

- (b) A hard and fast definition of the expressions "aggression" (Article 10), and "resort to war" (Article 16) would not be free from danger, since it might oblige the Council and the Members of the League to pronounce on a breach of the Covenant and apply sanctions at a time when it would still be preferable to refrain for the moment from measures of coercion. There would also be the risk of a State, which was not in reality responsible for hostilities, being described as an aggressor.
- (c) The preparation of the military sanctions provided for in Article 16 does not seem likely to promote mutual confidence between the States Members of the League of Nations unless at the same time various forms of pacific procedure suitable for the settlement of all international disputes are organized, and unless there is also a general agreement on the reduction and limitation of armaments.
- (d) It would be well that, in the event of resort to war, the Council should declare whether a breach of the Covenant has or has not taken place, and should state which of the two parties to the dispute has broken the Covenant.

These conclusions, it may be recalled, did not meet, in the spring of 1928, with the unanimous approval of the Committee on Arbitration and Security. Some delegations would have preferred that a definition be given to the terms, "aggression" and "resort to war," while others considered the development of military sanctions a valuable contribution to security.

The Canadian delegation, however, opposed at that time the suggestions contained in the preceding paragraph, which it thought would be ineffective and dangerous. Dr. Riddell emphasized the importance of conciliation, arbitration and the prevention of disputes rather than sanctions. He stated that, in his opinion, the Council could not determine the aggressor, and that it was the duty of each member of the League to decide for itself whether a breach of the Covenant had been made.

In the discussion of the above memorandum before the Third Committee, two points of view of a general character were voiced concerning the Covenant. One, upheld by Germany, proclaimed the high degree of security it afforded, while the other, maintained by Poland, considered such security insufficient.

On the recommendation of the Third Committee, the Assembly and the Council expressed satisfaction at the work done to elucidate the meaning of Articles 10, 11 and 16 of the Covenant, but they added that the interpretation given to the Articles must not be considered to affect in any way the rights and duties of the members of the League, or the different modes of procedure open to them when dealing with specific cases brought to their attention. At the same time the Preparatory Disarmament Commission was requested to undertake the study of other Articles of the Covenant, and doubtless, at the next session of the latter Commission, this task will be entrusted to the Committee on Arbitration and Security.

(d) Model Treaty to Strengthen the Means of Preventing War

In 1927 the German delegation submitted to the Committee on Arbitration and Security a number of suggestions whose object was to strengthen the means of preventing war, and hence to give an effective answer to the objection of States which proclaimed "we cannot disarm until we have security." The original proposals, which in discussion were somewhat modified, provided for Signatory States undertaking to accept and to execute generally all recommendations of the Council in cases of Dispute, Threat of War and Hostilities.