in the case of their land forces showing the maximum of armed forces stationed in the home country and the maximum total of their armed forces. The table showing the maximum of armed forces stationed overseas is to be optional. Similarly, in the case of air armaments, the table showing the maximum of armed forces stationed in the home country is to be optional.

In the light of the above explanations, the effect of the tables attached to Chapter A of Part I appears readily comprehensible.

Table No. I is to show the maximum total daily effectives in peace-time service in the land armed forces stationed in the home country in the case of each contracting party. This table will also show separately the number of officers and the number of soldiers, other than officers, who have completed a number of months of active service to be determined by the Conference, on the basis of the longest period of service in force in the conscript armies of the contracting parties at the time of the signature of the Convention. A second table, which is "optional", gives the same particulars in the case of the land armed forces stationed overseas. A third table on the same lines as the other two will show the total land armed forces.

Tables IV and V provide for the furnishing of identical particulars in the case of formations organised on a military basis stationed respectively in the home country and overseas.

In the case of sea forces, the Commission proposes two tables, numbered VI and VII, which are to contain in the case of each contracting party the figures of the total effectives of the sea armed forces (Table VI) and the total effectives of the formations organised on a military basis (Table VII). These figures are to include officers, petty officers and men.

Tables VIII to XII inclusive are concerned with the limitation of the effectives of air forces. Tables VIII and IX are optional; they are to contain, one the figures of the air armed forces stationed in the home country, and the other the air armed forces stationed overseas. Table X, which is obligatory, is to show, like the two preceding tables, first, the total effectives of the air forces of each contracting party, and, secondly, the effectives who have completed more than $x$ months of service. Tables XI and XII are to show the figures of formation organised on a military basis. The arrangement of these tables is similar at all points to that of Tables VIII, IX and X.

A number of reservations were made in regard to the tables attached to Part I, Chapter A. In regard to Tables I, II and III, the German and Italian delegations made the following statement:

"In connection with the distinction between the effectives and armaments of the home country and those overseas, the German and Italian delegations formulated a general reservation to the effect that, for the purposes of the reduction and limitation of armaments, the importance of the forces and materials which one contracting party assigns to its oversea territories may vary in relation to another contracting party by reason of the geographical situation of its territory in relation to the home territories of the two contracting parties. Consequently, one contracting party will have every reason to regard the oversea forces of another contracting party as forming part of the latter's home forces if the proximity of the oversea territories in relation to the home territories of the two parties justifies such an assumption".

The German delegation again draws attention to this reservation in connection with Tables V, IX and XII.
As regards Tables I, II and III, the Italian delegation considers that there should be added to the three columns (b), the words "or officials assimilated to officers", and to the three columns (c), after the words "other soldiers", the words: "or officials, employees or agents assimilated to soldiers".

As regards Tables VIII, IX and X, the Italian delegation is of opinion that no distinction should be made between armed air forces stationed in the home country and armed air forces stationed overseas.

The Turkish delegation has made reservations regarding the tables annexed to Chapter A of Part I, both as regards the optional indication of land and air forces stationed overseas (Tables II and IX) and as regards the non-indication of the maximum forces stationed in each of the overseas territories (Tables II, V and IX).

As regards this last point, the majority of the Commission was of opinion that it was not possible in practice to prescribe a separate limitation of this kind in an international convention.

The German delegation has made the following general reservation on the whole of Chapter I and the annexed table:

"The stipulations do not provide—either directly or by a reduction in the number of the annual contingent, or by a strict determination of the period of active service—for a reduction or limitation of trained reserves who, after having completed their service with the colours, continue to be registered and liable by law for military service, notwithstanding the fact that these reserves, though they do not exist in professional armies in the strict sense of the term, constitute the main body of the personnel in countries possessing conscript armies.

"Moreover, the stipulations do not provide for any method whereby the effectives of conscript armies serving with the colours and in reserve, and professional effectives, whose military value is naturally not capable of comparison, could be reduced to comparable units of calculation."

The Soviet delegation made the following statement:

"The Soviet delegation is opposed to the Commission's decision regarding effectives, and for the following reasons:

(a) The Commission's refusal to reduce trained reserves, which constitute the main body of the armed forces which are formed in time of peace in order to create, in the event of war, the enormous armies of modern times;

(b) The Commission's refusal to establish separately for each arm the reduction in the number of professional soldiers, officers, non-commissioned officers and pilots, the high percentage of which ensures the rapid deployment of large armies;

(c) The inadequacy of the limitation of the period of military service in itself, this being in certain countries a mere artifice designed to increase the trained reserves."

CHAPTER B. — PERIOD OF SERVICE. ¹

Chapter B of Part I relates to the limitation of the period of service. Its provisions apply—as is specifically stated in Article 5—only to effectives recruited by conscription. ²

Two different systems were proposed for this purpose. Under one of them, each contracting party would accept a special figure; under the other, the Conference would fix a single maximum limit.

The Commission was of opinion that the first system should be taken as a basis, whilst at the same time a general maximum should be prescribed. Several delegations pointed out that this general maximum would not be satisfactory unless it were fixed at a very moderate figure.

It is understood that the contracting parties will have the option to accept, in respect of special limitations affecting them individually, different figures, not only for land, sea and air effectives, but also for the different services (infantry, artillery, etc.) of their armed forces.

Since the contracting parties undertake not to exceed the figures accepted by each of them, they will always be at liberty to reduce this period, which must be regarded as a maximum.

These principles are set forth in Articles 5 and 6; but, on the proposal of the Belgian delegation, an important exception was provided for in Article 7. This exception is intended to obviate the disadvantage that would ensue in the case of certain countries which have the conscript system from a falling off in the number of births in future years as a consequence of the last war. This exception, which was unanimously agreed to, will allow the limits for the period of service under Article 5 (a) to be exceeded "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 by the tables annexed to Chapter A of this part" to be reached. Any contracting parties availing themselves of this option should immediately notify the measures they feel bound to take, together with reasons in support thereof, to the other contracting parties and to the Permanent Disarmament Commission, to be set up under Chapter VI of the Convention.

¹ As regards this chapter, see the German delegation's general reservation concerning Part I.
² The Chinese delegation has, on many occasions, proposed the abolition of the conscription system. It has reserved the right to raise this question again at the Conference.
Article 8 provides that, "in any case, the total period of service shall not exceed 24 months".

As regards this limitation, which is a common one, representing a maximum for all contracting parties, the Spanish delegation pointed out (and this view was accepted by the Commission) that the maximum fixed in accordance with this article cannot in any way affect, even indirectly, the figures of the table mentioned in Article 2 without any restriction or reservation to each contracting party.

* * *

During the discussion of the period of service, the German delegation submitted a proposal to the effect that the annual contingent should be limited as well as the period of service.

_The Commission rejected this amendment by twelve votes to six, with certain abstentions._

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PART II. — MATERIAL.

On this point, as already mentioned, the Commission encountered difficulties which it was unable to surmount either at its third session or even after the second reading of the preliminary draft Convention during the first part of the sixth and last session.

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CHAPTER A. — LAND ARMAMENTS.

Article 9.

As regards land armaments, the original position was as follows:

A proposal was made by the German delegation for the limitation of material in service and in reserve in accordance with a table fixing, under separate headings, the maximum number of arms and the quantity of ammunition for the various arms. The French preliminary draft provided only for the limitation of the total expenditure on the upkeep, purchase and manufacture of war material in the strict sense of the term, with the option of carrying forward sums not expended during one year.

The Japanese and Italian representatives formally opposed the first method, while the United States delegation made a general reservation on account of the omission of any provisions regarding the limitation of material of the land and air forces, whether in service or in reserve. Despite the fact that this reservation was withdrawn at the second reading, opinion was divided as to the method of limiting material for land forces.

The following methods were considered:

1. Application of the fullest possible publicity to expenditure on land material;
2. Limitation of budgetary expenditure on material;
3. Direct limitation of material by categories;
4. Simultaneous application of the two last-named limitations, either separately or in combination;
5. Application of any one of these methods at the choice of the contracting party.

The Commission unanimously approved the principle that there should be the fullest possible interchange of information respecting armaments between the parties to the proposed Convention. It also recorded the unanimous desire of the members of the Commission to find some method which would provide for the limitation of war material in a more precise manner than can be achieved by publicity alone.

The result of the vote taken on the principle of direct limitation was as follows: nine votes for, nine votes against and seven abstentions.

On a vote being taken on the principle of the simultaneous employment of the two methods proposed by the Italian delegation, nine members of the Commission declared themselves in favour of the system, eleven were against and five abstained from voting.

The principle of indirect limitation, as set forth in Article 9, was adopted by sixteen votes to three, with six abstentions.

As regards the application of this principle the Commission passed the following resolution:

"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:

1. The necessity of limiting all the expenditure in question;
2. 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."

The Spanish and United States delegations stated that they were prepared to consider the possibility of applying, as far as they themselves were concerned, direct limitation instead of indirect limitation, though the Spanish delegation observed that such limitation would have to be confined to material in service. The Japanese delegation expressed the view that, if the Conference had to contemplate a system involving for some countries the application of direct instead of indirect limitation, the number of such countries would have to be strictly limited.

Several delegations stated that, in the application of the system of indirect limitation, account must be taken of the circumstances peculiar to each State. They urged that preferential treatment should be granted to non-industrial countries, or countries whose budgets were below a figure to be fixed by the Conference.

