

UN LIBRARY

AUG 26 1950



UNITED NATIONS  
GENERAL  
ASSEMBLY

UNITED NATIONS  
CENTRE FOR DISARMAMENT  
DEPARTMENT OF  
POLITICAL AND SECURITY COUNCIL AFFAIRS  
Reference Library

GENERAL

A/AC.50/3  
3 August 1951

ORIGINAL: ENGLISH

COMMITTEE OF TWELVE

(ESTABLISHED BY GENERAL ASSEMBLY RESOLUTION 496 (V))

- I. THE ORGANIZATION AND SCHEME OF WORK OF THE  
LEAGUE OF NATIONS IN THE MATTER OF DISARMAMENT
  
- II. TREATMENT OF THE QUESTION OF CHEMICAL AND  
BACTERIOLOGICAL WARFARE IN THE LEAGUE OF  
NATIONS
  
- III. THE EXCHANGE OF INFORMATION ON ARMAMENTS UNDER  
THE LEAGUE OF NATIONS

TABLE OF CONTENTS

	<u>Page</u>
Preface by the Rapporteur . . . . .	3
Explanatory note. . . . .	4
I. The organization and scheme of work of the League of Nations in the matter of disarmament. . . . .	5
II. Treatment of the question of chemical and bacteriological warfare in the League of Nations. . . . .	26
III. The exchange of information on armaments under the League of Nations . . . . .	62

PREFACE BY THE RAPPORTEUR

On 18 June 1951, I presented, pursuant to a decision taken at the fourth meeting of the Committee of Twelve (established by General Assembly resolution 496 (V)) on 25 May 1951, a comprehensive "Historical survey of the activities of the League of Nations regarding the question of disarmament, 1920-1937" (A/AC.50/2).

At the fourth meeting of the Committee, I had also announced that papers describing particular subjects and the League's organizational techniques would be produced by the Secretariat in due course.

Now I have pleasure in presenting three further papers: one on the organization and scheme of work of the League of Nations in the matter of disarmament, another on the treatment of the question of chemical and bacteriological warfare in the League of Nations, and a third one on the exchange of information on armaments under the League of Nations. These three papers have been produced under one cover and should be studied in conjunction with the historical survey referred to above. They have been prepared, with my co-operation, by the Secretariat, and I trust that they too will contribute to a fuller understanding of the task and problems of disarmament.

Dr. J.M.A.H. Luns

3 August 1951

#### EXPLANATORY NOTE

The present document contains three papers prepared by the Secretariat in co-operation with the Rapporteur, pursuant to a decision taken at the fourth meeting of the Committee of Twelve (established by General Assembly Resolution 496 (V)) on 25 May 1951. These papers supplement the historical survey of the activities of the League of Nations regarding the question of disarmament 1920-1937, previously submitted to the Committee (document A/AC.50/2), and should be read in connexion with the latter. They emphasize and elaborate particular aspects of the question of disarmament and the organizational techniques developed by the League in dealing with that question which could not be given special treatment in a general account like the historical survey.

The first of the supplementary papers, entitled "The organization and scheme of work of the League of Nations in the matter of disarmament" attempts to present a systematic view of the way in which the League of Nations organized itself to deal with the problem of disarmament, and the manner in which it laid out its work.

The second paper, entitled "Treatment of the question of chemical and bacteriological warfare in the League of Nations" brings together and develops matter which already appears in the historical survey, with more emphasis on the methods employed by the League in handling the question.

The third paper, entitled "The exchange of information on armaments under the League of Nations" elaborates the material which appeared in the historical survey and attempts to describe in a systematic way the efforts made by the League to set up and put in motion machinery for the exchange of military information.

CONTENTS

I.  
THE ORGANIZATION AND SCHEME OF WORK OF THE LEAGUE  
OF NATIONS IN THE MATTER OF DISARMAMENT

TABLE OF CONTENTS

	<u>Page</u>
A. Organization of work . . . . .	7
(1) The Council . . . . .	7
(2) The Assembly . . . . .	7
(3) The Permanent Advisory Commission . . . . .	8
(4) The Temporary Mixed Commission . . . . .	9
(5) The Preparatory Commission for the Disarmament Conference . . . . .	10
(6) Special committees . . . . .	10
(7) Rapporteurs . . . . .	11
(8) Conferences . . . . .	11
(9) Expert assistance . . . . .	12
(10) The Secretariat . . . . .	12
B. Scheme of work . . . . .	13
(1) Indirect approach to the question of disarmament . . . . .	13
(i) The treatment of the problem of security . . . . .	13
(ii) Level of armaments . . . . .	14
(2) Direct approach to disarmament . . . . .	14
(i) Level of armaments . . . . .	14
(ii) The treatment of the problem of security . . . . .	17
(3) Handling of technical and other questions . . . . .	19
C. The Conference for the Reduction and Limitation of Armaments, 1932-1937 . . . . .	20
(1) Organization of the Conference . . . . .	21
(i) The Bureau of the Conference . . . . .	21
(ii) The President of the Conference . . . . .	22
(iii) The Rapporteurs . . . . .	22
(2) Method of work . . . . .	22
(i) Questionnaires . . . . .	23
(ii) Interrogations . . . . .	23
<u>Annex:</u> Organs set up by the League of Nations to deal with the question. of disarmament . . . . .	25

THE ORGANIZATION AND SCHEME OF WORK OF THE LEAGUE  
OF NATIONS IN THE MATTER OF DISARMAMENT

A. Organization of work

(1) The Council

1. Article 8 of the Covenant of the League of Nations said upon the Council of the League the following duties with regard to disarmament:

"2. The Council, taking account of the geographical situation and circumstances of each State, shall formulate plans for such reduction for the consideration and action of the several Governments.

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

"5. The Members of the League agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The Council shall advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those Members of the League which are not able to manufacture the munitions and implements of war necessary for their safety."

A perusal of the resolutions of the Council of the League dealing with the question of disarmament shows that for the most part it limited itself to acting on or transmitting suggestions or requests originating in other organs of the League and to decisions designed to distribute or facilitate work.

(2) The Assembly

2. Article 3, paragraph 3 of the Covenant of the League empowered the Assembly to "deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world". The Assembly of the League of Nations took the lead in initiating projects and in formulating general principles and policies in the field of disarmament.

3. In a sense, the Assembly acted as a continuing disarmament conference. Side by side with the studies and plans conducted by the special standing bodies which it had established, the Assembly took action or recommended action to governments tending directly or indirectly to the reduction or limitation of armaments as, in its opinion, particular aspects of that problem became ripe for international agreement. Thus it recommended a standstill in the level of armaments expenditure in 1920. In 1931 shortly before the opening of the Conference for the Reduction and Limitation of Armaments it recommended an armaments truce which

received the assent of the governments participating in that Conference. It pushed forward the completion of various conventions for the increase of national security through international action and opened these for signature even before the drafting of a treaty text on the reduction of armaments had been completed. It pressed for the conclusion of international agreements on the supervision of the trade in arms and, less successfully, of the private manufacture of arms. For that purpose, it called for a conference on the supervision of the trade in arms which met in 1925.

4. The Assembly acted also as a body for the general co-ordination of League activities related to the reduction and limitation of armaments. It followed closely the work of the special bodies dealing with that problem. Where necessary it established priorities and gave general directions as to method. It arranged for the establishment of new bodies to complement or supplement existing ones; it pressed for the completion of work which was thought to be lagging unduly. From time to time it gave specific directions to take up problems which were deemed to require examination urgently, to be ripe for agreement, or to be in danger of neglect.

5. The principal instrument of the Assembly in this work was a committee on the reduction of armaments (Third Committee). The Third Committee of the Assembly was the chief means by which the Assembly formulated general policies concerning the reduction of armaments, and reviewed the work of the various special bodies which dealt with that problem. The Committee also performed important tasks in the formulation of proposals. Together with the First Committee it was responsible for the drafting of the Geneva Protocol. Later, it took part in drafting the General Convention to Improve the Means of Preventing War. The Third Committee of the Assembly did not function from 1932 to 1935 while the Disarmament Conference was in active session.

### (3) The Permanent Advisory Commission

6. The Covenant provided in Article 9 for the establishment of a permanent body to advise the Council of the League in the fulfilment of its responsibilities under Article 8. This organ was the Permanent Advisory Commission for Military, Naval and Air Questions established by the Council on 17 May 1920, and composed of military experts from the General Staffs of the states holding seats on the Council. The Council of the League, on 20 October 1920, instructed the Permanent



Advisory Commission to begin the preliminary consideration of plans for the reduction of armaments on the basis of Article 8. The task of detailed study and formulation of plans and proposals for the reduction of armaments was not, after the first year of the League's existence, carried out by the Permanent Advisory Commission. In consequence of the transfer to civilian bodies of responsibilities for planning and formulating proposals on the reduction of armaments, the functions of the Permanent Advisory Commission were transformed in practice. Its task became one of giving technical military advice to the various bodies set up ad hoc at different times to formulate proposals for the reduction of armaments. It should be noted, however, that certain individual members of the Permanent Advisory Commission also sat on the Temporary Mixed Commission.

#### (4) The Temporary Mixed Commission

7. The very first Assembly of the League took the view that the question of the reduction of armaments was not a purely military one and, on 14 December 1920, adopted a resolution inviting the Council of the League to create a new commission "composed of persons possessing the requisite competence in matters of a political, social and economic nature, to prepare for submission to the Council in the near future reports and proposals for the reduction of armaments as provided for by Article 8 of the Covenant." Pursuant to the Assembly resolution the Council, by resolution of 25 February 1921, established the Temporary Mixed Commission which was primarily a civilian body of persons not representing governments. It was composed of six persons of recognized competence in political, social and economic matters, six members of the Permanent Advisory Commission, four members of the Provisional Economic and Financial Committee of the League and six members of the Governing Body of the International Labour Organisation. The terms of reference of the Temporary Mixed Commission were amended the following year to require it to put its proposals in the form of a treaty draft.

8. The composition of the Temporary Mixed Commission was thought, after the adoption of the Geneva Protocol by the Assembly in 1924, to present a difficulty in the formulation of proposals touching the reduction of the levels of national armaments. The Assembly by resolution of 27 September 1924, anticipating the convening of an international conference for the reduction of armaments pursuant to Article 17 of the Geneva Protocol, recommended re-organization of the Commission to take account of the necessity for including the representatives of a certain

number of governments. Accordingly, a so-called co-ordination commission which included representatives of the members of the Council was set up by the latter on 3 October 1924. The new body, however, never entered upon the fulfilment of its task because of the failure of the Geneva Protocol to receive the necessary assent of the Members of the League.

(5) The Preparatory Commission for the Disarmament Conference

9. At the end of 1925, as a result of an Assembly resolution of 25 September of that year requesting the Council to make a preparatory study with a view to a conference for the reduction and limitation of armaments, a Committee of Enquiry of the Council was charged with the task of making proposals for the organization of such a study. The result of the Committee's labours was the establishment of the Preparatory Commission for the Disarmament Conference.

10. The membership of the Preparatory Commission, which varied from 21 to 32, was limited to members of the Council and countries not represented on the latter but deemed to occupy a special position in relation to the problem of disarmament, and consisted solely of government representatives. The basis of the composition of the Preparatory Commission was later altered to permit retiring members of the Council to keep their seats on the Commission. In addition to a number of smaller powers Members of the League but not represented on the Council, Germany, the USSR and United States were invited to send representatives to the Commission. The Preparatory Commission, like the Temporary Mixed Commission, was primarily a civilian body. However, the representative character of its members and the principle on which it was composed had the result of bringing it somewhat more into the orbit of the Council than the Temporary Mixed Commission had been.

(6) Special committees

11. The control of the manufacture of and trade in arms was treated as a special question. It was at first considered by the Council and the Permanent Advisory Commission and, subsequently, by the Temporary Mixed Commission under the guidance of the Assembly. The question was, however, kept separate from the general problem of the reduction of armaments. The Preparatory Commission did not deal with the matter at all. During the period when it was at work, the problem of manufacture and trade was studied by a special committee independent of it, which was composed of representatives of the members of the Council and of the USSR and the United States. It was only with the Disarmament Conference of 1932 that a beginning was

made with the treatment of this question as part of the general question of disarmament.

(7) Rapporteurs

12. Throughout the course of the League's activity in the field of disarmament the Rapporteurs of the Committees played an important role. The task of a Rapporteur was not viewed as limited to a recital of events occurring in his committee nor even to a presentation of the opinions exchanged. The Rapporteur's reports were rather in the nature of a reasoned presentation of the proposals formulated by the Committee and a thorough and candid examination of the pros and cons of the positions taken. Much leeway was thus allowed for the presentation of personal judgements and the Rapporteurs were frequently those who had taken the most prominent part in the formulation of proposals. Thus in the early years of the League Lord Robert Cecil acted as Rapporteur of the Third Committee of the Assembly. During the life of the Preparatory Commission such eminent personalities as M. Benes and M. Politis, to mention only two, discharged this important task. The entire work of the Committee on Arbitration and Security rested on the foundation of memoranda prepared for the Committee by three Rapporteurs, M. Politis (Security), M. Holsti (Arbitration), and M. Rutgers (Articles of the Covenant). The institution of Rapporteur was further developed in the course of the Disarmament Conference, where his task was enlarged to include, in some cases, the submission of proposals and the drafting of texts to express the general consensus in the Committees.

#### (8) Conferences

13. Special problems of machinery were presented by the non-membership of certain important states in the League, which made it necessary to conduct some of the work in the field of disarmament outside the framework of the organization. In connexion with the supervision of the international trade in arms, it was found necessary to hold a special conference to which non-member states could be invited without having to operate within the scheme of obligations established for the Members of the League. Again, in the case of the Preparatory Commission for the Disarmament Conference, the USSR and the United States participated in the work of the Commission proper on invitation from the League, but with certain reservations concerning the organizational framework within which any approved scheme of the reduction and limitation of armaments would operate. It was found

more difficult to make arrangements for participation of non-members in the related work on security. Because of the close connexion of this question with the Covenant and the organs of the League, the USSR and the United States did not participate directly in the work of the Committee on Arbitration and Security. The Conference for the Reduction and Limitation of Armaments which opened in 1932 pursuant to an invitation from the League was not, strictly speaking, a League conference. All technical facilities including the services of the Secretariat, were provided by the League but the delegations which participated were accredited to the Disarmament Conference rather than to the League.

(9) Expert assistance

14. The Temporary Mixed Commission by virtue of the principles on which its composition was based could look among its own members for experts on economic, financial, labour and communication and transit questions. This expert skill was also made available to the Preparatory Commission for the Disarmament Conference through technical advisory bodies, such as the Joint Commission and the Permanent Advisory Commission. The Joint Commission was a body of experts from the Economic, Financial, Communication and Transit Organizations of the League and from the International Labour Office. To smooth the way to participation in the Permanent Advisory Commission by non-members of the League, it was necessary to constitute Sub-Commission A which was in effect the Permanent Advisory Commission, with the addition of representatives of the United States. For the same reason, the Joint Commission reported to a Sub-Commission B on which non-member states were represented.

