

In so doing it will endeavour, as far as possible, to avoid simultaneous conferences or of the holding of one conference too soon after another.

These recommendations of the First Committee were unanimously approved by the Assembly.

#### *Amendment of the Covenant*

The proposals of the Eleven Jurists who studied, at the Council's request, the possibility of bringing the Covenant into harmony with the Briand-Kellogg Pact were thoroughly examined by the First Committee, which finally came to the conclusion that they should be referred to the Governments for further consideration.

On certain points the proposals gave very general satisfaction. They included the desired general prohibition of resort to war. They provided a new procedure for the settlement of disputes by pacific means even if, as some thought, they converted the functions of the League Council from those of a mediatory and conciliatory body to those of an arbitral and judicial authority. But the Report was criticized for not taking sufficiently into account the inherent differences which lawyers held to exist between the Covenant and the Pact, the political and juridical difficulties which might ensue from any attempt to fuse them, and, most important of all, the extension of sanctions. Doubts were expressed, in particular, on the possible effect of the amendments on the reservations and interpretations which certain States have made in acceding to the Kellogg Pact. It was suggested that the existing treaties, which, either textually or implicitly, contemplate the possibility of war or contain definite obligations of military action, would become obsolete. The question of the conditions of the coming into force of the amendments was also a question on which all the delegates did not hold the same views. Some declared their intention to sign and ratify, but subject to the ratification of a disarmament convention as contemplated under Article 8 of the Covenant.

These outstanding questions were referred to a Sub-Committee which counselled postponement and submitted new texts. These texts, which are given below, will be communicated to Governments for their observations, together with the report of the Committee of Eleven Jurists.

The broad principles of both documents are the same. In each case the proposal is that war would be definitely and completely excluded from international life, and that the nations should agree never to employ other than pacific means for the settlement of their disputes. As a corollary to that, certain proposals have been made for strengthening the means of pacific settlement already existing in the Covenant. But, in the new draft, there is noticeable a certain re-arrangement of phrasing, carried out with a view to rendering the text clearer and more logical, while the binding character of a unanimous report by the Council has been done away with, and with it has disappeared paragraph 7 bis (Article 15). The word "invite" has been introduced into Article 15, paragraph 6, as has also the undertaking by Members of the League in no way to support any party in refusal to comply with the recommendations of the Council. The Sub-Committee only returned to the original principles established by the existing Covenant from a conviction that the Council was essentially a political organ and, as such, should retain an elasticity and a freedom of decision which might be seriously hampered if its recommendations were recognized as binding.