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CONFERENCE FOR THE REDUCTION AND LIMITATION
OF ARMAMENTS

COMMITTEE FOR THE REGULATION
OF THE TRADE IN AND THE PRIVATE
AND STATE MANUFACTURE OF ARMS
AND IMPLEMENTS OF WAR

PROGRESS REPORT

TO THE GENERAL COMMISSION

Rapporteur: M. T. KOMARNICKI (Poland)

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PROGRESS REPORT OF THE COMMITTEE FOR THE REGULATION OF THE TRADE IN AND THE PRIVATE AND STATE MANUFACTURE OF ARMS AND IMPLEMENTS OF WAR

Rapporteur: M. T. KOMARNICKI (Poland).

1. Under the resolution of July 23rd, 1932, it is the duty of the Committee for the Regulation of the Trade in and Private and State Manufacture of Arms and Implements of War to submit proposals to the Conference in regard to the regulations to be applied to the trade in and private and State manufacture of arms and implements of war. It submitted a progress report (document Conf.D.145) to the Bureau of the Conference on November 12th, 1932, and, on November 26th, 1932, the Bureau passed a resolution on the trade in and manufacture of arms (document Conf. D.149) by which the Committee's subsequent work has been guided.

2. The Committee received from the Danish, French, Polish and Spanish delegations a proposal for the abolition of the private manufacture of arms, and from the Turkish delegation a proposal for the internationalisation of all arms manufacture. The Persian delegation would be prepared to agree to the abolition of private manufacture only provided State manufacture were internationalised.

With the assistance of a legal opinion, the Committee had satisfied itself that it was not precluded by its terms of reference from investigating these two questions; but, feeling that it could not come to an agreement upon them, it decided at the meeting on February 22nd, 1933, by a majority vote,¹ not to discuss the substance of these two problems, but to refer them to the General Commission (Annex 1).

3. In order to secure certain information regarding the manufacture of arms, the Committee drew up a questionnaire which was laid before the President of the Conference and addressed by him to all the States invited to the Conference by a circular letter (document Conf.D./C.L.5) dated October 28th, 1932. Forty replies have been received. They appear, together with a summary of them, in Annexes 2 and 3.

4. The Committee set up three Sub-Committees—one on the manufacture of arms, one on the trade in arms (both presided over by M. KOMARNICKI (Poland)), and a Technical Committee on the categories of arms subject to the regulation of the manufacture of and trade in arms. This Technical Committee, whose Chairman was General BENITEZ (Spain), secured the valuable assistance of M. MAGNETTE (Belgium), Rapporteur on the Arms Section of the draft Tariff Nomenclature prepared by the Sub-Committee of Experts for the Unification of Tariff Nomenclature of the Economic Committee of the League of Nations.

5. It should be noted that the report of the Sub-Committee on the Manufacture of Arms (Annex 4) is of a purely preliminary nature, because it was drawn up before the Committee had received the replies to the questions put to the General Commission (see paragraph 2 above), before the United Kingdom delegation had tabled its draft Convention, and before the Technical Committee on Categories had established its report. Moreover, the report on the manufacture of arms was drawn up before the German delegation joined the Committee. The reports on the categories of arms and the trade in arms (Annexes 5 and 6) were drawn up without waiting for the General Commission's decision, but, as those two questions are closely linked with that of the manufacture of arms, the two reports have not yet been studied by the Committee.

The Committee has also not studied the memorandum on the "Analogies between the Problem of the Traffic in Narcotic Drugs and that of the Trade in and Manufacture of Arms" (document Conf.D.159) or the French proposal of May 27th, 1933, regarding the trade in and manufacture of arms (Annex 7).²

6. The Committee had called the attention of the General Commission on March 6th, 1933, to the question of the suspension of the provisions of the Convention in war-time and that of derogations (Annex 8).

It will rest with the General Commission to pronounce in the last resort on the questions raised by that document, and to decide whether they are to be dealt with in the future Convention.

7. The Committee would ask the Commission to decide in principle on certain questions on which the Committee has not been able to arrive at an agreement:

- (1) Ought the private manufacture of arms to be abolished?
- (2) Ought the manufacture of arms to be internationalised?

¹ Belgium, the United Kingdom, Germany, Italy, Japan, Spain, the United States of America.

² This is not the same proposal as that submitted by the French delegation to the General Commission (document Conf.D./C.G.122).

The reasons for these two drafts are set out in the covering letter to document Conf.D./C.G.122.

(i) The United Kingdom, German, Italian, Japanese, Persian and United States delegations, in addition to the above questions, wish to draw the attention of the General Commission to certain matters which are outside its competence. It seems to them that decisions on these matters are necessary before a solution can be reached on the principal difficulties encountered by the Committee.

The following are the principal points referred to:

1. *Publicity of War Material.* — In the absence of a decision on the general question of publicity, the Committee has been unable to pronounce on the degree of publicity to be extended to the manufacture of and trade in war material.

2. *Supervision.* — In the absence of a decision regarding the system of supervision to be laid down in the Convention, the Committee has found difficulty in pronouncing finally on the application of this system to the manufacture of and trade in arms.

3. *Quantitative Limitation of War Material.* — The Committee observes that the French delegation's proposals of May 27th are closely connected with this question.

4. *Civil Aviation.* — In the absence of a decision on the system of control to be applied to civil aviation, the Committee has been unable to make final recommendations on any question concerning aircraft.

The Committee, taking note of the decision of the Bureau of November 22nd that the articles regarding the trade in and manufacture of arms shall be incorporated in the General Disarmament Convention, believes that there will be no difficulty in drafting these articles so soon as definite decisions have been reached by the General Commission on the above-mentioned questions.

(ii) By reason of the above declarations, the Danish, French, Polish, Spanish and Turkish delegations consider it necessary that the General Commission should take a decision on the following questions:

(1) Is it possible to limit and supervise material without also limiting and regulating the manufacture of and trade in such material?

(2) In order to make this supervised limitation more effective, and to facilitate the standardisation of material, is it expedient to internationalise State manufacture and abolish private manufacture?

(3) In order to make supervision of future arms possible and effective, is it expedient to limit them by rationing the manufacture of and trade in such arms?

(4) In order to make supervision of future arms possible and effective, is it expedient to make the manufacture of and trade in such arms subject to the grant of individual licences giving details as to the nature and destination of such arms, such licences to be submitted for the consideration of the Permanent Disarmament Commission?

(5) In order to make possible quantitative and qualitative limitation and reduction of military aviation, is it expedient to internationalise the manufacture of civil aircraft or, failing this, to submit the manufacture of and trade in such aircraft to the supervision of the Permanent Disarmament Commission?

(6) How should the general measures of supervision already provided for in regard to arms in use be applied to the special requirements of the manufacture of and trade in future arms?

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Geneva, March 4th, 1933.

ANNEX 1.

ABOLITION OF PRIVATE MANUFACTURE
AND THE INTERNATIONALISATION OF THE MANUFACTURE OF ARMS.

REPORT OF THE COMMITTEE FOR THE REGULATION OF THE TRADE IN AND
PRIVATE AND STATE MANUFACTURE OF ARMS AND IMPLEMENTS OF WAR.

At its meeting on February 22nd, 1933, the Committee, before beginning its examination of the report of the Sub-Committee on the Manufacture of Arms, adopted by a majority vote the following resolution:

“ That this Committee, before proceeding further with the consideration of the manufacture of arms, finds it necessary to request the General Commission to decide two questions, on which it has not been able to reach a unanimous decision, and a solution of which is indispensable for the continuation of its work:

“ (1) Shall the private manufacture of arms be suppressed ?

“ (2) Shall the manufacture of arms be internationalised ? ”

In consequence of that vote, the Committee adjourned its examination of the report of the Sub-Committee on the manufacture of arms, and it requests the General Commission to take decisions on the two questions raised in the foregoing resolution.

Ad 1. — A. The Danish, French, Polish and Spanish delegations propose the abolition of the private manufacture of arms and submit the following considerations on the subject:

1. Article 8, paragraph 5, of the Covenant of the League of Nations draws the attention of Members of the League to the dangers inherent in the private manufacture of arms:

“ The Members of the League agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The Council shall advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those Members of the League which are not able to manufacture the munitions and implements of war necessary for their safety.”

For Members of the League, the solution of this problem must therefore be of an international character.

Everywhere the private manufacture of arms and ammunition, like all other private economic activities, aims primarily at a profitable return upon the invested capital. There must therefore be a constant increase in the demand for arms, which can only be maintained in an atmosphere of strained international relations.

For examples of the evil effects of such enterprises, reference may be made to the report of the Temporary Mixed Commission of September 15th, 1921:

“ Armament firms have attempted to bribe Government officials both at home and abroad.

“ Armament firms have disseminated false reports concerning the military and naval programmes of various countries in order to stimulate armament expenditure.

“ Armament firms have sought to influence public opinion through the control of newspapers in their own and foreign countries.

“ Armament firms have organised international armament rings through which the armament race has been accentuated by playing off one country against another.

“ Armament firms have organised international armament trusts which have increased the price of armaments sold to Governments.”

The situation has not improved since 1921. Without mentioning well-known events which occurred in connection with the 1927 Geneva Naval Conference, we may quote the Latvian Government's reply to the enquiry organised in 1926 by the League of Nations. The Latvian Government's statement was as follows:

“ The Latvian Government, however, thinks it desirable to indicate certain concrete examples drawn from its own experience:

“ (a) Cases have occurred in which private armaments firms endeavour to induce Governments to purchase war material by encouraging competition between neighbouring States;

“ (b) After selling out-of-date armaments on the strength of dishonest advertisement, such firms offer to supply improved armaments, in this way inducing Governments to accumulate unnecessary stocks;

“ (c) As a result of concerted action on the part of armaments firms, prices are unduly high, especially if, as is the case in Latvia, supplies are bought in small quantities.”

The international character of any solution of the problem of private manufacture is further confirmed by the fact that the present Conference is proceeding to a limitation and reduction of existing armaments. As soon as States cease to be completely free to develop their existing armaments at their own discretion, the question of how the armaments limited by the Convention are to be renewed can no longer be regarded as a purely domestic matter. As armaments can only be renewed by home production or by imports, the two questions of private and State manufacture and traffic in arms take on an international character and must be dealt with within the framework of a single Convention on the same footing and in the same fashion as the problem of the limitation and reduction of armaments.¹

2. The abolition of the system of private manufacture would not necessarily entail the closing down of all private factories as has been suggested. In so far as their production corresponded to the requirements of the States as limited by the Disarmament Convention, such factories might remain in operation. What would be changed is the system of ownership, which would cease to be private. If repercussions upon the organisation of national industry are inevitable, they would be the result, not of the abolition of private manufacture, but of the reduction of armaments.

3. The fear of the non-producing States that the abolition of the private manufacture of arms would be detrimental to their interests is unjustified, as, even in the present state of affairs, arms are only consigned by a private factory with the assent of the Government on whose territory that factory is situated. At the present time the control over all exports of arms and munitions from their territory exercised by producing States in the sole interests of their national policy leads to the result that the non-producing States derive no benefits from the system of private manufacture. The abolition of this system would not therefore modify the situation of non-producing States in any respect.

There is already a tendency among non-producing States to create arms factories on their own territory with a view to making themselves independent of foreign countries in respect of the organisation of their national defence. This policy has nothing to do with the problem of the abolition of private manufacture, as, from the point of view of a non-producing State, it is immaterial whether it is dependent in time of peace upon supplies obtained from the factories of a foreign State or upon supplies from factories which, though private, are in practice under the control of a foreign State.