(10) The Secretariat

15. The Permanent Advisory Commission, soon after its establishment, organized itself into three sub-committees on military, naval and air questions respectively. Each of these sub-committees had a secretary who, like the members of the Commission itself, was a member on active duty of the armed services of the state from which he came. The Assembly resolution of 14 December 1920, which recommended the establishment of the Temporary Mixed Commission, also invited the Council "to form within the Secretariat a section to serve as a center of information for the Commission in question and also as a channel for the publication and exchange of the information referred to in the Covenant." Thereafter, a Disarmament Section was constituted. The difficulties arising from

the existence of two autonomous secretariat groups serving separate bodies concerned with the reduction of armaments were partly settled by placing the secretariat of the Permanent Advisory Commission under the administrative direction of the Director of Disarmament and by providing that the latter should receive all the papers of the Permanent Advisory Commission. The Secretariat, in addition to its functions of servicing the Commission, was charged with making various technical enquiries and studies on their behalf and also performed much of the work of drafting. The functions of the Secretariat in respect of the exchange of military information are described in another paper.

#### B. Scheme of work

##### (1) Indirect approach to the question of disarmament

16. The Temporary Mixed Commission took the view that no scheme for disarmament could be effective which did not provide some form of mutual security as a quid pro quo for the reduction of national armaments. That view was approved and amplified in Resolution XIV of the Assembly of 27 September 1922 which, thereafter, provided the guiding principles for the Temporary Mixed Commission's work.

##### (i) The treatment of the problem of security

17. The work of the organs of the League concerned with the reduction of armaments was influenced by the connexion thus established between such reduction and the increase of national security through international guarantees, pledges of mutual assistance and the like. The prevalence of this view, summed up in the official formula, "arbitration, security and disarmament", was decisive in bringing about the transfer of planning responsibilities to bodies of civilian rather than military composition and in determining the priorities established for their work.

18. The first task undertaken by the Temporary Mixed Commission was the preparation of a Draft Treaty of Mutual Assistance. The principles at the root of the Draft Treaty had been laid down by the Assembly in Resolution XIV. They were given treaty form in response to a directive from the Assembly calling on the Temporary Mixed Commission to present its proposals in the form of a draft treaty. Resolution XIV itself was circulated to governments, and their replies served to guide the Commission in its further work. The next step was the submission to the Assembly of a Draft Treaty of Mutual Assistance in 1923. The Draft Treaty was in turn submitted to governments for their comment and the replies provided new assistance in the task of formulating acceptable proposals.

19. At the Fifth Assembly in 1924, all these materials were referred to the First and Third Committees and became the basis for the Geneva Protocol. The First Committee was charged with the consideration of possible amendments to the Covenant relating to the settlement of disputes. The Third Committee was instructed, "in order to enable an international conference on arms to be summoned by the League at the earliest possible moment," to "consider the material dealing with security and the reduction of arms, particularly the observations of the governments on the draft Treaty of Mutual Assistance" and to "examine the obligations contained in the Covenant in relation to the guarantee of security which a reduction of armaments may require." Each of the Committees, after several plenary sessions, appointed a Committee of Twelve to draft the clauses dealing with the subjects assigned to it. The work of the two Committees was co-ordinated by a Mixed Committee of Nine. The Committees worked out a common text of a new draft Protocol which was presented to the Assembly with separate reports. On 2 October 1924, the Assembly decided to "recommend to the earnest attention of all the Members of the League the acceptance of the said draft Protocol," and opened it for signature.

(ii) Level of armaments

20. The Temporary Mixed Commission did not, in the draft Treaty of Mutual Assistance, establish the figures to which existing armaments should be reduced nor lay down any principles for determining what the level of armaments should be. It proposed instead that the parties to the Treaty, in view of the security furnished them by it, should inform the Council of the reduction or limitation of armaments which they considered proportionate to that security and should co-operate with the Council in the preparation of a general plan of reduction taking account of their estimates. That plan, after submission for consideration and approval by the parties, was to have become binding on them. This indirect method of dealing with the reduction of armaments was continued in the Geneva Protocol with the difference that the reduction in the level of armaments was to be negotiated at an international conference on the basis of a general plan to be formulated by the Council and submitted to governments three months before the conference met.

(2) Direct approach to disarmament

(1) Level of armaments

21. Following the failure of the Geneva Protocol, a new priority was established

/which made

which made possible a more direct approach to the question of the level of armaments. The Sixth Assembly adopted a resolution requesting 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 had been assured from the point of view of Resolution XIV of the Third Assembly, the conference might be convened and agreement on a general reduction and limitation of armaments reached. The Preparatory Commission, which was set up by the Council in December 1923 to carry out this task, dealt with the question of the level of armaments directly. It limited itself, however, to establishing the methods to be employed in the reduction and limitation of the level of armaments without attempting to establish the figures of such reductions.

22. The Preparatory Commission adopted somewhat different methods from those of the Temporary Mixed Commission. The representative character of the members of the Preparatory Commission had the effect of changing the method by which agreement on proposals was reached into one of inter-governmental negotiation. The work of the Preparatory Commission was therefore primarily political rather than technical in approach.

23. The Preparatory Commission initiated its work by entrusting to two sub-commissions the technical study of a questionnaire prepared by the Committee of the Council and transmitted to the Commission to give direction to its work. Sub-Commission A, which was the Permanent Advisory Commission under another name, examined problems presented by the questionnaire from a technical and military point of view. Its lengthy report was on the whole of a negative character and revealed wide divergencies of view among the military experts of whom the Sub-Commission was composed. The report took the form of lengthy replies to the questionnaire together with declarations by individual delegations and groups of delegations. It defined "armaments" and related factors, examined the interdependence of armaments, analysed the concepts of reduction and limitation and the methods by which they could be effected, analysed the conception of offensive and defensive armaments, and set out the advantages and disadvantages of a permanent system of supervision and control.

24. While the disagreements revealed in the report of Sub-Commission A related to basic difficulties which pervaded the discussions of the Preparatory Commission for the duration of its work, no attempt was made to found that work on the Report.

Shortly after

Shortly after receipt of the reports of the Sub-Commissions, the United Kingdom delegation and, immediately thereafter, the French delegation submitted comprehensive draft conventions, which became the basis of the Preparatory Commission's subsequent efforts. The Commission did not discuss the reports and moved directly to the stage of drafting a convention.

25. A synoptic analysis of the United Kingdom and French drafts was prepared by the Secretariat to facilitate detailed discussion. At the conclusion of the first reading, a text showing the points of agreement, and disagreement, as well as the reservations and observations of particular delegations, was established to serve as the basis for the second reading.

26. In the second reading stage negotiations continued in the Preparatory Commission under the heads of the text prepared at the end of the first reading. The second reading had to be performed in two stages since failure to reach agreement on particular questions left the text incomplete in the major respect of naval limitation, while persistent governmental differences on questions of principle prevented accord on other matters not in themselves presenting special difficulties. Final agreement was facilitated by the results achieved at the extra-League London Naval Conference of 1930.

27. The Report of the Preparatory Commission, dated 9 December 1930, forwarded a Draft Convention (more accurately described in the Commission's opinion as "the framework of the future Convention"). The report itself was in the nature of a commentary on the Draft Convention and contained as well the reservations and observations of particular delegations.

1) The second reading stage was deferred until the conclusion of discussion of two alternative draft conventions introduced by the USSR delegation as providing a more suitable basis on which to proceed with the accomplishment of the Commission's task. The first alternative calling for complete general and immediate disarmament was rejected as an ideal incapable of being carried into execution under existing conditions. The second, calling for substantial reduction on a basis of proportionality was not accepted as a basis of discussion on the grounds (a) that the Preparatory Commission had been instructed, not to effect the reduction of armaments, but to prepare for the consideration and action of governments in the Disarmament Conference, a scheme for the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations, and (b) that the Preparatory Commission had not seen its way to adhere to the method of reduction based on the proportional principle, which, however, governments could still take into account at the Conference when drawing up the Disarmament Convention.



(11) The treatment of the problem of security

28. At the very time when the Sixth Assembly invited the Council to set up the Preparatory Commission it affirmed "the fidelity and unanimity with which the Members of the League remain attached to the triple object which had always inspired their efforts, namely, arbitration, security and disarmament." The Preparatory Commission observed in its Report that as soon as it set to work, it was thus faced by the problem of international security.

29. Two years later, in 1927, the Eighth Assembly requested the Council to give the Preparatory Commission the necessary instructions for the creation of a committee on arbitration and security to consider 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 decided that these measures should be sought: (a) in action by the League of Nations with a view to promoting, generalizing and co-ordinating special or collective agreements on arbitration and security; (b) in the systematic preparation of the machinery to be employed by 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; (c) in agreements which the Members of the League might 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 (d) 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.

30. The foregoing programme marked a change in method though not in substance from that expressed in the Geneva Protocol. It was thought that in this way a compromise between a general system of security and the system of special agreements to meet special needs, as in the Locarno Treaties, might be found. It was felt that a third failure to conclude a general treaty of security might

damage the prestige of the League. Security was to be achieved, inter alia, by the negotiation by states with each other of a network of collective and bilateral agreements of arbitration and security. Security obligations were to be generalized by multiplying their number, making them uniform, and reconciling them with the provisions of the Covenant. Disarmament was to be proportionate to the security thus achieved. This change in method was stressed by the Ninth Assembly of the League, (1928) which declared that the conditions of security set up by the Covenant of the League, by the Treaties of Peace, and in particular by the reductions in armaments of certain countries under these Treaties, and also by the Locarno Agreements, would allow of the conclusion of a first general convention for the reduction and limitation of armaments. Such a first general convention, it was stated, would of itself tend to increase international security and, thereafter, the work relating both to disarmament and to arbitration and security should be carried further "so that, by further steps, armaments may be progressively reduced as the increase of security allows."

31. The foregoing principles laid down in successive sessions of the Assembly in effect constituted the terms of reference of the Committee on Arbitration and Security established by the Preparatory Commission on 30 November 1927.

32. The Committee on Arbitration and Security drew up a programme of work under the three heads of (a) arbitration and conciliation, (b) security with a view to facilitating performance by Members of the League of their obligations, and (c) Articles 10, 11 and 16 of the Covenant together with financial assistance to victims of aggression. This programme is circulated to governments for comment. Three rapporteurs were appointed to prepare memoranda under the heads of the programme of work which were to take account, inter alia, of the replies received from the governments.

33. Building on suggestions in the memoranda of its rapporteurs, the Committee assigned to a drafting committee the preparation of model treaties. To meet the views of those who wished to have a general system of security and of those who proposed to achieve security ad hoc by the negotiation of bilateral treaties, the model treaties were drawn up in general and bilateral forms. In the field of the pacific settlement of international disputes three model general conventions were prepared which the Assembly combined in a single Act, the General Act for the Pacific Settlement of International Disputes. In the same field three model

/bilateral

bilateral treaties were prepared which the Assembly then proposed for the consideration of states, and which served as a basis for the drafting of a large number of treaties concluded subsequently. On the suggestion of the Committee, the Assembly recommended the accession of states to the Optional Clause of Article 36, paragraph 2, of the Statute of the Permanent Court of International Justice. A collective treaty of mutual assistance was drawn up. Two other model treaties, one collective, the second bilateral, related to non-aggression, 34. A Model Treaty to Strengthen the Means of Preventing War was also prepared by the Committee. This was considered in successive years by various committees of the League and in 1931 took final form as the General Convention for Improving the Means of Preventing War, which was then opened for signature by the Assembly, 35. A product of collaboration between the Committee on Arbitration and Security and the Financial Committee of the League was the Convention on Financial Assistance submitted to the Assembly by the Third Committee on 26 September 1931.<sup>1/</sup>

36. The Draft Convention prepared by the Preparatory Commission did not, in view of the method adopted by the Assembly to deal with the problem of security, touch that question more than tangentially. Article 51 of the Draft Convention provided that any violation of the Convention was to be regarded as a matter of concern to all the contracting parties. In its Report, however, the Preparatory Commission observed that it was to be understood that the various pacific procedures provided for by existing international agreements would, if necessary, be employed.

### (3) Handling of technical and other questions

37. Certain technical inquiries, notably a statistical investigation of national armaments, went forward side by side but unco-ordinated with the main effort of drafting a treaty to implement the general principles concerning guarantees of security recited in Resolution XIV of the Assembly. The statistical investigation had been initiated by the Temporary Mixed Commission soon after its establishment through a questionnaire prepared by the Permanent Advisory Commission which the Temporary Mixed Commission circulated to governments through the Secretary-General.

<sup>1/</sup> It should be noted that many studies of the problem of security were being carried forward in the Council and Assembly and their committees. Inasmuch as these were not undertaken directly in connexion with the discussion of disarmament no description of them is given here.

This statistical investigation was renewed by the Temporary Mixed Commission the following year in response to a recommendation of the Assembly.

38. The handling of the limitation of naval armaments had its locus in great part outside the League. This was due in part to the fact that the initiative of summoning a conference on the subject was taken by an important non-member. The Third Assembly (September 1922) recommended the calling of an international conference, to which all states, whether Members of the League or not, should be invited, "with a view to considering the extension to all non-signatory states of the principles of the Washington Treaty for the Limitation of Naval Armaments." The Council, a year later, charged the Permanent Advisory Commission to examine the Washington Treaty from a technical viewpoint and to prepare a draft convention in collaboration with naval experts of the signatories to the Washington Treaty. A conference which met at Rome on 14 February 1924 for this purpose ended without result. During the Preparatory Commission period (1926-1930) further action looking to the limitation of naval armaments was taken outside the League in 1927 and 1930. The principles underlying the agreements reached at these extra-League conferences were written into the Draft Convention prepared by the Preparatory Commission.

39. As was pointed out above the control of the manufacture of and trade in arms was handled separately from the reduction of armaments and eventually became the subject of a conference which met in 1925 and drew up a Convention. The problem of chemical and bacteriological warfare was considered by the Temporary Mixed Commission but the prohibitory Protocol signed at the Conference for the International Supervision of the Trade in Arms in 1925 was the result of a delegation proposal made at the Conference.

C. The Conference for the Reduction and Limitation of Armaments, 1932 - 1937

40. The Conference for the Reduction and Limitation of Armaments which opened in Geneva on 2 February 1932 was perhaps the longest continuing conference on record. Its nominal life extended from 2 February 1932 to 31 May 1937. The Conference was never closed; its further convocation was merely postponed by a decision of the Council of the League of 22 January 1936. The last Report submitted by a subsidiary body of the Conference bears date of 13 April 1935. The Preliminary Report of the President of the Conference was issued in 1936.

(1) Organization of the Conference

41. The organization of the Conference presents a few features of special interest which distinguished it from other international conferences. The most noteworthy of these differences was the establishment of numerous technical standing committees whose task was not merely to draft texts but to engage in exhaustive examination of the technical aspects of matters to be dealt with by the Conference. For example, the Report of the Technical Committee of the National Expenditure Commission of the Conference consisted of three large volumes. A fourth volume contained the Minutes of the Technical Committee's Meetings. Altogether, apart from the General Commission, which was the Plenary Committee body responsible for decisions of major principle, and the Bureau, which was the steering group of the Conference, there were about forty commissions and committees most of which were assigned tasks of technical study and report. A list of these classified by the subjects with which they dealt will be found in Annex IV of the Historical Survey of the Activities of the League of Nations Regarding the Question of Disarmament, 1920-1937.