The first of these arguments was put with particular clearness by the Greek delegate, who spoke as follows:

"It seems essential, in order to determine the budgetary limit for each country, to take into account the particular circumstances of each country, its economic circumstances, its standard of living, the cost of labour there, and above all, its position as regards material at the time of signing the Convention. Obviously, if the material a country possessed at that time were worn out or imperfect; and if, consequently, it were in a clear position of inferiority as compared with the other Signatory States, that would constitute a factor to be taken into account in fixing the budgetary limit binding upon that country." ¹

Apart from the reservation in the footnote to the article, the Turkish delegation made its acceptance of any budgetary limitation of material and armaments expressly conditional upon account being taken—as with any other method of limitation, indeed—of the special position of countries in which the industry is not sufficiently developed.

The Norwegian delegation observed that the possibility of some combination of direct and indirect methods by budgetary means had not been precluded. The British delegation made the following statement to the same effect:

"The British delegation was ready to admit that direct limitation may, in theory, be the most effective and the most obvious system, but feared that this method of limitation would, in practice, prove unsatisfactory. Even if adequate definitions and categories could be established, it would be impossible to impose on all countries such a system of verification and control as to give the assurance that the limitation would be properly observed.

"The British delegation had hoped that it might be possible to limit directly the larger weapons, such as big guns and tanks; but here, again, similar difficulties would be encountered. They would be prepared to accept any practical scheme for direct limitation of the more important weapons that would offer any prospect of general acceptance and reasonable effectiveness. It may be that the Governments at the Disarmament Conference will be able to find such a scheme.

"In the circumstances, the British delegate advocated the adoption of the indirect method of budgetary limitation.

"The British delegation recognises that such a method is not so complete; but, so far as it goes, it is, it feels, more effective and more reliable. Budgetary expenditure, in all the more important countries, is subject to a number of checks and controls, and cannot, to any serious extent, be evaded. Moreover, it has the additional advantage that it may serve to arrest competition in the development and perfection of weapons."

* * *

The German delegation has made a general reservation in regard to this article, since, notwithstanding its extraordinary importance, the material in service, in reserve and in store of land armed forces and of land formations organised on a military basis is only covered—contrary to the method applied to naval and air armaments—by limitation of expenditure, and not by a reduction and limitation of specific articles and of numbers.

As regards the limitation of expenditure, the German delegation reserves the right to take a decision after considering the report of the Committee of Budgetary Experts.

¹ Minutes of the seventh meeting.
The delegation of the Union of Soviet Socialist Republics declared that it was opposed to the Commission's refusal:

(a) To provide for the direct limitation of the material for land armaments in service and in reserve which, in view of the mechanisation of modern armies, might serve to make up for the reduction in the number of men;
(b) To abolish tanks and long-range artillery, since these constitute the most aggressive forms of armaments and the most dangerous for the civil population; and, further, to prohibit the introduction of newly-invented implements of war as fostering the competition in armaments.

ANNEX 15.
C.P.D.294(a), Addendum.
Geneva, December 9th, 1930.

ADDENDUM TO THE DRAFT REPORT, SECOND PART.
[Document C.P.D.294(a) (See Annex 14)].

PART I. — PERSONNEL.

CHAPTER A. — EFFECTIVES.

Page 9. — At the end of the paragraph on page 9 of document C.P.D.294(a) commencing with the words "In the light of..." add an asterisk referring to the following note:

"The question was considered whether it would not be well to add to the expression 'on service' some qualifying adjective such as 'active', 'actual' or 'with the colours'. But as the rules of limitation were based on the idea of average daily effectives, which in its turn was based on the idea of the number of actual 'days' duty' on military service, it was finally decided that such a qualifying adjective was unnecessary.

"Lastly, in order to take into account the frequent cases in which 'service' is performed in several separate periods, often of short duration, the word 'months' was substituted for the word 'years' of service."

ANNEX 16.
C.P.D.294(b).

DRAFT REPORT (THIRD PART).1
M. Bourquin and M. Cobían (Rapporteurs).

Part II. — Material (continued):

Chapter B. — Naval Armaments ........................................ 542

PART II. — MATERIAL (continued).

At the third session of the Preparatory Commission, two entirely opposite plans were submitted: the British draft suggested the limitation of tonnage and of the number of vessels to be allowed to each of the contracting parties in each of the categories to be specified; the Italian delegation was only prepared to accept the limitation of total (global) tonnage which each contracting party would undertake not to exceed and which it might allocate and organise in the way best suited to its national interests, provided it communicated with the Secretariat of the League of Nations,

1 Note by the Secretariat. — The page numbers in the margin show the pages in the roneoed document to which reference is made in the Minutes.
at least six months before the laying down of the keel, the characteristics of each warship it intended to construct.

The French delegation, whose views were much nearer to those of the Italian delegation than to those of the British delegation, proposed a three-column table, the figures in the columns indicating for each contracting party:

(a) The total (global) tonnage it considered indispensable for its security and the defence of its national interests;
(b) The total (global) tonnage it considered itself obliged to attain before the expiration of the Convention;
(c) The manner in which it proposed to distribute, in total (global) tonnages for each category, the whole total (global) tonnage indicated by it in the previous column.

In a spirit of conciliation and with a view to reaching a compromise, however, the French delegation was prepared to agree that the special categories of tonnage referred to should consist of four categories of vessels—capital ships, aircraft-carriers, surface vessels of less than 10,000 tons, and submarines, though admitting the possibility of transferring tonnage from one category to another in circumstances which the contracting party considered to be indispensable for its safety, provided it informed the Secretariat of the League of Nations of the change made in the allocation of its total (global) tonnage one year at least before the laying of the keels of the part of this tonnage, the allocation of which would be changed.

In spite of a very reassuring statement made by the United States representative to the Preparatory Commission at the beginning of its sixth session in April 1929, the discussion of the naval problem was deferred. In view of the agreement that had been reached at the London Conference, the discussion was resumed in the second part of the same meeting, on the basis of a proposal submitted by the delegations of seven countries (United States of North America, Great Britain, Canada, France, Irish Free State, Japan, Italy) which submitted a new text for almost all the articles in this section. By adopting this text in its main outline, the Commission was able to overcome the difficulties which had previously arisen, owing chiefly to the presence of two conflicting systems of limitation—i.e., limitation of total (global) tonnage and limitation by categories.

The Italian delegation made a general reservation to the effect that the Italian Government could not finally agree to one specific method before all the Powers had agreed on the proportions and on the levels of maximum tonnage.

The German delegation stated that, in view of the great value of non-floating material, it noted with regret that the latter—unlike floating material—would not be subject to any direct limitation of specific articles and of numbers, and would only be affected indirectly by the limitation of expenditure. With regard to the latter, the German delegation reserved its opinion until it had studied the report of the Committee of Budgetary Experts.

In conformity with the general principles it has followed, the Commission has not proposed to the Conference any figures for tonnage, etc., to be inserted in the articles and in the annexes. The figures set out therein have been inserted merely as an indication; they are similar to those given in the Washington and London Treaties. It should be observed here that, in several cases, various delegations proposed other figures to the Commission or reserved the right to do so when the Conference met.

Articles 10, II and 12.

These three articles must be regarded as a single whole, embodying the following system of limitation:

1. Limitation of the total (global) tonnage of each Power (Article 10), with the exception of certain vessels referred to in Annexes I and II;
2. Distribution of total (global) tonnage (Article 11);
3. Possibility of transferring tonnage from one category to another (Article 12).

The Italian delegation proposed that these Articles 10 and 11 should be replaced by a single article, worded as follows:

"The limitation of naval armaments, accepted by each of the High Contracting Parties, is indicated in the following table . . ."

like Table II of the text, while Table I would be omitted.

Article 10

The Chinese, Spanish, Persian, Roumanian and Yugoslav delegations observed that it should be understood that the particulars of total (global) tonnage inserted by the contracting parties in Table I would not be in any way binding on their countries after the expiration of the Convention. The possibility was considered of providing in the Convention two tables, one of which would indicate the total global tonnage which each contracting party regarded as indispensable for guaranteeing its safety and national interests, whereas the other would contain the figures of the total global tonnage to be obtained before the expiration of the Convention.
In order to give prominence to this idea, the Committee agreed, at the request of the Spanish representative, to alter the wording of the first article proposed by the Powers signatory to the London Agreements. The foregoing, therefore, explains the meaning of the sentence: "Throughout the duration of the present Convention.

Similarly, the Spanish delegation opposed a Soviet proposal to the effect that the limitation of naval forces should involve a reduction for all countries. The Commission finally adopted the principle of such a reduction, but gave it greater elasticity by adding the words "as far as possible". Since the same idea had been accepted in respect of the other armaments, it was thought preferable to embody it in a single clause which should govern the whole Convention. This—as we pointed out—is the object of the first article of the present draft.

The Yugoslav delegate also emphasised the difference between recently-created countries, which are at present engaged in elaborating and preparing a minimum naval programme compatible with their national security and countries having a maritime history and tradition and possessing a complete fleet. The figure of the total (global) tonnage to be inserted in Table I would for the former countries represent only the first stage in the execution of their minimum programme, whereas for the latter the figure will really indicate their maximum naval forces in the present state of international relations. In view of this essential difference, the Yugoslav delegation reserved the right to request at the Conference that recently-created countries which are obliged to distribute their expenditure for the construction of a minimum tonnage compatible with their national security over a number of years exceeding the duration of the Convention should be accorded the right to mention separately, within the limits of the agreed total (global) tonnage, what portion of their programme they intended to carry out during the period of the Convention. Similarly, if, under Article 56 of the draft, the Convention remained in force for a further period, such prolongation should not debar the above-mentioned countries from continuing the execution of their naval programme within the limits of the agreed tonnage.

