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LEAGUE OF NATIONS

CONFERENCE FOR THE REDUCTION AND LIMITATION OF ARMAMENTS

**MEMORANDUM ON THE PROPOSALS OF THE
NETHERLANDS DELEGATION**

The Hague, April 2nd, 1932.

I. LIMITATION AND REDUCTION OF IMMEDIATELY MOBILISABLE ARMED FORCES.

(VII, page 6 of the Co-ordination, Table, Conf.D.102.)

The speech made by the first delegate of the Netherlands on February 15th contained the following suggestions :

“ Limitation and reduction must be applied to the whole of the armed forces immediately mobilisable. Consequently they must comprise :

- “ (a) Trained reserves, in the first instance by reducing the contingent ;
- “ (b) Etc.”

The Netherlands delegation regards the limitation of these reserves as one of the most important elements of a real limitation of armaments.

If the limitation is confined to the effectives under the colours in time of peace, the great armies which a State might use in order to start a war might continue to exist without any reduction or any other limitation than the natural limitation resulting from the birth rate. The limitation and any reduction prescribed for the average effectives per day in peace time may be effected by fixing and, if necessary, reducing the number of days of real service compulsory for each man, without reducing the annual contingent by a single man. In drawing attention to this immediate consequence of the system of limiting the personnel, which is adopted in the draft Convention, there is no intention of making a malevolent supposition, but merely of revealing one of the essential traits of this system. The reason given on many occasions in the Preparatory Commission for rejecting the limitation of trained reserves was precisely that it is inadmissible to discriminate between the young men of the same annual class ; democracy, it was said, demands equality of burdens and sacrifices ; the system of conscription would therefore necessarily involve all able-bodied young men being called up. In this manner, the great war armies would continue to exist, although most of the elements composing them would be on leave. It may be supposed that these armies would not be without the necessary material.

The Netherlands delegation cannot believe that this state of affairs is inevitable. It is still convinced that, even if the system of conscription is retained, it is possible to reduce the war effectives of the armed forces. It ventures to point out that, in the Netherlands, the recruiting of armed forces takes place on a system of conscription under which the young men called up for compulsory military service are chosen each year by drawing lots up to the number fixed by law. In equity, exceptions may be made in the case of the military service of an elder brother or of a man maintaining his family by his work. The experience in the Netherlands does not confirm the supposition that a system of drawing lots would be considered by the

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people as discrimination, if not immoral, at any rate contrary to that equality of treatment to which all the citizens of a modern State are entitled.

The Netherlands delegation does not disguise the fact that the limitation and reduction of existing armed forces in peace time is of great importance. For a State with aggressive intentions, these forces constitute an instrument which is always at hand. But, on the other hand, it is obvious that a war army comprising all the immediately mobilisable forces may also constitute an instrument of aggression. But even if the eventuality of large-scale manœuvres (which sometimes coincide with a moment of crisis) is left on one side, the mobilisation of a few army corps takes place in such a short space of time that, in order to gauge the immediate aggressive force of a State and to limit and reduce that force, measures must be taken, not only against the peace-time effectives, but also against the trained reserves.

Not only must the Convention make possible—indeed, for that purpose, a Convention is not needed—but it must directly guarantee the limitation and reduction of the great war armies.

* * *

With regard to the method of limiting these reserves, the Netherlands delegation, without pretending to exhaust the subject, submits the following observations :

In order to attain this end, two courses may be followed.

In the first place, it is possible for the Convention to prescribe a direct limitation (in addition to the limitation of peace-time effectives) of the *total* trained reserves at a State's disposal. On the other hand, it is possible to limit the total number of men receiving military training *each year*; by introducing only a limited number of men each year the State will have a limited total of trained men at its disposal. The two methods aim at the same result.