(1) The Bureau of the Conference

42. The Bureau of the Conference played a part of exceptional importance in the work of the Conference. It was composed of the president of the Conference, the honorary president, the 14 vice-presidents, the chairman of the commissions on which all delegations were represented and the vice-chairman of the General Commission. Its officers were the president of the Conference, the vice-president and the rapporteur of the General Commission, and the Secretary-General of the Conference assisted by the Director of the Disarmament Section of the Secretariat. It was far more than a body for the procedural guidance of the Conference in the preparation of agenda or the budgeting of Conference time. It dealt with some of the most delicate substantive questions before the Conference, supervised the conduct of important political negotiations bearing on the work of the Conference, and itself was charged with the preparation of proposals for submission to the Conference on various difficult questions. The General Commission in which decisions of principle were made was convened from time to time by the Bureau as the latter deemed opportune. The Bureau also co-ordinated the work of the various other organs of the Conference.

(11) The President of the Conference

43. The President of the Conference played an active role. At the meetings of the General Commission and of the Bureau from time to time it was his task to sum up the situation in respect of questions on which the Conference was seeking agreement. These statements afforded him the opportunity which he exploited fully to give direction to the discussion along paths which, in his opinion, seemed most likely to result in accord. In addition, at particularly critical stages of the Conference, he was entrusted with the task of negotiating with governments in an effort to reconcile the points of difference among them. The latter task, on more than one occasion, took him away from the seat of the Conference to the capitals of the countries concerned.

(111) The Rapporteurs

44. The institution of the Rapporteur also developed in unaccustomed directions. In the case of the question of the machinery of supervision, the actual task of bringing about agreement and setting down the consensus of views, first in the form of a report and then in the form of a draft treaty text, was assigned to a Rapporteur named by the Bureau. It was the task of the Rapporteur to engage in discussion with the various delegations, elicit their views, and reconcile them if possible. Rapporteurs exercised functions of almost equal importance in such questions as control of the manufacture of and trade in arms, chemical and bacterial warfare, and others.

(2) Method of work

45. General discussions of major principles and problems took place initially at plenary sessions of the Conference and then in the General Commission and the main commissions. Technical and detailed work was carried out in special and expert committees. The Bureau of the Conference, as already noted, also made major contributions in the examination of substantive questions. The systematic allocation of work was made by the General Commission on the proposals of the Bureau. The latter itself assigned work to committees which in turn created sub-committees to which various special questions were assigned.

1/ Important supplementary negotiations between interested countries took place at the same time on political and technical questions.

(i) Questionnaires

46. A noteworthy feature of the method of work of the technical bodies of the Conference was the extended use of questionnaires. This had been initiated by the Preparatory Commission at its last session in 1930, when it prepared a questionnaire on arms and armed forces which was circulated to prospective participants in the Disarmament Conference in 1931. Replies were received from almost all the countries addressed and constituted in effect an exchange of military information concerning their armaments and armed forces.

47. The questionnaires prepared by the organs of the Conference were of various kinds. Some were submitted by the technical committees to their parent bodies and were designed to elicit decisions on questions of principle which required resolution before agreement on technical problems could be reached. In some cases such questionnaires were prepared on the instructions of the main commissions. Other questionnaires were directed to governments and sought an expression of their understanding on various points or factual information concerning procedures employed by them or features of their military organization. The most noteworthy of these was the questionnaire on police forces and para-military organizations.

48. There were questionnaires on the definition of effectives, on naval effectives, on qualitative and quantitative limitation of artillery and tanks, on the organization of national civil aviation, on the principles of the internationalization of civil aviation and of an international police air force, on the prohibition of the preparation for chemical warfare and the measures to be taken in the event of a breach of the prohibition, on the regulation of the manufacture of and trade in arms, on budget systems and national expenditure, on the municipal law of states bearing on the maintenance of peace (moral disarmament).

(ii) Interrogations

49. A technique of oral interrogation was developed in connexion with the calculation of effectives. A Technical Committee on Effectives was appointed by the Special Committee on Effectives on 14 February 1932 to examine the

1/ E.G., on 9 March 1933 the General Commission instructed a Drafting Committee, under the chairmanship of M. Politis, to frame either definite proposals on land material or a questionnaire bringing into relief the main principles involved. A questionnaire was drafted and circulated to the General Commission on 15 March.

characteristics of the various police forces and similar formations belonging to states represented on the latter in order to enable it to determine which of these should be taken into account in calculating effectives. Subsequently the Technical Committee was charged with the task of considering the replies received from governments to circular letters sent to them at the instance of the Special Committee on Effectives relating to pre-military training and to military training elsewhere than in the army.

50. The Technical Committee undertook the examination of the replies and the supporting documents country by country in alphabetical order. As the reply of each country came up for examination it was requested to send a representative to sit in the Committee. The burden of proof rested with the delegation submitting a reply which was subjected to questioning by the other delegations. The latter, in some cases, submitted documents contesting the statements contained in the replies. The determination whether the police forces, or the pre-military or non-army training in each state should be counted for purposes of calculating effectives was made by majority vote. In most cases the decisions of the Technical Committee were accepted by individual delegations although reservations against the Committee's decisions were entered in a few cases.



ANNEX

ORGANS SET UP BY THE LEAGUE OF NATIONS TO DEAL  
WITH THE QUESTION OF DISARMAMENT

A. Principal organs of the League

The Council  
The Assembly

B. Subsidiary organs<sup>1/</sup>

The permanent Advisory Commission (established 19 May 1920)  
Temporary Mixed Commission (25 February 1921 - 30 July 1924)  
Co-ordination Commission (3 October 1924 - 12 December 1925)  
Joint Commission (12 December 1925 - October 1926)  
Preparatory Commission for the Disarmament Conference (12 December 1925 -  
9 December 1930)  
Sub-Commission A of the Preparatory Commission (Military)  
(26 May 1926 - December 1926)  
Sub-Commission B of the Preparatory Commission (Economic)  
(26 May 1926 - 30 November 1926)  
Committee of Experts on Civil Aviation  
(29 November 1926 - March 1927)  
Committee of Experts on Budgetary Questions  
(29 November 1926 - March 1927, and  
December 1930 - February 1931)  
Committee on Arbitration and Security  
(30 November 1927 - May 1930)  
Special Commission for the Supervision of the Private Manufacture of Arms  
(December 1926 - August 1929)

C. Conferences convened by the Council  
at the request of the Assembly

Conference for the Supervision of the International Trade in Arms and Ammunition  
and Implements of War (4 May - 17 June 1925)  
Conference for the Reduction and Limitation of Armaments  
(2 February 1932 - 31 May 1937) <sup>2/</sup>

---

<sup>1/</sup> The Economic Committee, the Financial Committee, and the Advisory Committee  
for Communications and Transit also contributed to the work of disarmament  
upon occasion.

<sup>2/</sup> For the organs set up by the Conference: See Historical Survey of the  
Activities of the League of Nations Regarding the Question of Disarmament,  
Annex IV: Annotated list of the principal and subsidiary organs of the  
Conference for the Reduction and Limitation of Armaments (A/AC.50/2).

II.

TREATMENT OF THE QUESTION OF CHEMICAL AND  
BACTERIOLOGICAL WARFARE IN THE  
LEAGUE OF NATIONS

TABLE OF CONTENTS

	<u>Page</u>
I. Historical background of the question outside the League of Nations	
A. Conference of Brussels, 1874.....	29
B. First and Second Peace Conferences at the Hague, 1899 and 1907....	29
C. Peace Treaties after the first World War.....	29
D. Treaty of Washington of 6 February 1922 .....	30
E. Convention on the Limitation of Armaments of Central American States, of 7 February 1923.....	30
F. Fifth International Conference of American States, 25 March - 3 May 1923 .....	30
II. The League's activities relating to chemical and bacteriological warfare	
A. First step: Publicity regarding the effects of chemical and bacteriological warfare .....	32
(a) The opinion of the Permanent Advisory Commission .....	32
(b) Prohibition and sanctions.....	32
(c) Appeal to scientists to publish their discoveries.....	32
(d) The opinion of the Temporary Mixed Commission.....	33
(e) Programme of work.....	33
(f) Method of work .....	34
(g) Replies from scientists.....	34
(h) Chemical warfare against civilians .....	35
(i) Appeal to public opinion.....	35
B. Second step: Protocol of 17 June 1925.....	36
(a) Prohibition of export of asphyxiating and other similar gases.....	36
(b) Interdependence between the export and prohibition of use of asphyxiating and similar gases.....	36
(c) United States proposal .....	38
(d) Adoption of the draft Protocol .....	38
(e) Signature of the Protocol.....	39
C. Third step: Consideration by the Preparatory Commission for the Disarmament Conference.....	40
(a) Relation between the Protocol of 1925 and the work of the Preparatory Commission regarding chemical and bacteriological warfare.....	40
(b) Adaptation of industries for chemical warfare.....	40
(c) Sanctions by means of collective reprisals .....	41
(d) Prohibition of chemical warfare.....	41
(e) Soviet Union proposals to supplement the Protocol of 1925...	42
(f) French proposals .....	43
(g) Views of the United States delegation on the French proposals.....	44
(h) Views of the USSR delegation on the French proposals .....	44
(i) Adoption of the definite text for the draft Convention .....	44
(j) Adoption of the Soviet Union proposal.....	45

	<u>Page</u>
D. Final step: Consideration by the Disarmament Conference.....	45
(a) Supplementary proposals.....	45
(b) Criteria for prohibition of chemical and bacteriological warfare.....	46
(c) Resolution on the prohibition of chemical, bacteriological and incendiary warfare.....	46
(d) Principal conclusions adopted regarding chemical and bacteriological warfare.....	47
(i) Absolute or relative character of prohibition.....	47
(ii) Prohibition of the preparation of chemical and bacteriological warfare.....	48
(iii) Supervision of the prohibition of preparation for chemical warfare.....	48
(iv) Establishment of the fact of the use of chemical and bacterial warfare.....	49
(v) Penalties for the use of chemical or bacterial warfare.....	50
(e) Views of certain delegations regarding sanctions and retaliation.....	51
(f) Embodiment of provisions relating to chemical and bacteriological warfare in the United Kingdom draft Disarmament Convention.....	52
Annex I: Protocol for the prohibition of the use of asphyxiating, poisonous or other gases and of bacteriological methods of warfare (Table showing ratifications or accessions, signatures not yet perfected by ratification and a list of States to which the Protocol is open to accession as of 1944).....	53
Annex II: Text of Part IV (Chemical Warfare) of the draft Convention adopted in first reading.....	58

TREATMENT OF THE QUESTION OF CHEMICAL AND BACTERIOLOGICAL<sup>1/</sup>  
WARFARE IN THE LEAGUE OF NATIONS

I. HISTORICAL BACKGROUND OF THE QUESTION OUTSIDE THE LEAGUE OF NATIONS

A. Conference of Brussels, 1874

1. The "International Declaration concerning the Laws and Customs of War", which was adopted on 27 August 1874 at the Conference of Brussels included provisions prohibiting the use of poison or poisoned weapons.

2. Article XII of the Brussels Declaration stated that "the laws of war do not allow to belligerents an unlimited power as to the choice of means of injuring the enemy." Article XIII proclaimed that the use of "poison or poisoned weapons" was strictly forbidden. The Brussels Declaration was based on that of St. Petersburg of 1868 which proclaimed that the employment of certain arms would be contrary to the laws of humanity.

B. First and Second Peace Conferences at the Hague, 1899 and 1907

3. The first Peace Conference at the Hague was convened on 18 May 1899 on the initiative of Russia. The following provision signed on 29 July 1899 was included in Declaration (IV, 2):

"The contracting Powers agree to abstain from the use of projectiles the sole object of which is the diffusion of asphyxiating or deleterious gases."

Twenty-seven countries, including all the Great Powers, signed this Declaration or acceded to it; all signatures were later ratified by the interested countries.

4. At the second Peace Conference convened at the Hague on 15 July 1907, forty-three countries, including all the Great Powers with the exception of China, signed the Annex to Convention IV concerning regulations respecting the laws and customs of war on land, Article 23 (a) of which prohibited the use of "poison or poisoned weapons."

C. Peace Treaties after the first World War

5. Asphyxiating gases were used for the first time in modern warfare by Germany in the Battle of Ypres on 22 April 1915, although Germany had ratified the Hague Convention (IV, 2) of 1899. It was also reported that previously the German Army had tried a cloud-gas attack in February 1915 against the Russian Army.

<sup>1/</sup> The terms "bacteriological" and "bacterial" were used interchangeably in the various organs of the League. In this paper the use of the terms follows that of the original documentation.

6. After the war specific clauses were introduced in the Peace Treaties concerning the prohibition of the use of asphyxiating and other similar gas, and forbidding their manufacture and importation by the vanquished countries.

D. Treaty of Washington of 6 February 1922

7. The Conference on the Limitation of Naval Armaments, which opened in Washington on 12 November 1921 elaborated a "Treaty Relating to the Use of Submarines and Noxious Gases in Warfare." Article 5 of the Treaty read as follows:

"The use in war of asphyxiating, poisonous or other gases, and all analogous liquids, materials or devices, having been justly condemned by the general opinion of the civilized world and a prohibition of such use having been declared in treaties to which a majority of the civilized Powers are parties,

"The Signatory Powers, to the end that this prohibition shall be universally accepted as a part of international law binding alike the conscience and practice of nations, declare their assent to such prohibition, agree to be bound thereby as between themselves and invite all other civilized nations to adhere thereto."

8. The Treaty, which did not come into force, was signed by France, Italy, Japan and the United States.<sup>1/</sup>

E. Convention on the Limitation of Armaments of Central American States, of 7 February 1923

9. This Convention, signed by Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua, came into force on 24 November 1924. Article 5 of the Convention dealt with the use of asphyxiating and other similar gases, and read as follows:

"The Contracting Parties consider that the use in warfare of asphyxiating gases, poisons or similar substances, as well as analogous liquids, materials or devices, is contrary to humanitarian principles and to international law, and obligate themselves by the present Convention not to use said substances in time of war."

F. Fifth International Conference of American States, 25 March - 3 May 1923

10. At the fifth International Conference of American States held at

<sup>1/</sup> In connexion with these provisions, the Assembly of the League of Nations adopted in 1923 a resolution requesting the Council "to recommend the Members of the League and other nations to adhere to the Treaty of Washington (February 6, 1922), concerning the use of asphyxiating gases and submarines in war, and other similar materials."

The reluctance of States to ratify or adhere to the Treaty was explained by the fact that it included not only provisions for the use of asphyxiating gas, but also provisions relating to the employment of submarines.

Santiago, Chile, from 25 March to 3 May 1923, provisions were made under the Fifth Agreement for recommending that "the Governments reiterate the prohibition of the use of asphyxiating or poisonous gases, and all analogous liquids, materials or devices, such as are indicated in the Treaty of Washington, dated February 6, 1922."

11. The agreement was adopted by seventeen American States including the United States of America.

## II. THE LEAGUE'S ACTIVITIES RELATING TO CHEMICAL AND BACTERIOLOGICAL WARFARE

### A. First step: Publicity regarding the effects of chemical and bacteriological warfare

12. The League of Nations considered the question of chemical and bacteriological warfare for the first time in 1920. At the meeting of the Council on 17 May 1920, the representative of the United Kingdom suggested that the question of chemical warfare "should be studied internationally with a view to some agreement being reached". The Council then entrusted the Permanent Advisory Commission for Military, Naval and Air Questions with the study of the problem.

#### (a) The opinion of the Permanent Advisory Commission

13. The conclusions of the Commission, considered by the Council on 25 October 1920 were based on humanitarian and practical considerations. From the humanitarian point of view, the Commission was of the opinion that the use of asphyxiating gases was not more cruel than certain other methods employed "provided that they are only employed against combatants", their use against non-combatants being considered "barbarous and inexcusable". From the practical point of view, the Commission considered that it would be useless to impose restrictions of the use of gas in war-time by prohibiting or limiting its manufacture in peace-time.

