THE COVENANT OF THE LEAGUE OF NATIONS.

Memorandum by Sir Robert Borden.

1. This Memorandum has been prepared with a full appreciation of the valuable work accomplished in presenting to the world concrete proposals for the establishment of the proposed League. It has been undertaken also with at least a partial understanding of the difficulties encountered by those responsible for the framing of the Covenant.

2. It will be agreed that in the form of expression simplicity, clearness and directness should be sought and that prolixity and ambiguity should be avoided as far as possible.

3. It will be agreed also that in substance, the provisions should be effective and practicable; but necessarily the draftsman must continually bear in mind the reluctance of each nation to relax control of matters within the scope of its sovereignty.

4. In the following proposals, attention has been given to both form and substance; but there has been an endeavour to adhere as closely as possible to the language as well as to the purpose and scope of the Covenant as drafted.

5. In cases where the reason of the proposed amendments seems fairly clear and obvious, the draft of an amendment is submitted. In other cases the memorandum submits suggestions or points out difficulties.

1. ARTICLE I is as follows:

The action of the High Contracting Parties under the terms of this Covenant shall be effected through the instrumentality of meetings of a Body of Delegates representing the High Contracting Parties, of meetings at more frequent intervals of an Executive Council, and of a permanent international Secretariat to be established at the Seat of the League.

PROPOSED
under this Covenant shall be effected through the instrumentality of a Body of Delegates, of a Council, and of a permanent Secretariat."

REASONS FOR AMENDMENT: Unnecessary words are omitted, the meaning remaining unchanged. The Council is not really an executive body.

II. ARTICLE II is as follows:—

Meetings of the Body of Delegates shall be held at stated intervals and from time to time as occasion may require for the purpose of dealing with matters within the sphere of action of the League. Meetings of the Body of Delegates shall be held at the Seat of the League or at such other place as may be found convenient and shall consist of representatives of the High Contracting Parties. Each of the High Contracting Parties shall have one vote but may have not more than three representatives.

PROPOSED AMENDMENT: "The Body of Delegates shall consist of representatives of the High Contracting Parties each of whom shall have one vote and not more than three representatives. Meetings of the Body of Delegates shall be held at stated intervals and also as occasion may require at the Seat of the League or elsewhere as may be determined from time to time.

The Body of Delegates, in addition to any powers or duties expressly or impliedly conferred or imposed by this Covenant, shall report upon any matters submitted to it by the Council, and may also of its own motion, make recommendations to the Council respecting any of the matters set forth in the Preamble."

REASONS FOR AMENDMENT:— (a) Unnecessary words are omitted; (b) the order of expression is changed so as to conform with Article III; (c) the Body of Delegates is established by language corresponding to that employed in Article III; (d) the general powers and duties of the Body of Delegates should be expressed.

III. ARTICLE III. is as follows:—

The Executive Council shall consist of representatives of the United States of America, the British Empire, France, Italy and Japan, together with representatives of four other States, members of the League. The selection of these four States shall be made by the Body of Delegates on such principles and in such manner as they think fit. Pending the appointment of these representatives of the other States, representatives of shall be members of the Executive Council.
Meetings of the Council shall be held from time to time as occasion may require and at least once a year at whatever place may be decided on, or failing any such decision, at the Seat of the League, and any matter within the sphere of action of the League or affecting the peace of the world may be dealt with at such meetings.

Invitations shall be sent to any Power to attend a meeting of the Council at which matters directly affecting its interests are to be discussed and no decision taken at any meeting will be binding on such Power unless so invited.

PROPOSED AMENDMENT: "The Council shall consist of representatives of the United States of America, the British Empire, France, Italy and Japan, together with representatives of four other States, members of the League to be selected by the Body of Delegates. Pending such selection representatives of shall be members of the Council.

Meetings of the Council shall be held at least once a year and also as occasion may require, at the Seat of the League or elsewhere as may be determined from time to time.

The powers and duties of the Council shall extend to all matters within the sphere of the League as defined in this Covenant and generally to all matters affecting the peace of the world.

If the direct interests of any State are to be considered at any meeting of the Council, such State shall be requested to send representatives to such meeting; otherwise no such State shall be affected in respect of such interests by the conclusions reached at such meeting."

REASONS FOR AMENDMENT: (a) Unnecessary words are omitted; (b) the order of statement is made to conform with Article II; (c) the definition of the powers and duties of the Council is separated from the minor question of arranging the meetings; (d) the last sentence has been amended so as to avoid the possibility that every Power must receive notice to attend every meeting; (e) the word "binding" seems inappropriate.