**Articles 11 and 12.**

The Preparatory Commission's discussions on these articles were directed mainly towards rendering the proposed system of limitation applicable to navies of a small tonnage. With this object the Commission unanimously adopted the rules which appear as the introduction to Table III. This table will be prepared or filled in at the Conference; but the Commission desires to state that it regards the application of the rules proposed as an integral part of the system on which Articles 10 to 12 are based.

On this subject the following statements should be noted:

The representative of the British Empire stated:

"I am glad to be able to inform the Commission that I am now authorised to accept the three proposed rules in Table III of the Naval Clauses. In doing so, I should like to make it clear that I regard the first rule as governing the other two; I understand that was why it was put first—that is to say, though Rules II and III establish certain important principles, yet their application must, in the last resort, depend to some extent upon the considerations set out in Rule I. It is, of course, understood that, in saying this, I am dealing solely with the question of transfer and not suggesting that any limit can be put on the right of any Power to ask the Disarmament Conference for any class of ship as part of its navy."

The Swedish delegate spoke in the following terms:

"The Swedish delegation is very glad to learn from Viscount Cecil's statement that the British Government approves Table III. I should like to take this opportunity of saying that the Swedish delegation cannot accept any interpretation which might weaken the guarantees obtained by the Powers possessing fleets of small tonnage through the inclusion of the three principles contained in Table III as compensation for their acceptance of a large number of rules derived from the Treaties of Washington and London."

The representatives of Yugoslavia, Greece, Roumania, Turkey and Poland gave this statement their unqualified approval.

The Norwegian representative spoke to the same effect, adding that his country would certainly claim from the Conference the utmost freedom for transfer. The Chinese representative agreed with this view. The Finnish delegate stated that he would like the three rules to be interpreted on a footing of equality; none of them should be regarded as taking precedence over the others.

The United States representative explained that, in accepting the three rules, which were drawn up as a compromise text, his delegation assumed that the application of Rule III, Table III, was not intended to apply to Powers which are signatories of the Washington and London Treaties. The Italian delegate spoke as follows:

"Like the British delegation, we consider that the basic criterion for the application of transfers should be that which was enunciated in principle No. 1. When this principle has to be applied in practice, we should make no difficulty in according complete liberty of transfer from the class of submarines to that of light-surface vessels—e.g., destroyers and small cruisers.

"On the other hand, I desire to state now that we should oppose transfers in the opposite direction—that is to say, from the class of light-surface vessels to that of submarines."
This statement was formally opposed by the Spanish delegate, who pointed out that the text in question represented a compromise and had been adopted without any reservation other than that of the British delegation.

The Netherlands delegate also pointed out that, if they made the second rule adopted subordinate to the first, they would modify the scope of the system.

The rules contained in Table III annexed to this section are worded as follows:

1. Account must be taken of the special circumstances of each Power, and of the classes of ships involved in the transfer.

This must be understood to mean that, before it accords any transfer figure, the Conference must take into account the circumstances of the Power applying for the transfer and the class of vessels whose tonnage may be increased. These will be the factors on which the Conference will base its decision either to grant or refuse the transfer applied for, or to reduce its scope.

2. Powers whose total tonnage does not exceed 100,000 tons will have full freedom of transfer as regards surface ships.

This exception in favour of certain navies which the Conference will have to designate, taking into account their total tonnage, will be readily understood. It admits the possibility of unlimited transfer as regards surface vessels, but excludes submarines from this option.

3. As regards the other Powers, the amount of the transfer should vary in inverse ratio to the amount of the total (global) tonnage of each of them.

This rule applies to all Powers which do not benefit under the exceptional system established by the preceding clause. It provides that the Conference, when allowing transfers under the conditions laid down in Rule I, should grant them in inverse ratio to the global tonnage of the Powers applying for them.

Article 13.

The Soviet delegation proposed that the tonnage limit for capital ships should be fixed at 10,000 tons (10,160 metric tons), and the limit for gun calibres at 12 inches (304.8 mm).

Several delegations recommended that the Conference should either abolish capital ships altogether or should reduce the maximum tonnage of their standard displacement.

The Commission confined itself, however, to adopting the text proposed by the signatory Powers of the Washington Naval Treaty, fixing—but by way of indication only—the tonnage limit for capital ships at 35,000 tons (35,560 metric tons), and the limit for the calibre of their guns at 16 inches.

As regards the other articles of the draft submitted by the Powers which took part in the Naval Conference, we may say that they were adopted by the Preparatory Commission without discussion, it being understood that the figures contained in these articles were only given by way of indication and that the adoption of these articles in no way involved the adoption of the numerical data which might be replaced by other figures.

Article 14.

The Spanish delegation, however, made a reservation regarding the second paragraph of Article 14, which provides for the limitation of the calibre of guns carried by aircraft-carriers whose tonnage does not exceed 10,000 tons. The Spanish delegation considered that certain navies which, for reasons of economy, were compelled to build ships not corresponding exactly to any of the classes specified in Annex III of the draft (Definitions) could hardly be expected not to arm aircraft-carriers of a lower tonnage with guns of the calibre authorised for aircraft-carriers of the heavier tonnage mentioned in the first paragraph of Article 14.

Articles 15 and 16.

Articles 15 and 16 lay down that the standard displacement and the guns of submarines shall be limited, and that no vessel of war exceeding the limits as to displacement or armament prescribed by the Convention shall be acquired by, or constructed by, for, or within the jurisdiction of any of the contracting parties.

Article 17.

Article 17 contains a reference to Annex IV of Chapter B, Part III, regarding the rules with which the contracting parties must comply in the matter of the replacement of vessels of war. Annexes IV and V (Rules of Replacement) mentioned in Article 21 reproduce the corresponding provisions of the Naval Treaty of London.

Article 18.

Article 18 gave rise to a short discussion. This article, which provides that no preparation shall be made in merchant ships for the installation of warlike armaments for the purpose of converting such ships into vessels of war, nevertheless authorises the stiffening of decks for the mounting of guns not exceeding 6.1 inches (155 millimetres) in calibre. This exception to the

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1 This figure is given as an indication.
established rule was finally adopted, since the Commission recognised that it would be equitable to provide merchant vessels, in case of need, with certain means of defence. The Japanese delegation, however, reserved the right to raise the question of the limitation of aircraft equipment on merchant vessels, possibly at the Conference itself. The Soviet delegation emphasised the importance of laying down that no preparation shall be made in merchant ships with a view to converting such ships in war-time into fighting units.

Articles 19, 20 and 22.

The following clauses of the draft were adopted without discussion:

1. The clause prohibiting any contracting party engaged in war from using 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 19).

2. The clause prohibiting any contracting party from disposing 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 20).

3. The clause authorising the retention of existing ships used as stationary training establishments or hulks (Article 22).

Article 23.

On the proposal of the British delegation, the Commission adopted Article 23, providing for limitation of the annual expenditure in the war material of naval armaments on lines similar to the limitation of material of land armaments prescribed in Article 9. The forms of this limitation are to be studied by the Committee of Experts.

Certain delegations objected to the introduction of indirect limitation of naval material in addition to the direct limitation provided for in the other articles of this chapter. The French delegation suggested that budgetary limitation should be applicable only to such categories of material as have not been covered by direct limitation.

The American delegation repeated its general reservation on the subject of budgetary limitation.

The French delegation does not see its way to accept the special limitation of expenditure on upkeep, purchase and manufacture of war material for naval armaments. Apart from the technical difficulties which may be in the way, it observes that the limitation of naval material under satisfactory conditions is assured by the direct limitation of floating material, as well as indirectly by the limitation of the aggregate expenditure on armaments.

The German delegation reserves its opinion until it has studied the report of the Committee of Budgetary Experts.

The Japanese delegation also made a reservation in regard to this article.

The British delegation explained that their acceptance of this article depended on the attitude finally adopted by other maritime Powers.

A note inserted in the present draft (after Article 23) quotes two articles of the London Naval Treaty as examples of supplementary restrictions which certain contracting parties might be prepared to accept. It is understood that these articles, which are binding solely upon the signatories of the London Treaty, are only quoted by way of example, the Commission not having expressed any view in regard to them. The representatives of Greece and Spain, however, have made a formal reservation in regard to the possibility of these supplementary restrictions being applied.

The Commission attached several tables to Chapter B. Table I will have the figures of global tonnage allocated to each contracting party. Table II will serve to show the distribution of such tonnage between the categories defined in Annex III in accordance with the scheme fixed in London. A special subdivision has, however, been admitted in the class of capital ships for those contracting parties which have no capital ship of a standard displacement exceeding 8,000 tons. Table III, with regard to transfers, is also to be filled up by the Conference, account being taken of the three principles therein specified.

ANNEX 17.

C.P.D. 294(c).

Geneva, December 7th, 1930.

DRAFT REPORT (FOURTH PART). 1

M. BOURQUIN and M. COBIÁN (Rapporteurs).

Page

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1 Note by the Secretariat. — The page numbers in the margin show the pages in the roneoed document to which reference is made in the Minutes.
PART II. — MATERIAL (continued).

CHAPTER C. — AIR ARMAMENTS.