4. Under the Hague Convention, belligerent States are only entitled to obtain new stocks from neutral private manufacturers and are prevented from procuring them from neutral State enterprises. From that it has been inferred that the abolition of private manufacture would prevent non-producing States from obtaining fresh supplies in time of war.

The problem of neutrality cannot, however, be considered solely in the light of the Hague Conventions irrespective of the other international agreements, more especially the Covenant

¹ Taking as its starting-point the idea referred to in this paragraph, an idea which it considers essential, the French delegation desires to lay before the General Commission the following questionnaire:

(1) Does the General Commission consider that the problems raised by the private and State manufacture of war material should be examined in connection with the general problem of the limitation and reduction of armaments and that the solutions to be applied to these problems should be included in the General Convention for the Limitation and Reduction of Armaments? *

(2) Does the General Commission consider that the General Convention should include limitations of the manufacture of arms and implements of war or simply publicity as regards such manufacture?

(3) Does the General Commission consider it necessary or not, in order to ensure the efficacy of such limitations or the sincerity of such publicity, to include in the General Convention on the Limitation and Reduction of Armaments provisions under which the various Governments would bind themselves to prohibit the manufacture of arms and implements of war or of certain categories of arms and implements of war by private undertakings? †

In the affirmative, on the basis of what rules will the Committee for the Regulation of the Trade in and Manufacture of Arms and Implements of War have to draw up the list of arms and implements which may only be manufactured in State undertakings?

(4) Does the General Commission consider that, in order to ensure the effectiveness of limitations or the sincerity of publicity regarding the manufacture of arms and implements of war, it is necessary or not to organise this manufacture on an international basis and to appoint an international body affording all the necessary guarantees for the purpose of distributing orders and the material manufactured between suitable centres of production?

(5) Does the General Commission consider that it is sufficient:

(a) To regulate the manufacture of arms and implements of war on a basis common to all States by a uniform system of licences sufficiently stringent to permit of effective supervision, this manufacture being at present subject to very different regulations, often of a very inadequate character, in the various States?

(b) To organise an international supervision of private or State manufacture in the different countries?

(c) To instruct the Committee to lay before it definite proposals for uniform national regulations and for an international supervision of private or State manufacture?

* The Bureau of the Conference proposed (document Conf.D.149, No. 3) that “ the provisions relating to the trade in and manufacture of arms and implements of war shall be included in the same legal instrument as the Convention for the Reduction and Limitation of Armaments ”.

† The Secretariat has prepared a memorandum (document Conf. D./C.C.F.25) outlining the various arguments for or against the abolition of private manufacture.

of the League and the Pact of Paris, which have profoundly altered the legal and moral aspects of this problem. Can States bound by the Covenant of the League or the Pact of Paris use their neutrality as a pretext for treating a State which has resorted to war contrary to the aforementioned instruments and a State victim of an aggression on a footing of equality?

The abolition of private manufacture would make it possible to avoid cases in which Governments, while co-operating with international organisations for the pacific settlement of a dispute, would be exposed, in the absence of international regulation, to pressure from some of their nationals engaged in the private manufacture of arms. By claiming the right to sell arms and munitions to one, and sometimes to both, of the parties to the dispute on the ground that their foreign competitors will do so if they refrain, such private manufacturers would help to defeat international efforts for the pacific settlement of the dispute.

The contradiction would be even more striking if for the same private reasons the nationals of States bound by the Covenant of the League or the Pact of Paris were, in contravention of these instruments, to furnish arms and munitions to a State resorting to force in violation of international law.

5. The fear expressed in certain quarters that non-producing States would constitute considerable stocks of arms with a view to making themselves independent of foreign imports in case of war would appear to be exaggerated. Whatever the extent of the limitation of material under the terms of the Convention, no State—not excluding non-producing States—will be able to constitute stocks in excess of the direct or indirect limits fixed in respect of each of them under the Convention.

6. It has been noted on occasion that, in certain countries, it would be more difficult for Governments to reduce their arms factories on the cessation of hostilities than for private factories, owing to the pressure brought to bear in Parliament by representatives of workers employed in the manufacture of armaments.

It is not for the Disarmament Conference to concern itself with what may happen on the cessation of hostilities—that is, after a war is over. Its purpose is rather to prevent any outbreak of war.

Moreover, so far as is known, it is not the representatives of the workers who, in their respective countries, bring pressure to bear on the public authorities with a view to preventing the abolition or reduction of arms manufacture.

7. The abolition of private manufacture and the concentration of the manufacture of arms in the hands of the State would establish a more clearly defined distinction between war production and peace production; this is highly desirable, since, in view of the fact that many industrial undertakings manufacture both arms and other products, there is a risk of the clandestine manufacture of war material in spite of the existence of strict international supervision.

Furthermore, a clear distinction between peace-time and war-time production would render much more difficult the peace-time adaptation of private factories working mainly for pacific requirements to military use in case of war. The potential of industrial countries, without being abolished, might, however, not be utilised for war until after a certain process of adaptation, which would begin only after the opening of hostilities. The private manufacture of arms, by reason of its mixed character, enables industrial States to prepare well in advance in peace-time for the immediate utilisation of factories for military purposes.

8. It was observed that it would be difficult to define war industries; that difficulty, however, is not peculiar to the problem of the abolition of private manufacture, but recurs also in connection with the regulation of such manufacture. The difficulty is less serious in reality than in appearance, since the point is not to suppress the private manufacture of all products capable of being used for purposes of war (*e.g.*, chemical products), but only those which are obviously designed for military purposes (*e.g.*, rifles, machine-guns, guns), the sale of which has often produced “evil effects”. This distinction might be exactly defined as a result of a study which has not yet been undertaken by the Committee.

9. The abolition of arms manufacture is not designed to concentrate in the hands of the State all manufacture that might serve to produce arms. The sole object is to reserve to the State that part of industrial production whereby a product undergoes the first transformation which renders it unfit for pacific purposes and destines it exclusively for military use.

10. The abolition of private manufacture and the substitution of some other system may, no doubt, involve financial burdens for the producing States. But certain countries, it should be noted, are at present re-organising their affairs in the opposite direction—*i.e.*, they are attempting to reduce their State production by encouraging the development of the private war industry. This transformation, which is proceeding with the assistance of direct or indirect subsidies to private manufacturers, undoubtedly involves expenditure no less considerable than would be involved by the substitution of another system for private manufacture. Further, any expenditure arising out of the abolition of private manufacture could be distributed over a period of several years without constituting any very considerable burden on the annual budgets of the States.

11. The national laws now in force are not such as to prevent the evil effects of an international character which are brought about by private manufacture. These laws aim at ensuring the internal security of the State and take into account only the internal repercussions of private manufacture. They do not place at the disposal of Governments, exempt from any international undertaking in the matter, the means necessary to prevent the evil international effects of private manufacture.

12. The interests of private manufacture encourage differentiation and an increase in the power of the weapons produced, a state of affairs which is not in keeping with the spirit of the Disarmament Convention; the aims should be rather to encourage the standardisation of armaments with a view to making them more readily comparable.

13. To sum up, since the "evil effects" on armaments and on peace cannot be done away with by the solutions proposed by those who are in favour of the maintenance of private manufacture (publicity of licences for manufacture and export), the abolition of private manufacture must be envisaged irrespective of any social or political preoccupations, simply to meet the requirements of the Convention for the Reduction and Limitation of Armaments.

* * *

B. The delegations of Belgium, United Kingdom, Germany, Italy, Japan and the United States of America are of opinion that the proposal for the abolition of private manufacture of arms should not be adopted. In their opinion, the dangers arising from the adoption of this proposal would be greater than those which may be inherent in the existence of private manufacture.

The principal considerations appear to them to be the following:

1. The evil effects alleged to result from private manufacture fall roughly into two classes:

(a) "Misconduct" by individual concerns (interference with the Press, improper influence on Parliaments, etc.);

(b) The supply of arms to undesirable quarters.

Evil effects of the former class, if and where they exist, can be adequately dealt with by national legislation; evil effects of the latter class (which may also arise from State manufacture), would be obviated by proper regulations for the international traffic in arms.

Such evil effects of all kinds as may result from the manufacture of arms, both State and private, will be automatically reduced by the acceptance of an effective limitation and reduction of war material.

2. Those countries which possess private manufacturing establishments would, if these were suppressed, be compelled to extend greatly their State establishments, either by building new State factories or by buying out the existing private concerns. Either alternative would require a very heavy outlay of capital and an increase in military budgets, which many States are not in a position to incur, and would also entail a serious and undesirable dislocation of labour.

3. A large proportion of private firms who receive contracts for the manufacture of arms are primarily engaged on other branches of production of a purely civil character. By placing orders with such firms Governments are afforded an elastic source of supply. If they were deprived of it they would be compelled to expand their State factories to a disproportionate and uneconomic extent.

4. Governments may, in some cases, find it difficult to reduce their armament establishments to minimum limits owing to their obligations to the labour engaged therein. Under a system of private manufacture, labour displaced by a reduction of orders for armaments can usually be diverted to other branches of production.

5. Countries in which manufacturing establishments do not exist, or exist only on a restricted scale, would inevitably tend to set up their own State factories. Under the terms of the thirteenth Hague Convention (Article 6) of 1907,¹ it is a breach of neutrality for a neutral Government to supply ammunition or war material to a belligerent Government. If, therefore, private manufacture were abolished, a belligerent Government would be dependent exclusively in time of war on its own output and that of its allies. Governments might thus feel bound to prepare for the eventualities of war by collecting large stocks of arms and by themselves setting up arms factories, or extending those which they already have.

6. The discussion which has already taken place in the Committee shows that a preliminary decision on the two points under reference (abolition and the internationalisation of the manufacture of arms) is a condition precedent to any useful work by this Committee with regard to the manufacture of arms.

* * *

Ad 2. — The Committee submits the following observations on the subject of the internationalisation of arms factories:

¹ Convention concerning the rights and duties of neutral Powers in case of maritime war.

A. The Turkish delegation proposes the internationalisation of all arms factories and puts forward the following arguments in favour of its proposal:

Producing countries are bound to develop their war industry unduly and the industry will daily become more powerful, leading necessarily to a race in armaments. With regard to private manufacture, the position is the same, for the reasons already referred to when it was proposed to abolish the private manufacture of arms.

If there is a real desire to prevent war and to bring about a genuine reduction of armaments, there must be effective supervision over the manufacture of arms. No effective supervision over arms factories will be possible so long as they are dependent on private capital and private interests, or so long as they depend on the will of States. The only means of regulating the private or State manufacture of arms and implements of war is to internationalise that manufacture.

The internationalisation of the manufacture of arms might be carried out according to the following principles :

1. The capital of all factories of arms and war material, whether private or State-owned, should be placed on an international basis, and international supervision should be exercised over them; moreover, they should be directed by organisations consisting of representatives of all countries in a number proportionate to the armament needs of those countries, which will be fixed in the future Disarmament Convention.

2. The internationalised arms factories will be distributed in producing centres which, from the economic standpoint (regard being had to their geographical situation, means of communication, etc.), are considered most appropriate and most favourable.

3. This distribution should be effected wisely and in such a manner as to allay misgivings. In other words, each producing centre will confine itself to the manufacture of certain arms or ammunition, so that no State can ever have within the limits of its authority a complete range of war equipment, and no country can arm itself simply from the resources of its own industry.

4. In this internationalised manufacture, each State will have an equal interest in the whole of its orders, so that for all States the idea of earning private profit from the manufacture of war material will completely disappear. It should be clearly understood that the orders of every State, in no matter what producing centre, will be executed under the effective and real supervision of all States, which will participate therein on a footing of complete equality. This control may be exercised, for instance, by Parliaments and national assemblies, which will, of course, include workers and peasants' organisations and representatives of other bodies.

