

## REFORM OF THE LEAGUE

### OBLIGATIONS OF ARTICLE 16

#### BRITISH DECLARATION

FROM OUR LEAGUE CORRESPONDENT

GENEVA, SEPT. 22

The question of League reform came before the sixth committee of the Assembly this evening when a declaration on behalf of the United Kingdom Government was made by Mr. R. A. Butler. This was as follows:—

The text, structure, and juridical effect of the Covenant remain unaltered. In view, however, of the special circumstances existing at the present time, His Majesty's Government in the United Kingdom will interpret their obligations under Article 16 of the Covenant in accordance with the following propositions which apply equally to the case where Article 16 becomes applicable by virtue of paragraph 3 of Article 17.

(i) The circumstances in which occasion for international action under Article 16 may arise, the possibility of taking such action and the nature of the action to be taken cannot be determined in advance. Each case must be considered on its merits. In consequence, while the right of any member of the League to take any measures of the kind contemplated by Article 16 remain intact, no additional obligation exists to take such measures.

(ii) There is, however, a general obligation to consider in consultation with other members of the League whether, and if so how far, it is possible in any given case to apply the measures contemplated by Article 16, and what steps, if any, can be taken in common to fulfil the objects of that Article.

(iii) In the course of such consultation each member of the League would be the judge of the extent to which its own position would allow it to participate in any measures that might be proposed, and in doing so it would no doubt be influenced by the extent to which other members were prepared to take action.

(iv) The foregoing propositions do not in any way derogate from the principle, which remains intact, that a resort to war, whether immediately affecting any members of the League or not, is a matter of concern to the whole League and is not one to which the members are entitled to adopt an attitude of indifference.

#### MEMBERS' OBLIGATIONS

In making this declaration, Mr. Butler said that Article XVI was at once the most important and the most difficult of all.

Those, he added, who had studied Lord Cranborne's report on the universality of the League to the Committee of 28 would realize the immense difficulty of any attempt to alter the so-called coercive clauses, either by strengthening them or diminishing them. Moreover, it appeared certain that no agreed resolution on this subject would be possible. Indeed, Lord De La Warr had said the only point on which all would be agreed was that there was nothing wrong with the provisions of the Covenant themselves, whatever adjustments might be desirable to meet contemporary conditions.

At the same time certain Governments, among them that of the United Kingdom, felt it essential in the present circumstances to define their position in regard to Article XVI. The question arose, therefore, of the procedure to be adopted for giving recognition to the actual situation regarding Article XVI and the position taken up on this matter by the member Governments.

He suggested that they should proceed in the following manner:—They should recognize that the principles of the Covenant should remain unaltered. But those Governments who felt it necessary in the present circumstances to define the manner in which they would interpret their obligations under Article XVI would do so in declarations that would be formally recorded in the proceedings of the Committee. The Committee would then, while expressing no opinion as to the contents of these declarations, take note of the situation in fact created by them and would report accordingly to the Assembly. The declaration which the United Kingdom felt bound to make regarding Article XVI had purposely been framed in general terms—not merely as a statement of the attitude which the United Kingdom would itself adopt, but in the form of certain general propositions which were believed to be applicable to the situation of to-day, and which might perhaps commend themselves to other Governments whose points of view were the same.

It was then decided that the United Kingdom declaration should be circulated to the members of the committee and discussion should take place at a later date. The Committee will also have to consider Article XI (the unanimity rule), the question of the separation of the Covenant from the Peace Treaty, and the question of cooperation between the League and non-member States.

## OPPOSING ALLIANCES

The series of declarations of the Scandinavian States with regard to Article 16 was continued.

On behalf of Norway Hr. Koht, the Norwegian Foreign Minister, stated that the return to a policy of opposing alliances on the part of the Great Powers had transformed collective security into collective insecurity, and obligations under the Covenant had become dangerous to the smaller states rather than reassuring. In these circumstances Norway was resolved to remain master of her own fate and to decide for herself with regard to any action under Article 16. Consequently there could be no question of the passage of troops across her territory, even to oppose an aggressor, without the special authorization of the Norwegian Government. With regard to economic sanctions, Norway would be prepared to act in certain circumstances, but must retain the right of decision. Her policy was to keep the country out of war and to preserve complete neutrality as far as it was possible to do so. But Norway was not anxious in any way to see changes in the Covenant, which was not nearly so bad as they were sometimes led to think.

Mr. Wellington Koo, in the course of an address on the war in China, announced that his Government would ask the League to apply forthwith Article XVII of the Covenant [disputes with non-member States]; to implement the various resolutions of the Assembly and Council by recommending an embargo against the aggressor State of war material, oil, and financial credit; and to take measures to deter Japan from using poison gas and from bombing undefended towns and civilian populations. It was noticeable that he adopted towards the League a much more critical and bitter tone than on former occasions. His address also contained a note of determined resistance on the part of the Chinese people.