The text adopted in the first part of the sixth session provided in a single article for the limitation of air material in service by means of two tables, one for armed forces and the other for formations organised on a military basis, the limitation being applicable to aeroplanes and dirigibles capable of use in war employed in commission in the land, sea and air forces, or in the formations organised on a military basis.

All these provisions have been regrouped by the Drafting Committee. They are the subject of Articles 24 and 25, which the Commission has adopted.

Articles 24 and 25 (former Article AA).

The method of limitation fixed in these articles represents a compromise formula taking account of the principal standards of limitation proposed to the Commission. The standard of limitation in the case of aeroplanes is, first, the number, and, secondly, the total horse-power. In the case of dirigibles, it is the number, total horse-power and total volume.

The Commission accepted at the second reading, by nine votes to eight with some abstentions, a British amendment to limit, not only machines in service, but also complete machines in reserve belonging to the State.

The German delegation made a reservation in regard to these articles, on the ground that reduction and limitation do not apply to the aggregate of war material, including material in reserve, and that, in its view, the countries are left free to increase their stocks of aircraft not yet put together, and to arrange their air armaments as they please, without exceeding the limits fixed by the Convention.

The Turkish delegation reserved its opinion on the extension of the direct limitation provided for in Articles 24 and 25 to armaments in reserve.

The tables referred to in these two articles will contain the figures allocated to each contracting party. As regards the aeroplanes of the armed forces (Table I) and those of the formations organised on a military basis (Table II) and dirigibles (Table III, Dirigibles of the Armed Forces, and Table IV, Dirigibles of the Formations organised on a Military Basis), there are certain differences in the make-up of the tables. The two tables relating to the armed forces (Tables I and III) contain an obligatory column for the total of the aeroplanes and dirigibles respectively, and three optional columns for the aeroplanes or dirigibles stationed in the home country, overseas or in aircraft-carriers. In the case of aeroplanes, the figures will show, first, the number and, secondly, the total horse-power. In the case of dirigibles, there will be additional figures showing the total volume.

The tables with regard to the formations organised on a military basis (Table II, Aeroplanes, and Table IV, Dirigibles) have the same columns and the same particulars as the others, without column (d) (Tables I and III), which is irrelevant in the case of formations organised on a military basis.

Article 26.

It should be noted in the case of this article that the British and Canadian delegations consider it will not be possible to specify the horse-power figures.

The French delegation had proposed at the first reading to measure horse-power according to the rules laid down by the International Air Navigation Commission. These rules are as follows:

"The power of an engine is the average power that the engine generates during two trials of one hour each during which it runs without stopping at a pressure of 760 millimetres of mercury in dry air and at a temperature of 15°C. The engine power will be measured in horse-power of 75 kilogramme-metres a second and will be expressed to the nearest horse-power for engines not exceeding 50 horse-power within 5 horse-power for engines between 50 and 200 horse-power and within 10 horse-power for engines exceeding 200 horse-power."

(Document C.310.M.109.1927.IX. page 139.)

The delegation of the United States expressed the view that, in the case of a subject on which technical methods change with great rapidity, it was not desirable to adopt a method at the present time which might not be acceptable by the time the Conference meets.

The Commission accepted this standpoint, and decided not to propose particular rules, but to leave the Conference to take a decision on the point.

The Commission is, however, of opinion that it is desirable for the Council to entrust to experts the preparatory studies required for the laying down of such rules.

* * *

The German delegation makes a reservation of a general character in regard to Tables I(c), II(c), III(c), IV(c), attached to Section C of Chapter II. This reservation is to the following effect: for the purposes of reduction of armaments, the material which a contracting party may assign to its oversea territories may be of varying importance in relation to another contracting party.
by reason of the geographical situation of its territories in relation to the home country territories of the two contracting parties. One contracting party will therefore have every reason to regard the oversea material of another contracting party as forming part of the home country material of the latter, when such an assumption is justified by the proximity of the oversea territories in relation to the home territories of the two parties.

The Turkish delegation repeated, in regard to the tables attached to Section C, the reservation it had made before in regard to the tables in Chapter I.

**Article 27.**

Article 27 deals with the interesting problem of the relation between civil and military aviation. It makes provision for prohibitions and obligations to be imposed on the contracting parties, with a view to avoiding the danger involved in prescribing the embodiment of military features in the construction of civil aeroplanes, and with a view to encouraging the independent development of purely civil aviation. It is not superfluous to reproduce the somewhat complicated text of Article 27:

"1. 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 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 is 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."

This article was drafted after the work of the Special Committee of Experts on Civil Aviation. The Preparatory Commission agreed with the Committee of Experts that the Convention should avoid any provision capable of obstructing the development of civil aviation; but it was of opinion that all efforts should be directed towards differentiating more and more definitely between civil and military aviation, and that Governments should be prevented from interfering in civil aviation undertakings in order to divert them from purely civil objects.

The Soviet delegation submitted the following amendment in the course of the discussion:

"Any adaptation of civil aviation material to the establishment of armaments or to military uses is prohibited."

Under the terms of this amendment, the Governments would be bound to take steps to prevent the construction for military purposes, or the adaptation to military purposes, of aircraft-carriers, whether constructed by, or belonging to, private companies or private persons.

It should be noted that the text of the article approved by the Commission does not bind the Governments to impose restrictions on the private manufacture or adaptation of aircraft-carriers, but only prohibits them from encouraging the adaptation of civil aircraft-carriers to purposes of war.

An amendment was submitted to the Commission by the Canadian delegation for the omission of the second sentence of paragraph 2 of Article 27, to the effect that the seconding of personnel to, and the employment of military aviation material in, civil aviation undertakings should be authorised only as a provisional and temporary measure.

The Commission, while appreciating the special circumstances of Canada, was not prepared to recede from the general rule to which it had given its approval. It thought that a solution of the difficulty might be found in the establishment of an exceptional arrangement, the forms of which would have to be settled by the Conference.

The Canadian delegation subsequently submitted a reservation in regard to the "temporary and provisional" character of the seconding of personnel and the employment of military aviation material in civil aviation undertakings. Canada, because of its special needs and problems, requires, for the reasons given in the Minutes of December 2nd, the unrestricted right of seconding, in order to develop its country of vast distances and to protect its citizens and natural resources. The Canadian delegation, in order to obviate the possibility of abuse in seconding, proposed an amendment, which the Commission accepted unanimously, by which all seconded personnel and material shall be included in the quota allotted to each State.

In the course of the discussion on paragraph 3, the British delegation stated that it must be clearly understood that the proposal did not imply that the Governments committed themselves...
to complete internationalisation of aviation, and that on this point the British Government reserved its entire freedom of action.

* * *

The British delegation proposed the insertion of a new article worded as follows:

"Each of the High Contracting Parties agrees to limit its annual expenditure on the maintenance, purchase and manufacture of war material, for air armaments, to the figures and under the conditions defined in the Annex to the present Convention."

The voting on this article was as follows: five for; six against; thirteen abstentions.

The British delegation expressed particular regret at the failure of the Commission to adopt a system of budgetary limitation of air material. They felt that the science of aeronautics is still in so early a stage that very great developments in size, cost and destructiveness of military machines are to be apprehended. These developments will in no way be affected by the limitation of the total number of machines, and they fear it is impossible to rely on the limitation of horse-power as a practically effective check. Without budgetary limitation, therefore, they believe that the air arm, potentially the most destructive of civilisation, will be the most free for competitive international development.

* * *

During the first part of the sixth session the German delegation submitted a proposal to prohibit the launching of weapons of offence of any kind from the air, as also the employment of unpiloted aircraft controlled by wireless or otherwise, carrying explosive or incendiary gaseous substances.

After a very interesting discussion this proposal was rejected, five delegations voting in its favour. The delegations which did not accept the German proposal stated that they did not thereby imply the authorisation of bombardment from the air of civil populations.

PART III. — BUDGETARY EXPENDITURE.

Article 28.

Upon the proposal of the French delegation, the Commission considered at its third session the limitation of the total annual expenditure by budgetary years for the forces stationed in the home country, and the formations organised on a military basis in the home country, as well as the overseas forces, their reinforcements and overseas formations organised on a military basis.

On this occasion, the delegations of the British Empire, Italy and Japan stated that, in their opinion, budgetary limitation should be effected solely by means of publicity. The delegations of the United States and Germany made a general reservation regarding the inclusion in the draft Convention of stipulations concerning the limitation of budgetary expenditure.

At the sixth session, the Commission accepted the principle of the limitation of the total expenditure on land, sea and air forces.

In adopting this principle (Article 28), the Commission desired to emphasise that such limitation should be applied individually, taking into consideration the conditions peculiar to each country.

The Preparatory Commission, however, is not submitting any final proposal to the Conference regarding the methods of such limitation.

Valuable studies have already been made in this field—in particular, by the Committee of Budgetary Experts set up by the Preparatory Commission; this Committee held several meetings in 1927. The results of its work—to the value of which the Preparatory Commission desires to pay tribute—are embodied in documents C.P.D.40 (Provisional Report) and 90. Some delegations thought that it would be desirable to convene this Committee once more so as to enable it to complete its report in the light of the experience acquired during recent years, and taking into account, in particular, the observations made on this subject during the second part of the sixth session of the Preparatory Commission.

For this purpose the Commission requested its President to reconstitute the Committee of Budgetary Experts, and to convene it in good time to ensure that its report should reach the Governments as soon as possible so as to enable the latter to take it into consideration when preparing for the Conference. The next session of the Committee of Experts will open on December 11th.