As a result of this economic, prudent and reassuring distribution of war industries, a certain number of arms and ammunition factories could be done away with altogether.

* * *

B. This point was not discussed, in view of the interdependence which exists between the question of the abolition of private manufacture and that of internationalisation and of the decision adopted by a majority of the Committee to submit this question of principle to the General Commission for decision.

Conf. D./C.C.F.21, 21a, 21b and 21c.

Geneva, January 17th to June 1st, 1933.

ANNEX 2.

REPLIES TO THE QUESTIONNAIRE CONCERNING THE PRIVATE AND STATE MANUFACTURE OF ARMS AND IMPLEMENTS OF WAR.

At the request of the Chairman of the Committee for the Regulation of the Trade in and Private and State Manufacture of Arms and Implements of War, the President of the Conference sent, on October 28th, 1932, a questionnaire (document Conf. D.A./C.L.5) to the States invited to the Conference, with a view to obtaining certain information regarding the manufacture of arms in the different countries.

Up to June 1st, the Secretariat has received replies from the following forty States:

State	Letter dated	Letter dated	Letter dated
1. Panama	November 4th, 1932	21. Roumania	January 21st, 1933
2. Bulgaria	November 4th, 1932	22. Japan	January 24th, 1933
3. Estonia	November 17th, 1932	23. France	January 26th, 1933
4. Latvia	November 25th, 1932	24. Irish Free State	January 27th, 1933
5. Albania	December 5th, 1932	25. Belgium	January 30th, 1933
6. Portugal	December 5th, 1932	26. China	January 30th, 1933
7. Afghanistan	December 6th, 1932	27. Sweden	February 3rd, 1933
8. Turkey	December 14th, 1932	28. Yugoslavia	February 6th, 1933
9. Siam	December 16th, 1932	29. Finland	January 25th, 1933
10. Poland	December 17th, 1932	30. Netherlands	
11. South Africa	December 20th, 1932	(mother country)	January 13th, 1933
12. Greece	December 20th, 1932	31. Venezuela	February 9th, 1933
13. Iraq	December 21st, 1932	32. Italy	February 10th, 1933
14. Norway	December 29th, 1932	33. Hungary	February 13th, 1933
15. United Kingdom	December 30th, 1932	34. Germany	February 16th, 1933
16. Lithuania	January 3rd, 1933	35. Persia	February 17th, 1933
17. Egypt	January 4th, 1933	36. India	February 18th, 1933
18. Denmark	January 13th, 1933	37. Austria	April 8th, 1933
19. United States of		38. Chile	April 10th, 1933
America	January 19th, 1933	39. Switzerland	April 21st, 1933
20. New Zealand	December 28th, 1932	40. Australia	May 24th, 1933

Most States have answered the various questions separately, which has made it possible to classify the replies by questions.

The categories referred to in certain replies are those established in the draft Convention of 1929 drawn up by the Special Commission for the Supervision of the Private Manufacture and Publicity of the Manufacture of Arms and Ammunition and of Implements of War (document A.30.1929.IX).

FIRST QUESTION.

For the purposes of the manufacture of arms and implements of war, is a special permit required? If so, please give particulars.

REPLIES FROM THE GOVERNMENTS OF:

1. Panama.

Article 127 of the Constitution of the Republic of Panama provides that "only the Government of the nation may import and manufacture arms and implements of war".

2. Bulgaria.

In accordance with the law on the disarmament of the population in Bulgaria, enacted in conformity with the Treaty of Neuilly, the carriage of arms and the manufacture, acquisition and sale of arms, ammunition and implements of war are prohibited.

3. Estonia.

For the purposes of the manufacture of arms and implements of war, a special permit is required, which is issued by the Minister of National Economy in agreement with the Minister of Justice and the Interior and the Minister of National Defence.

4. Latvia.

A special authorisation is necessary for the establishment of industrial undertakings in general. This authorisation is delivered by the Department of Industry of the Ministry of Finance, the Ministry of War being consulted in the case of the manufacture of arms.

6. Portugal.

The manufacture of arms and implements of war is organised in the form of a State monopoly.

Annex.

In connection with this reply the Military General Staff provides the following information:

“Up to the present, no factories for the private manufacture of arms and implements of war have been established in Portugal. It is true that, during the war of 1914-1918, private industry contributed to supplying the allied armies with war material, but such manufacture was only authorised as an exception. The Portuguese State therefore has a monopoly for the manufacture and possession of war material in its establishments, recourse to private industry even for repairs being strictly prohibited.

“Strictly speaking, there are no legal provisions forbidding soldiers serving with the colours to hold paid posts in private armament undertakings. There are, however, legal provisions absolutely forbidding any soldier, whatever his rank, to engage in any kind of trade.”

7. Afghanistan.

For purposes of the manufacture of arms and implements of war, no special permit is required within the territory under the jurisdiction of the Royal Afghan Government.

8. Turkey.

The manufacture of arms and implements of war is subject to a State monopoly in Turkey. Individuals and private undertakings wishing to manufacture or sell arms and implements of war are obliged to obtain a special permit in accordance with the stipulations of Article 57, paragraph 1, of the Budgetary Law of April 18th, 1341, No. 627.

9. Siam.

A special permit must be obtained in accordance with Section 22 of the Fire-arms and Ammunition Act:

“Section 22. — Any person wishing to manufacture or trade in fire-arms and ammunition, or repair fire-arms, must apply for permission to the competent Minister, who may grant a licence for that purpose as he may think fit.”

10. Poland.

In order to undertake the manufacture of arms and ammunition, it is necessary to have a licence in accordance with Article 8, paragraph 4, of the Decree of the President of the Republic, dated June 7th, 1927, with regard to industrial legislation (*Legal Gazette of the Polish Republic*, No. 53, item 468).

The said Decree in its Article 8, paragraph 3, subordinates the manufacture of pyrotechnic and explosive materials to the same conditions.

The manufacture of side arms is not subject to regulations; nevertheless, the central authorities are entitled to subordinate this manufacture to the conditions applicable to the production of fire-arms.

11. South Africa.

No special permit is required to manufacture arms, etc., but no individual other than a member of the Union Defence Forces may be in possession of a fire-arm without a permit.

12. Greece.

A special authorisation from the Minister of the Interior is necessary to engage in the manufacture of arms and implements of war in Greece.

13. **Iraq.**

Article (1) of Arms Act Regulations of 1919 provides that no person within the areas to which this act applies shall:

- (a) Carry any fire-arm without an official licence; or,
- (b) Possess any fire-arm; or,
- (c) Sell, buy, repair any fire-arm or any part thereof. Also he is not allowed to deal in cartridges, bullets, primers and gunpowder.

Article (1) of the Law Amending Arms Act Regulations of 1919, No. 47 of 1932, amending Article (4) of the said act provides that licences may be issued to possess or carry a rifle, or to traffic in arms or ammunition, or repairing or accepting them for repair.

Such licences may be issued with or without fees at the discretion of the Minister of Interior.

14. **Norway.**

No special authorisation is necessary in Norway to engage in the manufacture of arms and implements of war.

15. **United Kingdom.**

The Explosives Act, 1875, the Fire-arms Act, 1920 (Sections 2, 6 and 8, and the Second Schedule), the Treaties of Washington Act, 1922, and the London Naval Treaty Act, 1930, are the legal instruments governing the need for permits for the purposes of the manufacture of arms and implements of war in the United Kingdom.

16. **Lithuania.**

The manufacture of arms and implements of war may only be carried on in the State factories.

“ Among the establishments exclusively reserved to the State are the ordnance and arms factories, with the exception of factories of sporting-guns, which may be set up by private persons. ” (Industrial Code, 1893 edition, Section 63.)

18. **Denmark.**

There are no special legislative provisions in Denmark regarding authorisation to carry on the manufacture of arms and implements of war; such manufacture is free.

A special permit from the Ministry of Justice, however, is required for the manufacture of explosives, in addition to the requirements laid down in the general legislation for the exercise of industry and trade.

No such permit is necessary, however, for the manufacture of powder consisting of saltpetre, carbon and sulphur only, or for the manufacture of cartridges containing smokeless shooting powder, when they are intended for use in small arms, or, lastly, for the manufacture of primings and detonators to be used in making percussion caps or similar inflammable appliances or in manufacturing lighters or other articles of everyday use.

19. **United States of America.**

No special permits are required by the Federal Government. Some of the several States of the Union require special licences for the manufacture of and traffic in arms, but these licences are required solely with a view to the prevention of crime and the safety of the public against accidents resulting from carelessness in the storage and transportation of explosives.

20. **New Zealand.**

Case not yet envisaged, and no legislation exists, but certain permits would be required if the case ever arose.

21. Roumania.

Under present legislation, no *special* authorisation is required, but all authorisations for any industrial undertakings utilising a considerable amount of power are subject to the previous consent of the Ministry of National Defence.

22. Japan.

(a) Not only are the manufacture, transformation and improvement (repair) of fire-arms and gunpowder (non-military as well as military) forbidden to anyone not especially authorised by the competent administrative office, but such operations (*i.e.*, manufacture, transformation and improvement) are subject to strict Governmental supervision and control. (Cf. Law for the Control of Fire-arms and Gunpowder, 1910; Rules concerning the Operation of the Law for the Control of Fire-arms and Gunpowder, Imperial Ordinance No. 16, 1911; Detailed Provisions concerning the Operation of the Law for the Control of Fire-arms and Gunpowder, ordinance of the Department of Interior No. 2, 1911. Regulations of similar purport are in force also in Chosen, Taiwan and the Kwantung Leased Province.)

(b) Special authorisation by the competent administrative office must be obtained also in connection with naval vessels; and all operations (*i.e.*, construction, repair, etc.) in connection with naval vessels are subject to the control of the competent administrative office. (Cf. Law concerning the Execution of the Treaty for the Limitation of Naval Armaments, Law No. 2, 1924. This law applies also in Chosen and Taiwan, and governmental control is exercised in pursuance of this law also in the Kwantung Leased Province and the mandated South Sea Islands. Cf. Regulations relating to the Law concerning the Execution of the Treaty for the Limitation of Naval Armaments, Ordinance of the Department of Navy No. 7, 1924.)

23. France.

A distinction must be made between arms and unfilled ammunition on the one hand and explosives and filled ammunition on the other.

A. The manufacture of, and trade in, arms of all kinds which are not French service patterns are entirely free under the Law of August 14th, 1885. The law is very general in its terms and is applicable to guns, gun-carriages, cartridge cases and unfilled shells.

Manufacture, trade, import and transit are entirely free in the case of arms, parts of arms, or unfilled ammunition of French service patterns under the Law of August 14th, 1885, subject to a declaration to be made previously to the Prefect of the Department and the keeping of a register, duly numbered and initialled, of day-to-day operations.

It should, however, be pointed out that the Law of April 13th, 1895, allows of the prohibition of export of all arms or ammunition by decree issued on the proposal of the Minister of War, with the approval of the Minister of Commerce and the Finance Minister, subject to exceptions justified by the destination, which is guaranteed by releases on deposit (*acquits à caution*) discharged by consular agents in France.

B. In the case of the trade in, and manufacture of, explosives and filled ammunition, the position is as follows:

(a) The Powder Monopoly is alone responsible under the Law of Fructidor 13th of the Year V (August 30th, 1797) for the manufacture of the following explosives: gunpowder, sporting gunpowder, guncottons of all kinds, and nitred, nitrated or chlorated high explosive.