#### (b) Prohibition and sanctions

14. Nevertheless, at the same meeting the Council referred back to the Permanent Advisory Commission for further advice the question of the prohibition of the use of poison-gases and that of methods to be employed for control of the production of such gases. The Council also considered the possibility of asking Governments for their views as to the penalties which should be imposed upon States making use of poison gas.

15. In submitting its report to the Council on 28 October 1920, the Permanent Advisory Commission was of the opinion that it was for the Council to consider the prohibition of the use of gas, and to take steps for enforcement measures in connexion with Article 16 of the Covenant dealing with sanctions.

#### (c) Appeal to scientists to publish their discoveries

16. Taking into account the complexity of the problem, the League of Nations abandoned for the time being consideration of restrictive measures, and envisaged  
/the possibility



the possibility of addressing world public opinion in order to make it aware of the possible effects of the use of poison gases.

17. On 28 September 1921 the Third Committee of the Assembly considered the draft resolution submitted by Lord Robert Cecil, which provided for an appeal to be made to the scientists of the world to publish their discoveries in poison gas, and similar subjects so as to minimize the likelihood of their being used in any future war.

18. During the discussion of this draft resolution on 29 September 1921 the Third Committee adopted a text which read as follows:

"It has been stated that inventions have been made or perfected since the war whereby wholesale destruction of civil population would be possible by the dropping of poison bombs and the like from the air, nor is there any reason to suppose that the limits of invention in these fiendish devices have been reached. And if, as seems to the Committee to be arguable, the employment of these weapons would be rendered impracticable if there were no secrecy about them, the possibility of obtaining complete publicity for scientific researches in this domain is certainly worth exploring."

(d) The opinion of the Temporary Mixed Commission

19. The Assembly, by resolution of 2 October 1921 entrusted the Temporary Mixed Commission with examination of the question in consultation with the Permanent Advisory Commission. The Commission considered an appeal to the scientists as not practicable on the ground that such an appeal would not achieve the objects aimed at by the Assembly. Instead of the measures recommended by the Assembly, the Temporary Mixed Commission adopted a suggestion made by Lord Robert Cecil to appoint a committee for collection of information from existing publications and enquiries from experts as to what would be the result of the manufacture and use in time of war of poison gases.

(e) Programme of work

20. In its report of 22 September 1922 presented to the Assembly, the Third Committee requested approval of the action taken by the Temporary Mixed Commission to establish a special committee to report on the probable effects of chemical warfare in any future war, and proposed to urge on the Council and the Temporary Mixed Commission "that every measure should be taken to secure the fullest publicity for its report".

21. In accordance with the resolution adopted by the Assembly on 27 September 1922, the Temporary Mixed Commission set up a Committee on Chemical

Warfare composed of four members. The programme of work of the Committee, drawn up by Lieutenant-Colonel Requin was based on the following considerations: (a) "the aim is to show to the public opinion of the world the effects which would be produced, by the most powerful means of destruction placed at the service of modern warfare by modern science,"; (b) "an armed nation, utilizing the whole of its human and material resources, will attempt to strike, not only at the combatants on the enemy's front, but at the whole enemy nation in arms - its population, its riches and its resources of every kind"; (c) the Committee, without considering the legitimacy of such practices "will merely seek to discover what is possible in warfare, whether permitted or not, by the laws of war, in order that the public may have an accurate conception of the danger which it has to fear".

(f) Method of work

22. The method of work adopted by the Committee was to address a questionnaire to a certain number of experts in bacteriological and chemical fields, asking their opinion on possible effects which would be produced "on human life, animal life, vegetable life, and on the wealth and resources of all kinds of a country which is attacked at any point of its territory by chemical or bacteriological warfare".

(g) Replies from scientists

23. The replies received from eight experts of different countries dealt successively with the known effects of chemical warfare, and the possible effects of bacteriological warfare.

24. The effects of various chemical agents on human life, animal life, and on vegetation were considered. The experts were of opinion that vegetation was not effected by gas. They also considered the means of protection against the chemical weapon by the use of insulating and filtering apparatus which they considered as having proved effective.

25. As for bacteriological warfare, the experts stated that in contradistinction to the chemical arm, the bacteriological arm had not been employed in war. "A priori," they declared, "the effects of the bacteriological arm can neither be measured nor localized; they would reach the civilian population, would cross frontiers, and might reappear or continue even after the cessation of hostilities. It may be said that this arm would be aimed indirectly against all mankind".

26. In its report of 30 July 1924, the Temporary Mixed Commission summarized the view of the scientists concerning bacteriological warfare in the following terms:

"In short, the scientists whom we have consulted are of opinion that our present knowledge of hygiene and microbiology would limit the extension of any epidemics which might be spread either among combatants or the civil population, and that such epidemics could not have any decisive influence on the issue of hostilities, although the experts do not consider the bacteriological arm as at present capable of paralysing an enemy's defence. But while they do not regard this double-edged weapon as particularly formidable at the present moment, other opinions are also current which would justify us in keeping carefully in touch with the progress of bacteriology."

(h) Chemical warfare against civilians

27. The report of the Temporary Mixed Commission concluded with a special paragraph concerning the possible use of the chemical weapon against civilians. In the opinion of the Rapporteur:

"It must be admitted that technically there does not appear to be any reason why a poison gas attack from the air or by long-range guns, used in modern warfare, either on land or sea, might not be very effectively carried out against a great city. There is every reason to believe that in a future war, aircraft would be much more numerous than in the last and they would be able to carry much heavier weights. However reprehensible such an action might be, there would be nothing technically to prevent them dropping large bombs filled with some heavy poison gas over localities essential to the political or economic life of an enemy country."

The Rapporteur concluded "It is, in the opinion of the Commission, essential that all nations should realise to the full the terrible nature of the danger which threatens them".

(i) Appeal to public opinion

28. On 27 September 1924 the Assembly, having examined the report of the Temporary Mixed Commission with regard to the probable effects of chemical warfare, adopted a resolution requesting the Council to publish the report of the Temporary Mixed Commission, and "to encourage the work of making the information on this subject generally accessible to the public". This resolution recommended that attention of public opinion be drawn to the necessity of removing the causes of war by the pacific settlement of disputes and by the solution of the problem of security "In order that nations may no longer be tempted to utilise their economic industry or scientific power as weapons of war".

B. Second step: Protocol of 17 June 1925

(a) Prohibition of export of asphyxiating and other similar gases

29. In connexion with the Conference for the Supervision of the International Trade in Arms, Ammunition and Implements of War, organized by the League of Nations and held at Geneva in 1925, the United States delegation submitted a proposal to the General Committee of the Conference, on 7 May 1925, which read as follows:

"The High Contracting Parties agreed to prohibit the export from their territory of all asphyxiating, toxic or deleterious gases, and all analogous liquids, exclusively designed or intended for use in connection with operations of war."

30. At the same meeting the Polish delegation proposed that any decisions taken by the Conference concerning the materials used for chemical warfare should apply equally to those employed for bacteriological warfare.

31. The General Committee referred the whole question to the Military and Legal Committees.

32. On 19 May the Legal Committee transmitted to the General Committee the four following alternative suggestions listed in the report of its sub-committee:

(a) Prohibition by means of an article in the Convention of the exportation of asphyxiating, poisonous or other similar gases, and all analogous liquids, materials or devices;

(b) A declaration, either in the Final Act or in a separate document, laying down that the use of the said gases in time of war is contrary to international law;

(c) A statement in a suitable article of the Convention that the use of gases in war is prohibited by international law;

(d) To allow, in regard to the exportation of the means of defence, an exception to be made to the conditions laid down in the draft Convention.

33. The General Committee decided to submit these four suggestions to the Military Committee, recommending in the first place consideration of suggestions

(a) and (d) concerning the exportation of asphyxiating and other similar gases. The two other suggestions dealing with the prohibition of the use of poisonous gases were considered by the General Committee as being outside the Committee's terms of reference.

(b) Interdependence between the export and prohibition of use of asphyxiating and similar gases

34. However, during the discussion in the Military Committee on 25, 26 and

27 May 1925,

27 May 1925, a certain number of delegations stressed the necessity of considering the question from two points of view: (a) the prohibition of gases and chemical warfare; and (b) the prohibition of international trade in gas. The view expressed by some delegations concerning the prohibition of the use of chemical warfare was shared by the representative of the United Kingdom, who stated that "unless the use of gas in warfare was entirely prohibited, the American proposal to prohibit its export would not go far to prevent its use in future wars".

35. At the same meeting the representative of the United States, taking into account that the opinion of many delegations showed that it was desirable that "the prohibition of the traffic and means of chemical warfare should be coupled with a universal prohibition of poison gases", submitted a proposal by which "the signatory Powers, to the end that this prohibition shall be universally accepted as a part of international law binding alike the conscience and practice of nations, declare their assent to such prohibition, agree to be bound thereby as between themselves, and further agree to prohibit the exportation and importation of all such asphyxiating, poisonous or other gases".

36. A drafting Committee was appointed to consider all proposals submitted by various delegations and on 27 May 1925 the Military Committee adopted the report of its drafting Committee which included the following resolution:

"Considering that the prohibition of the export of chemical and bacteriological arms is, in most cases, practically impossible, and would, moreover, be of no effect until all nations undertook to abstain from chemical and bacteriological warfare of all kinds, proposed that this larger political issue, namely, the prohibition of chemical and bacteriological warfare should be considered by a special Conference which should be convoked at an early date and at which all States would be represented."

37. The report adopted by the Military, Naval and Air Technical Committee was later included in the General Report which contained all items discussed at the Conference for the Supervision of the International Trade in Arms, Ammunition and Implements of War. During the discussion in the General Committee on 5 June 1925 of the General Report, the Rapporteur of the Military Committee, in explaining the conclusions of the Committee, declared that in order to obtain a clear idea of the methods for preventing chemical and bacteriological warfare, the Committee consulted different scientists in bacteriological, physiological and chemical fields. The opinion of these scientists showed conclusively that

all the materials required for chemical warfare were in everyday use in peace industries.

38. The Military Committee then recognized that the prohibition of trade in chemical products was not practical in the majority of cases; moreover, such a prohibition would place non-producing countries in a position of inferiority as against producing countries. The Committee was unanimous in thinking that these methods should be rejected and that the solution of the problem would be found in a universal undertaking on the part of all the peoples of the world to regard chemical warfare as prohibited by the law of nations. A practical solution would be, in the opinion of the Committee, to ask States to accede to Article V of the Treaty of Washington of 6 February 1922.

(c) United States proposal

39. The question was raised as to whether this Conference which was convened for the control of the trade in arms was or was not competent to deal also with chemical warfare. The Committee, having no instructions on the subject, considered that the best solution would be to propose that the question of the prohibition of chemical and bacteriological warfare should be considered by a special conference. The representative of the United States suggested that a Protocol should be prepared, based on Article V of the Washington Treaty, with a view to its immediate signature by the delegations, and which would be open for signature by other States, not represented at the Conference. The adoption of the text, which would be left open for signature by all countries, would foreclose the necessity for any formal conference. Nevertheless, if for any reason the action suggested by the United States delegate could not be taken at that time, the representative of the United States declared that he was authorized to state that the President of the United States was prepared to extend an invitation for a conference at Washington, with a view to framing a convention for the prohibition of the use of asphyxiating gas in war.

(d) Adoption of the draft Protocol

40. The proposal of the United States delegation to establish a Protocol embodying Article V of the Treaty of Washington or some similar formula which might be suggested by the Drafting Committee, was then adopted by the General Committee. On 8 June 1925 the General Committee considered the draft Protocol prepared by the Drafting Committee, and after some amendments the draft Protocol was unanimously adopted on 10 June 1925.

/(e) Signature

(e) Signature of the Protocol

41. On 17 June 1925 the final text of the "Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare" was signed by the representatives of 26 countries. The text of the Protocol read as follows:

"The undersigned plenipotentiaries, in the name of their respective Governments:

"Whereas the use in war of asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices, has been justly condemned by the general opinion of the civilised world; and

"Whereas the prohibition of such use has been declared in Treaties to which the majority of Powers of the world are Parties; and

"To the end that this prohibition shall be universally accepted as a part of International Law, binding alike the conscience and the practice of nations;

"Declare:

"That the High Contracting Parties, so far as they are not already Parties to Treaties prohibiting such use, accept this prohibition, agree to extend this prohibition to the use of bacteriological methods of warfare, and agree to be bound as between themselves according to the terms of this declaration.

"The High Contracting Parties will exert every effort to induce other States to accede to the present Protocol. Such accession will be notified to the Government of the French Republic, and by the latter to all signatory and acceding Powers, and will take effect on the date of the notification by the Government of the French Republic.

"The present Protocol, of which the French and English texts are both authentic, shall be ratified as soon as possible. It shall bear today's date.

"The ratifications of the present Protocol shall be addressed to the Government of the French Republic, which will at once notify the deposit of such ratification to each of the signatory and acceding Powers.

"The instruments of ratification of and accession to the present Protocol will remain deposited in the archives of the Government of the French Republic.

"The present Protocol will come into force for each signatory Power as from the date of deposit of its ratification, and, from that moment, each Power will be bound as regards other Powers which have already deposited their ratifications."

42. The Protocol entered into force on 8 February 1928 and is still in force. From 1926 until 1938, forty-one countries ratified or acceded to the Protocol, of which nineteen ratifications or accessions were made on the basis of

/reciprocity.

reciprocity, <sup>1/</sup>

C. Third step: Consideration by the Preparatory Commission for the Disarmament Conference

(a) Relation between the Protocol of 1925 and the work of the Preparatory Commission regarding chemical and bacteriological warfare

43. At the time when the Preparatory Commission for the Disarmament Conference began to consider the question of the prohibition of chemical warfare, the Protocol of 17 June 1925 was not yet in force. Nevertheless, when the question of the prohibition of the use of chemical warfare was raised at the first session of the Preparatory Commission for the Disarmament Conference, held at Geneva from 18 May to 26 May 1926, certain delegates wondered if it was advisable to raise a question which might cast doubt on the value of the Protocol of 17 June 1925, and the good faith of its signatories. In the opinion of certain delegations it would be better to recommend States to ratify the Protocol. The discussion on the prohibition was therefore dropped, and, on the proposal of the United Kingdom delegation, the Commission decided to refer certain questions of a technical nature to Sub-Commissions A and B of the Preparatory Commission, "without prejudice to any convention or rule of international law on the subject".

(b) Adaptation of industries for chemical warfare

44. The most important questions submitted to the Sub-Commissions were:

"(a) Can factories normally and legitimately employed for chemical purposes, including dye-works, be quickly adapted to manufacture poisonous gases?

"(b) If the answer to the above is in the affirmative, how long would it take to effect the change?

"(c) Can any proposals be made to prevent or hinder chemical factories from being used for the production of poisonous gases?"

45. The replies of the Sub-Commissions were included in their respective reports of 1926. The reply to question (a) was that chemical factories could be adapted very quickly to the manufacture of poisonous gases. In the opinion of the Sub-Commissions chemical warfare agents were as a rule similar in composition to commercial chemicals and were made by similar processes. In reply to question (b) the Sub-Commissions said that only a short time would be needed for the conversion

<sup>1/</sup> See annex I for the list of countries which ratified the Protocol or acceded to it. The list includes also reservations made by certain countries.



of works dealing with certain chemical products which did not carry the poisonous chemical to its final stage, and that their adaptation would be a comparatively simple matter. To question (c), the Sub-Commission's reply was in the negative, "for it is impossible to prevent or hinder the manufacture of these chemicals in peace-time".