* * *

The direct limitation of trained reserves might be based on more than one criterion. In the first place, it is possible to limit all the effectives *in service*, effectives *at disposal* and reserves with military training who are registered and compelled by law to do military service in case of war. This method was explained in a proposal discussed by the Preparatory Commission (documents, Series VIII, pages 114 *et seq.* and page 212). Under this method, the criterion as to which effectives are to be limited is to be found in the fact of their incorporation in the legal military organisation of the State. A further method may also be considered. It is based on the idea that the fact of having received military training is far more important than legal incorporation in a military organisation. Legal steps for incorporating or re-incorporating in the military organisation of a State men who have received instruction calculated to make them useful for military purposes may be taken, if necessary, in a few days. It is therefore preferable to limit the total number of men who have received or are receiving military instruction and who have not reached an age at which they are no longer of military value. As it is impossible to reduce the present number of men who have received military training, this method can only produce its full effect after the lapse of a certain number of years. In all States where men who have received military training continue to be obliged by law to do military service in case of war up to a certain age, this method will not differ greatly in application from that discussed in the Preparatory Commission.

In order to define the proposed method, the Netherlands delegation submits the two following articles, which, if necessary, it reserves the right to put forward formally at a subsequent date.

“ Article 4 (a).

“ The total effectives of the land, sea and air armed forces, immediately mobilisable, of each of the High Contracting Parties shall not exceed, in each of the categories of effectives defined in tables . . . annexed to this chapter, the figure laid down for such Party in the corresponding column of the said tables.

“ Article 4 (b).

“ The effectives of the land, sea and air armed forces, immediately mobilisable, provided for in Article 4 (a) shall include men not over *x* years in the case of those who have or have had the rank of officer and *y* years in the case of other men who have received since peace time or are receiving military training which renders them capable of being used for military purposes.”

* * *

As stated above, the limitations may refer, not only to the total number of men who have received or are receiving military training, but may also apply to the total number of men receiving military training every year. Such limitation should be applied, not only to

effectives recruited by conscription, but to all entering the armed forces. Limitation referring exclusively to the contingent recruited each year by conscription would leave a wide possibility of increasing that contingent by means of voluntary enlistments. Attention should be paid, not to recruiting by conscription, but to military training; the latter is given to all entering the armed forces. As an illustration of an article based on this method, the Netherlands delegation submits the following wording, while reserving the right, if necessary, to make a formal proposal at a later date:

“ Article 4 (c).

“ The effectives incorporated yearly for military service in the armed forces, or in the land, sea and air formations organised on a military basis, of each of the High Contracting Parties shall not exceed the figure laid down for such Party in the corresponding column of tables . . . annexed to this chapter.”

2. LIMITATION OF MATERIAL OF THE LAND FORCES.

(No. 12, page 12, of the Coordination Table, Conf.D.102.)

The Netherlands delegation is of opinion that Article 10 of the draft Convention, in limiting only the annual expenditure on the purchase, manufacture, etc., of war material for land armaments, presents a serious defect. The existing material would be neither reduced nor limited and each country would remain free in future to purchase or manufacture any material which it pleased.

The limitation, and, in particular, the reduction, of war material for land armaments is therefore a supplement to the indirect limitation laid down in Article 10 and the prohibition of land material considered as offensive.

The method of limitation submitted for this purpose by the Netherlands delegation is included in Article 10 (a) annexed to the present memorandum.

In the opinion of the Netherlands delegation, a judicious application of the system of control laid down in the draft Convention, which would be exercised already on naval and air material, would suffice for the control of land material, which the delegation proposes to limit and reduce.

Guns of a calibre of more than 150 mm. and tanks are provisionally mentioned, it being understood that these categories will be omitted if the Conference agrees on the absolute prohibition of these arms.

Rifles, carbines, muskets, revolvers and pistols are not included in the limitation, as these arms have only a relatively small value as compared with other firearms. In addition, it would be difficult to limit them in view of the number of old-fashioned types of rifles, etc. to be found in various countries, the ease with which they are manufactured and the fact that sporting shot-guns, together with pistols and revolvers for personal defence, would enter into this category.

In order to fix the figures, the Conference will take as a basis the total number of immediately mobilisable armed forces.

In the first place, it must fix a maximum figure per 1,000 men for the different categories of arms.

Each State would, moreover, be quite free as regards the *distribution* of the *total* land material, both as regards the grant of material for peace-time formations and for war units, and also as regards the material in use and that in stock.

In accordance with this method, the *total* material of a country would depend on two elements—namely :

- (1) The total armed forces immediately mobilisable ;
- (2) The quantity of material taken as a basis per 1,000 men of these immediately mobilisable forces.