IV. ARTICLE IV. is as follows:-

All matters of procedure at meetings of the Body of Delegates or the Executive Council including the appointment of Committees to investigate particular matters shall be regulated by the Body of Delegates
or the Executive Council and may be decided by a majority of the States represented at the meeting.

The first meeting of the Body of Delegates and of the Executive Council shall be summoned by the President of the United States of America.

PROPOSED AMENDMENT: "The Body of Delegates and the Council respectively shall have power, by a majority of the States represented, to regulate from time to time the procedure at their meetings.

The first meeting of the Body of Delegates and of the Council shall be summoned by the President of the United States of America."

REASONS FOR AMENDMENT: (a) Omission of unnecessary words, etc.

V. ARTICLE V. is as follows:

The permanent Secretariat of the League shall be established at which shall constitute the Seat of the League. The Secretariat shall comprise such secretaries and staff as may be required, under the general direction and control of a Secretary-General of the League, who shall be chosen by the Executive Council; the Secretariat shall be appointed by the Secretary-General subject to confirmation by the Executive Council.

The Secretary-General shall act in that capacity at all meetings of the Body of Delegates or of the Executive Council. The expenses of the Secretariat shall be borne by the States members of the League in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.

VI. ARTICLE VI. is as follows:

No amendment is suggested.

Representatives of the High Contracting Parties and officials of the League when engaged on the business of the League shall enjoy diplomatic privileges and immunities, and the buildings occupied by the League or its officials or by representatives attending its meetings shall enjoy the benefits of extraterritoriality.

No amendment is suggested.

VII. ARTICLE VII. is as follows:

Admission to the League of States not signatories to the Covenant and not named in the Protocol hereto as States to be invited to adhere to the Covenant requires the assent of not less than two-thirds of the States represented in the Body of Delegates, and shall be limited to fully self-governing countries including Dominions and Colonies. No State shall be admitted to the League unless it is able to give effective guarantee of its sincere intention to observe its international obligations, and unless it shall conform to such principles as may be prescribed by the League in regard to its naval and military forces and armaments.
PROPOSED AMENDMENT: "Membership of the League is limited to fully self-governing countries including Dominions and Colonies. Admission to the League of States not Signatories to the Covenant and not named in the Protocol hereto requires the assent of not less than two-thirds of the States represented in the Body of Delegates.

No State shall be admitted to the League unless it has effectively demonstrated its sincere intention to observe its international obligations, and unless it conforms to such principles as may be prescribed by the League."

REASONS FOR AMENDMENT: (a) Omission of unnecessary words; (b) a more direct and orderly statement.

OBSERVATIONS: The Article is obscure in not defining the authority which shall prescribe the principles to which the State seeking admission must conform. The intention would be clearer if the words "through the Council" were added at the end of the Article."

ARTICLE VIII. is as follows:

The High Contracting Parties recognise the principle that the maintenance of peace will require the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations, having special regard to the geographical situation and circumstances of each State; and the Executive Council shall formulate plans for effecting such reduction. The Executive Council shall also determine for the consideration and action of the several governments what military equipment and armament is fair and reasonable in proportion to the scale of forces laid down in the programme of disarmament; and these limits, when adopted, shall not be exceeded without the permission of the Executive Council.

The High Contracting Parties agree that the manufacture by private enterprise of munitions and implements of war lends itself to grave objections, and direct the Executive Council to advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those countries which are not able to manufacture for themselves the munitions and implements of war necessary for their safety.

The High Contracting Parties undertake in no way to conceal from each other the condition of such of their industries as are capable of being adapted to war-like purposes or the scale of their armaments, and agree that there shall be full and frank interchange of information as to their military and naval programmes.
No attempt has been made to redraft this Article as it would involve important considerations of policy on the part of each State. The objections to the Article in its present form are, however, obvious: (a) The different forms of expression employed may lead to confusion. "National armaments" first appears; then follows "military equipment and armament"; and lastly we find "munitions and implements of war". (b) The Council is to formulate plans for effecting reduction; but there is no suggestion as to the action proposed for putting such plans into execution; unless, (c) the second sentence of the first paragraph is intended to set forth the action to be taken upon such plans when formulated. If so, the draft is confused and redundant. (d) The expression "when adopted" in the second sentence is ambiguous. Are the limits to become effective when adopted by the Council itself or when adopted by the Government of the State in question? Possibly the ambiguity may be intentional; but it is submitted that any ambiguity in so important a document is unfortunate. (e) If the Council is merely to recommend, there should be a clear statement to that effect. If on the other hand the Council is to determine absolutely, then the expression should be equally clear. (f) The second paragraph gives the impression of a weak attempt to control the production of munitions and implements of war. Whom is the Council to advise, and how and by whom is its advice to be carried into effect? If it is merely to recommend or if on the other hand it is to act, the statement should be in either case clear and unambiguous. (g) The concluding paragraph seems equally weak and ineffective.