The Spanish Government have requested that the League's work relating to the situation in Spain shall be subjected to a special examination in Committee. It is for the Assembly to decide whether this shall be done. A meeting of the Council will be held to-morrow at which a report on the work of the Economic Committee will be received.

## Imperial and Foreign

### A REFORMED LEAGUE

#### BRITISH POLICY DEFINED

From Our League Correspondent

GENEVA, SEPT. 16

Lord De La Warr, Lord Privy Seal, at a plenary meeting of the Assembly this morning made a declaration on behalf of the Government of the United Kingdom as to its policy towards the League. The following are its main points:—

The League is faced with a position never contemplated by its founders, the result of secessions and the increase in vast armaments. The balance has been upset.

The League has tended to strengthen the sanctions Article at the expense of the provisions devised for the specific settlement of disputes. The Covenant has come to be regarded as punitive and as an instrument for maintaining the *status quo*.

Its real essence lies in the recognition of the principle of peaceful change and the prohibition of war until all means of pacific settlement have been exhausted.

This flexible and comprehensive machinery for the settlement of disputes has not received the attention it merits and has been overshadowed by the coercive clauses. Any enhancement of the strength of this machinery will be welcomed by the United Kingdom Government.

Many States hesitate to accept obligations that may involve them in disputes when their own interests are not at stake. They regard the system of sanctions as suspended. The Government of the United Kingdom consider that an honest avowal of the limitations of the League and the re-examination of the original intentions of its founders might put it on a sounder basis as an instrument of peace.

#### LIMITS OF COMPROMISE

There are certain principles on which it is impossible to compromise. But the present difficulties of the League are not permanent, and there can be no question of a modification of its juridical basis. There is nothing essentially wrong with the Covenant. The United Kingdom Government will be prepared in due course to make clear their attitude towards the coercive clauses.

The circumstances for international action and the possibility and nature of that action cannot be determined in advance. Each case must be considered on its merits. There can be no automatic obligation to apply economic or military sanctions.

There is a general obligation to consider whether and how far Article 16 [Application of Sanctions] can be applied, and what common steps could be taken to render aid to the victim of a breach of the Covenant.

Each State must be the judge of the extent to which it can participate, and will be influenced by the extent to which others are prepared to act.

Aggression against a member of the League must be a matter of concern to all members and not one on which they are entitled to adopt an attitude of indifference.

There must be some modification of the unanimity rule so that under Article 11 [action in emergency] the League would be able to intervene in any dispute sooner than it can now. It is of the greatest importance that at the earliest possible moment the parties should know where they stand.

The United Kingdom Government favour effect being given to the recommendations of the Committee of Jurists with regard to the separation of the Covenant from the Peace Treaties.

There is only a frail barrier between society on the one hand and disruption on the other. The League stands midway between, and it is the firm intention of the United Kingdom Government to preserve it. If it did not exist to-day statesmen would be seeking means of constructing it.

The world has gone both mad and bestial. The task before this generation is to recreate a belief in the things which make life worth while.

The declaration was received with prolonged applause and many members of various delegations personally expressed their appreciation of the policy laid down

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# Schwedisches Grabgeläute für Genf

Außenminister Sandler gegen Bündnisverpflichtungen Schwedens

Drahtbericht unseres ständigen Vertreters

V. B. 4. 11. 38

HG. W. Stockholm, 3. November.

Der schwedische Außenminister Sandler hat gestern abend kurz vor seiner Abreise nach Finnland vor etwa 500 Offizieren der schwedischen Armee und schwedischen Politikern eine Rede gehalten, in der er auch die Lage in Europa nach den Münchener Verhandlungen berührte.

Der Außenminister wandte sich zunächst gegen jene Kreise in Schweden, die während der Tschekentriebe einen Krieg gefordert hatten, und sagte dazu: „Ich kann es nicht verstehen, wie bei uns jemand so vermessend sein kann, die englische oder französische Jugend auf dem Altar der Demokratie opfern zu wollen, während wir uns auf den Zuschauerplätzen befinden, vordrausgesetzt, daß wir diese Plätze für uns behalten können.“

Im weiteren Verlauf seiner Rede berührte der Außenminister die Frage, ob man wirklich hoffen könne, daß ein wirklicher Friede von langer Dauer für Europa gekommen sei. In einem Lande wie Schweden könne man hierzu nur wünschen, daß eine Entspannung zwischen den Westmächten und den „Mischenmächten“ eintreten möge. Doch kein verantwortlicher Staatsmann könne heute die Sicherheit seines Landes nur auf Hoffnungen stützen.