(b) The possession, circulation and public sale of such are entrusted to superintendents of the Finance Administration.

(c) The manufacture of dynamite is subject to authorisation to be obtained beforehand by decree in accordance with a special procedure which involves, among other things, a cautionary deposit, and includes provision for the possible cancellation of the concession by decree on the advice of the Council of State, without compensation, for reasons of public safety (Decree of August 24th, 1875). Liquid oxygen explosives may also be manufactured since the passing of the Law of April 29th, 1926.

(d) Explosives depots are subject to the regulations of the Decrees of June 20th, 1915, as amended by the Decree of February 2nd, 1928. Rail transport of explosives is governed by the regulations of 1897.

(e) Pyrotechnic factories and cartridge-filling workshops for mining and all other explosives are subject to the Law of 1917 on inconvenient, unhealthy and dangerous establishments.

No special regulation governs the production of the material coming under Category IV of the draft Convention of 1929 (aircraft and aircraft engines).

24. Irish Free State.

A special permit for the manufacture of arms and implements of war would be required. (See also reply to question 2.)

25. Belgium.

No special permit is required for the purposes of the manufacture of arms except in the case of material for the Belgian army.

There is, however, a law governing the manufacture of, and trade in, arms and ammunition and the carrying of arms.

Under this law, any person wishing to manufacture and trade in arms and ammunition is required to make a declaration in advance to the municipality of the place in which the factory, warehouse or workshop is situated.

The Belgian Government exercises very strict supervision over the whole of the arms industry through the fire-arms testing centre at Liège, which is responsible for enforcing the Law of May 24th, 1888, according to which:

“ No person may sell, offer for sale, or have in his ware house, shops or workshops any arm or part of an arm liable to be tested which has not been tested and marked with the proper stamps for its degree of completion.

“ Any person selling, offering for sale, or keeping in his warehouses or workshops an arm of a different calibre from that shown by the stamp it bears is liable to a fine, and the arm in question shall be confiscated.

In consequence of these regulations, the Royal Government has a very accurate knowledge of the output of the Belgian arms industry.

In order to be able, if necessary, to supervise the external traffic in arms, the Government has caused the Houses of Parliament to ratify the Geneva Convention of June 17th, 1925, on the Supervision of the International Trade in Arms, Ammunition and Implements of War.

The Convention is ready to be approved and published as soon as the suspensory condition on which the Belgian Government made its ratification contingent is fulfilled.

26. China.

In China there is no private manufacture of arms and implements of war. Therefore, the question of private permits does not arise.

27. Sweden.

No. No special authorisation is required in order to undertake the manufacture of arms or of war materials.

28. Yugoslavia.

Under the terms of the law on the manufacture, import, export and sale of gunpowder, explosives and other detonating compounds passed in 1930:

(a) The manufacture, import, export and sale of gunpowder, fuses for explosives, other detonating compounds, military weapons and parts thereof, as also the import of non-military weapons and parts thereof, is the exclusive monopoly of the State.

(b) The State has the sole right to import or manufacture gunpowder, military weapons and ammunition.

(c) In agreement with the Minister of Commerce and Industry, the Ministry for the Army and the Marine may cede to the private industry of the country for a period of fifteen years the right to manufacture, and sell wholesale, fuses for explosives, explosives, other detonating compounds, imported non-military weapons, non-military ammunition and parts thereof, and also the right to manufacture parts of military weapons and ammunition. The setting-up and working of such establishments are subject to the general provisions of the law; the supreme control over them is exercised exclusively by the Minister for the Army and the Marine.

It follows from the foregoing that, not only is the establishment of undertakings for the manufacture of arms and other implements of war dependent upon a Government permit, but the State alone has the right of manufacture and export. In exceptional cases and only for articles specified under (c), the right to manufacture and to sell wholesale may be ceded to private enterprise in the country; but, even in such cases, the supreme control over the manufacture and sale is exercised by the Ministry for the Army and the Marine. Permits for such concessions to private industry

for the manufacture and sale of the articles specified is granted by the Minister for the Army and the Marine on the request of the undertakings concerned, in accordance with the provisions of the law as set up by a special regulation.

29. **Finland.**

The Law on Arms and Ammunition which will come into force on April 15th, 1931, stipulates that fire-arms and ammunition may only be manufactured after obtaining a special permit which may, according to the draft regulations for the said law, be issued by the Governor of the province concerned.

The manufacture of other categories of implements of war is not subject to any special legislation.

30. **Netherlands.**

A. *Mother Country.* — A special authorisation is necessary in order to undertake the manufacture of arms and implements of war; the authorisation may be subject to special conditions so as to ensure that, during manufacture, the Government's wishes are taken into account.

B. *Oversea Territories.* — A special permit is required for purposes of the manufacture of arms and implements of war.

31. **Venezuela.**

According to Article 5 of the National Law on the subject, the National Government alone may undertake the manufacture of arms and war material, in accordance with rules laid down by it in advance.

32. **Italy.**

According to Article 28 of the single text of the laws on Public Security, approved by Royal Decree of June 18th, 1931, No. 773, a licence from the Ministry of the Interior is necessary for the manufacture, import and export of weapons of war and similar arms, or parts thereof, ammunition, military uniforms, or other articles intended for the arming or equipment of the armed forces.

33. **Hungary.**

Arms and implements of war can only be manufactured with a permit from the Ministry of National Defence except in the case of arms not exclusively intended for military purposes—such as sporting rifles and pistols—the manufacture of which is regulated on the basis of a permit from the Ministry of Commerce.

34. **Germany.**

In Germany, a special permit is required for the manufacture of arms and implements of war. This permit is granted in virtue of the law of July 27th, 1927.

35. **Persia.**

The manufacture of arms and ammunition is solely reserved to State undertakings.

36. **India.**

No special permit for the manufacture of arms and implements of war is required by Government factories. As stated in reply to question 4, there are no private undertakings engaged in the manufacture of the articles coming under the draft Convention. There is, however, in existence a provision of law (Section 5 of the Indian Arms Act, 1878) which requires that, in so far as private manufacture is concerned:

“ No person shall manufacture, convert, or sell, or keep, offer or expose for sale, any arms, ammunition or military stores except under a licence and in the manner and to the extent permitted thereby. ”

37. **Austria.**

In accordance with the Law of January 17th, 1928, on the manufacture, importation and exportation of war material, the manufacture of implements of war of all kinds (arms, ammunition and miscellaneous material) is forbidden in Austria. In these circumstances, the private manufacture of arms and ammunition is confined to articles not covered by that law—namely, the arms and ammunition included in Category V of the draft Convention (document A.30.1929.XI) and certain arms and ammunition in Category II, as the arms and ammunition included in the latter category do not altogether correspond to the terms of the Austrian law mentioned above.

In so far as the private manufacture of the arms and ammunition coming under Category II is permitted under the Law of January 17th, 1928 (and also for the manufacture of the arms and ammunition coming under Category V), a permit (licence) is required in accordance with Section 15, paragraph 10, of the Trade Code. As under the Law of December 13th, 1919, all powder, ammunition and explosives constitute a Government monopoly, their manufacture is also subject to a special permit from the Federal Ministry of Military Affairs.

38. Chile.

There is no legislation governing the installation in Chile of private undertakings for the manufacture of arms and implements of war.

39. Switzerland.

In Switzerland, no special authorisation is required in order to manufacture arms and implements of war, as the manufacture of fire-arms and other implements of war is entirely unrestricted. There are, however, certain exceptions, which are as follows:

(a) The regulation arms of the Federal Army (small arms: rifles and carbines) cannot be sold or manufactured as such by private individuals within the country, as the models, even when not protected by patents, are the property of the Confederation. In practice, the sole purpose of this prohibition is to prevent gunsmiths or arms factories from manufacturing detached parts which might be used for repairing military weapons. For repairs to regulation weapons a special authorisation is required, and the detached parts may only be supplied by the Federal Arms Factory.

(b) Ammunition for military weapons is not manufactured by private individuals, as the Confederation, in the exercise of its sovereign rights, has retained a monopoly of such manufacture. Sporting ammunition for game shooting, which includes both buckshot cartridges and ball cartridges, may be and is actually manufactured by private enterprise. Gunsmiths purchase powder from the Powder Administration for this purpose. As regards cartridge cases, projectiles and buckshot, they may procure supplies without restriction.

40. Australia.

A special permit for the private manufacture of arms and implements of war is not required by any law of the Commonwealth.

SECOND QUESTION.

What undertakings in the territory under jurisdiction of your State are chiefly or largely engaged in the manufacture of the articles coming under categories I, II, III and IV of the 1929 draft Convention with regard to the Supervision of the Manufacture of Arms and Implements of war (document A.30.1929.IX) ?

- (a) *Are they State-owned ?*
- (b) *Or are they operated, subsidised, under concession or under supervision by the State ?*
- (c) *Or are they entirely private undertakings ?*

REPLIES FROM THE GOVERNMENTS OF:

1. Panama.

There are none. The country depends on abroad for all supplies of arms. The replies to questions (a), (b) and (c) are in the negative.

2. Bulgaria.

In accordance with the law on the manufacture, importation and exportation of war material, it is forbidden to manufacture in Bulgaria other implements of war than those required by the Army, the Gendarmerie and the Police.

Only the State war factory may manufacture the implements of war required by the Army, the Gendarmerie and the Police.

3. Estonia.

In the territory under the jurisdiction of Estonia there are no undertakings for the manufacture of the articles coming under categories I, II, III and IV of the 1929 draft Convention with regard to the Supervision of the Manufacture of Arms and Implements of War.

4. Latvia.

The undertakings engaged in the manufacture of articles coming under category I of the 1929 draft Convention with regard to the Supervision of the Manufacture of Arms and Implements of War are the following:

- (a) Arsenal of the Ministry of War (State-owned); ordnance laboratory of the Ministry of War (State-owned);
- (b) Ammunition factory (private undertaking under concession by the State).

6. Portugal.

The undertakings which are engaged in the manufacture of the articles coming under categories I, II and IV are the following:¹

Factory of artillery ammunition, armaments and carriages.
General workshops of aeronautical material:

- (a) They are State-owned.
- (b) No.
- (c) No.

7. Afghanistan.

The only undertaking in the country worth mentioning is an adequate workshop for the repairing of arms and implements which, in addition, makes a very few shells periodically for purely experimental purposes, and a small quantity of swords for the officers only. There are no other establishments for the manufacture of arms and implements of war.

- (a) The above-mentioned workshop for repairs is State property.
- (b) Nil.
- (c) Nil.

8. Turkey.

There are no private undertakings engaged in the manufacture of arms and ammunition in Turkey. The war factories, which belong to the State, are administered by the Ministry of National Defence.

There is no undertaking in Turkey coming under the categories enumerated in paragraphs (b) and (c) of this questionnaire.

Note. — The gunpowder and explosives factory placed under the orders of the Ministry of Monopolies is intended, in conformity with Law No. 672 of November 28th, 1341, to manufacture and sell material the use of which by individuals is not prohibited.

9. Siam.

There are two workshops in the Ministry of Defence: one is under the control of the military arsenal and the other under the naval arsenal. These workshops are engaged in the repair of arms and implements of war bought from foreign countries. They have no equipment for manufacturing arms; they can produce a small quantity of ammunition, powder and explosives.

Besides the two workshops mentioned above, there are the naval dock and the aeronautical workshop. The naval dock, however, is not capable of constructing warships and the aeronautical workshop is not capable of constructing motors or complete flying machines.

All these enterprises are State-owned and under the management of His Majesty's Government.

There are no private undertakings engaged in the manufacture of arms and implements of war.