IX. ARTICLE IX. is as follows:

A permanent Commission shall be constituted to advise the League on the execution of the provisions of Article VIII and on military and naval questions generally.

OBSERVATIONS: It would be useful to provide that the Commission shall have such powers and duties for the purpose mentioned as the Council may determine.
ARTICLE X. is as follows:—

The High Contracting Parties undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all States members of the League. In case of any such aggression or in case of any threat or danger of such aggression the Executive Council shall advise upon the means by which this obligation shall be fulfilled.

OBSERVATIONS: It is submitted that this Article should be struck out or materially amended. It involves an undertaking by the High Contracting Parties to preserve the territorial integrity and existing political independence of all States members of the League. The Signatories to the Covenant are called upon to declare (a) that all existing territorial delimitations are just and expedient, (b) that they will continue indefinitely to be just and expedient, (c) that the Signatories will be responsible therefor. The undertaking seems to involve initially a careful survey, consideration and determination of all territorial questions between the various States who become parties to the Covenant. Even if such a survey were practicable it is impossible to forecast the future. There may be national aspirations to which the provisions of the peace treaty will not do justice and which cannot be permanently repressed. Subsequent articles contemplate the possibility of war between two or more of the Signatories under such conditions that the other Signatories are not called upon to participate actively therein. If, as a result of such war, the nation attacked occupies and proposes to annex (possibly with the consent of a majority of the population) a portion of the territory of the aggressor, what is to be the operation of this Article? Indeed the Article seems inconsistent with the provisions of Articles XII to XVII, inclusive. Obviously a dispute as to territory is within the meaning and competence of the six Articles last referred to, under which a disposition of the dispute materially different from that proposed by Article X. might be reached. Article XXIV does not seem to remove the difficulty.
ARTICLE XI. is as follows:—

Any war or threat of war, whether immediately affecting any of the High Contracting Parties or not; is hereby declared a matter of concern to the League, and the High Contracting Parties reserve the right to take any action that may be deemed wise and effectual to safeguard the peace of nations.

It is hereby also declared and agreed to be the friendly right of each of the High Contracting Parties to draw the attention of the Body of Delegates or of the Executive Council to any circumstances affecting international intercourse which threaten to disturb international peace or the good understanding between nations upon which peace depends.

PROPOSED AMENDMENT: "Any war or threat of war, whether immediately affecting any of the High Contracting Parties or not, is hereby declared a matter of concern to the League, and the High Contracting Parties declare it to be their right and duty to take any action that may be deemed wise and effectual to safeguard the peace of nations.

It is also declared to be the friendly right of any High Contracting Party to draw the attention of the Body of Delegates or of the Council to any circumstances which threaten to disturb international peace or the good understanding between nations upon which peace depends."

REASONS FOR AMENDMENT: (a) Explicit declaration of right and duty, (b) Omission of unnecessary words.

ARTICLES XII., XIII., XV., XVI., and XVII., are as follows:—

Article XII.

The High Contracting Parties agree that should disputes arise between them which cannot be adjusted by the ordinary processes of diplomacy, they will in no case resort to war without previously submitting the questions and matters involved either to arbitration or to inquiry by the Executive Council and until three months after the award by the arbitrators or a recommendation by the Executive Council; and that they will not even then resort to war as against a member of the League which complies with the award of the arbitrators or the recommendation of the Executive Council.

In any case under this Article, the award of the arbitrators shall be made within a reasonable time, and the recommendation of the Executive Council shall be made within six months after the submission of the dispute.
Article XIII.

The High Contracting Parties agree that whenever any dispute or difficulty shall arise between them which they recognize to be suitable for submission to arbitration and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject matter to arbitration. For this purpose the Court of arbitration to which the case is referred shall be the court agreed on by the parties or nominated in any Convention existing between them. The High Contracting Parties agree that they will carry out in full good faith any award that may be rendered. In the event of any failure to carry out the award, the Executive Council shall propose what steps can best be taken to give effect thereto.

