

Similarly, the obligations under the Covenant for mutual financial and economic support are, under the protocol, made a *joint and several undertaking*, and are extended to *include reciprocal exchange, supply of raw materials and supplies of every kind, and the use of naval or military forces to preserve the safety of communications*.

(f.) (Article 16.) To apply the provisions of Article 16 of the Covenant as defined by the protocol against a State or States non-members of the League which do not accept the conditions and obligations under Article 17 of the Covenant and resort to war against a signatory State.

(g.) Participation in an international conference for the reduction of armaments, to meet at Geneva on the 15th June, 1925, to which all States, whether members of the League or not, shall be invited.

The definition of "aggressor" will be found in Article 10 of the protocol. Automatically a State becomes an aggressor when it resorts to war in violation of the Covenant or the protocol; and it is the duty of the Council to call upon the signatory States to apply forthwith the sanctions provided in the protocol. Hostilities may, however, have broken out without the aggressor being defined. In such a contingency "any State shall be presumed to be an aggressor—unless a decision of the Council, which must be taken unanimously, shall otherwise declare—if it has refused to submit the dispute to pacific settlement, or to comply with a judicial sentence or arbitral award, or with a unanimous recommendation of the Council," or "has disregarded a unanimous report of the Council, a judicial sentence, or an arbitral award recognizing that the dispute between it and the other belligerent State arises out of a matter which by *international law is solely within the domestic jurisdiction* of the latter State; *nevertheless in the last case the State shall only be presumed to be an aggressor if it has not previously submitted the question to the Council or the Assembly in accordance with Article 11 of the Covenant.*"

In the General Report submitted to the Fifth Assembly on behalf of the First and Third Committees (Document A. 135, page 14, paragraph 4) it is stated that "the fact of aggression having been established by *presumption*, or by unanimous decision of the Council, or by refusal to accept, or violation of the Armistice, it will only remain to apply the sanctions and bring into play the obligations of the guarantor States. The Council will merely call upon them to fulfil their duty."

Reference has already been made under subheading (c) of this report to the use of Article 11 in case of the dispute being a matter of domestic concern of one of the States. It only remains for me to add that the allusion to Article 11 of the Covenant, in cases of domestic jurisdiction, was inserted in the definition of "presumed aggressor," and in Article 5 of the protocol as a compromise. One State, a member of the League, at the last moment raised objection to a State being presumed to be an aggressor because it was at war with another State on a matter which had been declared to be the domestic concern of the latter State. Under Article 10 of the protocol as originally drafted, any State at war with another State on a matter which had been declared this latter State's domestic concern would, unless the Council otherwise unanimously decided, be a presumed aggressor, and all the sanctions provided for in the protocol would be applied against it; whereas the compromise allows the Council to proclaim an armistice, to utilize Article 11 of the Covenant in an endeavour to arrange between the parties to the dispute, or to decide whether it would be justified, by unanimous decision, in making a declaration that the State at war with another State who was defending its sovereign rights was not a presumed aggressor. If the Council could not settle the dispute amicably and proclaim that there was no presumed aggressor, then the war could continue between the two States concerned without any sanctions being applied.

The report and protocol were covered by two resolutions. The first resolution (a) recommends to the earnest attention of all members of the League the acceptance of the protocol; (b) opens the protocol for signature; (c) requests the Council to appoint a committee to draft the amendments to the Covenant contemplated by the protocol; (d) requests the Council to convene an international conference for the reduction of armaments; (e) requests the Council to put into immediate execution the provisions of Article 12 of the protocol. (Article 12 contains the provision whereby the economic and financial organizations of the League are to consider and report on the nature of the steps to be taken to give effect to the financial and economic sanctions and measures of co-operation contemplated in the Covenant and in the protocol.) The second resolution recommends States to accede to the special protocol opened for signature in virtue of Article 36 (paragraph 2) of the Statute of the Permanent Court of International Justice.

A copy of the Statute of the Court is included in the papers which form the enclosures to this report.

The resolutions were passed unanimously by forty-eight States. There was not one abstention.

Before the Assembly closed the following States signed the protocol: Albania, Bulgaria, Czechoslovakia, Esthonia, France, Greece, Latvia, Poland, Portugal, Kingdom of the Serbs, Croats, and Slovenes.

On the day on which the Assembly approved the protocol (2nd October) it passed unanimously a series of resolutions concerning the proposed conference on the reduction of armaments. These embodied a number of recommendations and requests to the Council in connection with the work to be done in preparation for the conference (Document A. 140).

#### REDUCTION OF ARMAMENTS.

##### (1.) *Control of International Traffic in Arms, Munitions, and War Material.*

On the 27th September the Assembly passed a series of resolutions bearing on the control of the international traffic in arms, munitions, and war material—

- (1.) Providing for submission by the Council to States members of the League of the draft Convention drawn up by the Temporary Mixed Commission with a view of ascertaining whether Governments are prepared to take part in a conference on the subject to be convened next year.