

On the points raised in your eighth paragraph too we came to the conclusion that the balance of advantage lay in leaving it undefined how the disregarding of the Covenant is to be affirmed. The advantage to the faithless country that no action against it can be taken without calling together the Executive Council seems too great under modern conditions.

Paragraph 9. Both these suggestions have been adopted.

#### Article XIV

The smaller States, and especially neutrals, attached so great importance to this international Court that it would be impossible to leave its establishment entirely to the Executive Council.

#### Articles XVIII, XX, and XXI

These Articles are purposely left vague in the Covenant because they look to the Conventions on the different subjects dealt with, which are now being elaborated by Commissions of the Peace Conference.

#### Article XXIII

I regret to say that I do not altogether follow the question raised. I think the Article clearly includes a treaty between a signatory and a non-signatory State.

#### Article XXV

I think your redraft of this Article is a distinct improvement, and I will submit it to the Drafting Committee.

#### General Observations.

You will note that a withdrawal clause has been added.

It did not seem necessary to say in so many words that the Council and the Body of Delegates should be empowered to establish regulations of the kind described. It was thought that this could be taken for granted.

The answer to both of the last two questions is in the affirmative.

Generally speaking, you will not fail to understand that in many cases where the drafting seems imperfect it has seemed better to let it go rather than offend the *amour-propre* of other States represented on the Commission.

You will no doubt have seen the notes on the Covenant made by the Prime Minister of Australia (W.C.P. 346). I enclose, in case you may be interested to see it, the answer I have sent him.<sup>1</sup>

I must ask you to regard the enclosed copy of the Covenant<sup>1</sup> as confidential for the present.

Yours very sincerely,

ROBERT CECIL

<sup>1</sup> Non reproduit.