Article XV.

If there should arise between States members of the League any dispute likely to lead to a rupture, which is not submitted to arbitration as above, the High Contracting Parties agree that they will refer the matter to the Executive Council; either party to the dispute may give notice of the existence of the dispute to the Secretary-General, who will make all necessary arrangements for a full investigation and consideration thereof. For this purpose the parties agree to communicate to the Secretary-General, as promptly as possible, statements of their case with all the relevant facts and papers, and the Executive Council may forthwith direct the publication thereof.

Where the efforts of the Council lead to the settlement of the dispute, a statement shall be published indicating the nature of the dispute and the terms of settlement, together with such explanations as may be appropriate. If the dispute has not been settled, a report by the Council shall be published, setting forth with all necessary facts and explanations the recommendation which the Council think just and proper for the settlement of the dispute. If the report is unanimously agreed to by the members of the Council other than the parties to the dispute, the High Contracting Parties agree that they will not go to war with any party which concurs with the recommendation and that, if any party shall refuse so to comply, the Council shall propose the measures necessary to give effect to the recommendation. If no such unanimous report can be made, it shall be the duty of the majority and the privilege of the minority to issue statements indicating what they believe to be the facts and containing the recommendations which they consider to be just and proper.

The Executive Council may in any case under this Article refer the dispute to the Body of Delegates. The dispute shall be so referred at the request of either party to the dispute, provided that such request must be made within fourteen days after the submission of the dispute. In any case referred to the Body of Delegates all the provisions of this Article and of Article XII relating to the action and powers of the Executive Council shall apply to the action and powers of the Body of Delegates.

Article XVI.

Should any of the High Contracting Parties break or disregard its covenants under Article XII, it shall thereby ipso facto be deemed to have committed an act of war against all the other members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial
financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the League or not.

It shall be the duty of the Executive Council in such case to recommend what effective military or naval force the members of the League shall severally contribute to the armed forces to be used to protect the covenants of the League.

The High Contracting Parties agree further, that they will mutually support one another in the financial and economic measures which are taken under this Article, in order to minimize the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will afford passage through their territory to the forces of any of the High Contracting Parties who are co-operating to protect the covenants of the League.

Article XVII.

In the event of disputes between one State member of the League and another State which is not a member of the League, or between States not members of the League, the High Contracting Parties agree that the State or States not members of the League shall be invited to accept the obligations of membership in the League for the purposes of such dispute, upon such conditions as the Executive Council may deem just, and upon acceptance of any such invitation, the above provisions shall be applied with such modifications as may be deemed necessary by the League.

Upon such invitation being given the Executive Council shall immediately institute an inquiry into the circumstances and merits of the dispute and recommend such action as may seem best and most effectual in the circumstances.

In the event of a Power so invited refusing to accept the obligations of membership in the League for the purposes of such dispute, and taking any action against a State member of the League which in the case of a State member of the League would constitute a breach of Article XII, the provisions of Article XVI shall be applicable as against the State taking such action.

If both parties to the dispute when so invited refuse to accept the obligations of membership in the League for the purposes of such dispute, the Executive Council may take such action and make such recommendations as will prevent hostilities and will result in the settlement of the dispute.

Observations: Clearly it is not within the competence of any human power absolutely to prevent war; therefore the framers of the Covenant have wisely avoided themselves of the test means of reducing to a minimum the possibility of its outbreak. The means selected are discussion, publicity and mediation. As President Wilson has truly said, there is force in the background, but only in the background. It is a Covenant of peace and not of war. If the great Powers of the world had been parties to such a Covenant in 1914, humanity would have been spared the horror and sacrifice which have been endured in the past five years.
to criticism than is apparent, one would hesitate to suggest any
amendment lest the proposal might lead to differences which would
prevent the adhesion of nations whose support and concurrence are
of vital importance. The following observations are therefore
put forward with the reserve which prudence clearly dictates
under the circumstances:

First. It is submitted that the form of expression could
be improved in clearness and directness through the aid of a
skilled draftsman and without in any way modifying the meaning
intended.

Second. As the dispositions of these five Articles permit
war under certain conditions without any breach of the Covenant,
it is advisable to consider whether the proposed Signatories
would concur in additional safeguards; or, failing that, whether
further provisions to prevent the continuance of such a war and
to control its results might not be advisable.