¹ In the reply to No. 2 of the questionnaire, no reference has been made to the manufacture of the articles mentioned in category III of the draft Convention (document A.30.1929.IX), which relates to "warships and their armament".

10. Poland.

1. The State factories for the manufacture of arms (Panstwowe Wytwornie Uzbrojenia):
 - (a) Arms factory at Radom;
 - (b) Rifle factory at Warsaw;
 - (c) Factory for arms-testing implements at Warsaw;
 - (d) Ammunition factory at Skarzysko.

All the factories mentioned above are State-owned.

2. The works of the "Pocisk" ammunition factory at Warsaw, which produce arms and ammunition. This is a private undertaking and an incorporated company.
3. The military pyrotechnic establishment at Rembertow, which engages in the preparation of shells. State-owned.
4. "Norblin, Br. Buch i T. Werner" works at Warsaw. Production of ammunition for fire-arms. Private property; incorporated company.
5. "Perkun" engine factory at Warsaw. Manufacture of bayonets. Privately owned; limited liability company.
6. "H. Kolberg and Co.", factory of optical instruments and apparatus at Warsaw. Manufacture of optical instruments. Privately owned.
7. State aeronautical works at Warsaw. Manufacture of aeroplanes. State-owned.
8. "Skoda" works at Warsaw; Okecie. Manufacture of aeroplane engines. Privately owned; incorporated company.
9. State military engineering works at Warsaw. Manufacture of tanks. State-owned.
10. "Plage and Leskiewicz" works at Lublin. Manufacture of aeroplanes. Privately owned.
11. "Arma" arms and industrial machinery factory at Lwow. Repair of arms. Privately owned; limited liability company.
12. Aeroplane manufacturing works at Biala Podlaska. Manufacture of aeroplanes. Private establishment under supervision by the State; limited liability company.
13. "Granat" metallurgical works at Kielce. Production of ammunition. Privately owned; incorporated company.
14. "Starachowickie Zaklady Gornicze" works at Starachowice. Production of arms and ammunition. Incorporated company, but about 55 per cent of the shares held by the State, which thus has a controlling interest.

11. South Africa.

There are no undertakings in the Union of South Africa engaged in the manufacture of articles coming under Categories I, II and III of the 1929 Draft Convention with regard to the Supervision of the Manufacture of Arms and Implements of War.

With regard to Category IV, certain military aircraft are manufactured at the headquarters of the South African Air Force, the raw material and engines being imported from overseas.

The undertaking is State-owned and does not manufacture for trade.

12. Greece.

(a) "Greek Gunpowder and Cartridge Works." The cartridges manufactured correspond exactly to the definition given under A, Category I, in Article I of the Draft Convention (document A.30.1929.IX). This is an entirely private undertaking.

(b) "Phalera Aeroplane Factory." State-owned. This factory is operated by the British "Blackburn Aeroplane and Motor Company", subsidised and supervised by the State. It only manufactures military aeroplanes and undertakes the overhauling and repair of engines.

13. Iraq.

Nil.

14. Norway.

The following is a list of the undertakings existing in Norwegian territory and chiefly engaged in the manufacture of articles coming under categories I, II, III and IV of the 1929 draft Convention with regard to the Supervision of the Manufacture of Arms and Implements of War:

Norma Limited, projectile factory;
Raufoss ammunition factories;

Kongsberg arms factory;
Army aeroplane factories;
Principal naval dockyard;
Naval artillery workshop;
Naval mines workshop;
Naval aeroplane factories;

Of these undertakings, only the first, Norma Limited, is an entirely private undertaking. All the others are State undertakings.

15. United Kingdom.

The conditions under which the manufacture of articles coming under Categories I, II, III and IV of the 1929 Draft Convention is carried out are such as to present difficulties in answering categorically the points arising under this question. To attempt to do so, in fact, might result, not only in confusing the issues, but in giving a false impression of the methods employed.

The State factories which are chiefly or largely engaged in armament manufacture are:

The Royal Arsenal, Woolwich;
The Royal Gunpowder Factory, Waltham Abbey;
The Royal Small Arms Factory, Enfield;
The Royal Naval Torpedo Factory, Greenock;
The Royal Naval Cordite Factory, Holton Heath;
The Royal Naval Dockyards—Portsmouth, Devonport and Chatham.

With the possible exception of certain firms manufacturing sporting weapons, and a few firms manufacturing aircraft (civil and military), there are no private undertakings in the United Kingdom which can strictly be described as engaged chiefly or largely in armament manufacture. Even the largest firms, such as Vickers-Armstrong, making armaments in this country devote only a portion of their time and output to this form of work, their other activities being entirely unconnected with armaments. It is the practice of the larger, and sometimes of the smaller, undertakings which accept armaments contracts, to rely—as do the State factories—on other firms for the supply of components or parts which they may require for the completed article. An undertaking which may receive an order from a firm manufacturing armaments cannot thereby be described as an undertaking chiefly or largely engaged in armament work, although, in point of fact, it may manufacture armaments or parts of armaments as part of its other activities. Again, firms obtaining contracts for war materials one year may not do so the next year. It will be seen, therefore, that no useful purpose will be served by attempting to give a list of private undertakings such as is apparently required to answer this question.

None of the private firms which receive any sort of contract from His Majesty's Government in the United Kingdom for production of war materials is exploited, subsidised, under concession or under supervision by the State; all are purely private undertakings.

16. Lithuania.

There are no undertakings engaged in the *manufacture* of the articles coming under categories I, II, III and IV of the 1929 draft Convention with regard to the Supervision of the Manufacture of Arms and Implements of War, but there is a *repair* workshop for articles in categories I and II and a *repair* workshop for articles in category IV. These repair workshops are State-owned.

18. Denmark.

The following are the private establishments in Denmark which manufacture arms and implements of war coming under categories I, II, III and IV of the 1929 draft Convention with regard to the Supervision of the Manufacture of Arms and Implements of War:

The " Dansk Rekyllriffel Syndikat ", Copenhagen;
The " Dansk Ammunitionsfabrik ", Otterup;
Messrs. Schultz and Larsen, Otterup.

In addition to the above private concerns, there are also the State establishments mentioned hereunder:

Army Arsenal, Copenhagen;
Army Laboratory, Copenhagen;
Army Powder Works, Frederiksvaerk;
Navy Artillery Arsenal, Copenhagen;
Navy Artillery Laboratory, Copenhagen;
Navy Artillery Workshops, Copenhagen;
Marine Mine Department, Copenhagen.

19. United States of America.

(a) State-owned:

Watertown Arsenal;
Watervliet Arsenal;
Frankford Arsenal;
Picatinny Arsenal;
Springfield Armory;
Rock Island Arsenal;
Portsmouth Navy Yard;
New York Navy Yard;
Philadelphia Navy Yard;
Mare Island Navy Yard;
Puget Sound Navy Yard;
Newport Naval Torpedo Station;
Indian Head Naval Powder Factory;
Washington Naval Gun Factory;
Baldwin Naval Ordnance Plant;
Philadelphia Naval Aircraft Factory.

(b) None.

(c) Private undertakings:

Sperry-Gyroscope Co., Manhattan Bridge Plaza, Brooklyn, N.Y. Principal products: marine and aeroplane instruments, searchlights, fire control apparatus.
United States Wheel Track Layer Corporation, Linden, N.J. Principal products: tanks (category I, sub-division II).
Auto-Ordnance Corporation, 302, Broadway, New York. Principal products: automatic rifle, known as Thompson sub-machine-gun.
Colt's Patent Fire Arms Mfg. Co., Hartford, Conn. Principal products: revolvers, pistols, machine-guns, washing machines, dish-washers, electrical switches, fuses, etc.
Harrington & Richardson Arms Co., Worcester, Mass. Principal products: revolvers, shot guns.
Iver Johnson Arms & Cycle Works, Fitchburg, Mass. Principal products: revolvers, shot guns, bicycles.
Marlin Firearms Company, New Haven, Conn. Principal products: rifles and shot guns.
Peters Cartridge Co., Kings Mills, Ohio. Principal products: cartridges and shot shells.
Remington Arms Company, Inc., Bridgeport, Conn. Principal products; rifles, shotguns, ammunition, cutlery.
Savage Arms Corporation, 100, East 42nd St., New York. Principal products: rifles, pistols, shot guns, washing machines, electric refrigerators and other electrical appliances. Formerly manufactured Lewis machine-guns.
Sedgley, R. F. Inc., 2311, N. 16th St., Philadelphia. Principal products: rifles and pistols.
Smith & Wesson, Springfield, Mass. Principal products: revolvers and pistols.
Western Cartridge Company, East Alton, Ill. Principal products: ammunition, rifles, shot guns, cutlery, sporting goods.
Bath Iron Works Corp., Bath, Maine. Principal products: merchant vessels and large vessels of war.
Bethlehem Shipbuilding Corporation, Ltd., Bethlehem, Pa. Principal products: merchant vessels and large vessels of war.
Electric Boat Company, 5, Nassau St., New York City. Principal products: submarines and motor-boats.
Newport News Shipbuilding & Dry Dock Co., Newport News, Va. Principal products: merchant vessels and large vessels of war.
New York shipbuilding Corporation, Camden, N.J. Principal products: merchant vessels and large vessels of war.
American Eagle-Lincoln Aircraft Corporation, Kansas City.
Amphibions (Inc.), Garden City, Long Island, N.Y.

Arrow Aircraft and Motors Corp., Havelock, Nebraska.
Bellanca Aircraft Corporation, New Castle, Delaware.
Bird Aircraft Corporation, Glendale, Long Island, New York.
B/J Aircraft Corporation, Baltimore, Maryland.
Consolidated Aircraft Corporation, Buffalo, New York.
Curtiss-Wright Corporation, 27, W. 57th St., New York City.
Douglas Aircraft Corporation, Santa Monica, California.
Ford Motor Company, Dearborn, Michigan.
General Aviation Manufacturing Corporation.
Granville Brothers Aircraft (Inc.), Springfield, Mass.
Great Lakes Aircraft Corporation, Cleveland, Ohio.
Grumman Aircraft Engineering Corporation, Valley Stream, Long Island, New York.
Hall-Aluminium Aircraft Corporation, Buffalo, N. Y.
Heath Aircraft Corporation, Chicago, Illinois.
Kellett Autogiro Corporation, Philadelphia, Pa.
Keystone Aircraft Corporation, Bristol, Pa.
Kredier-Reisner Aircraft Co. (Inc.), Hagerstown, Md.
E. M. Laird Airplane Co., Chicago, Illinois.
Lockheed Aircraft Co., Burbank, California.
Martin Company, The Glenn L., Baltimore, Md.
Monocoupe Corporation, Robertson, Missouri.
Nicholas-Beazley Airplane and Motor Co., Marshall, Mo.
Pitcairn Aircraft (Inc.), Willow Grove, Pa.
Rearwin Airplanes (Inc.), Kansas City, Kansas.
Spartan Aircraft Company, Tusa, Okla.
Stinson Aircraft Corporation, Wayne, Mich.
Swallow Airplane Co., Wichita, Kansas.
Waco Aircraft Co., Troy, Ohio.
Wedell-Williams Air Service Corporation, Patterson, La.
Allison Engineering Co., Indianapolis, Indiana.
Axelson Manufacturing Co., Ltd., Los Angeles, Calif.
Continental Aircraft Engine Co., Detroit, Mich.
Guiberson Diesel Engine Co., Dallas, Texas.
Jacobs Aircraft Engine Co., Pottstown, N.J.
Kinner Airplane and Motor Corporation, Glendale, Calif.
Lycoming Manufacturing Co., Williamsport, Pa., and subsidiary: Spencer Heating Company.
Menasco Motors (Inc.), Los Angeles, Calif.
Szekeley Aircraft and Engine Company, Holland, Mich.
United Aircraft and Transport Corporation, 230, Park Avenue, New York City, including following subsidiaries (manufacture aeroplanes and engines):

Boeing Airplane Company,
Change Vought Corporation,
Pratt and Whitney Aircraft Co.,
Sikorsky Aviation Corporation.