The Commission requested the Committee to study, in particular, the following points:

(a) The necessity of limiting the total expenditure in question;
(b) To take into account the diversity of methods of presentation and discussion of the budgets customary in the various countries;
(c) To adapt the method of limitation contemplated to the possible differences in the purchasing power of the various currencies, with particular reference to the cost of war material;
(d) To determine the conditions under which the carrying forward of credits from one budgetary year to the next year or following years might be effected.

1 See Minutes of the Sixth Session (First Part), pages 83 to 93.
The Committee of Experts will have to bear these points in mind when it studies the methods of special limitation of land and naval materials (Articles 9 and 23).

The Soviet delegation proposed the insertion of a new article worded as follows:

"Secret funds intended in a disguised form for extraordinary expenditure on special preparations for war or an increase in armaments shall be excluded from the national budgets. "

"In conformity with the above provision, all expenditure for the upkeep of the armed forces of each State shall be shown in a single chapter of the national budget; their full publicity shall be ensured."

Since the Commission agreed as to the desirability of asking the budgetary experts to examine the whole problem of the methods of limitation, including that raised by the Soviet delegation, the latter did not press its proposal.

While agreeing to the limitation of budgetary expenditure, several delegations, including the Roumanian delegation, declared that it was essential in this connection to take into account the conditions peculiar to each country—that is to say, economic conditions, the purchasing power of each currency, the industrial development of each country, and, in particular, its position with regard to war material at the time of the signature of the future Convention. If, at that date, a country had not yet been able to carry out its minimum defensive programme in regard to certain categories of armaments, and if it possessed only obsolete, worn or incomplete war material, obviously such a State would be in an inferior position in relation to other signatory States more fortunately situated in this respect.

These are the factors which will have to be taken into account when the budgetary limit imposed upon the contracting States comes to be laid down.

The American delegation made a general reservation on the subject of budgetary limitation and drew attention to its declaration of November 11th, 1930.

The German delegation made a general reservation regarding this chapter pending the Committee of Budgetary Experts' report.

PART IV. — EXCHANGE OF INFORMATION.

Part IV of the draft Convention contains seven articles, providing for the drawing up of twelve tables with a number of columns.

Article 29.

Article 29 provides for the exchange of information each year in regard 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 contracting parties. It also specifies the conditions under which the information, details of which appear in the tables, is to be supplied. The tables are largely similar to those of Chapter I (Limitation of Effectives), but are more detailed. It is to be noted that the Commission, which did not see its way to propose limitation by territories of the armed forces and formations organised on a military basis stationed in the various overseas territories, nevertheless accepted the principle of publicity with regard to their distribution (by five votes to four with a certain number of abstentions). As the Annex to Tables II and V shows, this publicity is limited to land forces.

The Commission recognised that the method of calculating on the basis of the average daily effectives does not give adequate information in all cases. In the case of certain forms of military organisations, the real effectives may be considerably higher than the average effectives. The explanatory note, for which provision is made in the second sentence of the second paragraph, is intended to give publicity to this special feature of certain military systems. It is understood that the words in parentheses, "recruits, militiamen, reservists, territorials, etc. ", are only given by way of example. Each State will have to arrange in its own way the enumeration of the categories of effectives to which Article 29 relates.

The following reservations were made in connection with Article 29:

(a) The German delegation made a reservation to the article on the ground that the tables mentioned therein do not provide for publicity regarding trained reserves and the figure of the annual contingent. The general reservation of the German delegation in regard to Chapter I, Table I, applies to the following tables of Part IV: Table II, Table V and the Annex to Tables II and V, Table IX and Table XII. The German reservation in regard to Tables VI and VII annexed to Chapter A of Part I applies to Tables VI and VII of Part IV.

(b) The German delegation also made a reservation in regard to the option allowed to States to show, if they desire, for purposes of information, in a special column of the tables annexed to Chapter IV (Table V(e)), the number of recruits not trained as defined in the national legislation.
The German delegation considers that this option should not be allowed, unless the contracting parties are under obligation to publish at the same time and in the same tables similar information with regard to the number of their trained reserves. Failing such publicity, the German delegation considers it impossible to judge of the real military situation of the States.

c) The Turkish delegation repeated in regard to the tables annexed to Article 29 the reservations made by it in regard to the tables in Chapter I.

d) The French delegation does not accept publicity for the effectives stationed in each overseas territory, as not being called for to any greater extent in the case of overseas territories than in the case of the various districts of the home country. The French delegation also desires to point out that detailed publicity in the case of each overseas territory, with a multitude of distinctions between the different categories of soldiers according to their rank and length of service, is even less acceptable, being materially impossible owing to the constant transfers from one territory to the other and the special conditions of the territories in question. An army of accountants would be required for the purpose. The inclusion in the Convention of such minute rules is calculated to multiply involuntary errors in the information supplied by the contracting parties, and further threatens to lead to unnecessary and provocative discussion, which no one can desire, and which cannot be the object the Commission has in view.

The British delegation concurred in this reservation.

e) The Japanese delegation also made a reservation as to the desirability of separate publication of the average daily effectives in each overseas territory.

Article 30.

In adopting Article 30, the Commission considered it important to know the number of youths compulsorily receiving preparatory military training. No provision is made for information on this point in Article 29, since Article 29 does not cover training which precedes active service.

On these grounds the Commission considered it desirable that the contracting parties, who have systems of compulsory pre-regimental military training, should state the number of youths who have received such training. The Commission held that the Governments were not in a position to supply statistical information in regard to voluntary pre-regimental military training.

The German and Italian delegations consider that particulars should be given, not only of the youths who have been subjected to compulsory preparatory military training, but of all who have received preparatory military training, whether voluntary or otherwise.

Article 31.

Article 31 imposes on the contracting parties the obligation to inform the Secretary-General of the League of Nations each year of the total number of days comprised in the first period of service, and the total duration in days of the ensuing periods; this provision applies only to the effectives recruited by conscription.

The limitation of the period of service laid down in Articles 5 to 8 (former Articles I and XB) did not provide for a precise limitation of the total number of days of service, on the one hand, and the total duration of the periods of training not included in the period of service, on the other.

The Commission considered, however, that, in order to give a clearer idea of the military organisation of the various countries, tables should be drawn up for purposes of publicity, giving these figures separately.

Article 32.

The Commission accepted (by nine votes to seven) the principle of publicity in respect of material by means of the budget. The methods of application of this principle will be determined on the basis of the report requested from the Committee of Budgetary Experts.

The Netherlands delegation, supported by several other delegations, had proposed that each of the contracting parties should, each year, prepare a statement giving the numbers (and for certain categories and for ammunition also the weight) of material in service and reserve of the land, sea and air forces under twelve specific headings. The Committee of Military Experts, which the Preparatory Commission had requested to study the method of application of this principle, prepared a simplified table applicable to land armaments. Some delegations which were ready to accept publicity on the basis of this table in respect of material in service did not see their way to accepting it in respect of material in reserve. In these circumstances, other delegations which advocated direct publicity did not feel that they could press this point.

The German delegation made a general reservation in regard to Article 32. It considered that, in order to be effective, publicity should be given to the total of the land and air material and of non-floating material of the navies, and that this information should be published by categories and numbers.

As regards publicity in respect of expenditure, it reserved its opinion until it had had an opportunity to study the Committee of Budgetary Experts' report.
Article 33.

Article 33 specifies the information to be furnished by each contracting party regarding every vessel of war laid down or completed by or for such party, or within its jurisdiction, after the coming into force of the Convention, except such vessels as are exempt from limitation under the terms of Annex I to Chapter B of Part II.

Article 34.

Article 34 lays down that the name and tonnage of any vessel whose decks have been stiffened as authorised in Article 18 shall be communicated to the Secretary-General of the League of Nations; it should be pointed out, however, that this article was approved only by seven delegations, three delegations having voted against it, the others abstaining.

Article 35.

Article 35 provides for publicity corresponding to the limitation of air material in service stipulated in Articles 24 and 25.

The German delegation made a reservation concerning this article. It considers that publicity should apply to the total air material, including material in reserve. The Turkish delegation repeated, in regard to the tables annexed to Article 35, the reservations it had made concerning the tables in Chapter I.

Article 36.

A large majority of the Preparatory Commission recognised the importance, from the point of view of armaments, which the development of the civil aviation of a country might assume. It also considered that the regular and official publication of information regarding civil aviation in the various countries would be extremely useful.

While accepting this principle, and approving the text of Article 36 as it stands at present, certain delegations were doubtful whether the provision contained in this article would not be more suitably included in an international convention other than the Disarmament Convention.

The Commission decided to draw the Conference's attention to this point.

Upon the British Delegation's proposal, the Commission adopted at second reading an addition to Part IV providing that the contracting parties shall be bound to furnish information regarding expenditure incurred on civil aviation by the Governments and local authorities. The delegation of the United States pointed out that it was doubtful whether its Government would be in a position to furnish data on the expenditure incurred for this purpose by local authorities.

On the proposal of the Polish delegation, the Commission adopted an amendment providing that the returns furnished by the Governments should show, not only the number, but also the total horse-power of registered aircraft and dirigibles. The American delegation stated that its Government would probably not be in a position to furnish information of this kind.

The German delegation made a reservation in regard to Article 36. It considered that rules concerning publicity in regard to peace-time means of communication would not properly be included in a purely military convention, and that for this reason they should be dealt with in a special convention.

Article 37.