The figures to be taken as a basis by the Conference will be defined in accordance with technical conditions, will be based as a whole on the war material necessary for defence and will be fixed on the lowest possible level.

As regards the exchange and spare material necessary for each country, special figures will have to be fixed.

“ Article 10 (a).

“ The total number of materials in use, in reserve and in stock of the land armed forces of each of the High Contracting Parties shall not exceed, in each of the categories of material defined in the table annexed to this chapter, the figure laid down in the said table.”

TABLE SHOWING THE TOTAL OF MATERIALS IN USE, IN RESERVE AND IN STOCK WHICH MUST NOT BE EXCEEDED BY THE LAND ARMED FORCES.

Materials	Total material in the land forces of the High Contracting Parties ¹		
	State A	State B	State C
Machine-rifles and other automatic arms fitted with appliances enabling them to be fired from the shoulder			
Machine-guns			
Guns, howitzers and mortars of a calibre not exceeding 150 mm. (5.9 inches)			
Guns, howitzers and mortars of a calibre exceeding 150 mm. (5.9 inches)		2	
Tanks		2	

3. PROHIBITION OF THE USE OF AUTOMATIC CONTACT MINES IN THE OPEN SEA.

(Number 23, page 15, and number 6, page 24, of the Co-ordinating Table, Conf.D.102.)

Convention VIII of the Second Peace Conference of 1907, relating to the laying of automatic submarine contact mines, contains the rules to be observed in time of war for the employment of submarine mines.

As pointed out in the Preamble to this Convention, these rules are based on the principle of the freedom of the seas for all nations. The object is to limit and determine the use of submarine mines, so as to restrict the rigours of war and, as far as possible, to ensure to peaceful shipping the security which it has a right to claim in spite of the existence of a war. Moreover, the Preamble lays it down that the rules of this Convention have been drawn up in the expectation that it will be possible so to settle the question as to give all desirable guarantees to the interests involved. At the eighth plenary session of the Peace Conference, the Convention was adopted; but, when voting the Convention, the delegate of Great Britain stated that he could not regard that arrangement as providing a final solution of the question, and added that the high seas were a great international route on which it behoved belligerents to do nothing to render it dangerous to neutrals. The world war showed the disastrous results of the laying of submarine mines in the open sea for peaceful shipping. Thousands of non-combatant seamen lost their lives as a result of the destruction of merchant vessels and fishing vessels by these mines.

In order effectively to protect the lives of non-combatant seamen and passengers, the use or laying of automatic contact mines in the open sea must be prohibited.

The proposal of the Netherlands delegation provides for the incorporation of the following rule in the Convention for the Reduction and Limitation of Armaments :

“ It is prohibited to lay automatic contact mines in the open sea. ”

4. PROHIBITION OF AIR BOMBARDMENT.

(Number 6, page 17, and number 10, page 24, of the Co-ordinating Table, Conf.D.102.)

The Netherlands are signatories to the declaration signed at The Hague in 1907 forbidding the launching of projectiles and explosives from balloons. According to the terms of this declaration, the contracting Powers agree to refrain from “ launching projectiles and explosives from balloons or by any new method of a similar kind ”. These terms are sufficiently general to cover all air-bombing.

¹ This figure is to be fixed by the Conference on a technical basis per 1,000 men as stated above.

² This figure would be *nil* if the said arms were prohibited.

The duration of the declaration extended until the end of the third Peace Conference, which should have met in 1914 or 1915, and its application was confined to a war between contracting States without the participation of a non-contracting State.

The number of signatories is very small, and a general agreement on the question of air bombing is therefore highly desirable.

The Committee of Jurists set up in virtue of a decision of the Washington Conference in 1922 endeavoured to replace the 1907 declaration by fresh conventional provisions.

It proposed to stipulate that only certain objectives were admissible for bombardment. Articles 22 to 26 of the Rules of Air Warfare (second part, Chapter IV) of the general report gives the solution of this problem adopted by the Committee of Jurists.

The Netherlands delegation is of opinion that the only effective method of protecting the civilian population against the horrors of a bombardment is its absolute prohibition. Any method providing for exceptions to this prohibition would open the door to abuses of which the civilian populations would be the victims. Moreover, this prohibition would prevent the principal military use of civil aviation.