Third. The circumstances in which war might break out
without breach of the Covenant are, inter alia, the following:
(a) The arbitrators fail to make an award. (b) The arbitrators
fail to make an award within a reasonable time. (c) The Council
or the Body of Delegates fail to make a recommendation. (d) The
Council or the Body of Delegates fail to make a recommendation
within a reasonable time.

Fourth. As an illustration, the following case is
suggested: State "A" intends to attack State "B". "A" declines
arbitration and submits its case to the Council with the demand
that it shall be referred to the Body of Delegates. It might
not be difficult for "A" so to influence the representatives
of one or more States in the Body of Delegates that no recommend-
ation would be made. "A" therefore attacks "B", overpowers it,
and annexes a portion of its territory.

Fifth. Exception has already been taken to the
provisions of Article X., which possibly might be invoked in
aid under such circumstances. It is not clear at what stage,
under what conditions, or with what result the provision of
Article X., could be thus invoked.
Sixth. It is suggested that the articles in question should embody a provision that no treaty embodying terms of peace between such contending powers shall be registered under Article XXIII except by express permission of the Council. This would give the Council definite control of the terms of peace as no treaty is binding until registered. The power of the Council to revise any such treaty would be of great value in deterring any nation from undertaking aggressive war for the purpose of acquiring additional territory.

Seventh. In connection with these five Articles it is to be observed that the Covenant itself apparently prevents any of the Signatories from going to the assistance of a weak Power aggressively attacked by a stronger Power under the circumstances above set forth.

Eighth. In case any High Contracting Party breaks or disregards its Covenant, how is the fact to be evidenced so as to affect the High Contracting Parties? There is no express provision requiring a determination and a public declaration by the Council. If such a declaration is contemplated it would involve delay; and in that case there should be a provision permitting immediate action in the meantime as a state of war is created by breach of the Covenant.

Ninth. Amend Article XVII as follows:— (a) Substitute for the words "the above provisions" the words "the provisions of Articles XII to XVI both inclusive". (b) Substitute for the word "league" in the last line of the first paragraph the word "Council".

REASONS FOR AMENDMENT: Obvious.

Tenth. Strike out the word "Executive" before the word "Council" in all these Articles.

ARTICLE XIV is as follows:—

The Executive Council shall formulate plans for the establishment of a Permanent Court of International Justice and this Court shall, when established, be competent to hear and determine any matter which the parties recognize as suitable for submission to it for arbitration under the foregoing Article.
international court of justice, which shall be competent to regulate its own procedure and to hear and determine any matter or dispute referred to it under the foregoing Article or otherwise."

REASONS FOR AMENDMENT: (a) More direct statement; (b) Necessary provision for regulating procedure; (c) Omission of unnecessary words.

XVIII. ARTICLE XVIII is as follows :-

The High Contracting Parties agree that the League shall be entrusted with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest.

OBSERVATIONS: The methods by which the proposed supervision is to be carried out are not apparent. Compare Articles IX and XIX.

XIX. ARTICLE XIX. is as follows :-

To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in the constitution of the League.

The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience or their geographical position, can best undertake this responsibility, and that this tutelage should be exercised by them as mandatories on behalf of the League.

The character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions and other similar circumstances. Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognised subject to the rendering of administrative advice and assistance by a mandatory power until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the mandatory power.

Other peoples, especially those of Central Africa, are at such a stage that the mandatory must be responsible for the administration of the territory subject to conditions which will guarantee freedom
enforcement of abuses such as the slave trade, the arms traffic and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defence of territory, and will also secure equal opportunities for the trade and commerce of other members of the League.

There are territories, such as South-west Africa and certain of the South Pacific Islands, which, owing to the sparseness of their population, or their small size, or their remoteness from the centres of civilization, or their geographical contiguity to the mandatory state, and other circumstances, can be best administered under the laws of the mandatory state as integral portions thereof, subject to the safeguards above-mentioned in the interests of the indigenous population.

In every case of mandate, the mandatory state shall render to the League an annual report in reference to the territory committed to its charge.

The degree of authority, control, or administration to be exercised by the mandatory state shall if not previously agreed upon by the High Contracting Parties in each case be explicitly defined by the Executive Council in a special Act or Charter.

The High Contracting Parties further agree to establish at the seat of the League a mandatory Commission to receive and examine the annual reports of the mandatory powers, and to assist the League in insuring the observance of the terms of all Mandates.

NO OBSERVATIONS.