In adopting Article 37, the Commission approved the principles of publicity in regard to the total expenditure on the land, sea and air forces. Each of the contracting parties will undertake to furnish annually a statement of its expenditure in accordance with a standard model. Similarly, it will state the amount actually expended for the upkeep, purchase and manufacture of war material.

The standard model in question will be drawn up by the Conference on the basis of the studies made or to be made of this subject by the Committee of Budgetary Experts.

The German delegation reserved its opinion on the publication of expenditure until it had studied the report of the Committee of Budgetary Experts; it considered, however, that the standard model should not be used for purposes of comparison and limitation.

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1 See also, in regard to Tables I (c), II (c), III (c) IV (c), the German delegation’s general reservation concerning the tables annexed to Section C of Chapter II.
PART V. — CHEMICAL ARMS.

Article 38.

This part consists of only one article—Article 38—by which the 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, and undertake unreservedly to abstain from the use of all bacteriological methods of warfare.

The insertion in the draft Convention of provisions concerning chemical warfare was proposed by the delegates of Belgium, Poland, Yugoslavia, Roumania and Czechoslovakia.

There was a certain amount of discussion as to whether provisions of this nature were in their right place in a Disarmament Convention which aimed, not at codifying the rules applicable in war-time or prohibiting the use of certain arms, but rather at regulating armaments in peace-time, or whether it would not be preferable to insert these provisions in some other document.

The Commission’s attention was also drawn to the existence of other international undertakings on the same question—in particular, the Protocol prepared by the 1925 Conference on the Trade in Arms. As was pointed out, however, the Governments which had acceded to the Protocol and those which would accede to the Convention might not in every case be the same, and thus the Convention would not produce its full effect.

Finally, the Commission adopted this article in the above-mentioned form, by a majority vote. Nevertheless, several delegations expressed the desire to reserve their right to submit to the Conference proposals concerning the chemical and bacteriological weapons, with a view to supplementing the provisions of the 1925 Protocol and amplying their scope.

The Commission noted that certain Governments had signed and ratified the 1925 Protocol with reservations concerning, in particular, reciprocity. Though recognising that the undertaking to abstain from the use of asphyxiating, poisonous or similar gases (paragraph 1 of the draft article) could normally be observed only subject to reciprocity, the Commission thought that the undertaking to abstain from the use of bacteriological methods should be absolute. The use of such methods would in any case constitute a crime against international law, in that this arm necessarily strikes the whole population, and no civilised Government could possibly wish to be guilty of such a crime even against the armies of a criminal Government which had itself resorted to such methods.

The Soviet delegation drew the attention of the Commission to the following article of the draft Convention submitted by it:

“All methods of and appliances for chemical aggression (all asphyxiating gases used for warlike purposes, as well as all appliances for their discharge, such as gas-projectors, pulverisers, balloons, flame-throwers and other devices) and bacteriological warfare, either available for the use of troops or in reserve or in process of manufacture, shall be destroyed within three months of the date of the entry into force of the present Convention.”
The Polish delegation, though in no way opposed to this proposal, expressed the opinion that
the limitation or even destruction of any given appliance used for chemical aggression would
merely create an illusion of action without in fact solving the problem of chemical warfare.

In the second part of the sixth session, the British delegation submitted a memorandum
concerning the interpretation of certain terms used in the chapter, particularly whether the use of
tear-gas was to be regarded as contrary to the 1925 Geneva Protocol and the provisions of Chapter
IV of the draft Convention or not.

The French delegation submitted certain observations on this memorandum. The Commission
felt itself unable to express a definite opinion on this question of interpretation. Very many
degolutions, however, stated that they were prepared to approve the interpretation suggested in
the British Government’s memorandum.

The Preparatory Commission thinks that it would be very useful if all the Governments which
intend to send representatives to the Disarmament Conference were to devote very careful study
to this question—the extreme importance of which the Commission recognises—so that the problem
may be settled in all its aspects by the Conference.

The Polish delegation made the following declaration:

"Though recognising the moral value of international instruments forbidding the use
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 connection, 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.

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

With regard to Article 38, the German delegation is of opinion that the effect of prohibiting
the use of chemical weapons would be incomplete unless it referred also to preparations for the
use of those weapons (instruction of troops, etc.).

The same delegation stated that a scheme for the reduction and limitation of armaments
should, in the first place, prohibit weapons of an essentially offensive character, the destructive
effects of which menaced not only armies but also the civilian population—i.e., bombs from the air,
heavy-calibre guns and tanks of every kind.

PART VI. — MISCELLANEOUS PROVISIONS.

CHAPTER A. — PERMANENT DISARMAMENT COMMISSION.

Article 39.

This article, together with the other provisions of Part VI of the draft, underwent a thorough
preliminary examination at the last session, having been entrusted to a Sub-Committee presided
over by His Excellency M. Politis. The Sub-Committee’s conclusions, having been stated and
discussed in plenary meeting, were approved by the Preparatory Commission. The latter unani-
mously recognised the necessity of setting up at the seat of the League of Nations a Permanent
Disarmament Commission to supervise the execution of the Convention.

The object of Article 39 is both to provide for the creation of this organ and to determine its
composition.

As regards the latter, several systems were suggested in the course of the debates. Differences
of opinion were expressed with regard to the number of members composing the Permanent
Commission, and with regard to the capacity in which these members should sit and the conditions
in which they would perform their duties.

The text adopted lays down that the members of the Permanent Commission will be appointed
by the Governments. But which will be the Governments that will appoint them? Some
deglections expressed the opinion that this right should be given to all contracting parties. The
Commission did not accept this view. It thought that an institution of this kind could not satis-
factorily perform its task unless it was of comparatively small size. The rule of universality
thus being rejected, it remained to decide how many States should have the right to appoint
members and how those States should be selected.

After careful consideration, the Commission came to the conclusion that any decision on this
subject, which is a definitely political question, should be left to the Conference itself. It thought
it desirable, however, to bring to the notice of the latter the three systems which had been proposed
to it: (1) that of the British delegation, consisting in reserving the right of appointment to the
States Members of the Council of the League of Nations and to two or three States not members
of the League; (2) that of the French delegation, consisting in conferring this right on the States
Members of the Council, on certain States not members of the League of Nations to be designated by the Conference, and, further, on certain States Members of the League of Nations but not represented on the Council, which would also be determined by the Conference; (2) lastly, that of the Chinese delegation 1, which recommended that the Conference should elect all the countries who should be entitled to nominate members, it being understood, however, that those countries should fulfil certain special conditions to be determined.

The Turkish delegation, while recognizing that the great Powers, whether Members of the League or not, should necessarily possess the right of nomination, considered that, as regards the conferring of this right on other States, account should be taken of the defensive military interests of groups of countries which, owing to their contiguity, were directly concerned in maintaining the balance between their armed forces. The Turkish delegation recommended rotation on an equal footing between the countries constituting these groups of defensive interests, a list of which might be submitted to the Conference by a committee of experts.

In any case, whatever system the Conference may agree upon, the selected Governments will only be required to appoint one member each to the Permanent Commission.

The second question on which the Preparatory Commission was called upon to decide was that of the conditions under which members of the Permanent Commission will serve. It pronounced in favour of the solution formulated in the second paragraph of Article 39, which lays down the following principles: (a) Members of the Permanent Commission will not represent the Governments which appointed them; (b) they will hold office for a fixed period to be determined by the Conference, but will be re-eligible; (c) during their term of office, they may be replaced only on death or in the case of voluntary resignation or serious and permanent illness.

The third paragraph provides that members of the Commission may be "assisted by technical experts". The French delegation was in favour of a clause providing that members of the Commission must themselves be technical experts, giving purely technical opinions and not prejudging any political conclusions that the Governments might draw from those opinions. The French delegation stated that it still preferred this system, although the majority of the Commission did not accept it.

The question of payment for members of the Permanent Commission was also raised. It was thought better to come to no decision for the time being, especially as the question would readily settle itself in due course.

Article 40.

Article 40 and those which follow lay down rules for the procedure of the Permanent Commission.

The first paragraph of Article 40 calls for no comment.

Paragraphs 2 and 3 provide that the Permanent Commission shall meet annually in ordinary session on the date fixed in its Rules of Procedure, and that, in addition to this compulsory session, extraordinary sessions may be convened by its President (1) in the cases provided for in the Convention and (2) whenever an application to that effect is made by a contracting party.

Article 41.

This is an important article, for it leaves the Permanent Commission full power to lay down, and consequently to revise, its own Rules of Procedure. The only restriction placed on its power of decision is that it must be guided by the provisions of the Convention; this restriction is so logical that there is no need to lay stress upon it.

In leaving the Permanent Commission such wide latitude in regard to its Rules of Procedure, the Preparatory Commission intended to enable it to change its methods of work and its various forms of action in accordance with the lessons taught by its own experience. Had definite rules on this point been embodied in the Convention, there might have been some danger of the establishment of a rigid theoretical system, to which it might have been difficult to accommodate practical needs.

Articles 42, 43 and 44.

These three articles form a single system. They specify certain conditions which the Permanent Commission must observe in the conduct of its business.

(1) Two-thirds of the members must be present before the Commission can transact business (Article 42).

(2) In order to be adopted, a decision must be passed by a majority of the votes of the members present at the meeting (Article 44, paragraph 2).

(3) Each member of the Commission shall have only one vote (Article 44, paragraph 1).

