

cussion took the form of a Protocol; the Assembly on October 2 unanimously agreed to recommend its acceptance to the earnest attention of all the Members of the League.

The full text of the Protocol and other relevant documents is being presented separately. It is only necessary here to present a very brief summary.

The Protocol is an undertaking, on the part of such states as decide to sign it, to agree to certain proposals as among themselves and to seek to have them incorporated by amendment in the Covenant of the League of Nations. The proposals fall under the three heads of arbitration, security, and disarmament.

As to arbitration, using that term in its wider sense of mediation to secure the settlement of international disputes, the Covenant already binds the Members of the League to submit all disputes likely to lead to war to the Council, to Court, or to arbitrators. The Protocol provides, first, for compulsory reference of all disputes falling within certain classes, usually termed justiciable disputes (questions of international law or treaty interpretation, or breach and damages for breach of international obligation), to the decision of the Permanent Court of International Justice. At present, reference of such disputes to the Court is optional: they may instead be sent to the Council, which cannot give a binding decision unless unanimous. Second, the Protocol provides for a more elaborate and extended procedure in case of other disputes; if the Council fails to secure a settlement, and one party so requests, the dispute must be referred to arbitration; if arbitration is not asked for by either party, the Council may again seek a decision by unanimous vote; failing this, it must refer the dispute to arbitrators, whose decision will be binding. Disputes arising out of measures of war taken by a state in carrying out the will of the League are exempted from this procedure, and also disputes as to matters which are found by the Permanent Court to be wholly within the domestic jurisdiction of one party, though this is not to prevent further consideration of the dispute by the Council or Assembly under Article 11 of the Covenant.

As to sanctions, or methods of enforcement, the endeavour has been made to secure unflinching tests of aggression and a pledge of all signatories to apply military and economic pressure against the state held to be the aggressor. A state which resorts to war after refusing to submit a dispute to peaceful settlement or refusing to comply with a judicial sentence, an arbitral award, or a unanimous Council report, or which violates the armistice or other preventive measures which the Council is empowered to impose, is considered an aggressor unless the Council unanimously holds otherwise. Against this aggressor every signatory must apply the economic and military sanctions provided in Article 16 of the Covenant and elaborated in the Protocol, "co-operating loyally and effectively . . . in the degree in which its geographical position and its particular situation as regards armaments allow." The Protocol further provides for optional agreement, partial or general, in advance, as to military and economic measures to be taken against an aggressor, and for the application of the procedure to states not Members of the League.

With increased provision thus made, first, for either a peaceful settlement of every dispute or an absolute and binding decision as to which of the warring states is the aggressor, and, second, for unquestioned aid from all signatories to the peaceful victim of aggression, the way is clear, it is considered, for the third step, a reduction of armaments. Provided that by May 1, 1925, a majority of the permanent members of the Council (Great Britain, France, Italy, and Japan), and ten other states have signed and ratified the Protocol, a World