(c) Sanctions by means of collective reprisals

46. Sub-Commission A was also invited to consider what effective sanctions could be proposed for the enforcement of the international undertaking not to resort to chemical or bacteriological warfare.

47. In the opinion of the delegations of Belgium, France and some others, "the only effective sanction which can prevent a State from violating its undertakings in connection with the prohibition of chemical warfare consists in the possibility of immediate reprisals by the same chemical means".

48. The same delegations were also of the opinion that all States in possession of a chemical industry should undertake "to engage in joint reprisals themselves, so far as distance permits, by the use of other chemical means against the State which has committed an act of aggression by the use of gas". Nevertheless, this undertaking would in their opinion, not justify any special preparation for chemical warfare in peace-time, "since reprisals could always be carried out easily by means of the aircraft available for use without measures of mobilisation, and since a chemical industry can be converted very quickly, the moment it becomes necessary, to the manufacture of the products required for reprisals".

49. The same delegations "although realising the practical difficulties of organising collective reprisals and the political or moral problems which such organisation may raise, desire to place on record, that in the absence of these reprisals the preventive effect of which they think might be decisive, there is no technical means of preventing chemical warfare".

50. The delegations of the United Kingdom, the United States and some others were unable to associate themselves with the proposal for sanctions on the grounds that the Sub-Commission was not competent to express any opinion upon such a proposal owing to its political nature.

(d) Prohibition of chemical warfare

51. In 1927 the Preparatory Commission changed its approach to the question of chemical warfare in the sense that, instead of considering only technical aspects  
/of the

of the question, it began to consider also the question of its prohibition.

52. A joint proposal, based on the principles laid down in the Protocol of 1925, was submitted on 25 April 1927 by the delegations of Belgium, Czechoslovakia, Poland, Rumania, and Yugoslavia (Kingdom of the Serbs, Croats and Slovenes) to the Preparatory Commission, which after amendment read as follows:

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

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

"They also undertake to abstain from any preparation in peace-time of the use of the methods of warfare stated in the two preceding paragraphs.

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

53. ~~The Preparatory Commission had no opportunity to discuss this proposal in~~ 1927 and temporarily included it under Chapter 4, in the draft text of the Convention for the Limitation and Reduction of Armaments resulting from the first reading.

(e) Soviet Union proposals to supplement the Protocol of 1925

54. The Preparatory Commission discussed Chapter 4 of the draft Convention from 20 to 23 April 1928. In explaining the reasons which moved the authors of the joint resolution to submit it to the Commission in spite of the existence of the Protocol of 1925, the representative of Belgium declared on 22 April that although the prohibition of chemical warfare had already been embodied in the Protocol of 1925, its duration would not necessarily be the same as that of the Convention. Moreover, some countries had ratified the Protocol with reservations and others without reservations. In his opinion the Commission ought to try to secure uniformity. He also added that it would be impossible for any country to accede to the Convention without acceding to the Protocol, or acceding to it with reservations.

55. During the discussion the representative of the USSR pointed out that with the exception of the last paragraphs of the proposed text, Chapter 4 was merely a repetition of the Protocol of 1925. He suggested that the Preparatory Commission adopt a draft resolution urging all governments to accelerate the ratification of

/the Protocol,

the Protocol, together with a special resolution or special protocol including new paragraphs which were not provided in the Protocol of 1925. On 22 April 1929 he submitted proposals urging the ratification of the Protocol of 1925 by all States which had signed it but not yet ratified it. In addition to the Protocol of 1925 the Soviet proposal included a supplementary Protocol consisting of the following articles:

"Article 1. - 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 for bacteriological warfare, whether in service with 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.

"Article 2. - The industrial undertakings engaged in the production of the means of chemical aggression or bacteriological warfare indicated in Article 1 shall discontinue production from the date of the entry into force of the present Protocol.

"Article 3. - In enterprises capable of being utilised for the manufacture of means of chemical and bacteriological warfare, a permanent labour control shall be organised by the workers' committees of the factories or by other organs of the trade unions operating in the respective enterprises with a view to limiting the possibility of breaches of the corresponding articles of the present Protocol."

During the discussion, it appeared that the majority of delegations were not prepared to accept the proposals submitted by the USSR delegation.

(f) French proposals

56... On the same day the French delegation submitted proposals to replace paragraphs 3 and 4 of the joint proposal of 1927, by the following:

"Paragraph 3.  
"The High Contracting Parties also undertake to abstain from any preparation in peace-time with a view to the use in war of the methods stated in the two preceding paragraphs, and undertake as soon as the Convention is put into force to take effectual steps to prevent private persons from making preparations in their territory for the use of such methods in war."

"Paragraph 4.  
"The High Contracting Parties undertake, moreover, to take effectual steps to prevent the manufacture in their territory, the importation or the exportation of substances utilisable for chemical or bacteriological warfare, so far as these have no normal utility in peace-time. If such substances have a normal utility in peace-time, the High Contracting Parties undertake to restrict the importation, exportation or manufacture of those substances to commercial requirements."

/(g) Views of the

(g) Views of the United States delegation on the French proposals

57. The discussion of the French proposal in conjunction with paragraphs 3 and 4 of the joint proposal of 1927 gave rise to the question of a possible system of control and sanctions, with a view to assuring their execution. In that connexion the representative of the United States declared that as regards the prohibition contained in paragraph 3 of the French proposal which provides for "effectual steps to prevent private persons from making preparations ... for the use of such methods in war, the Federal Laws of the United States would not enable them to subscribe to that provision." He declared that with regard to paragraph 4, the importation and exportation of the substances in question could be regulated by the Federal Government, but their manufacture could be supervised only by individual States.

(h) Views of the USSR delegation on the French proposals

58. The French proposal was supported by the Soviet delegation which considered that it was framed for the same purpose as the Soviet proposal. Adoption of paragraphs 3 and 4 of the French proposal would, in his opinion, show that the Commission was going a step further than the Protocol of 1925, but if the Commission decided to include only the first two paragraphs which were identical with the 1925 Protocol, the Commission "would be open to criticism and would be asked why it had not improved upon it."

(i) Adoption of the definite text for the draft Convention

59. In its note of 22 April 1929, submitted to the Preparatory Commission, the Belgian delegation proposed a new text to be included in Chapter 4 of the draft Convention framed by the Preparatory Commission. Paragraphs 3 and 4 of the previous draft proposal were dropped on the grounds that various delegations had raised serious objections. On the other hand, the Belgian delegation introduced an addition to the first paragraph of the joint proposal the words "subject to reciprocity," and to the second paragraph the word "unreservedly." The definite text, as amended, read as follows:

"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."

60. It was considered that the abstention from the use of asphyxiating or similar gases could normally be observed only subject to reciprocity. The use of bacteriological methods which are necessarily directed against the entire population was considered as constituting a crime against international law. "No civilised country," declared the Belgian delegation in its note, "would desire to be guilty of such a crime, even against the armies of a criminal government, which itself resorted to these methods."

61. On 23 April 1929 the Preparatory Commission adopted the above resolution.

(j) Adoption of the Soviet Union's proposal

62. At the same meeting the Commission adopted the following proposal submitted by the representative of the USSR:

"The Preparatory Commission for the Disarmament Conference recommends all States signatories to the Protocol of June 17th 1925, which have not yet done so to ratify it as soon as possible."

D. Final steps: Consideration by the Disarmament Conference

63. Chapter 4 (Chemical Warfare), adopted by the majority of the Preparatory Commission, became Part V (Chemical Arms) in the draft Convention submitted by the Preparatory Commission to the Disarmament Conference. The whole of Part V consisted of only one Article - Article 39.

(a) Supplementary proposals

64. Several delegations reserved their right to submit to the Conference proposals with a view to supplementing the provisions of the 1925 Protocol, and amplifying their scope.

65. During the general discussion in the plenary session of the Conference the Soviet delegation submitted on 19 February 1932 a draft Convention on the reduction of armaments, Chapter 4 of which (Chemical Methods of Warfare) included provisions for the destruction of all methods of appliances for chemical and bacteriological warfare; it also urged the contracting parties to ratify the Protocol of 1925.

66. On the same date the United States delegation submitted a memorandum to the Conference, paragraph 6 of which stated that "the delegation of the United States of America advocates the total abolition of lethal gases and bacteriological warfare."

67. Other delegations also submitted proposals including provisions for the prohibition of the preparation of chemical and bacteriological arms, control and sanctions.

/(b) Criteria for

(b) Criteria for prohibition of chemical and bacteriological warfare

68. A Special Committee consisting of the representatives of fourteen States, was appointed on 10 May 1932 by the General Commission, to consider the whole question of chemical and bacteriological warfare. In its report submitted to the Commission on 31 May, the Special Committee considered the problem in the light of the resolution on qualitative disarmament adopted by the General Commission on 22 April 1932. The principle of qualitative disarmament was based on the idea of the selection of certain categories of weapons, the possession of which should be "absolutely prohibited to all States or internationalized by means of a general convention." The Special Committee considered whether chemical weapons and methods of warfare came under the three criteria laid down in the above resolution, namely, (1) whether they are most specifically offensive in character; (2) whether they are the most efficacious against national defence; and (3) whether they are the most threatening to civilians. The Committee agreed unanimously that chemical weapons and appliances constructed for their utilization should undoubtedly be included under the third of these criteria.

69. There was some difference of opinion in the Committee as regards the two other criteria, but the majority of members agreed that chemical weapons and methods of warfare could also come under these criteria.

70. As for bacteriological warfare, the Special Committee considered this method of warfare "so particularly odious that it revolted the conscience of humanity more than any other form of warfare." Accordingly it was of the opinion that it should be included in a system of qualitative disarmament irrespective of whether it could be included under any of the three criteria laid down by the General Commission.

(c) Resolution on the prohibition of chemical, bacteriological and incendiary warfare

71. In a resolution adopted on 23 July 1932 by the General Commission relating to the future work of the Conference, sections provided that "chemical, bacteriological and incendiary warfare should be prohibited under the conditions unanimously recommended by the Special Committee." The resolution also provided that "rules of international law should be formulated in connection with the provisions relating to the prohibition of the use of chemical, bacterial and incendiary weapons and bombing from the air, and should be supplemented by special measures dealing with the infringement of these provisions."

72. The Soviet Union delegation, while having no objection to section 3 of the above resolution, voted against it on the grounds that its Government had already signed the Geneva Protocol of 1925, which contained the same elements. The delegation formally moved that States represented at the Conference, "insofar as they had not done so hitherto, undertake to sign within three months, and to take steps for the speediest possible ratification of the Geneva Protocol of 1925 concerning the prohibition of chemical and bacteriological warfare."

(d) Principal conclusions adopted regarding chemical and bacteriological warfare 1/

73. In connexion with the question of the prohibition of the use of chemical and bacteriological warfare, the question of its preparation in peacetime, and of possible violation of provisions adopted, was raised during the discussion in the General Commission and the Bureau of the Conference.

74. On 20 September 1932 the Bureau, having considered the relation between the preparation of chemical warfare and the prohibition of the use of chemical weapons, requested the Special Committee to submit a report on the advisability of extending its prohibition to cover the preparation of chemical warfare in peacetime, and on the problem raised by possible violation of the prohibition of chemical and bacteriological warfare.

75. The conclusions of the Special Committee, which framed the principles on which were based the provisions finally included under Part IV (Chemical Warfare) in the draft Convention adopted in first reading, were submitted to the Bureau of the Conference in two major reports, the first on 25 October 1932 and the second on 13 December 1932. The following were the most important items considered in these reports:

1. Absolute and relative character of the prohibition;
2. The prohibition of preparation for chemical and bacterial warfare;
3. Supervision of the prohibition of the preparation of chemical warfare;
4. Establishment of the fact of the use of chemical and bacterial warfare;
5. Penalties for the use of chemical and bacterial warfare.

(1) Absolute or relative character of prohibition

76. The Protocol of 17 June 1925 did not formally exclude the condition of reciprocity; Article 39 of the draft Convention drawn up by the Preparatory

1/ Some other provisions were also adopted concerning incendiary warfare.

Commission prohibited chemical warfare on condition of reciprocity, while bacterial warfare was absolutely prohibited. The Special Committee considered that prohibition of chemical warfare must also be absolute. If not, any attempt to prohibit preparation for chemical warfare in peacetime would be illusory.

77. The principle of absolute prohibition involved the exclusion of the right of resorting to the prohibited means of warfare by a State victim of an unlawful war. Accordingly an undertaking not to use chemical warfare could not be given on condition of reciprocity. In the view of the Rapporteur of the Committee the absolute character of the prohibition made necessary an effective system of control and sanctions.

(ii) Prohibition of the preparation of chemical and bacterial warfare

78. The Special Committee was of the opinion that the prohibition which might apply to the preparation, importation, exportation and possession of substances exclusively suitable for chemical warfare would be only of limited value because their manufacture could be improvised by any State possessing a chemical industry.

79. The Special Committee was also of the opinion that the prohibition of preparation for chemical warfare must not apply to research work. The prohibition must also not apply to the manufacture, importation, exportation or possession of implements and substances suitable for legitimate use, and capable of employment in chemical warfare, "lest such prohibition should place insuperable obstacles in the way of chemical industry and hence of the progress of humanity."

80. As for bacterial warfare the Special Committee was of the opinion that in practice it was not possible to prevent such warfare. The supervision of preparation for bacterial warfare "would, in the opinion of the Committee, never be complete, and therefore always ineffectual": virulent bacteria, such as might cause epidemics, are to be found in all bacteriological laboratories and hospitals treating contagious diseases.

(iii) Supervision of the prohibition of preparation for chemical warfare

81. The Special Committee considered that the supervision would not be effective if based only on consultations by some supervisory body on national statistics concerning production, exportation and importation of various chemical products. Information would also have to be obtained with regard to their transformation and final use. The Special Committee considered also the question of inspection of chemical factories. In its opinion, such supervision by a national authority was

/not inconceivable,



not inconceivable, provided that the existing national systems of supervision of certain chemical products for fiscal reasons could be made general. Such supervision, however, involved difficulties especially regarding the final destination of the chemical products. The Committee emphasized that such supervision would completely destroy secrecy in commercial affairs.

82. As for entrusting supervision to an international body, in the Committee's opinion "the difficulties would be considerable." It considered as doubtful the effectiveness of preventing all preparations for chemical warfare by means of international inspection, which in addition, "would be a source of numerous disputes and suspicions," and "in any case, nothing that might have been done in peacetime could prevent the rapid conversion of chemical industries into war industries as soon as hostilities broke out."

83. Finally the Committee considered the methods of supervision based on the existence of regulations concerning production. Considering that the inequality of the distribution of raw materials among States also created an inequality of strength, the Committee was of opinion that to endeavour to redress this inequality by limiting the output capacity of countries rich in raw materials "is a difficult undertaking, and it is doubtful whether it is economically desirable." Moreover, the Committee thought that States would hesitate to give up industries which, even if not very remunerative, were of vital importance to them. On the contrary the Committee considered that, while it was possible to envisage a limitation of stocks of chemical products where these were exclusively suitable for chemical warfare, the determination of limits would always be difficult for the other chemical products.