(4) When a question brought before the Commission specially affects a contracting party not having a member of its nationality on the Commission, that party shall be entitled to send a member appointed for that purpose to sit on the Commission, and he will accordingly be regarded, so far as concerns the matter in question, as on the same footing as other members of the Commission, and may vote equally with them (Article 43).

(5) In two specified cases, however—those provided for in Article 49 (on "derogations") and in Article 51 (on "complaints")—the votes of members appointed by the parties concerned in the discussion shall not be counted in determining the majority (Article 44, paragraph 3).

1 It should be noted that the Chinese delegation had primarily supported the system of universality.
This rule applies, of course, not merely to members specially appointed under Article 43, but also to ordinary members of the Commission.

(6) Lastly, the final paragraph of Article 44 provides that the minority may state its views in a report.

**Article 45.**

The Permanent Commission will obtain such information as it requires under the conditions laid down in Article 48. Apart, however, from these regular sources of information, Article 45 entitles any member of the Commission to have any person "heard" or "consulted" who is in a position to throw any light on any question which is being examined by the Commission. At the same time, in establishing this right, the text carefully emphasises that any member availing himself of it does so "on his own responsibility". Indeed, in such delicate questions as those with which the Commission will have to deal, great circumspection must be exercised in selecting sources of information.

**Article 46, 47 and 48.**

These articles have this common feature—that they specify the conditions under which the Permanent Commission is to draw up, communicate and publish its reports.

Article 46 deals with a special point, but one which could not be neglected. It entitles every member of the Commission to require that, in the Commission’s reports, account shall be taken of the opinions or suggestions put forward by him personally—if necessary, in the form of a separate report. This provision is analogous to that in the last paragraph of Article 44. Its intention is the same—to ensure that all shades of opinion may be made public.

Article 47 provides that all reports by the Commission shall be communicated (a) to the contracting parties and (b) to the Council of the League. It also requires that they shall be published. The conditions for this communication and publication will be laid down in the Commission’s Rules of Procedure, so far as they are not already fixed in the Convention itself.

Article 48 deals with the reports to be drawn up by the Permanent Commission on the information it receives with regard to the application of the Convention. To examine and judge this information is looked upon as the Permanent Commission’s normal function. It is in fulfilling this function that the Commission will become an essential factor in the system of the Convention, being responsible for watching its application, regularly reporting on the situation, noting the increase of mutual confidence among the contracting parties, and calling attention, where necessary, to any errors and omissions which experience may have revealed in the text in force.

In investing the Commission with this function, Article 48 lays down certain rules which it may not be out of place to discuss more fully.

(1) In principle, the information in the Permanent Commission’s possession will be sent to it through the Secretary-General of the League by the contracting parties in pursuance of their international obligations. It was thought advisable, however, that the Commission should be able to supplement these statements by information drawn from other sources. Here, however, a difficulty arose. It would be unwise to make this power so elastic as to be indefinite. There must be a certain weeding-out of the reports that might come before the Commission. Who is to do it? It was impossible to organise the matter in detail in the actual text of the Convention, which accordingly leaves the application of the principle to the Commission's own judgment and merely emphasises the fact that this power of discrimination should be exercised with caution. That is the effect of Article 48, which lays down that the "other information" in question is that which "may reach it from an authorised source" and which "it may consider worthy of attention". It will also be remembered that Article 45, which is dealt with above, entitles every member of the Commission, on his own responsibility, to have any person "heard or consulted" who is in a position to enlighten the Commission.

(2) The report to be drawn up by the Commission under Article 48 must be produced at least once a year. It is to be communicated to the contracting parties and to the Council of the League "forthwith". Its publication will take place on a date to be fixed by the Commission’s Rules of Procedure.

**Article 49.**

Despite the Preparatory Commission’s desire to give the provisions of the Convention the maximum degree of stability, it felt obliged to provide for the possibility of certain derogations. In a matter such as this, which affects the vital interests of national defence, grave circumstances may arise which would justify the application of exceptional measures.

But while recognising this truth and taking it duly into account, the Commission has endeavoured to find every precaution to avoid the abuses to which a system of derogations might possibly open the door.

The drafts submitted in 1927 by the French and British delegations contained certain provisions in the matter—but the system laid down in both of them gave rise to criticisms, the foundation
for which their authors were the first to recognise. Finally a simpler and more elastic proposal submitted by the United States delegation, which was the subject of certain amendments, met with the approval first of the Sub-Committee and then of the Preparatory Commission, and resulted in the text of Article 49.

Under the terms of this article, any contracting Power will have the right to suspend any provision of the Convention if a change of circumstances constitutes a menace to its national security.

An analysis of the text reveals the following features:

(1) The hypotheses in which the right of suspension shall apply are not enumerated, so as rigid a method was not to be recommended. Although, however, Article 49 does not enumerate the circumstances which would justify any suspension, it does lay down that these circumstances must constitute a menace to the national security of the State in question, so that its field of action is considerably restricted thereby. It is only in quite exceptional and really serious cases that any suspension will be possible, cases so serious and so exceptional that one may hope that they will not occur.

(2) The suspension may effect certain articles of the Convention or all its provisions as a whole, with the exception, however, of those designed to apply in the event of war.

(3) The suspension will in any case be purely temporary, and when the reasons for it have ceased to exist the armaments which have been temporarily increased must be reduced to the level agreed upon in the Convention.

(4) It seemed impossible to make the entry into force of measures implying suspension conditional on previous authorisation, as the menace which justifies it may be so urgent as to call for immediate precautions. The Commission noted this fact with regret, but was obliged to acknowledge the impossibility. Each of the contracting parties may therefore take officially such measures as are necessitated by the circumstances in which it is placed, and will have the right for such purposes to appreciate the gravity of those circumstances. That is what is meant in the text by the words, "a change of circumstances constitutes, in the opinion of any High Contracting Party . . . ."

(5) Article 49, however, after recognising this right, subjects its exercise to a series of precautions which constitute a powerful check against any attempted abuse.

It provides, first, that any contracting party which suspends any provision of the Convention shall immediately notify such suspension and the extent thereof not only to the other contracting parties but also, through the Secretary-General of the League of Nations, to the Permanent Disarmament Commission.

Further, it makes it incumbent upon the said contracting party to accompany the notification by "a full explanation of the change of circumstances" determining its action.

It provides, lastly, that the other contracting parties shall promptly advise as to the situation thus presented.

In addition to these guarantees there is the guarantee under Article 53, the effect of which, as will be noted later, is to establish the principle of compulsory arbitration for all disputes concerning the interpretation or application of the Convention.

In this way there is built up a system of precautions to obviate all risk of abuse.

In providing for this system the Commission, it need hardly be said, had no intention of restricting in any way the rights and obligations of States Members of the League of Nations under the provisions of the Covenant. Those provisions naturally retain their full force, and will help in their particular sphere of application to reinforce the guarantees laid down in the Convention.

CHAPTER C. — PROCEDURE REGARDING COMPLAINTS.

Articles 50 and 51.

Article 50 embodies an important principle, in that it lays down that any violation of the Convention is a matter of concern to all the contracting parties. Should such a violation occur, any one of them, therefore, would have the right to act and set in motion the procedure in the matter of complaints provided for in Article 51.

This article provides that a complaint may be lodged, not only when one of the contracting States violates the Convention (for example—this is the most typical case, though there may be others—by maintaining armaments in excess of the figures agreed upon), but also when it endeavours to violate it.

The complaint must be brought, through the Secretary-General of the League of Nations, before the Permanent Commission, which, after hearing the contracting party whose action is questioned and any other party which may be specially concerned and which asks to be heard, will draw up a report. This report, like all others framed by the Permanent Commission, must be presented to the contracting parties and to the Council of the League of Nations and published, together with any proceedings.

The Permanent Commission, being only a consultative body, cannot itself decide on the action to be taken on its report. That duty will devolve upon (1) the contracting parties, who shall advise on the subject, and (2) the Council of the League of Nations, within the limit of its powers under the Covenant. It is understood, moreover, in this connection, that the various pacific procedures provided for by the existing international agreements would, if necessary, be employed.

The procedure laid down in Article 53 of the draft Convention is naturally included among the various solutions that might be employed.
When Article 51 was discussed, the United States delegation expressed certain doubts as to the expediency of the provisions which it contains, and reserved the right to study the question in greater detail.

CHAPTER D. — FINAL PROVISIONS.

Certain formal provisions (such, for instance, as those relating to the signature of the Convention) do not figure in the present draft. It seemed preferable to leave it to the Conference to add them.

Further, the text makes no mention of a clause which generally figures in multilateral conventions and which provides for the possible accession of third Powers. The reason is that the present situation is somewhat peculiar. The Convention is intended not only to lay down rules for collective application but is to embody individual figures fixing the limit of the armaments for each State. Naturally, if a Power which is not an original party to the Convention wished subsequently to accede to it, it would have to submit concrete and detailed proposals, which would form the subject of difficult and complicated negotiations. Such being the case, the Commission decided that it was preferable not to establish formal rules of procedure for this somewhat theoretical hypothesis.

Article 52.

The first paragraph of this article is based on a proposal by the British delegation. The second is the outcome of an amendment submitted by the French delegation.

The article first of all embodies the principle that the present Convention does not affect the provisions of previous treaties under which certain of the contracting parties have agreed to limit their land, sea or air armaments.

It also contains a provision enabling the contracting parties which so desire to declare, when signing the Convention, that the limits fixed under the latter for their armaments are accepted by them in relation to the provisions referred to in the preceding paragraph and that the maintenance of such provisions constitutes for them an essential condition for the observance of the present Convention.

