APPLICATION OF THE PRINCIPLES OF THE COVENANT OF THE LEAGUE OF NATIONS.

Communication from the Government of Denmark.

(Translation)

Copenhagen, August 31st, 1936.

To the Secretary-General.

By a circular letter dated July 7th 1936, you transmitted to the Danish Government, in accordance with a decision of the Council of the League of Nations, the recommendation adopted by the Assembly on July 4th, 1936, and requested the Government to send you, if possible before September 1st, any proposals it might think fit to make in connection with that recommendation.

The questions involved were discussed at a meeting of the Foreign Ministers of the four northern countries at Copenhagen on August 20th 1936, and the four Ministers found themselves in agreement on all essential points.

In reply to your circular letter, I have the honour to make the following statement:

The Danish Government considers that in the present situation it is neither necessary nor possible to amend the Covenant, but it thinks that all efforts should be combined with the object of applying as satisfactorily as possible all the rules that the Covenant contains. I would accordingly suggest a few ideas for discussion at the September Assembly.

A. Efforts to make the League universal.

Since it is, in our opinion, essential to the success of the League that it should be made more comprehensive than it now is, we suggest that the Assembly should ask the Council to enquire (perhaps through a special committee) into:

(a) the possibility of opening negotiations with those States which hold aloof from the League with a view to bringing them into it, and the best moment for doing so, and also any measures that may make it easier for non-Member States to join the League;

(b) the possible forms in which countries that have not so far seen their way to join the League could cooperate in any measures that might be taken to prevent war, and in which they could take a more active and extensive part in the League's work in the economic, moral, technical, and humanitarian spheres.
B. Rules for the application of the provisions of the Covenant.

A Committee will be set up to frame rules for the operation of Article II, in order to facilitate its application at an early stage if a dangerous situation should develop. These rules will provide that, in the voting on invitations to the parties, where the present rules would require unanimity, the votes of the parties themselves shall not be reckoned in determining unanimity. A majority vote will suffice to decide whether the Permanent Court of International Justice at the Hague shall be asked for an advisory opinion.

With respect to the application of Article 16, the Government would refer to the declaration of the Foreign Ministers of Denmark, Finland, the Netherlands, Norway, Spain, Sweden, and Switzerland, published at Geneva on July 1st 1936 (the text of which is enclosed), and to the speech delivered by the representative of Denmark in the Assembly on July 2nd last. As regards the idea of regional pacts, we would urge that they should conform to the principles of the Covenant and should be under the control of the League. The four northern countries are in constant cooperation in various important spheres; in matters affecting the League they have very often acted in conjunction with the Netherlands, Spain, and Switzerland, and they are ready to cooperate with any other countries which may share their views. We see no necessity for basing this cooperation on separate agreements, and in the present circumstances it is improbable that the Danish Government will see its way to assume any commitments, whether general or regionally limited, other than those which, in our view, are contained in the Covenant.

C. The League's activities.

The Danish Government thinks it of no less importance to intensify and develop the League's regular activities than to study the interpretation of the rules embodied in the Covenant. We therefore make the following proposals:

1. (a) At the September session, the Assembly will resume consideration of the armament question, with a view to bringing the present competition in armaments to a standstill as soon as circumstances permit.

In this connection, consideration will naturally be given, in accordance with the projects of the Conference for the Reduction and Limitation of Armaments, to the appointment of a permanent commission, consisting of one representative of each State, for the purpose of collecting the necessary information from Governments, as soon as political conditions are favourable, in order to lay before the Council plans of the kind contemplated in Article 8 of the Covenant, which can be submitted to the various Governments for their consideration and decision. It is understood that any country may make its acceptance of such plans conditional upon their acceptance by certain other countries and upon the observance of the agreed provisions by those countries.
(b) The report of the Committee for the Regulation of the Trade in and Manufacture of Arms and Implements of War, dated April 13th, 1935 (Conf.D.168), will be studied by the Assembly with a view to the preparation of a draft Convention, which can be adopted on the understanding that States shall be entitled to make their acceptance conditional upon the acceptance of other States named.