(iv) Establishment of the fact of the use of chemical and bacterial warfare

84. The Committee considered that a commission should be created to undertake urgent initial investigations for collecting available evidence of use of the forbidden weapon. Such a commission might be constituted in peacetime or might be composed of representatives of the Permanent Disarmament Commission accredited to the belligerent States. As an alternative, the Committee also considered the possibility of the complainant State applying to the doyen of the Diplomatic Corps who would appoint as members of the commission military attaches and technical experts of foreign nationality selected from a list drawn up in advance by the

Permanent Disarmament Commission. The result of the investigations should be reported to the Permanent Disarmament Commission.

(v) Penalties for the use of chemical or bacterial warfare

85. The Committee was of the opinion that sanctions were primarily political in character. In considering the purely technical features of sanctions the Committee was faced with the difficulty of differentiating clearly between the political and technical phases of the matter.

86. In connexion with the question of sanctions the Committee considered the following measures:

(1) Assistance to the State attacked

In the view of the Committee the most effective sanction against the violation of the prohibition of chemical and bacterial warfare would be to place the resources of the chemical industry of the world at the disposition of the State attacked. These measures could be organized on a universal, continental or regional basis, the first being, in the opinion of the Committee, the most effective.

(2) Measures of pressure against the guilty State

The measures contemplated by the Special Committee varied from mere diplomatic representations to military measures. The Committee examined in particular the question of the stoppage of supplies to the guilty State of raw materials, products and appliances necessary for chemical and bacterial warfare, which, in certain cases, would hamper the continuance of that warfare. But it was considered that no rapid or even practical effect could be expected from this action if the guilty State possessed a highly developed chemical industry, and considerable stocks of raw material. As regards bacteriological warfare the Committee considered that these measures would be quite ineffectual.

(3) Reprisals

The Committee considered only the technical aspect of this question. If the final Convention should permit the right of individual reprisals of a chemical nature, the preparation of those reprisals could never begin until a breach of the prohibition had been officially established; the technical assistance of other States would be necessary from the moment that preparation by them had become lawful. In the case of collective reprisals the Committee considered that the transgressor State would necessarily be in a state of technical inferiority.

(e) Views of certain delegations regarding sanctions and retaliation

87. During the discussion in the Bureau on the question of sanctions and retaliation on 10, 11 and 12 November 1932, the Chairman summarized the position by stating that nearly all the members of the Bureau were opposed to the recognition of the right to retaliate by the use of chemical weapons against the State which initially had used them. As for sanctions against the State which violated the prohibition, opinions varied considerably. On the one hand, it was suggested that the Conference should make detailed provisions for collective measures of repression, while on the other hand, certain delegations and particularly that of the United Kingdom, were of the opinion that their governments might have some difficulty in arriving at a decision with regard to sanctions which they were prepared to accept.

88. In the opinion of the representative of France the question of retaliation might be solved only by a collective measure. "It would not be" he declared, "the attacked State that would have the right to take justice into its own hands, but, as in civilized societies it would be the community of States, which would act on its behalf."

89. The representative of the USSR declared that the question of sanctions should not be settled only in connexion with the prohibition of the use of chemical weapons, but that account should also be taken of the use of other weapons which might appear incompatible with the objects of the Conference. In that connexion the representative of the USSR proposed on 13 January 1933 the postponement of the discussion on sanctions until the General Commission had dealt with this question in general.

90. The representative of the United States was also of the opinion that the problem of violations must be studied as a whole and not in application to a single phase of the Convention in course of preparation.

91. On the same date the Bureau submitted the following draft, which was adopted:

"The Bureau agrees to the principle of special measures being taken in case of a violation of the prohibition of the use of chemical, incendiary and bacterial weapons.

"It decides to elaborate the relevant articles with regard to such special measures after the general penalties for the case of the violation of the Convention have been examined by the Conference."

(f) Embodiment of provisions relating to chemical and bacteriological warfare in the United Kingdom draft Disarmament Convention

92. In accordance with the decision taken by the Bureau on 30 January 1933 the drafting Committee prepared a certain number of articles which were embodied in Part IV (Chemical Warfare<sup>1/</sup>) of the draft Disarmament Convention submitted by the United Kingdom delegation to the General Commission on 16 March 1933.

93. This part included four sections:  
Section 1 dealing with the prohibition of chemical, incendiary and bacteriological warfare;  
Section 2 including provisions for the prohibition of the preparations for chemical, incendiary and bacteriological warfare;  
Section 3 dealing with the supervision of the observance of the prohibition of the preparation for chemical, incendiary and bacteriological warfare;  
Section 4 dealing with the question of the establishment of the fact of the use of chemical, incendiary and bacteriological warfare.

94. During the first reading of Part IV of the Convention by the General Commission on 30 May 1933, on which date the draft Convention as a whole was adopted in first reading, certain delegations resumed discussion of the right of reprisal allowed to victims of the illegal use of chemical weapons. In the view of the United Kingdom delegation considerable delay might be involved in establishing the fact of the use by the attacking country of such weapons. Other delegations expressed the opinion that the use of chemical weapons should be prohibited even as a measure of retaliation. The delegation of France emphasized once more the necessity for strict collective sanctions to enforce the prohibition of chemical warfare and of preparation for this warfare.

95. This discussion of Part IV (Chemical Warfare) of the United Kingdom draft Disarmament Convention on 30 May 1933 was the last one. No further action was taken by the Conference in the matter.

<sup>1/</sup> See annex II for the complete text of Part IV (Chemical Warfare) of the draft Convention adopted in first reading.

ANNEX I

PROTOCOL FOR THE PROHIBITION OF THE USE OF ASPHYXIATING, POISONOUS  
OR OTHER GASES AND OF BACTERIOLOGICAL METHODS OF WARFARE<sup>1/</sup>

Geneva, 17 June 1925

In force since 8 February 1928

1. Ratifications or definitive Accessions: 41

BELGIUM

(4 December 1928)

- (1) The said Protocol is only binding on the Belgian Government as regards States which have signed or ratified it or which may accede to it.
- (2) The said Protocol shall ipso facto cease to be binding on the Belgian Government in regard to any enemy State whose armed forces or whose Allies fail to respect the prohibitions laid down in the Protocol.

BRITISH EMPIRE

(9 April 1930)

Does not bind India or any British Dominion which is a separate Member of the League of Nations and does not separately sign or adhere to the Protocol.

- (1) The said Protocol is only binding on His Britannic Majesty as regards those Powers and States which have both signed and ratified the Protocol, or have finally acceded thereto;
- (2) The said Protocol shall cease to be binding on His Britannic Majesty towards any Power at enmity with him whose armed forces, or the armed forces of whose allies, fail to respect the prohibitions laid down in the Protocol.

CANADA

(6 May 1930)

- (1) The said Protocol is only binding on His Britannic Majesty as regards those States which have both signed and ratified it, or have finally acceded thereto;
- (2) The said Protocol shall cease to be binding on His Britannic Majesty towards any State at enmity with him whose armed forces, or whose allies de jure or in fact fail to respect the prohibitions laid down in the Protocol.

AUSTRALIA

(22 January 1930 a)

Subject to the reservations that His Majesty is bound by the said Protocol only towards those Powers and States which have both signed and ratified the Protocol or have acceded thereto, and that His Majesty shall cease to be bound by the Protocol towards any Power at enmity with him whose armed forces, or the armed forces of whose allies, do not respect the Protocol.

<sup>1/</sup> Quoted verbatim from the League of Nations Official Journal, Special Supplement No. 193, 1944.

NEW ZEALAND

(22 January 1930 a)

Subject to the reservations that His Majesty is bound by the said Protocol only towards those Powers and States which have both signed and ratified the Protocol or have acceded thereto, and that His Majesty shall cease to be bound by the Protocol towards any Power at enmity with him whose armed forces, or the armed forces of whose allies, do not respect the Protocol.

UNION OF SOUTH AFRICA

(22 January 1930 a)

Subject to the reservations that His Majesty is bound by the said Protocol only towards those Powers and States which have both signed and ratified the Protocol or have acceded thereto, and that His Majesty shall cease to be bound by the Protocol towards any Power at enmity with him whose armed forces, or the armed forces of whose allies, do not respect the Protocol.

IRELAND

(18 August 1930 a)

The Government of Ireland does not intend to assume, by this accession, any obligation except towards the States having signed and ratified this Protocol or which shall have finally acceded thereto, and should the armed forces of an enemy State or of the allies of such State fail to respect the said Protocol, the Government of Ireland would cease to be bound by the said Protocol in regard to such State.

INDIA

(9 April 1930)

- (1) The said Protocol is only binding on His Britannic Majesty as regards those States which have both signed and ratified it, or have finally acceded thereto;
- (2) The said Protocol shall cease to be binding on His Britannic Majesty towards any Power at enmity with him whose armed forces, or the armed forces of whose allies, fail to respect the prohibitions laid down in the Protocol.

IRAQ

(8 September 1931 a)

On condition that the Iraq Government shall be bound by the provisions of the Protocol only towards those States which have both signed and ratified it or have acceded thereto; and that they shall not be bound by the Protocol towards any State at enmity with them whose armed forces, or the forces of whose allies, do not respect the dispositions of the Protocol.

BULGARIA

(7 March 1934)

The said Protocol is only binding on the Bulgarian Government as regards States which have signed or ratified it or which may accede to it. The said Protocol shall ipso facto cease to be binding on the Bulgarian Government in regard to any enemy State whose armed forces or whose allies fail to respect the prohibitions laid down in the Protocol.

CHILE

(2 July 1935)

- (1) The said Protocol is only binding on the Chilean Government as regards States which have signed or ratified it or which may definitely accede to it.
- (2) The said Protocol shall ipso facto cease to be binding on the Chilean Government in regard to any enemy State whose armed forces or whose allies fail to respect the prohibitions laid down in the Protocol.

CHINA

(7 August 1929 a)

CZECHO-SLOVAKIA

(16 August 1938)

The Czecho-Slovak Republic shall ipso facto cease to be bound by this Protocol towards any State whose armed forces, or the armed forces of whose allies, fail to respect the prohibitions laid down in the Protocol.

DENMARK

(5 May 1930)

EGYPT

(6 December 1928)

ESTONIA

(28 August 1931)

- (1) The said Protocol is only binding on the Estonian Government as regards States which have signed or ratified it or which may accede to it.
- (2) The said Protocol shall ipso facto cease to be binding on the Estonian Government in regard to any enemy State whose armed forces or whose allies fail to respect the prohibitions laid down in the Protocol.

ETHIOPIA

(18 September 1935 a)

FINLAND

(26 June 1929)

FRANCE

(9 May 1926)

- (1) The said Protocol is only binding on the Government of the French Republic as regards States which have signed or ratified it or which may accede to it.
- (2) The said Protocol shall ipso facto cease to be binding on the Government of the French Republic in regard to any enemy State whose armed forces or whose allies fail to respect the prohibitions laid down in the Protocol.

GERMANY

(25 April 1929)

GREECE

(30 May 1931)

IRAN

(4 July 1929 a)

ITALY

(3 April 1928)

LATVIA

(3 June 1931)

/LIBERIA

LIBERIA (2 April 1927 a)  
LITHUANIA (15 June 1933)  
LUXEMBURG (1 September 1936)  
MEXICO (15 March 1932 a)  
THE NETHERLANDS (including Netherlands Indies, Surinam and Curacao) (31 October 1930)

Subject to the reservation that, as regards the use in war of asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices, this Protocol shall ipso facto cease to be binding on the Royal Netherlands Government in regard to any enemy State whose armed forces or whose allies fail to respect the prohibitions laid down in the Protocol.

NORWAY (27 July 1932)  
POLAND (4 February 1929)  
PORTUGAL (1 July 1930)

- (1) The said Protocol is only binding on the Government of the Portuguese Republic as regards States which have signed or ratified it or which may accede to it.
- (2) The said Protocol shall ipso facto cease to be binding on the Government of the Portuguese Republic in regard to any enemy State whose armed forces or whose allies fail to respect the prohibitions laid down in the Protocol.

ROUMANIA (23 August 1929)

Subject to the reservations:

(1) That the said Protocol only binds the Roumanian Government in relation to States which have signed and ratified or which have definitely acceded to the Protocol;

(2) That the said Protocol shall cease to be binding on the Roumanian Government in regard to all enemy States whose armed forces or whose allies de jure or in fact do not respect the restrictions which are the object of this Protocol.

SPAIN (22 August 1929)

Declares this Protocol as compulsory ipso facto and without special agreement, in relation to any other Member or State accepting and executing the same obligation, that is to say, on condition of reciprocity.

SWEDEN (25 April 1930)

SWITZERLAND (12 July 1932)

/THAILAND



THAILAND

(6 June 1931)

TURKEY

(5 October 1929)

UNION OF SOVIET SOCIALIST REPUBLICS

(5 April 1928 a)

- (1) That the said Protocol only binds the Government of the Union of the Soviet Socialist Republics in relation to the States which have signed and ratified or which have definitely acceded to the Protocol.
- (2) That the said Protocol shall cease to be binding on the Government of the Union of Soviet Socialist Republics in regard to all enemy States whose armed forces or whose allies de jure or in fact do not respect restrictions which are the object of this Protocol.

VENEZUELA

(8 February 1928)

YUGOSLAVIA

(12 April 1929)

2. Signatures not yet perfected by Ratification: 6

UNITED STATES OF AMERICA

JAPAN

SALVADOR

BRAZIL

NICARAGUA

URUGUAY

3. Open to Accession by:

ARGENTINE REPUBLIC

PARAGUAY

COLOMBIA

And all other States invited to adhere to the Convention in accordance with Article 37.

HUNGARY

PANAMA

ANNEX II

PART IV (CHEMICAL WARFARE) OF THE DRAFT  
CONVENTION ADOPTED IN THE FIRST  
READING 1/

Section 1. - Prohibition of Chemical, Incendiary or Bacterial Warfare

ARTICLE 47

The following provision is accepted as an established rule of International Law:

The use of chemical, incendiary or bacterial weapons as against any State, whether or not a party to the present Convention, and in any war, whatever its character, is prohibited.

This provision does not, however, deprive any party which has been the victim of the illegal use of chemical or incendiary weapons of the right to retaliate, subject to such conditions as may hereafter be agreed.

With a view to the application of this rule to each of these categories of weapons, the High Contracting Parties agree upon the following provisions:

ARTICLE 48

The prohibition of the use of chemical weapons shall apply to the use by any method whatsoever for the purpose of injuring an adversary, of any natural or synthetic substance harmful to the human or animal organism, whether solid, liquid or gaseous, such as toxic asphyxiating, lachrymatory, irritant or vesicant substances.

This prohibition shall not apply:

- (a) To explosives;
- (b) To the noxious substances arising from the combustion or detonation of explosives, provided that such explosives have not been designed or used with the object of producing noxious substances;
- (c) To smoke or fog used to screen objectives or for other military purpose, provided that such smoke or fog is not liable to produce harmful effects under normal conditions of use.

ARTICLE 49

The prohibition of the use of incendiary weapons shall apply to:

1/ Quoted verbatim from the Conference for the Reduction and Limitation of Armaments, Conference Documents, Vol. II, 1935.

/ (1) The use

(1) The use of projectiles specifically intended to cause fires;

The prohibition shall not apply to:

(a) Projectiles specially constructed to give light or to be luminous and generally to pyrotechnics not intended to cause fires, or to projectiles of all kinds capable of producing incendiary effects accidentally;

(b) Incendiary projectiles designed specifically for defence against aircraft, provided that they are used exclusively for that purpose;

(2) The use of appliances designed to attack persons by fire, such as flame-projectors.

