

Your Excellency is aware of the fact that there is under consideration the proposal for a preliminary meeting of the legal experts of the powers whose direct interest in the proposed treaty has been enlisted. The Royal Government has adhered to this procedure but has clearly pointed out that in its opinion such a meeting can only be effective if the participation of a legal expert of the Government of the United States is assured.

In accordance with this order of ideas I beg Your Excellency to communicate to Mr. Kellogg the lively desire of the Royal Government that the participation of the United States in the preliminary meeting mentioned above be not lacking.

MUSSOLINI.

*Note from the Secretary of State for Foreign Affairs of Great Britain, delivered on May 19, 1928, to the United States Ambassador at London, in reply to the Ambassador's Note of April 13, 1928*

YOUR EXCELLENCY: Your note of April 13 containing the text of the draft treaty for renunciation of war, together with copies of correspondence between the United States and the French Government on the subject of this treaty, has been receiving sympathetic consideration at the hands of His Majesty's Government in Great Britain. A note has also been received from the French Government containing certain suggestions for discussion in connection with the proposed treaty, and the German Government were good enough to send me a copy of a reply which has been made by them to the proposals of the United States Government.

2. The suggestion for the conclusion of a treaty for renunciation of war as an instrument of national policy has evoked widespread interest in this country and His Majesty's Government will support the movement to the utmost of their power.

3. After making a careful study of the text contained in Your Excellency's note and of the amended text suggested in the French note, His Majesty's Government is convinced that there is no serious divergence between the effects of these two drafts. This impression is confirmed by a study of the text of the speech by the Secretary of State of the United States to which Your Excellency drew my attention and which he delivered before the American Society of International Law on April 28. The aim of the United States Government, as I understand it, is to embody in a treaty a broad statement of principle, to proclaim without restriction or qualification that war shall not be used as an instrument of policy. With this aim His Majesty's Government are wholly in accord. The French proposals, equally imbued with the same purpose, have merely added an indication of certain exceptional circumstances in which the violation of that principle by one party may oblige the others to take action seeming at first sight to be inconsistent with the terms of the proposed pact. His Majesty's Government appreciate the scruples which have prompted these suggestions by the French Government. The exact fulfilment of treaty engagements is a matter which affects national honour; precision as to the scope of such engagements is therefore of importance. Each of the suggestions made by the French Government has been carefully considered from this point of view.

4. After studying the wording of Article I of the United States draft His Majesty's Government do not think that its terms exclude action which a state may be forced to take in self-defense. Mr. Kellogg has made it clear in the speech to which I have referred above, that he regards the right of self-defense as inalienable, and His Majesty's Government are disposed to think that on this question no addition to the text is necessary.