Article 52 is designed in the interests of greater clearness. It seemed necessary to a large number of delegations, in view of disputes that might arise concerning the interpretation of the Convention, disputes which, under the terms of Article 53, would come within the competence of the Permanent Court of International Justice, that there should be no possible doubt as to the conditions under which the Convention had been concluded.

Moreover, in the matter of disarmament, every attempt should be made to avoid anything in the nature of a retrograde measure; accordingly, the provisions of the Convention must not restrict the scope of previous treaties on the same subject.

Further, certain Governments will estimate the position of their armaments according to the situation resulting from such treaties. The maintenance in force of these treaties is thus an essential condition for the Governments for their contractual undertaking under the Convention. It will be for the Conference, if necessary, to define this principle in order to prevent any abusive interpretation in the event of a failure to comply with the provisions of the said treaties or any temporary and unimportant suspension of the provisions.

At the third session, the German delegation made the following reservation concerning Article 52 (described at the time by the letters EA).

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

The German representative confirmed this reservation at the last session and referred in this connection to the new reservation of a general character which he formulated in 1929 concerning his Government's attitude towards the work of the Preparatory Commission (vide supra).

Article 53.

This article, which owes its origin to the Belgian delegation, lays down the principle of compulsory arbitration for all disputes concerning the interpretation or application of the provisions of the present Convention, when such disputes have not been settled by direct negotiations or by some other method of friendly settlement. It provides that, in such cases, the dispute shall be submitted to the Permanent Court of International Justice or to an arbitral tribunal chosen by the parties to the dispute.

The principle underlying Article 53 met at once with the unanimous approval of the Commission. Certain delegations had, however, wondered on first examination whether the proposed...
text might not lead to a conflict of powers between the Permanent Disarmament Commission and the tribunals to which disputes concerning the application of the Convention might be referred. It was pointed out to them that this risk need not be considered, as the Permanent Commission is not a tribunal competent to settle disputes, but an examining body responsible simply for drawing up reports and giving opinions. The provisions of Article 53, which was finally adopted without opposition, thus leave the powers conferred on the Permanent Commission intact.

Article 54.

The first paragraph of this article concerns the ratification of the Convention and does not call for any comment.

Paragraphs 2 and 3 concern the entry into force of the Treaty. The Conference will have to establish the list of ratifications required to ensure its entry into force. If, however, by a date to be fixed in the Convention itself, the necessary instruments have not been deposited with the Secretary-General of the League of Nations, the latter would invite the signatory Powers to meet and decide whether it is possible, notwithstanding, to put the Convention into force. This special procedure, the purpose of which is so clear as to require no emphasis, was suggested by the British delegation. It is based on the resolution concerning ratifications adopted by the eleventh Assembly of the League of Nations.

The last sentence of Article 54 provides that the contracting parties undertake to participate in this consultation, which will take place within a period to be fixed by the Conference. Such an undertaking is so natural that it might quite well not have been formulated. The Commission decided, however, that it would be preferable to mention it, leaving it to the Conference to decide whether it might not be better to insert it in the Final Act or in a Protocol to be annexed.

In the text adopted at the first reading, Article 54 (former EC) was followed by an Article EC as follows:

"The High Contracting Parties agree to accept reservations which may be made by Estonia, Finland, Latvia, Poland, and Roumania at the moment of their signature of the present Convention, and which shall suspend, in respect of these States, the application of Articles ... of the present Convention until the accession of Russia to the present Convention under the same conditions as the above-named Powers."


It should be noted that the Swedish delegation had reserved the full right to give its opinion on this article at the second reading.

The Commission, while noting the importance which certain delegations attached to this provision, decided to hold it over for examination by the Conference. This decision was dictated by two reasons. The first was that the text raises an essentially political question, and the second that it brings up a very complex problem—the effect of the reservations which the contracting Powers will be allowed to formulate at the time of signature. What will be the conditions for such reservations? How can they be reconciled with the reservations of the other contracting parties? etc. This implies a mass of legal and technical difficulties which the Commission did not feel able to settle for the time being.

Article 55.

This article could, if necessary, have been omitted from the draft. Naturally, directly the Convention comes into force each of the contracting parties must, in so far as concerns itself, take the measures necessary to ensure its execution. The insertion of an express provision to this effect is designed simply to direct the special attention of the contracting parties to their duty of exhibiting the greatest diligence in the performance of their obligations. It will be for the Conference to decide whether this text is to be kept in the body of the Convention or whether it should be placed either in the Final Act or in a Protocol to be annexed.

Article 56.

Article 56 provides for the period of validity of the Convention. The Commission could not itself suggest how long it should remain in force, as this will depend on the circumstances at the time of the conclusion of the Convention, and the Conference alone can judge of such circumstances. It is important, however, to note that, as regards the States Members of the League of Nations, Article 8 of the Covenant provides for a maximum limit, in that it lays down that the "plans" for the reduction of armaments "shall be subject to reconsideration and revision at least every ten years". The period laid down in Article 56 cannot, therefore, exceed ten years. It might be less, but the general feeling of the Commission is that it should not be too short.

The British delegation directed attention to the desirability of establishing some agreement between the period of validity of the Convention and that of other agreements concerning the limitation of armaments, such as the Washington Convention.

Moreover, even when fixed, the period of validity of the Convention will not be at all rigid. Two categories of provisions will have the effect of rendering it more elastic—namely, Articles 56 and 57, which will be examined below, and the effect of which may be to shorten it; and, further, the rule laid down in the last sentence of Article 53, the effect of which may be to extend it. In virtue of this rule, the Convention will not be extinguished by the expiry of the period laid down. It will remain in force except in so far as it may be amended, suspended or denounced.

The Commission's purpose in instituting this system was to prevent the work of the future Disarmament Conference, which will constitute a first stage, from coming suddenly to an end.
without there being anything else ready to replace it. In an undertaking such as this, continuity is essential if the results already achieved are to be consolidated.

Article 57.

This article provides that the contracting parties shall re-examine the Convention before the expiration of the period fixed in Article 56. The Conference must, however, see that such examination is not premature, and the text accordingly provides for the fixing of a minimum date. The re-examination of the Convention must take place within these two limits. There will be a certain elasticity which will make it possible to select the most suitable moment. In order to ensure successful results, the new Conference, which will be responsible for the re-examination, will have to be convened at the moment when the circumstances are most favourable to the accomplishment of its work. To fix the date of the meeting in advance would be imprudent. The Commission thought it preferable to leave the proper organs to decide on the most suitable moment, while restricting their freedom of choice by means of maximum and minimum dates.

Who are these proper organs? The Council of the League of Nations, which will have been responsible for convening the first Disarmament Conference, seems eminently fitted to convene the others. Accordingly, the draft Convention entrusts this duty to it, adding, however, that, before passing the necessary resolution, the Council shall consult the Permanent Disarmament Commission and also the contracting parties non-Members of the League of Nations.

This Conference will examine the position and will, if it thinks fit, revise the Convention wholly or in part. Should its proceedings lead to the establishment of a new Convention, it will itself fix the duration of that Convention and determine the conditions in which the latter will again be examined and possibly revised.

Article 58.

The procedure instituted by the previous article cannot, therefore, in principle, be set in motion before a certain date. Article 58, however, makes an exception to the principle.

It covers the case in which 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 possibly the revision of such engagements. It may be that, before the date fixed by Article 57 as the starting-point of the period during which the Convention normally must be re-examined, the conditions under which it was drawn up may undergo such radical changes that it would be difficult, or even impossible, to await the prescribed date before reconsidering the situation and making any alterations it may entail. In such a case—but in such a case only—it is allowable under Article 58 for the procedure to be set in motion before the normal date. Here again, however, the Conference will have to fix a new limit. The Commission felt that it was inadvisable to authorise the immediate re-examination of the Convention, and that, after its entry into force, a certain period ought to elapse during which the option provided for in Article 58 could not be made use of.

Thus three periods are contemplated by Articles 56, 57 and 58 of the draft. The first (x years) determines the duration of the Convention; the second (y years) is the period during which, in principle, the Conference to re-examine the Convention cannot be called; and the third (z years) is that during which the Convention can in no case be examined, even in the exceptional circumstances contemplated in Article 58.

These circumstances might include, for example, an unforeseen development of civil aviation. Indeed, the British, French, Japanese and Polish delegations definitely stated that they had this case, in particular, in mind.

The text of the draft adopted at first reading included, in Section III of Chapter II (Material, Air Armaments), an Article AD, which read as follows:

"The limitations laid down are accepted by each High Contracting Party in the light of the present development of civil aviation in other countries."

In view of Article 58, and subject to the statements which they made, the above-mentioned delegations agreed that the old Article AD should be omitted from the draft, but pointed out that its omission did not imply any change in their attitude; and that, when they submitted to the Conference figures for the limitation of military aviation, they would take into consideration the development of civil aviation in other countries up to that time.

On the other hand, the German delegation submitted the following reservation:

"The German delegation is of opinion that the development of a peaceful means of communication must in no case be made a basis for armaments, especially as no account has been taken of the essential and purely military factors of material in reserve or in stock, trained reserves, etc., and other important means of communication, such as the merchant marine, on which, indeed, preliminary warlike fittings have been authorised."

The exceptional procedure provided for in Article 58 may be followed, says the text, "at the request of a High Contracting Party, with the approval of the Permanent Disarmament