#### ARTICLE 50

The prohibition of the use of bacterial arms shall apply to the use for the purpose of injuring an adversary of all methods for the dissemination of pathogenic microbes, or of filter-passing viruses, or of infected substances, whether for the purpose of bringing them into immediate contact with human beings, animals or plants, or for the purpose of affecting any of the latter in any manner - for example, by polluting the atmosphere, water, foodstuffs or any other objects.

#### Section II. - Prohibition of Preparation for Chemical, Incendiary and Bacterial Warfare

#### ARTICLE 51

All preparations for chemical, incendiary or bacterial warfare shall be prohibited in time of peace as in time of war.

#### ARTICLE 52

In order to enforce the aforesaid general prohibition, it shall, in particular, be prohibited:

(1) To manufacture, import, export or be in possession of appliances or substances exclusively suited to chemical or incendiary warfare.

The quantities of chemical substances necessary for protective experiments therapeutic research and laboratory work shall be excepted. The High Contracting Parties shall inform the Permanent Disarmament Commission of the quantities of the said substances necessary for their protective experiments.

The manufacture of and trade in these substances may not be undertaken without Government authorization.

/(2) To manufacture

(2) To manufacture, import, export or be in possession of appliances or substances suitable for both peaceful and military purposes with intent to use them in violation of the prohibition contained in Article 48.

(3) To instruct or train armed forces in the use of chemical, incendiary or bacterial weapons and means of warfare, or to permit any instruction or training for such purposes within their jurisdiction.

#### ARTICLE 53

The provisions of Articles 51 and 52 shall not restrict the freedom of the High Contracting Parties in regard to material and installations intended exclusively to ensure individual or collective protection against the effects of chemical, incendiary or bacterial weapons, or to training with a view to individual or collective protection against the effects of the said weapons.

#### ARTICLE 54

The High Contracting Parties shall inform the Permanent Disarmament Commission of the lachrymatory substances intended to be used by their authorities for police operations as well as the number of the various appliances by means of which they are to be utilized.

#### Section III. - Supervision of the Observance of the Prohibition of Preparations for Chemical, Incendiary or Bacterial Warfare

#### ARTICLE 55

The Permanent Disarmament Commission shall examine the complaints put forward by any party which may allege that the prohibition to prepare for chemical, incendiary or bacterial warfare has been violated.

#### Section IV. - Establishment of the Fact of the Use of Chemical, Incendiary or Bacterial Weapons

#### ARTICLE 56

Any party claiming that chemical, incendiary or bacterial weapons have been used against it shall notify the Permanent Disarmament Commission.

It shall, at the same time, notify the authority designated for the purpose by the Permanent Disarmament Commission or, failing such authority, the Doyen of the Diplomatic Corps accredited to it, with a view to the immediate constitution of a Commission of Investigation.

/If the

If the above-mentioned authority has received the necessary powers, it shall itself act as a Commission of Investigation.

#### ARTICLE 57

The Commission of Investigation shall proceed with all possible speed to the enquiries necessary to determine whether chemical, incendiary or bacterial weapons have been used.

It shall report to the Permanent Disarmament Commission.

#### ARTICLE 58

The Permanent Disarmament Commission shall invite the party against which the complaint has been made to furnish explanations.

It may send commissioners to the territory under the control of that party for the purpose of proceeding to an enquiry, to determine whether chemical, incendiary or bacterial arms have been used.

#### ARTICLE 59

The Permanent Commission may also carry out any other enquiry with the same object.

#### ARTICLE 60

The parties involved in the above-mentioned operations, and, in general, all the parties to the present Convention, shall take the necessary measures to facilitate these operations, particularly as regards the rapid transport of persons and correspondence.

#### ARTICLE 61

According to the result of the above-mentioned operations, the Permanent Commission, acting with all possible speed, shall establish whether chemical, incendiary or bacterial weapons have been used.

#### ARTICLE 62

The details of the application of the provisions of this chapter shall be fixed by regulations to be issued by the Permanent Disarmament Commission.

III

THE EXCHANGE OF INFORMATION ON ARMAMENTS

UNDER THE LEAGUE OF NATIONS

TABLE OF CONTENTS

	<u>Page</u>
I. THE EXCHANGE OF INFORMATION UNDER THE COVENANT OF THE LEAGUE	
A. The Covenant provision concerning the exchange of information .....	64
B. First questionnaire on armaments, 1920 .....	64
C. Statistical inquiries .....	66
(a) "Statistical Inquiry on Armaments; First series of data (1913)" ...	67
(b) "Budget expenditure on National Defence, 1913 and 1920-22" .....	67
(c) The Questionnaire on Armaments, 1923 (Statistical Inquiry into National Armaments) .....	67
D. "Armaments Year-Book" .....	69
(a) The aim of the Armaments Year-Book .....	71
(b) Method of Work .....	71
(c) Contents of the Year-Book .....	71
E. "Year-book on the trade in arms, ammunition and implements of war" .....	72
II. THE EXCHANGE OF INFORMATION IN CONNECTION WITH THE DRAFT DISARMAMENT CONVENTION	
F. Consideration by the Preparatory Commission for the Disarmament Conference .....	73
(a) Relation between the exchange of information and the reduction of armaments .....	73
(b) The Report of Sub-Commission A on methods for the exchange of information .....	73
(c) Part IV (Exchange of Information) of the Preparatory Commission's draft Convention .....	74
G. Consideration by the Disarmament Conference .....	76
(a) The Questionnaire on Armaments, 1931 .....	76
(b) Exchange of Information under the United Kingdom draft Convention	76
<u>Annex:</u> Draft Convention of the Preparatory Commission for the Disarmament Conference. Part IV - Exchange of information .....	78

THE EXCHANGE OF INFORMATION ON ARMAMENTS  
UNDER THE LEAGUE OF NATIONS

I. THE EXCHANGE OF INFORMATION UNDER THE COVENANT OF THE LEAGUE

A. The Covenant Provision concerning the exchange of information

1. Article 8 of the Covenant which was the corner stone on which the League's activity in the field of disarmament was based, included only one immediately obligatory provision, paragraph 6, which read as follows:

"The Members of the League undertake<sup>1/</sup> to interchange full and frank information as to the scale of their armaments, their military, naval and air programmes and the condition of such of their industries as are adaptable to warlike purposes."

B. First questionnaire on armaments, 1920

2. The first resolution adopted by the Council with regard to the exchange of military information was that of 28 October 1920, by which the Council instructed the Permanent Advisory Commission for Military, Naval and Air Questions to examine practical methods for obtaining information regarding armaments of the Members of the League.

3. The Permanent Advisory Commission in 1920 drafted a comprehensive questionnaire covering the following items:

"A. Establishments

- "(1) Strength of an annual levy (called up and serving).
- "(2) Number of men serving with the colours in a given year.
- "(3) Period of service (active, reserve, 3rd line troops).
- "(4) The peace establishments by formations and units - number of such formations and units.
- "(5) The war establishments by formations and units - number of such formations and units.
- "(6) The ratio of the peace establishment to the war establishment.
- "(7) The number of classes required to raise the peace establishment to war establishment.
- "(8) The number of men and the number of annual levies (trained and untrained) available after the army has been placed on a war footing.

"In the case of States which maintain a colonial army, the figures for this and the Home Army should be given separately.

1/ The French text of the Covenant, used the word "s'engagent", in the sense of obligation.

<sup>1/</sup>In (1),



"In (1), (2), (5) and (8) the proportion of the establishment to the total population should be given.

#### B. War material

- "(1) A schedule of war material and munitions should be submitted, showing what amount of war material must be kept in store in peace, in order to enable the force mentioned in A (5) to be maintained in the field for 6 months.
- "(2) State Government factories producing war material in peace time.
- "(3) What proportion of the anticipated monthly needs of the army can these turn out?
- "(4) State privately-owned factories producing war material in peacetime.
- "(5) What proportion of anticipated monthly needs of the army can these turn out?
- "(6) What proportion of war material and munitions must be obtained from outside?

#### C. Cost

"Give the proportion which the upkeep of the land army bears to the total budget of the country."

4. Special tables attached to the questionnaire covered heavy and field guns by calibre, howitzers, anti-aircraft guns, machine guns, automatic rifles, rifles, carbines, revolvers, and pistols. The information furnished was to be broken down under the following heads: guns and ammunition in service, in depots, undergoing repairs, and located outside of the country. Other tables covered information on navies, aircraft (military and civilian), armoured cars, tanks, machines for projecting inflammable, asphyxiating and tear gas, etc.

5. The Council approved the questionnaire on 12 November 1920, but took no decision to transmit it to Members of the League. The reason may perhaps be found in a letter of 19 November 1920 from the Chairman of the Military Subcommittee to the President of the Permanent Advisory Commission, which characterized the work just performed by the Commission as having a "theoretical nature", and being "an exercise such as might have been given to a group of officers at one of our Staff Colleges."

6: In a resolution of 14 December 1920, the Assembly invited the Council "to consider the mechanism by means of which the military information to be exchanged under the provisions of Article 8 of the Covenant can be verified in the event of the principle of mutual verification by Members of the League being confirmed

/by an amendment

by an amendment to the Covenant." This question was referred to the Permanent Advisory Commission by the Council. The Commission expressed the opinion "that the control envisaged in the Assembly resolution was inexpedient", and it declared that "the undertakings contained in Article 8 are based on the belief in the pledged word, and the Permanent Advisory Commission does not consider that it is either opportune or conducive to great efficiency to substitute mistrust for this belief."

C. Statistical inquiries

7. On 14 December 1920 a new approach to the question of disarmament in general and military information in particular, was taken by the Assembly in a resolution creating the Temporary Mixed Commission which was to be composed of civilians as well as military experts. The same resolution provided for a Section to be formed within the Secretariat "to serve as a centre of information for the Commission in question, and also as a channel for the publication and exchange of the information referred to in the Covenant."

8. The ascertainment of the existing military strength of the various States was to be more closely related to the question of disarmament. This point was stressed by the Third Committee of the Second Assembly in its report of 27 September 1921 (approved by the Assembly on 1 October 1921), which proposed that the Assembly should authorize the Temporary Mixed Commission to carry out a statistical investigation of national armaments for the years 1913 and 1921 as a preliminary to the consideration of proposals for disarmament.

9. In carrying out the statistical investigation, the primary source of information was to be public documents such as international treaties, parliamentary papers and debates, official year-books, etc. These sources of information were to be supplemented, if necessary, by a questionnaire addressed to Members of the League. The task of compilation, collation and analysis of this information was entrusted to the Secretariat of the League, working under the direction of the Temporary Mixed Commission. It was also decided that the Council should be responsible for seeing that the information was kept up to date in succeeding years. The Secretariat proceeded to make its statistical inquiry on the basis of public documents, without awaiting the formulation and dispatch of the questionnaire referred to above, which was not transmitted to governments until 1923 (see paragraphs 15 and 16 below).

(a) "Statistical Inquiry on Armaments: First series of data (1913)"

10. In 1922 the Secretariat published the Statistical Inquiry on Armaments, containing information for the year 1913. The information was derived from official publications; no questionnaire was used for this purpose. The major difficulty encountered by the Secretariat in making this study was in finding a common basis of comparison between the situation in 1913 and in 1921. The changes of population and territory following the war, made it impossible to compare pre- and post-war armaments. In order to obviate this difficulty a calculation was made of statistical co-efficients for the countries whose population and territories had changed. On this basis tables were drawn up giving the relative position of various countries in 1913 on the basis of their 1921 frontiers.

(b) "Budget expenditure on National Defence, 1913 and 1920-22"

11. The Secretariat also prepared under the direction of the Temporary Mixed Commission statistical tables covering the budget expenditure on national defence of 21 countries. The information was derived from official documents; no questionnaire was used. In certain cases, however, the Secretariat was authorized by the Temporary Mixed Commission to receive information from "correspondents", i.e. experts on budgetary systems from the respective countries. This system of external collaboration, which avoided the necessity of forwarding questionnaires to the governments, was suggested by the Temporary Mixed Commission and adopted by the Third Committee of the Assembly, which authorized the Disarmament Section of the Secretariat to call upon competent correspondents in the various countries in case of need.

(c) "The Questionnaire on Armaments, 1923 (Statistical Inquiry into National Armaments)"

12. The Third Committee in its report of 22 September 1922 (approved by the Assembly on 27 September) recognized that "some of these investigations had to be executed on the hypothetical basis of Europe as it would have been had its present geographical frontiers existed before the war." The Committee concluded that "such investigation would naturally be of no practical value to the further work of the Temporary Mixed Commission", and therefore suggested that the statistical investigations be continued "on the basis of original figures relating to actual conditions as they exist and leaving for the future the question of the method of

/their elaboration

their elaboration." In other words the Third Committee abandoned the idea of comparison of pre- and post-war periods. In its opinion the scope of the new inquiry should be limited to two principal factors: actual peace-time military strength, and expenditure on national defence. The Committee reserved for the future a possible extension of the scope of the inquiry to include the potential military strength of States and especially their industrial and economic power.

13. By way of supplement to the statistical investigation approved by the Assembly in 1921 it had been determined that each Government should be requested to furnish a statement of its military requirements, taking into account its national security, its international obligations, its geographical situation and any special situation, and to indicate separately the police and military forces considered indispensable for the preservation of domestic order. Replies were received from twenty-four governments and were published in an annex to the report of the Temporary Mixed Commission of 7 September 1922. Concerning these replies, the Commission observed that although the governments had been asked to furnish them for wholly different reasons, they constituted "in fact an interchange of information not unlike that suggested in the last paragraph of Article 8 of the Covenant."

13a. This observation by the Temporary Mixed Commission led to the adoption by the Assembly of the League on 27 September 1922 of the following resolution:

"The Assembly approves the recommendation of the Temporary Mixed Commission that the Council should consider whether the time has not come to discuss the application of the paragraph of Article 8 of the Covenant relating to the exchange of military information between States Members of the League."

This resolution initiated the first sustained attempt made by the League to organize the exchange of military information. It led firstly to the use of the questionnaire of 1923, and later to the Armaments Year-Book.

14. The Temporary Mixed Commission itself, in forwarding to the Assembly the statistical inquiries prepared by the Secretariat, had observed that "it was impossible to obtain from the official publications of the various countries certain data which were necessary for the programme of the inquiry." It had therefore authorized members of the Sub-Committee on Statistics to prepare a questionnaire which, if approved by the Council, might be sent to all the governments.

15. A new questionnaire was drafted by the Permanent Advisory Commission in 1922 and adopted by the Temporary Mixed Commission, which was much more limited than the questionnaire prepared in 1920. The questionnaire covered the following items:

1. Strength of the permanent land, naval and air forces (officers and other ranks);
2. Distribution of the establishment of the permanent land forces (home country, territories occupied as a result of international obligations, colonies and protectorates);
3. Material in service in the units (rifles and carbines, pistols and revolvers, automatic rifles, machine guns and Lewis guns, guns, howitzers, tanks);
4. Strength of air material (bombing, fighting, reconnaissance, miscellaneous);
5. Naval strength (number according to type and tonnage).

16. On 1 March 1923 the questionnaire was sent to all States Members of the League. Of the 44 Members of the League only 25 sent replies. The Secretariat was authorized by the Temporary Mixed Commission to condense the replies into a single report. This report included in addition a short survey on the system of recruiting in each country, based on official publications.