It therefore proposes the following general rule :

“ All air bombardment by whatever means shall be prohibited.”

5. COMPLETE PUBLICITY OF ARMAMENTS IN CONFORMITY WITH ARTICLE 8 OF THE COVENANT.

(Number 2, page 22, of the Co-ordinating Table, Conf.D.102.)

The speech made by the first delegate of the Netherlands on February 15th contained, *inter alia*, the following suggestion :

“ Complete publicity of armaments in accordance with Article 8 of the Covenant ; particularly publicity of land, naval and air material .”

In the opinion of the Netherlands delegation, the obligation imposed by Article 8, paragraph 6, constitutes an absolute rule which cannot be regarded as being weakened by the restriction provided for in paragraph 1 of the same article, as that restriction relates exclusively to the reduction of national armaments. On the contrary, publicity carried out universally and in good faith is of itself a means of increasing the degree of security.

There is interdependence between limitation or reduction and publicity. As regards effectives, this interdependence is observed in Articles 30, 31 and 32 of the draft Convention. As regards naval and air material, the Netherlands delegation is of opinion that the combination of the provisions regarding limitation and the exchange of information already gives a certain amount of satisfaction.

The position is different, however, as regards land material. It is true that, as regards the exchange of information on this subject, regard being had to the budgetary limitation provided for in Article 10, the Preparatory Commission in Article 33 adopted the system of budgetary publicity ; publicity applies particularly to the amount actually expended per category of material in the course of a year for upkeep, purchase and manufacture.

The Committee of Experts on Budgetary Questions devotes Chapter 24 of its report (document C.182.M.69.1931) to showing the impossibility of comparing the strength of armaments of various countries on the basis of the figures for expenditure. As regards the methods of applying the principle of publicity of land material by budgetary means, which it had been instructed to examine, it states (page 26 of the report) :

“ As regards publicity of various categories of expenditure on war material dealt with by Article 33 of the draft Convention, the Committee has reluctantly been forced to the conclusion that the technical difficulties of arriving at a sufficiently uniform and comprehensive method were too great to allow the Committee to put forward any positive proposal.”

Consequently, the execution of the provisions of Article 33 seems impossible of realisation.

There still remains, however, a need for the exchange of information on land material, and this need is urgent if the proposal of the Netherlands delegation with regard to the direct limitation of land material is adopted. In this connection, we may quote here a passage from the above-mentioned speech in which it is stated :

“ The Netherlands delegation, as a wholehearted supporter of the direct reduction of the forces of every arm, is of opinion that, until that end can be achieved, publicity would constitute a valuable means of eliminating mistrust between the peoples and thus reducing the causes of conflicts.”

During the second part of the sixth session of the Preparatory Commission, the Netherlands delegation submitted a proposal with regard to the direct publicity of land material. Nevertheless, the principle involved by that proposal has not been discussed (see paragraph 200 of the report). This is a further reason why the method contemplated should be reconsidered and put into concrete form. With this end in view, the Netherlands delegation proposes the following article to replace Article 33 of the draft Convention :

“ Article 33 (a).

“ Each of the High Contracting Parties shall every year communicate to the Secretariat of the League of Nations a statement drawn up in accordance with the model annexed to the present article, showing the material in use and the stocks of material of the land, naval and air forces. The statement referred to in the present provision shall show the position as at December 31st and shall be submitted before March 1st of the year following that to which it refers.”

MODEL TABLE ANNEXED TO ARTICLE 33 (a).

Material	Age of the models of arms		
	Models created before January 1st, 1914	Models created between January 1st, 1914, and January 1st, 1933	Models created after January 1st, 1933
I. <i>Portable arms:</i>			
(a) Rifles, carbines and muskets (in thousands)			
(b) Machine-rifles and other automatic weapons fitted with appliances enabling them to be fired from the shoulder (number)			
(c) Machine-guns (number)			
II. <i>Artillery:</i>			
(a) Guns, howitzers and mortars of a calibre of 150 mm. or less (5.9 inches) (number)			
(b) Guns, howitzers and mortars of a calibre of more than 150 mm. (5.9") (number)			
III.			
(a) <i>Tanks</i> (number)			
(b) Automobiles and other armoured vehicles (number).			