XX. ARTICLE XX is as follows:-

The High Contracting Parties will endeavour to secure and maintain fair and humane conditions of labour for men, women and children, both in their own countries and in all countries to which their commercial and industrial relations extend; and to that end agree to establish as part of the organisation of the League a permanent Bureau of Labour.

OBSERVATIONS: As a pious aspiration this Article is commendable, but it is obviously ineffective except in so far as powers may be conferred and duties imposed upon the proposed Bureau of Labour. The expression "endeavour to secure and maintain" seems inappropriate on the part of any High Contracting Party in respect of its own conditions of labour.

XXI. ARTICLE XXI. is as follows:-

The High Contracting Parties agree that provision shall be made through the instrumentality of the League to secure and maintain freedom of transit and equitable treatment for the commerce of all States members of the League, having in mind among other things special arrangements with regard to the necessities of the regions devastated during the war of 1914-1918.

OBSERVATIONS: The provisions of this Article are so indefinite that it may mean too much or too little. Its intention should be clearly defined. The last two lines seem to have no special relation or relevancy to the remaining portion. It is suggested that this Article might be omitted as its purpose will be expressed more fully in the Freedom of Transit and Equality of Trade Conditions
ARTICLE XXII is as follows:—

The High Contracting Parties agree to place under the control of the League all international bureaux already established by general treaties if the parties to such treaties consent. Furthermore, they agree that all such international bureaux to be constituted in future shall be placed under the control of the League.

NO OBSERVATIONS.

ARTICLE XXIII is as follows:—

The High Contracting Parties agree that every treaty or international engagement entered into hereafter by any State member of the League, shall be forthwith registered with the Secretary-General and as soon as possible published by him, and that no such treaty or international engagement shall be binding until so registered.

OBSERVATIONS: It is presumed that this Article is intended to include a treaty between a Signatory and a non-Signatory State. In such case, is it intended that the non-Signatory State shall be entitled to the benefit of this Article? If so, its terms require further consideration.

ARTICLE XXIV is as follows:—

It shall be the right of the Body of Delegates from time to time to advise the reconsideration by States members of the League, of treaties which have become inapplicable, and of international conditions, of which the continuance may endanger the peace of the world.

NO OBSERVATIONS.

ARTICLE XXV is as follows:—

The High Contracting Parties severally agree that the present Covenant is accepted as abrogating all obligations inter se which are inconsistent with the terms thereof, and solemnly engage that they will not hereafter enter into any engagements inconsistent with the terms thereof.

In case any of the Powers signatory hereto or subsequently admitted to the League shall, before becoming a party to this Covenant, have undertaken any obligations which are inconsistent with the terms of this Covenant, it shall be the duty of such Power to take immediate steps to procure its release from such obligations.

PROPOSED AMENDMENT: "The High Contracting Parties severally agree that all obligations entered into between themselves which
which are inconsistent with the terms of this Covenant are hereby abrogated, and they undertake that they will take immediate steps to procure their release from every such obligation entered into with any State not a party to this Covenant, and that they will not hereafter enter into any such obligation; nor shall any State bound by such an obligation be hereafter admitted to the League until it shall have procured its release therefrom."

**REASONS FOR AMENDMENT:** This Article as originally drafted deals with four distinct cases, three of the High Contracting Parties and one the States not yet admitted to the League. As the Article stands these are confused and on its face the second paragraph is inconsistent with the first.

**XXVI. ARTICLE XXVI** is as follows:—

Amendments to this Covenant will take effect when ratified by the States whose representatives compose the Executive Council and by three-fourths of the States whose representatives compose the Body of Delegates.

**PROPOSED AMENDMENT:** Strike out in both instances the words "whose representatives compose" and substitute the words "represented in". Strike out also the word "Executive".

**REASONS FOR AMENDMENTS:** Obvious.

**GENERAL OBSERVATIONS.**

In view of criticisms put forward in certain quarters, it is suggested that the Covenant should contain suitable provisions for the peaceful withdrawal of any State which may so desire.

In addition to the provisions enabling the Council and the Body of Delegates to determine procedure at their meetings, it is suggested, that each of these bodies should be empowered respect of other matters with which they may be called upon to deal; for example, the form and length of notices to States upon reference of disputes, the arrangements for publicity, the
formulation and notification of their recommendations or decisions, etc., etc.

It is assumed that the adhesion of each Signatory State to the Covenant will be subject to the approval of its Parliament.

It is also assumed that the Dominions of the British Empire are entitled to become Signatories to the Covenant.

Hotel La Percuso,
Paris.
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