Der Außenminister kam dann auf die Genfer Liga zu sprechen und sagte, daß alle Allianzen und die sogenannte Völkerverständigung einen Wertverlust erlitten und einen ungeahnten Tiefstand erreicht hätten. Wenn man frage, warum die skandinavischen Staaten nicht bei der letzten Sitzung in Genf bemüht zu verfahren geachtet hätten, daß man nicht länger bereit sei, den Sanktionsmittel mitzumachen, dann wolle er ehrlich sein und die Sache schlichtern, wie sie sei. „Wir hatten uns zu der diesjährigen Sitzung der Genfer Liga in der klaren Absicht eingefunden, uns von allen Sanktionsverpflichtungen freizumachen.“ Die skandinavischen Staaten und ihre Vertreter hätten aber nicht den Heroismus aufgebracht, den Apparat der Genfer Liga zu hören.

Die machtpolitische Lage habe heute in Europa eine wesentliche Veränderung erfahren. Das ganze aus dem Geist von Versailles emporgewachsene Allianzsystem liege nun in Trümmer. Nur die Staaten, die keinerlei Bündnisse hätten, dürften sich heute

sicherer fühlen als andere. Zum Schluß berührte zur Aalandsfrage Sandler, daß dieses Problem während der letzten europäischen Krise besonders aktuell geworden sei. Man wolle in Zusammenarbeit mit der finnischen Regierung „gewisse Veränderungen“ in der Neutralitätswehr erwägen.

Zum Schluß sagte der Außenminister, es bestehe für Schweden kein Anlaß, sich außenpolitisch neu zu orientieren, wie dies viele Staaten nach der Münchener Besprechung der vier Staatsmänner getan hätten. „Unsere eigene Lage und unsere außenpolitischen Beziehungen haben keine Veränderung erfahren. Fremde Staaten haben keine Meinungsverschiedenheiten mit uns, und wir schaffen keine derartigen. Wir haben auch zum Glück keine Patte und keine Kolonien.“

## AIR ACTION IN PALESTINE

### LARGE ARAB BAND DISPERSED

#### 150 REBEL CASUALTIES

From Our Correspondent

JERUSALEM, SEPT. 16

About 150 casualties, it is believed, were inflicted on rebels by aircraft late yesterday in the most important engagement this year. It was impossible to send the news of this last night, as after 7 o'clock all lines of communication from Jerusalem were severed by sabotage.

An R.A.F. aeroplane making a reconnaissance flight observed a large band near Deirghassana, a village in the foothills east of Jaffa. The machine summoned assistance from Ramleh, where four aeroplanes are always ready to start at two minutes' notice. Twelve additional craft also arrived, and the force engaged the band until nightfall. The planes were hit a number of times, but there were no casualties among R.A.F. personnel, and all the machines returned safely.

To-day the Air Force and troops thoroughly searched the area, where they saw signs of the burning of bodies during the night. Fifteen dead horses were found, showing that the band was partly mounted.

During the search various remnants of the band were discovered. The R.A.F. killed four, and the Irish Guards met a party, of which they killed three, including the important rebel leader, Abulkhalil Mohammad Saleh, and wounded several others.

#### TWO PRIVATES WOUNDED

Yesterday a patrol of The Essex Regiment was fired on at the village of Yaffa, a few miles west of Nazareth. Privates J. Smith and F. Foster were slightly wounded. The band was located by reinforcements of police and troops, which soon arrived, and some casualties were inflicted.

An Arab constable was shot dead at Haifa this morning, and armed men killed a villager in his home between Ramallah and Nablus during the night.

Ninety-two suspects have been arrested in the village of Abushusha, near Tiberias, during a military search.

Potash lorries coming up from the Dead Sea to-day were attacked on the Jericho road by a large band. Armed guards withheld the attack until help arrived, and the engagement is now going on. This morning armed men held up and burned a Post Office truck between Jerusalem and Nablus, but no mails were being carried.

The rebels seem to have need of typewriters, which often figure among things stolen from Government offices. To-day some rebels entered the District Offices at Ramallah, stealing one Arabic and four English typewriters, which may presumably now serve for a secretarial staff at some rebel headquarters in the hills.

#### AEROPLANE LOST

An R.A.F. machine, containing Pilot Officer D. E. Bell, assistant to the Air Officer Commanding, Palestine, and Flying Officer F. Scarborough, Chief Cypher Officer, left Abu Sueir, Egypt, for Palestine early on Monday but failed to arrive. After four days of fruitless search they have been given up for lost. A report that a body has been washed ashore is being investigated.

A telegram from the High Commissioner states that the gang at Deirghassana was estimated at 400 or 500 strong.

#### OBITUARY