17. The report was submitted to the Assembly in 1923 under the title: "Statistical Inquiry into National Armaments. Part I.. Peace-time Military, Naval and Air Forces, 1923." At the same time a document entitled "Statistical Inquiry into National Armaments. Part II.. Budget Expenditure on National Defence 1921 - 1923", was circulated. This too had been prepared by the Secretariat on the basis of official budget estimates, closed accounts, year-books, and the like.

18. In its report of 15 August 1923 the Temporary Mixed Commission pointed out that the statistical inquiry which had just been completed could, "to a certain extent, be regarded as an exchange of information ... " which "does not come from the governments, although it is, in every case, obtained by comparing and studying official and public data."

D. "Armaments Year-Book"

19. The failure of many of the Members of the League to reply to the questionnaire could be partly explained by the fact that it was the first time

/that governments

that governments had been asked to supply certain information which they did not generally publish in their official papers. While information relating to the strength of the armed forces was published by practically all governments in their parliamentary or other official documents, information on war material in service with land and air forces, although not forming part of their reserves, was rarely made public by governments.

20. The modest results of the first attempt by the League of Nations to secure information through a questionnaire led the Temporary Mixed Commission to consider other methods for implementing the last paragraph of Article 8 of the Covenant. The use of questionnaires was abandoned. As a possible solution of the problem of exchanging information under Article 8 of the Covenant, the Temporary Mixed Commission in its report of 15 August 1923 recommended that the Secretariat "bring out a year-book based on information drawn from official documents and keeping within the limits of the last paragraph of Article 8 of the Covenant ... There is no doubt that any direct official collaboration (by Governments) should be regarded as being a most valuable assistance to the publication ... There can be no question of making publication of the proposed year-book dependent upon the receipt of the necessary information from all the Governments of States Members of the League. Such a method could have no result but the indefinite postponement of the publication. On the other hand, it may be said that there are hardly any States which do not periodically publish, if only for internal political reasons, the greater part of the information necessary for the proposed publication. From this point of view, the definition of the work which the Commission has undertaken and which is to be entrusted to the Secretariat, is satisfactory from every point of view."

21. In July 1923 the Council adopted the following resolution:

"The Council, in view of the decision of the Temporary Mixed Commission with regard to the publication of a year-book which would allow the carrying out as from the present time of the intentions of the last paragraph of Article 8 of the Covenant, decides to authorize the Secretariat to publish this year-book, beginning with an experimental volume dealing with the figures for 1923 and developing this publication by degrees according to the experience acquired, it being clearly understood that the information would be drawn solely from official and public documents, and that the programme of the year-book would exactly correspond to the terms of the last paragraph of Article 8 of the Covenant."

(a) The aim of the Armaments Year-Book

22. In recommending the publication of an armaments year-book the Temporary Mixed Commission emphasized that the last paragraph of Article 8 was not drawn up with a view to facilitating the work of the general staffs but to improve the political atmosphere by creating confidence. In the opinion of the Commission the implementation of this paragraph "would create an organisation for mutual information concerning military situations which would render it possible to nip in the bud any campaign started by an alarmist Press and based upon the armaments of countries considered as potential enemies."

(b) Method of work

23. The Secretariat adopted the following procedure in preparing the year-book. The Secretariat prepared more or less complete monographs drawn from various official publications and requested the interested government, generally through its military attaches or its military experts in Geneva, to check and if necessary to complete the monograph. In most cases the monographs were approved by the governments concerned and became official statements. To that extent the Armaments Year-Book constituted an implementation of the last paragraph of Article 8. In the case of new countries created as a result of the war, which had not yet published documents concerning their armed forces, the Secretariat requested direct information from their governments. The Armaments Year-Book was published each year from 1924 to 1940, and eventually came to include monographs on about 60 countries and their dependent territories.

24. Each edition of the Armaments Year-Book was forwarded directly and officially to all governments Members and non-Members of the League, as a document of the Council. A number of governments communicated to the Secretary-General observations and suggestions in connection with the monographs, which included information on the armed forces of their countries. These were taken into consideration in the preparation of the succeeding editions of the Year-Book.

(c) Contents of the Year-Book

25. The Temporary Mixed Commission in recommending the publication of the Armaments Year-Book had not envisaged a purely statistical publication. Most of the Year-Book was devoted to the question of the organization and composition of armed forces and to the military legislation governing the system of recruitment, training and period of service of permanent, non-permanent forces and formations

/organized

organized on a military basis. Statistical data were included with regard to the numerical strength of the armed forces, the expenditure for national defence, list of warships, etc.

26. The principal subjects covered were:

- (a) Organs of military command and administration;
- (b) Territorial military areas;
- (c) Composition of the armed forces;
- (d) Police forces;
- (e) Formations organized on a military basis;
- (f) Recruiting system and period of service;
- (g) Cadres;
- (h) Pre-military training;
- (i) Effectives;
- (j) List of war vessels;
- (k) Expenditure on national defence.

27. Since the information required under the last paragraph of Article 8 also included data related to industries adaptable to warlike purposes, the Third Committee of the Assembly stated in its report of 27 September 1923 that the year-book should include data concerning the potential military power of States. Accordingly, the Armaments Year-Book contained a chapter entitled "Industries Capable of being used for War Purposes", which included statistical data on output, imports and exports of such raw materials as coal, oil, iron, manganese, copper, lead, zinc, bauxite, nickel, etc., and a number of chemical products. This chapter was later omitted because the data were already covered by other statistical publications of the League.

E. "Year-book on the trade in arms, ammunition and implements of war"

28. In addition to the Armaments Year-Book the Secretariat was entrusted in 1924 with the publication of a year-book on the trade in arms and ammunition. This publication was prepared on the request of the Temporary Mixed Commission and was intended for the preliminary work relating to the expected convention for the trade in arms and control of the private manufacture of arms. Taking into account the fact that practically all countries published official statistics relating to international trade, it was not considered necessary to secure the collaboration of governments, and the monographs included in this year-book were not officially

/certified



certified by the respective governments. These monographs condensed and classified the official data according to an established scheme. The year-book covered the international trade in arms and ammunition of practically the whole world.

## II. THE EXCHANGE OF INFORMATION IN CONNECTION WITH THE DRAFT DISARMAMENT CONVENTION

### F. Consideration by the Preparatory Commission for the Disarmament Conference

#### (a) Relation between the exchange of information and the reduction of armaments

29. The last paragraph of Article 8 of the Covenant did not link the question of the exchange of information to disarmament. It was only when the Preparatory Commission for the Disarmament Conference began in 1926 to consider the question of the exchange of information that the question was effectively linked to the question of the reduction of armaments. This came about through the submission by the Belgian delegation of a proposal which was referred to Sub-Commission A. The Sub-Commission was requested to consider the following questions concerning the exchange of military information: (1) the organization at Geneva of a permanent service for the collection of information received from the different governments; (2) the consequences from the military point of view of inserting in the Disarmament Convention provisions for commissions of inspection similar to those in the Statute of the International Labour Organisation; (3) whether previous experience in the supervision of disarmament pointed to the possibility from a military point of view of general supervision.

#### (b) The Report of Sub-Commission A on methods for the exchange of information

30. Sub-Commission A considered three texts, of which two were unanimously submitted. (1) The first of these texts would have continued the existing practice of the League for the collection and publication by the Secretariat of the League of general information and statistics concerning armaments in an Armaments Year-Book. (2) The second text which went somewhat further than the first, would have obligated the signatories of a Disarmament Convention to publish periodically in their official journals or to send periodically to the Secretariat statistical returns according to a uniform type, concerning those of their armaments which were subject to limitation. This text also proposed the continuation of the Armaments Year-Book.

/31. The Sub-Commission

31. The Sub-Commission observed in regard to these two methods that they were easy to apply and that their implementation did not require the creation of any new organs.

32. The delegations of Belgium, Czechoslovakia, Finland, France, the Netherlands, Poland, Rumania, and the Kingdom of the Serbs, Croats and Slovenes (Yugoslavia) proposed a third text in Sub-Commission A, which went further than either of the foregoing texts. These delegations regarded the Armaments Year-Book as inadequate for purposes of a Disarmament Convention because it was limited to public information not obtained on the authority of the governments concerned. Concerning the second text they observed that, in failing to provide for the drawing up of reports based on the information to be supplied by governments, it did not permit the following up of the execution of the convention or the evolution of national military organization. Accordingly these delegations proposed that the information to be supplied by governments under the second text above (which these delegations would have extended to cover armaments not subject to limitation but capable of "influencing the effectiveness of such limitations"), should form the basis for the "subsequent preparation of periodical and objective reports on the carrying out of the Convention for the limitation of Armaments", which were to be prepared by the Secretariat and discussed and issued by a Commission to be set up by the Disarmament Conference.

33. The delegations of Chile, Italy, Japan, Spain, Sweden, the United Kingdom and the United States opposed this third method on the grounds that it would involve international supervision or control, to which they were opposed.

(c) Part IV (Exchange of Information) of the Preparatory Commission's draft Convention

34. The subsequent discussion in the Preparatory Commission turned upon the second and third methods, namely, whether to have periodic returns of information by governments with or without supervision. In the end the Preparatory Commission adopted a scheme substantially in accordance with the third method described above for the submission of information by governments to a Permanent Disarmament Commission through the Secretary-General.

35. The obligation of governments to furnish information was specifically limited to the armaments subject to limitation in the draft Convention. In this connexion the representative of France at a meeting of the Preparatory Commission of 22 November 1930, emphasized that "we are not now discussing the application

of Article 8 of the Covenant ... We are now discussing the exchange of information for the purpose of our Convention, and we are discussing publicity within the limits of the Convention."

36. The information submitted by governments to the Secretary-General was to be published by him. The Permanent Disarmament Commission, which was to be set up to follow the execution of the Convention, was annually to "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."

37. The provisions relating to the exchange of information were included in Part IV (Exchange of Information) of the draft Convention; those relating to the functions of the Permanent Disarmament Commission were included in Part VI (Miscellaneous).

38. Part IV (Exchange of Information) of the draft Convention framed by the Preparatory Commission contained 38 articles,<sup>1/</sup> the principal provisions of which dealt with the following points:

1. For States with systems of compulsory preparatory military training, the number of youths receiving such training;
2. Length of service of effectives recruited by conscription;
3. Total annual expenditure on the upkeep, purchase and manufacture of land and naval war materials by categories of such materials;
4. Details of all vessels of war laid down or completed by or for each contracting State or within its jurisdiction;
5. Name and tonnage of any merchant-vessel with decks stiffened for the mounting of guns not exceeding 6.1 inches;
6. Aircraft: maximum figures attained in each year in respect of number and total horse-power and for dirigibles the total volume;
7. Number and total horse-power of civil aeroplanes and dirigibles registered by each party, with the expenditure incurred on civil aviation by the Government and local authorities;
8. Total of actual expenditure on the land, sea and air armaments of each contracting party.

39. Model tables were annexed to Part IV. In these tables each government was to supply information respecting the average daily number of effectives in its army, navy and air forces, and information respecting the number of its aircraft.

1/ For text see the annex.

There were no model tables for land war material since the draft Convention limited such war material only by limitation of expenditure. The tables for effectives included separate columns for the armed forces stationed in the home country and overseas territories; the same information was requested for paramilitary formations. With respect to the airforces there were tables concerning the number and total horse-power of aeroplanes stationed in the home country and overseas; an additional column was reserved for aeroplanes on aircraft carriers. With respect to naval forces the model tables (which were annexed to Part II) covered naval vessels by categories and tonnage. A model statement concerning expenditure on armaments was completed by the Preparatory Commission's Committee of Experts on Budgetary Questions only after the final adjournment of the Commission.

G. Consideration by the Disarmament Conference

(a) The Questionnaire on Armaments, 1931

40. On 20 January 1931 the Council of the League instructed the Secretary-General to take steps to obtain from governments particulars concerning their armaments, for the information of the Conference. At the suggestion of the United Kingdom delegation, approved by the Council, governments were requested to furnish this information in accordance with the model tables annexed to the draft Convention. In addition on 24 January 1931 the Council requested that governments furnish information concerning their armaments expenditure on the basis of the tables prepared by the Committee of Experts on Budgetary Questions.

41. Practically all governments replied to the questionnaire. Certain governments accompanied their returns with more or less extensive explanations or reservations. The French Government, for instance, recalled that in its memorandum of 16 July 1931 it had indicated its reasons for believing that comparison of the real position of the armaments of the various countries and a determination of the military value of such armaments, was impossible on the basis of mere statistics. Previously the French Government in a letter to the Secretary-General of 28 April 1931 had expressed the opinion that uniformity of returns was not an adequate basis for the comparison of national armaments, which could be made only in the light of the explanations and commentaries of each individual country.

42. The military systems in different countries were of such variety and complexity that the model tables framed by the Preparatory Commission required alteration or extension in many cases, and the returns were accompanied in some cases by

/elaborate notes

elaborate notes to ensure correct interpretation of the data. The United Kingdom reply of 4 August 1931 contained more than 60 pages of tables and notes in the League's Official Journal. However, the model tables served as the working basis for all the returns.

43. The use of the questionnaire raised the question of simultaneous submission of replies. The USSR delegation in a letter to the Council on 25 April 1931 raised the question of the procedure to be followed for communicating to governments the information furnished by the different States. The Rapporteur of the Council suggested that governments should be asked to forward their replies before a certain date in order that they might be published and communicated to governments at the same time. This suggestion was adopted by the Council.

(b) Exchange of information under the United Kingdom draft Convention

44. The draft Convention submitted by the United Kingdom delegation which was accepted by the Conference on 8 June 1933 as a basis for the future Convention, did not, with the exception of Articles 34 and 35 relating to war vessels, specify the information to be exchanged. The United Kingdom delegation observed that the provisions on exchange of information would depend in the main on the limitations and restrictions to be imposed by the other parts of the Convention. No further action was taken by the Conference with regard to the exchange of information, except for a provisional list of documents and a Model Statement drawn up by the Special Committee on Effectives in November 1933, which government would be requested, under the Convention, to furnish to the Secretariat.

45. Thereafter the work of the League with regard to the exchange of military information was limited to the publication of the Armaments Year-Book, the last edition of which was issued in May 1940 and covered the military position of the previous years.

ANNEX

DRAFT CONVENTION OF THE PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE

PART IV. EXCHANGE OF INFORMATION

Article 30

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 organized 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 drawn up and published with the explanatory note referred to above by the Secretary-General not later than ..... in each year.

Article 31

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, within ..... months after the end of each 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.

Article 32

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 organized 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 33<sup>1/</sup>

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 and sea armed forces and formations organized 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.

Article 34

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

(a) The date of laying down the keel and the following particulars:

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

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

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

Article 35

Each of the High Contracting Parties shall communicate to the Secretariat of the League of Nations the name and the tonnage of any vessel constructed in

---

<sup>1/</sup> 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 connexion with the provisions of the annex regarding limitation referred to in Article 9 of the present Convention.

accordance with Article 19 (Chapter II).<sup>1/</sup> With regard to existing vessels of this type, this communication shall be made within two months after ratification of the present Convention. With regard to vessels to be constructed, the communication shall be made on the date of completion.

#### Article 36

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 25 and 26 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 drawn up and published by the Secretary-General not later than ..... in each year.

---

<sup>1/</sup> Article 19. - No preparation shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6.1 inches (155 mm.) in calibre.