

The Union of South Africa, India, Irak, Turkey and Lithuania expressed general agreement with the interpretation put forward by the delegate of the United Kingdom. Certain other delegations gave more qualified approval.

The "Oslo Group"—Norway, Sweden, Denmark, Netherlands, Belgium, Luxembourg and Finland—set forth their own interpretation of the Article, taking the position that the system of sanctions as a result of present circumstances and the practice followed in recent years has acquired a non-obligatory character and that it should be recognized that all Members of the League have the right to decide whether or not they would apply the sanctions provisions of the Covenant in any particular case. Latvia, Estonia and Poland generally associated themselves with this view.

Mr. Lapointe, speaking for Canada, expressed agreement with the view that as a result of present circumstances and the practice followed in recent years, the system of sanctions set forth in Article XVI had acquired a non-obligatory character and called attention to the statements respecting Canada's position on this question made by the Prime Minister before the Seventeenth Assembly in 1936 and on May 24, 1938, in the Parliament of Canada. In considering the interpretation of Article XVI it was necessary to take into account the developments which have taken place since the League was founded and the realities of the existing situation. The substantial universality contemplated in the Covenant and essential for the effective working of the League had never been attained. In this respect, indeed, the situation was now less promising than at any time since the League was first established. Article VIII respecting disarmament had never been implemented. Article XIX, providing for peaceful change through the revision of treaties that have become inapplicable and the removal of conditions that constitute a threat to the maintenance of peace, had never been used. Clearly it would be inadmissible that Article XVI should remain operative while these important provisions of the Covenant, on which the satisfactory functioning of the League is based, were never implemented. Moreover, he pointed out, the provisions of Article XVI had never been applied in their entirety. They were but partially and temporarily employed in the conflict between Italy and Ethiopia and were never employed at all against an aggressor when the conflict took place in America or in Asia. "By actual practice and consent," he concluded, "the system of sanctions under the Covenant has ceased to have effect. Sanctions have become non-automatic and non-obligatory in character and the interpretation which has been developed as regards one region cannot be limited to that region alone."

The Irish delegate, Mr. Hearne, stated that in the opinion of his Government the provisions of Article XVI now imposed no legal or moral obligation upon any Member of the League to apply sanctions in any circumstances. They were satisfied that in the interest of the preservation of the League and the acceptance of League principles in the future, the right of each of the Member States to decide for itself whether sanctions should or should not be applied should be recognized. The policy of the Irish Government would be based upon the existence and recognition of this right.

A considerable number of countries, including France, Spain, U.S.S.R., China, New Zealand, Colombia, Bolivia, Ecuador, and Mexico, were unwilling to support any resolution or interpretation that would weaken the League or alter the structure and legal effect of the Covenant. Many countries, moreover, considered that the moment for a discussion on this question was not well chosen and participated out of courtesy to the United Kingdom. No general agreement on the terms of a resolution being practicable, it was decided to adopt a brief report noting that recourse to war against a Member of the League cannot be considered as a matter in regard to which Members are entitled to adopt an attitude of indifference, that there is general agreement that military measures contemplated in Article XVI are not compulsory, that many Members have stated