

who, having communicated their full powers found in good and due form, have agreed as follows:—

In faith whereof the above-named Plenipotentiaries have signed the present Treaty:

AB .....  
 CD .....  
 EF .....  
 GH .....  
 IJ .....  
 KL .....  
 MN .....

or if the territory for which each Plenipotentiary signs is to be specified as is customary at Geneva:

(for Great Britain, &c.) ..... AB.  
 (for Canada) ..... CD.  
 (for Australia) ..... EF.  
 (for New Zealand) ..... GH.  
 (for South Africa) ..... IJ.  
 (for the Irish Free State) ..... KL.  
 (for India) ..... MN.

#### DRAFT RESOLUTION.

The Imperial Conference . . . . agrees as follows:—

1. Though the Dominions separately represented in the League of Nations and India are entitled in virtue of such separate membership to all the rights and privileges of Members of the League, they became members upon the footing that the relationship between the various parts of the British Empire is different from the relationship between them and foreign Powers.
2. This special relationship between the various parts of the British Empire, whether separately represented in the League or not, is a fundamental element in their international position.
3. Treaties (other than agreements between Governments) whether negotiated under the auspices of the League or not, should be made in the name of Heads of States, and if the treaty is signed on behalf of the Empire or of any part of it, the treaty should be made in the name of the King as the symbol of the special relationship between the different parts of the Empire. The British units on behalf of which the treaty is signed should be grouped together in the following order: Great Britain, &c., Canada, Australia, New Zealand, South Africa, Irish Free State, India.
4. The principles laid down in paragraphs (1) and (2) render superfluous the inclusion in a treaty of any provision that its terms must not be regarded as regulating *inter se* the rights and obligations of the various territories on behalf of which it has been signed in the name of the King.
5. Where a treaty provides that it is to come into force on the deposit of the ratifications of a specified number of Powers, the principle that the treaty does not operate between the various territories on behalf of which it has been separately signed in the name of the King precludes his ratification on behalf of such territories being reckoned as the ratifications of different Powers.
6. In the case of inter-governmental agreements where, as not infrequently happens, the Governments of different parts of the Empire are willing that certain provisions of a treaty should be applied between themselves as an administrative measure, they will be prepared to state the extent to which, and the terms on which, such provisions are to apply.

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#### IMPERIAL CONFERENCE, 1926.

#### COMMITTEE ON INTER-IMPERIAL RELATIONS.

#### Treaty Procedure Sub-Committee.

#### SUGGESTIONS FOR DRAFT REPORT.

(Circulated by the Canadian Delegation.)

THE attached notes for a draft report on Treaty Procedure are circulated by the Canadian delegation as a basis of discussion, proceeding on the assumption that any report might well take the form of a supplement to the 1923 Treaty Resolution.

2, Whitehall Gardens, S.W. 1,  
 November 11, 1926.

#### NOTES FOR DRAFT REPORT ON TREATY PROCEDURE.

The Conference has found it desirable to give further consideration to the relations of the various parts of the British Commonwealth of Nations in connection with the negotiation, signature and ratification of treaties. It was agreed that the procedure recommended in the treaty resolutions of 1923 had in most respects proved acceptable and effective in practice. In the light of experience, it appeared necessary to examine more in detail some phases of treaty procedure, and to consider how far the resolutions of 1923 could be usefully supplemented.

##### 1. Negotiation of Treaties.

It was agreed in 1923 that any of the Governments of the Empire, in preparing to negotiate a treaty, should give due consideration to its possible effect upon other parts, and should take steps to inform other Governments likely to be interested of its intention.

It is understood that, if in such case another Commonwealth Government considers that its interests would be affected, it may express its desire to participate in the negotiations through the issue of full powers to a plenipotentiary appointed on its behalf. If, after such information has been conveyed, no proposal for joint action is received, the initiating Government is entitled to assume that it is not desired to have the treaty apply to any other part. In some cases provision might be made on request for accession later by other members of the Commonwealth.

##### 2. Full Powers and Scope of Application.

The full powers issued in each case, on the advice of the King's Ministers concerned, should indicate and correspond to the part or parts of the Commonwealth to which the treaty is to apply. It will frequently be found convenient, particularly where it is not contemplated that active obligations will be imposed on the Governments of some parts, but where the position of their nationals will be affected in some measure, for such Governments to request that the plenipotentiary appointed in respect of the Government or Governments mainly concerned should also act on their behalf.

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