Wright Aeronautical Corporation, Paterson, N.J.

20. New Zealand.

The Colonial Ammunition Company, Auckland, manufactures small arms ammunition, both military and sporting, and so come under categories I and II of the 1929 Draft Convention with regard to the Supervision of the Manufacture of Arms and Implements of War. The company is entirely private.

21. Roumania.

Undertakings situated in Roumanian territory:

Category I.

(a) *Belonging to the State:*

Artillery Arsenal (repairs only);
Engineers Arsenal (repairs only);
Military Arsenal (infantry ammunition).

(b) *With State participation:*

Copsa-Mica-Cujir (is not yet equipped and therefore manufactures nothing for the moment).

(c) *Private*:

Resita
Astra
Riger
Schiell
Bratasano

All these undertakings have very limited possibilities as regards the manufacture of implements of war. With the exception of Resita, which is able to manufacture barrels for guns, these concerns are only equipped for repairs, and their conversion would entail considerable expense and take at least six months.

Category II.

Nil.

Category III.

(a) *Belonging to the State*:

Three naval yards (repairs only).

Category IV.

(a) *Belonging to the State*:

Air arsenal (repairs only).

(b) *With the participation of the State*:

I.A.R. (Roumanian Aeronautical Industry). Manufactures aeroplanes, but with engines most of the parts of which are imported.

(c) *Private*:

S.E.T. (Zamfiresco aeroplane factory). Manufactures cellules of aeroplanes but not engines.

22. **Japan.**

- (a) They are, for the most part, Government-owned.
- (b) There is nothing corresponding to these items.
- (c) A small part is private enterprise.

23. **France.**

In the case of the Ministry of War and Ministry of Marine, the only establishments engaged chiefly or largely in the manufacture of the articles coming under categories I, II and III of the 1929 draft Convention are establishments which are owned by the State (constructional establishments and powder factories) and entirely private undertakings.

There are no exploited or subsidised undertakings under concession or supervision by the State. The State places orders for material with certain private factories; but the remuneration in such cases is the exact equivalent of the service rendered.

In the case of the Air Ministry, the *undertakings* on French territory which are chiefly or largely engaged in the manufacture of the articles coming under category IV of the draft Convention for the Supervision of the Manufacture of Arms and Implements of War of 1929 (aircraft and aircraft engines) are *private*.

These various establishments are listed in the following tables:

LIST OF UNDERTAKINGS, STATE AND PRIVATE, MANUFACTURING ARMS AND AMMUNITION AND IMPLEMENTS OF WAR.

Note. — The following list is very full. It includes a number of establishments which are only to some extent—often only to a very small extent—concerned with the manufacture of arms, ammunition or implements of war.

Designation of establishment	Designation of articles in categories I, II, III and IV of the draft Convention of 1929 on the Supervision of the Manufacture of Arms and Implements of War
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A. *State Establishments.*

Ecole centrale de Pyrotechnique de Bourges	} Category I. — Art. 6, 9, 12. — § B. Category II. — Art. 1, 3. Category I. — Art. 5a, 5b, 5d, 6, 12. — § B. Category I. — Art. 6, 8b. — § B. Category I. — Art. 3, 4, 5a, 5d. — § B. Category I. — Art. 3 and 6. Category I. — Art. 6, 8a, 8b. — § B. Category I. — Art. 2b, 3, 5d, 6, 8a, 9. — § B.
Atelier de construction de Bourges	
„ Lyon	
„ Puteaux	
„ Rennes	
„ Roanne	
„ Tarbes	

Designation of establishment	Designation of articles in categories I, II, III and IV of the draft Convention of 1929 on the Supervision of the Manufacture of Arms and Implements of War
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A. State Establishments (continued)

Manufacture Nationale d'armes de Chatellerault	} Category I. — Art. 1, 2a, 6, 8a, 8b, 10, 12. — § B.
„ „ St. Etienne	
„ „ Tulle	} Category II. — Art. 1. — § B.
„ „ Besançon	
Atelier de fabrication de Besançon	} Category I. — Art. 1, 2a, 4, 8a. — § B.
„ „ Toulouse	
„ „ Vincennes	} Category II. — Art. 1.
Cartoucherie de Valence	
Atelier de Pyrotechnie de Bouchet	} Category I. — Art. 1, 2a, 3, 12. — § B.
„ „	
Atelier de chargement de Moulins	} Category I. — § B.
„ „ Salbris	
Parc régional de Clermont-Ferrand	} Category I. — Art. 3, 6.
„ „	
„ „	} Category I. — Art. 3, II.
„ „	
„ „	} Category I. — Art. 3.
„ „	
„ „	} Category I. — Art. 3, 6, 9, 12.
„ „	
„ „	} Category II. — Art. 3.
„ „	
„ „	} Category I. — Art. 6.
„ „	
„ „	} Category I. — Art. 8b.
„ „	
National Powder Factories.	
Poudrerie de Sevran-Livry (Seine et Oise)	} Category I. — § B.
„ „	
„ du Repault (Indre et Loire)	} Category II. — § B.
„ du Moulin Blanc (Finistère)	
„ du Pont de Buis (Finistère)	} „ „
„ d'Angoulême (Charente)	
„ de St. Médard (Gironde)	} „ „
„ de Toulouse (Haute-Garonne)	
„ de St. Chamas (Bouches du Rhône)	} „ „
„ de Sorgues (Vaucluse)	
„ de Vonges (Côte d'or)	} „ „
„ d'Esquerdes (Pas de Calais)	
Direction d'Artillerie Navale de Cherbourg	} Category III. — Art. 1.
„ Brest	
„ Toulon	} „ „
„ Bizerte	
Parc d'Artillerie navale de Rochefort	} „ „
Fonderie de Ruelle	
Direction des Constructions Navales de Cherbourg	} „ „
„ Brest	
„ Lorient	} „ „
„ Toulon	
Etablissement d'Indret	} „ „
„ de Guérigny	

B. Private Establishments.

Schneider & C ^{ie} , Paris	} Category I.—Art. 5a, 5b, 5d, 6.—Art. 8d.— § B
Etablissements Brandt, Paris	
Ateliers et Chantiers de la Loire, Paris	} Category III. — Art. 1 and 2.
Compagnie des Constructions des Batignolles, Paris	
Etablissements Hotchkiss & C ^{ie} , Levallois-Perret.	} Category I. — Art. 5c, 6.
La Précision Moderne, Paris	
Société des Usines Renault, Billancourt	} Category I. — Art. 5c.
Société des Cycles Clément Gladiator, Le Pré St. Gervais	
Société Munitions de Chasse, de Tir et de Guerre, Paris	} Category III. — Art. 1.
Manufactures de Machines du Haut-Rhin, Mulhouse	
Société des Tréfileries et Laminoirs du Havre (Cartoucherie de la Seine), Paris	} Category I. — Art. 5c.
Ateliers mécaniques de Normandie, Paris	
Cartoucherie française, Paris	} Category I. — Art. 2a, 2b.
Société anonyme Fulmen, Richwiller	
Société d'Optique de Haute Précision, Paris	} Category III. — Art. 2.
H. Morin, Paris	
Société des Moteurs à Gaz et d'industrie Mécanique, Paris	} Category I. — Art. 2b.
Etablissements Ruggieri, Paris	
Société de Mécanique générale, Paris	} Category I. — Art. 11.
Société Anonyme Spiertz, Strasbourg	
Nouvelle Société de construction, Guebwiller	} Category I. — Art. 2a.
Société des Etablissements Perbal, Paris	
Société des Etablissements Delaunay-Belleville, St. Denis	} Category I. — Art. 3.
L. Leroyer, Paris	
Société des Etablissements Luchaire, St. Ouen	} Category I. — Art. 3.
Société des Etablissement Billant, Bourges.	
Société pour la fabrication des munitions de l'artillerie, Issy-les-Moulineaux	} Category I. — Art. 3.
Compagnie Générale d'électro-métallurgie, Paris	
Société Anonyme Citroen, Paris	} Category I. — Art. 3.
Société Anonyme des Etablissements Panhard-Levassor, Paris	
Société Anonyme des Etablissements Laffly, Asnières	} Category I. — Art. 12. — § B.
Manufacture française d'armes et cycles, St. Etienne	
Manufactures d'armes automatiques, Bayonne	} Category I. — Art. 12.
Balp, St. Etienne.	

Designation of establishment

Designation of articles in categories I, II, III and IV
of the draft Convention of 1929
on the Supervision of the Manufacture of Arms and Implements
of War

B. *Private establishments* (continued)

Manufacture d'armes du Béarn, Pau	}	Category III. — Art. 1.
Ateliers et Chantiers Maritimes du Sud-Ouest, Bordeaux		Category I. — § B.
Brunon, Valette & C ^e , Rive de Gier	}	Category I. — Art. 6, 8b.
Société des Etablissements Chobert, St. Etienne		Category I. — Art. 2a.
Société de Chatillon-Commentry, Paris	}	Category I. — § B.
Société Commentry-Fourchambault, Paris		Category I. — § B.
Claudinon & C ^e , Le Chambon	}	Category I. — § B.
Compagnie des Hauts-Fourneaux de Chasse, Chasse		Category I. — Art. 6, 8b.
Etablissements Darne, St. Etienne	}	Category I. — Art. 1.
Acieries et Forges de Firminy, Firminy		Category III. — Art. 2.
Compagnie Fives-Lille, Paris	}	Category I. — § B.
Etablissements Holtzer, Paris		Category I. — Art. 6, 8b.
Forges de Rive de Gier, Rive de Gier	}	Category I. — § B.
Métallurgique de Montbard-Aulnoye, Paris		Category I. — Art. 6, 8b.
Société des Etablissements Marrel, Rive de Gier	}	Category I. — § B.
Société des Usines Motobloc, Bordeaux		Category I. — § B.
Forges et Chantiers de la Méditerranée, Paris	}	Category I. — Art. 6.
Cartoucherie Paulet, Marseilles		Category I. — Art. 5d, II.
Société Métallurgique du Périgord, Fumel	}	Category III. — Art. 1.
Manufactures d'armes Pyrénées-Océan, Hendaye		Category I. — Art. 3.
Société Anonyme industrielle de Rochefort, Paris	}	Category I. — Art. 6.
Forges et Acieries de la Marine et d'Homécourt, Paris		Category II. — Art. 1. — § B.
Forges et Acieries du Saut-du-Tarn, Saint-Juery	}	Category I. — § B.
Forges et Acieries de St. Etienne, St. Etienne		Category I. — Art. 5a, 5b, 5d.
Marcel Seytres, Marseilles	}	Category III. — Art. 2.
Société Electro-Chimie d'Ugine, Paris		Category I. — § B.
Acieries et Forges de Firminy	}	Category I. — § B.
S.F.C.M. (Coil), Denain		Category II. — Art. 1, 2. — § B.
Etablissements Granat	}	Category I. — § B.
Chantiers de France, Dunkerque		Category III. — Art. 2.
Augustin Normand, Le Havre	}	Category III. — Art. 2.
Chantiers Navals Français, Caen		Category III. — Art. 2.
Ateliers de la Seine Maritime, Le Trait	}	Category III. — Art. 1.
Chantiers de Penhoët, St. Nazaire		Category III. — Art. 1.
Chantiers Dubigeon, Nantes	}	Category III. — Art. 1.
Chantiers de Bretagne, Nantes		Category III. — Art. 1.
Chantiers de la Gironde, Bordeaux	}	Category III. — Art. 1.
Chantiers de Provence, Port de Bouc		Category III. — Art. 1.
Compagnie Electromécanique, Le Bourget	}	Category III. — Art. 1.
Société Rateau, La Courneuve		Category III. — Art. 1.
S.S.C.M., La Courneuve	}	Category III. — Art. 1.
Société de Constructions mécaniques (Procédés Sulzer), St. Denis		Category III. — Art. 1.
Compagnie de Fives-Lille, Lille	}	Category III. — Art. 1.
Société des Torpilles de St. Tropez		Category I. — Art. 8d.
Etablissements Breguet	}	Category I. — Art. 8c.
Etablissements Sautter-Harlé		Category I. — Art. 8c.
Aircraft Factories (names of companies)		
Avions Bernard	}	Category IV. — Art. 1.
Blériot Aéronautique		" "
Chantiers de la Loire		" "
C.A.M.S.		" "
Latécoère		" "
Lioré et Olivier		" "
Morane et Saulnier		" "
Ateliers du Nord de la France (les Mureaux)		" "
Nieuport Astra		" "
S.E.C.M.		" "
Chantiers Wibault Penhoët		" "
Levasseur		" "
Potez		" "
Société Provençale de construction aéronautique		" "
Bloch		" "
Société Gourdon-Leseurre		" "
Caudron		" "
Schreck		" "
Couzinet		" "
Société Aérienne Française		" "
Romano	" "	
Engine Factories		
Hispano-Suiza	}	Category IV. — Art. 2.
Gnome et Rhône		" "
Renault		" "
Salmson		" "
Farman		" "
Société Générale Aéronautique	" "	