2. The Council will appeal to all those States Members who have not ratified the Convention of October 2nd, 1930, for Financial Assistance, and the Convention of September 26th, 1931, to Improve the Means of Preventing War, to ratify those Conventions within six months, and will also endeavour to secure the accession of non-Member States to those Conventions.

3. (a) We propose that the question of an agreement on monetary conditions such as may provide a firmer foundation for international trade should be placed on the agenda of the September session of the Assembly. With the backing of the statements that may be made at the Assembly, this problem should be referred to the Financial and Economic Committees, which should have the assistance of representatives of the Bank for International Settlements at Basle. An attempt should be made to secure the participation of non-Member States in the work of these Committees, since their cooperation will be an important factor in the solution of the problem. It should thus be possible to frame a draft Convention which the various countries could accept conditionally upon its acceptance by certain other countries.

(b) The Assembly will instruct the Economic Committee to prepare a survey showing how far bilateral trade agreements have met the wishes expressed by certain past Assemblies in regard to the expansion of international trade, and, if possible, to base upon that survey proposals for ways and means of taking action on those lines.

(c) A Committee of Experts will be appointed to enquire into the scope of the question of free and equal access to the markets for raw materials from colonial areas, and, should this appear necessary, to draft an international convention securing such access.

4. The September Assembly will consider means of:

(a) securing the general acceptance of the Convention on the Use of Broadcasting in the Cause of Peace, which will be concluded as the outcome of the Conference called for September 17th, where both Member and non-Member States will be represented;

(b) continuing the work begun at the first two Press Conferences, at Copenhagen in 1932 and at Madrid in 1933 respectively:
(c) organising propaganda more actively than has yet been done, with the help of literature, the Press, broadcasting, and the cinema, and in conjunction with the private organisations pursuing like aims, in favour of a better mutual understanding between peoples, in order to strengthen the spirit of peace and develop international co-operation.

I have the honour, etc.

(Signed) P. MUNCH.

Communiqué issued by the seven ex-neutral countries on July 1st, 1936.

The Foreign Ministers of Denmark, Finland, Netherlands, Norway, Spain, Sweden, and Switzerland have exchanged views on the effects of current events on the organisation and working of the League of Nations. They find themselves in agreement on the following points:

The aggravation of the international situation and the cases of resort to force that have occurred during the last few years, in violation of the Covenant of the League, have given rise in our countries to some doubt whether the conditions in which they undertook the obligations contained in the Covenant still exist to any satisfactory extent.

We do not think it right that certain articles of the Covenant, especially the article dealing with the reduction of armaments, should remain a dead letter while other articles are enforced. Although events inevitably raise the question whether the principles of the Covenant are being adequately applied, we feel that every effort should be made to ensure the success of the experiment represented by the foundation of the League as an attempt to establish an international society based upon law.

In view of the gravity of the situation with which the League is faced, we recognise that it is necessary to consider whether the Covenant could be so amended, or its application so modified, as to increase the security of States, which it is its object to ensure.

Should proposals be made for amendments to the Covenant, we are prepared to give them careful consideration. We realise, however, the practical difficulties that this method would involve. We therefore think that, unless any unforeseen contingency presents itself, it would be better to adhere to a procedure whereby the Assembly would lay down rules for the application of the Covenant.

In the first place, an agreement must be reached to make more definite preparations for the application of the rules in the Covenant which are designed to obviate any violation of its principles, by strengthening the preventive activities of the League. Though not forgetting that rules for the application of Article 16 were adopted in 1921, we would place it on record that, so long as the Covenant as a whole is applied only incompletely and inconsistently, we are obliged to bear that fact in mind in connection with the application of Article 16.

Secondly, the League's activities in all political and economic spheres, which have been partially paralysed by recent crises, must be resumed, and an attempt must be made to progress towards the solution of the main problems of the day.