24. Irish Free State.

None.

25. Belgium.

To this question the general reply may be given that there are no private undertakings in Belgium subsidised, under concession, or under supervision by the State. Most of the private undertakings which are capable of manufacturing arms do so only casually, when they receive an order, either from the Belgian Government or from abroad.

Category I.

(a) *State-owned:*

1. Royal cannon foundry;
2. Munition workshops at Zwyndrecht;
3. State arms factory.

(b) *Undertakings exploited, subsidised, under concession or under supervision by the State.*

None.

(c) *Private undertakings:*

Fabrique Nationale d'armes de guerre S. A., Herstal;
Anciens Etablissements Pieper S. A.;
Cockerill S. A., Seraing;
Ougrée-Marihaye S. A., Ougrée;
La Meuse S. A., Sclessin;
Société Métallurgique du Hainaut, Couillet.

Category II.

(a) None.

(b) None.

(c) Fabrique Nationale d'armes de guerre, Herstal;
Fabrique Nationale d'armes de guerre, Bruges.

Category III.

(a) None.

(b) None.

(c) Cockerill S. A., Seraing.

Category IV.

(a) None.

(b) None.

(c) Entirely private undertakings:

Manufacture of military aircraft:

S. A. Belge de constructions aéronautiques, Haeren;
Fairey Works, Gosselies;
Georges Renard Works, Evere.

Manufacture of civil aircraft:

Orta Works, St. Hubert;
Guldentops Works, Evere;
Dassy Works, Evere.

There are private undertakings manufacturing powders and explosives at:

Brussels: S. A. Coopel;
Wetteren: S. A. Canville;
Brussels and Engis: S. A. Poudreries Réunies.

26. China.

The foreign merchants in China who deal in arms and implements of war have no factories, but import same from foreign countries. It is not possible, therefore, to indicate the character and kinds of arms manufactured by the foreign factories, wherefrom China obtains her supplies.

27. Sweden.

(a) State undertakings:

- (aa) Responsible to the Army Administration;
The munition factories (at Stockholm and Karlsborg);
- (bb) Responsible to the Administration of the Marine:
The dockyards at Karlskrona and Stockholm;
- (cc) Responsible to the Air Ministry:
The central construction shops at Malmö and Västerås.

(b) There are no subsidised enterprises, etc.

(c) Entirely private enterprises:

- S. A. Bofors at Bofors;
- S. A. Bofors Nobelkrut at Bofors;
- S. A. Norma Projektilfabrik, Amotfors;
- S. A. Flygindustri, Dimhamn (aeroplane factory);
- S. A. Svenska Järnvägsverkstäderna, Linköping (works mainly producing railway material).

28. Yugoslavia.

The following undertakings situated in the territory of the Kingdom of Yugoslavia are exclusively or largely employed in the manufacture of articles specified in categories I, II, III and IV of the 1929 draft Convention on the Control of the Manufacture of Arms and Implements of War:

Category I.

(a) *State undertakings:*

The military arsenal (at Kragujevac) with its branches (at Cacak and Sarajevo), which is capable of manufacturing articles coming under category I, A—viz., only those enumerated in points 1, 2(a), 3, 6 (to a certain extent), 8(a), 8(b) and 8(c), 9 and 10; in addition, this undertaking can manufacture certain articles enumerated in category I, head B.

(b) *Undertakings exploited, subsidised, under concession or under supervision by the State:*
Nil.

(c) *Private undertakings:*

The arms and ammunition factory at Užice: this is quite a small factory which makes certain types of sporting guns and certain types of revolvers and ammunition for them; but it is also capable of manufacturing certain parts of military rifles (and therefore arms coming under head A, 1).

The machine factory and foundry (Strojne fabrike i livnice) at Ljubljana, which is also a small undertaking, can only manufacture mines (*i.e.*, articles specified under A, 8(c)).

The "Sartid" mines and metallurgical works (Srpsko akcionarsko rudarsko i topioničko društvo) at Smederevo, which is also a small undertaking, can only manufacture mines (*i.e.*, articles coming under A, 8(c)).

Category II.

(a) *State undertakings:*

Nil (with the exception of the military arsenal at Kragujevac, already mentioned, which is only able to manufacture certain articles coming under this category).

(b) *Undertakings exploited, subsidised, under concession or under supervision by the State:*
Nil.

(c) *Private undertakings:*

Nil (with the exception of the arms and munition factory of Užice, already mentioned, which can only manufacture certain types of revolvers, as stated above).

Category III.

(a) *State undertakings:*

Nil.

(b) *Undertakings exploited, subsidised, under concession or under supervision by the State:*
Nil.

(c) *Private undertakings:*

The " Jaro " Adriatic dockyard (Jadransko brodogradilište) at Kraljevica, and
The dockyard of Split (Splitsko brodogradilište).

These two dockyards can only construct small vessels, but neither of them can manufacture the machinery, motors or turbines for these vessels, still less arms, ammunition and other equipment necessary for them.

Category IV.

(a) *State undertakings:*

The " Breguet " factory at Kraljevo, which manufactures aeroplanes (non-assembled).

(b) *Undertakings exploited, subsidised, under concession or under supervision by the State:*
Nil.

(c) *Private undertakings.*

The " Ikarus " undertaking at Zemun and at Novi Sad, which manufactures aeroplanes (non-assembled);

The " Zmaj " undertaking at Zemun, which manufactures aeroplanes (non-assembled);

The " Rogožarski " undertaking at Beograd which manufactures aeroplanes (non-assembled);

The aeroplane engine factory at Rakovica near Beograd (Industrija aeroplanskih motora u Rakovici) which manufactures aeroplane engines;

The " Blajkovic " undertaking at Rakovica near Beograd, which manufactures aeroplane engines.

Note. — All these undertakings for the manufacture of aeroplanes and engines are under State supervision and the State places its orders with them.

29. **Finland.**

The undertakings engaged in the manufacture of war material in Finland are: a gunpowder factory comprising a workshop for the loading of cartridges, a cartridge factory, a rifle factory, an aeroplane factory, a Government naval dockyard and the Civic Guards' Arms Workshop, Ltd.

In addition the Crichton-Vulcan O. Y. Company's shipyards have since 1927 done work provided for in the naval defence programme. This work will be completed during the year 1933, and the shipyards will then resume their ordinary work for the mercantile marine.

As regards the above-mentioned undertakings, the Civic Guards' Arms Workshop, Ltd., and the Crichton-Vulcan O. Y. Company are entirely private, while all the others are State-owned.

30. **Netherlands.**

A. *Mother Country.* — The undertakings engaged principally or to a large extent in the manufacture of the articles coming under categories I, II, III and IV of the 1929 draft Convention on the Supervision of the Manufacture of Arms and Implements of War are the following:

(a) Staatsbedrijf der Artillerie-Inrichtingen (State undertakings for artillery establishments);

(b) None;

(c) N. V. Hollandsche Industrie-en Handelmaatschappij " Siderius " of The Hague, and N. V. Nederlandsche Patronen- Slaghoedjes-en Metaalwarenfabriek, of Dordrecht.

B. *Oversea Territories.* — The undertakings chiefly or largely engaged in the manufacture of articles coming under categories I, II, III and IV of the 1929 draft Convention on the Supervision of the Manufacture of Arms and Implements of War are the following:

Artillerie-Constructie-Winkel;
Pyrotechnische Werkplaats;
Projectiefabriek;
Werkplaats voor Draagbare Wapenen.

All these undertakings are State-owned and are situated in Java.

These undertakings manufacture arms coming under categories I and II of the above-mentioned draft Convention; with the exception of the ammunition delivered by the Projectiefabriek for the naval forces, no articles coming under categories III and IV are manufactured in the Netherlands Indies.

31. Venezuela.

There is at present no factory producing arms or war material.

32. Italy.

The State establishments which can manufacture war material are the following:

Royal Army Arsenal, Turin;
Royal Army Arsenal, Piacenza;
Royal Army Arsenal, Naples;
Royal Army Arms Testing Laboratory, Rome;
Royal Army Arms Factory, Terni;
Royal Army Detonator Factory, Rome, and separate branch at Torre Annunziata;
Royal Army Explosives Factory at Capua, and branch at Bologna;
Royal Arsenal, Spezia;
Royal Arsenal, Taranto;
Naval Base, Venice;
Royal Naval Dockyard, Castellamare di Stabia.

Most of the war material required for the armed forces, however, is manufactured by private industry, the State establishments being used principally for repairs.

Concessions have been granted for the following State establishments:

Arms Factory at Rome for the manufacture of rifles and machine-guns, concession granted to S. A. E. Breda;
Establishment at Pozzuoli for the manufacture of artillery and accessories, concession granted to S. A. Ansaldo;
Naval Dockyard of Leghorn, concession granted to the Società Odero, Terni and Orlando;
Scoglio Olivi Dockyard at Pola, concession granted to the Società Cantiere Navale Scoglio Olivi.

The other establishments producing implements of war—*e.g.*, Ansaldo, Breda, etc.—are wholly private, and all of them also manufacture materials for civil purposes, such as locomotives, motor vehicles, agricultural machinery, aircraft, merchant ships, etc. On receiving orders for implements of war, these establishments mostly place sub-contracts with other firms throughout the country.

33. Hungary.

Undertakings under the jurisdiction of the Kingdom of Hungary chiefly or largely engaged in the manufacture of articles coming under categories I, II, III and IV of the 1929 draft Convention on the Supervision of the Manufacture of Arms and Implements of War are as follows:

(a) *Undertakings entirely owned by the State:*

Royal Hungarian State Factory for the manufacture of implements of war.

(b) *Undertakings under State supervision:*

Ferdinand Süß & Co. Ltd. Factory for the manufacture of mechanical and optical instruments of precision.

Factory for the manufacture of sporting cartridges, detonators and metal wares (Limited Liability Company).

Arms and Machinery Factory (Limited Liability Company).

34. Germany.

As a result of disarmament, Germany has no undertakings chiefly or largely engaged in the manufacture of arms, etc., with the exception of the Wilhelmshaven Naval Dockyard and the Deutsche Werke A.G. Kiel (formerly Kiel Naval Dockyard).

The arms, etc., intended for the use of the German army are manufactured, apart from the above-mentioned undertakings, by private undertakings whose principal production has a non-military character.

Germany has no military aviation industry.

(a) The Wilhelmshaven Naval Dockyard is State-owned.

(b) and (c) The Deutsche Werke A.G. Kiel are subsidised by the Reich.

All the other undertakings (see reply to Question 2, paragraph 2) are entirely private; for the manufacture of arms, etc., they hold a special permit in accordance with the Law of July 27th, 1927 (see reply to Question 1).

35. **Persia.**

No licence or special authorisation is granted to private individuals as regards the manufacture of arms.

36. **India.**

The undertakings mentioned below are engaged in the manufacture of the articles coming under Categories I, II, III and IV, of the 1929 Draft Convention on the Supervision of the Manufacture of Arms and Implements of War (document A.30.1929.IX, dated September 4th, 1929).

Metal and Steel Factory, Ishapore;
Gun Carriage Factory, Jubbulpore;
Ammunition Factory, Kirkee;
Cordite Factory, Aruvankadu;
Rifle Factory, Ishapore;
Gun and Shell Factory, Cossipore.

They are all State-owned.

37. **Austria.**

In accordance with Article 132 of the Treaty of St. Germain, the manufacture of arms, ammunition and implements of war for the requirements of the Federal army and of the armaments allowed by that Treaty is carried on in a single factory, which is administered by the State.

This State factory consists of:

- (a) The (Governmental) Directorate at Vienna;
- (b) The section for the manufacture of artillery and infantry material at Vienna-Simmering (a Government undertaking);
- (c) The section for the manufacture of infantry ammunition at Lichtenwörth (attached to the Lichtenwörther Patronenfabriks A. G.);
- (d) The section for the manufacture of artillery ammunition at Enzesfeld (attached to the Enzesfelder Metallwerke A. G.).

The sections mentioned under (c) and (d) are private establishments operating under Government control, in accordance with agreements concluded, and are strictly separate from the commercial manufacture of those undertakings.

(e) The powder and explosives section at Blumau (Blumauer Sprengstoffwerke A. G., a licensed undertaking placed under Government control, of which the State owns 51 per cent of the capital); this section produces only articles coming under category V, 1.

In accordance with the provisions of Part V, Sections II and III, of the Treaty of St. Germain, none of the articles coming under categories III and IV are allowed to be manufactured. As regards the articles in category III, this prohibition is also to be found in the Law of January 17th, 1928, and as regards the articles coming under category IV, in the Decree of September 30th, 1929.

38. **Chile.**

Chile has only one factory producing on a limited scale the articles coming under categories I, II, III and IV of the 1929 Draft Convention.

This factory is owned by the State and administered by the Army.

In the case of arms, it manufactures spare parts only and carries out repairs.

In the case of ammunition, the factory can produce arms ammunition, but only to meet the training requirements of the Army.

39. **Switzerland.**

In Switzerland, the undertakings enumerated below are engaged primarily or to a considerable extent in manufacturing material falling within the scope of categories I, II and IV of the Draft

Convention (the question of category III—vessels of war and their armament—does not arise in the case of Switzerland).

(a) *State factories:*

The Arms Manufactory, Berne;
The Construction Workshops, Thun;
The two ammunition factories at Thun and Altdorf.

(b) *Private factories:*

Société industrielle Suisse (Swiss Industrial Corporation), Neuhausen. (This firm has a department for the manufacture of portable firearms, which constitutes an important side of its activities.)

Société Anonyme de machines-outils (Machine Tools Corporation), Oerlikon. (This firm manufactures guns of a calibre of 2 cm.; in the main, however, it produces machine tools.)

Arms Manufactory, Solothurn. (This firm is exclusively engaged in manufacturing portable firearms, machine rifles and guns of a calibre of 2 cm.).

It may be added that Messrs. Hämmerli, Lenzburg, manufacture rifle barrels and that Messrs. Alfred Comte, Horgen, and Messrs. Dornier, Altenrhein, build aeroplanes.

The Berna and Saurer firms and the Winterthur Engine Works make aeroplane engines, but in small quantities and at present on behalf of the State only.

The firms enumerated under (b) are not exploited, subsidised, under concession or under supervision by the State.

These private firms are mainly engaged in supplying the State and at least in part manufacture on the basis of State licences (aeroplanes and aeroplane engines).

There are in addition a considerable number of firms manufacturing detached parts for arms and ammunition, together with various firms manufacturing side-arms (infantry bayonets). Almost the whole output is intended for the Swiss Government. There is very little exportation and, in the case of all these firms, this type of manufacture represents nothing but an insignificant side of their general activities. The firms in question, therefore, need not be taken into consideration in the reply to point 2 on the questionnaire.

In addition to these firms, mention should be made of the gunsmiths. Their activities consist almost exclusively in the sale of sporting articles of all kinds; the latter include arms and ammunition. The question of manufacture is of only slight importance.

40. **Australia.**

The undertakings in the Commonwealth of Australia which chiefly are largely engaged in the manufacture of arms and implements of war, and their ownership, are:

Category I.

Government Munitions Factories, Melbourne, Victoria;
Government Small-Arms Factory, Lithgow, New South Wales.

Both are owned by the Government of the Commonwealth of Australia.

Category II.

Nil.

Category III.

Cockatoo Island Dockyard, Sydney, N.S.W., owned by the Government of the Commonwealth of Australia and leased to a private concern.

Category IV.

There are several small firms engaged in the manufacture of aeroplanes (other than engines, all of which are imported) but, with one exception, their plant and manufacturing capacity are quite negligible.

THIRD QUESTION.

How were the sales of the total output of all these undertakings and, if this information is available, of each of them distributed in percentages (weight, value) between foreign markets and the home markets during the years 1927 to 1931?

REPLIES OF THE GOVERNMENTS OF:

1. **Panama.**

There are no such undertakings.

2. **Bulgaria.**

The total annual output of the Government armaments factory supplies the requirements of the army and of the police.

3. **Estonia.**

In the territory under the jurisdiction of Estonia no undertakings exist for the manufacture of the articles coming under Categories I, II, III and IV of the 1919 Draft Convention on the Supervision of the Manufacture of Arms and Implements of War.

4. **Latvia.**

The above-mentioned undertakings work only for home requirements save for a few very rare exceptions, as, for example, the execution of two orders from the Baltic countries, one of which (in 1930) was for 100,000 rifle cartridges and the other (in 1931) for 500,000 cartridge cases, bullets and caps.

6. **Portugal.**

The total output is entirely absorbed by the home markets.

7. **Afghanistan.**

As already stated under Question 2 (see page 18), there have been or are no State-owned or established private undertakings for the manufacture of arms and implements, etc., within the Afghan territory, consequently, there have been no output, distribution or sale (in gross or percentage) between any foreign or home markets.

8. **Turkey.**

The output is intended exclusively for State requirements. There are no Government sales on the home or foreign markets, either of manufactured or of non-manufactured products.

9. **Siam.**

The output of the Government workshops is not sold either in Siam or abroad, and the limited amount of ammunition made is for the annual training.

10. **Poland.**

The majority of the Polish establishments engaged in the armaments industry work only for the home markets. The following table shows as a percentage of value the share of foreign markets in the assessment of the total output of arms and ammunition:

Industrial Establishment	1929	1930	1931
	%	%	%
1. State factories for the manufacture of arms	0.84	6.9	4.4
2. "Granat" at Kielce	—	—	18.6
3. "Pocisk" at Warsaw	0.055	1.55	0.88
4. "Perkun" at Warsaw	1.19	2.8	—

11. Union of South Africa.

There were no sales.

12. Greece.

The total cartridge factory output is absorbed by the home markets. The Phaleron Works build aircraft only for the purposes of national military aviation.

13. Iraq.

Nil.

14. Norway.

The following annex shows how the output was distributed between the home markets and foreign markets.

Annex.

PROPORTION BETWEEN THE VALUE OF THE OUTPUT INTENDED FOR THE HOME MARKETS AND THE OUTPUT EXPORTED DURING THE YEARS 1927-1931.

Undertakings		Home markets, value in percentage	Exported, value in percentage
Norma Projectile Works Ltd.	1927-1931	100	0
Army Aircraft Works	1927-1931	100	0
Naval undertakings	1927-1931	85.3	14.7
Kongsberg Arms Factory	1927	98.63	1.37
	1928	99.62	0.38
	1929	98.41	1.59
	1930	98.01	1.99
	1931	98.85	1.15
Raufoss Munition Works	1927	17	83
	1928	21	79
	1929	77	23
	1930	99.75	0.25
	1931	74.3	25.7

NOTE. — The figures for the Raufoss Works have been shown for each year during the period in question, as the works carried out a big munitions order from the Turkish Government in 1927-28. The average for those years would thus not represent the normal situation as regards exports.

15. United Kingdom.

1. The State factories mentioned in the reply to the second question do not manufacture for sale to foreign countries or to the home market. These factories manufacture solely for the armed forces of the Crown.

2. As regards private factories, the reply to the second question will show that it is impracticable to give figures relating to each factory.

As regards the *total output* of arms and munitions by all undertakings in the United Kingdom of Great Britain and Northern Ireland, a census of the total production of all classes of manufactures (not confined to arms and ammunition) is made periodically by the Board of Trade. The last census was taken in 1930 and the information derived from it has already been published in the *Board of Trade Journal* in such detail as was found possible, having regard to the obligation, imposed by Statute, of avoiding the disclosure of particulars relating to the business of individual firms. It must be pointed out, however, that this census is not taken annually and that the groups and categories which appear in it are not exactly parallel with the categories of arms and munitions of war contained in the draft Convention of 1929. No distinction, for instance, is drawn between military and civil aircraft, and the line between explosives for military purposes and those required for ordinary commercial use (in mines, etc.) is somewhat indefinite.

The *total exports* of all kinds from the United Kingdom are published monthly and annually in greater detail by the Board of Trade and include exports of State-owned arms and ammunition. Extracts which cover arms and implements of war are republished in the *League Statistical Year-Book of the Trade in Arms and Ammunition*. Here, again, the categories do not agree with the categories in the 1929 draft Convention.

His Majesty's Government in the United Kingdom therefore regret their inability to give a detailed answer to this question. This is not due to any wish to withhold information, but solely to the fact that they are not in possession of, and are not able to obtain, the detailed information required.

16. Lithuania.

The repair workshops mentioned under the second question (see page 20) work for the Government and the material repaired by them is not for sale.

18. Denmark.

The value of the deliveries made by the "Dansk Rekylriffel Syndikat" at home and abroad respectively, is distributed proportionately as follows:

	Percentage in Denmark	Percentage abroad
1927	3.5	96.5
1928	0.17	99.83
1929	0.57	99.43
1930	1.36	98.64
1931	7.16	92.84

The Syndicate does not show the proportional distribution by weight of the sales made at home and abroad respectively, but, as it only manufactures machine rifles, this question would not appear to be of major importance.

The "Dansk Ammunitionsfabrik" Co. reports that the whole of its output for the years 1927 to 1931 was sold in Denmark.

The Schultz and Larsen Rifle factory at Otterup reports that, from 1927 to 1931, 76½ per cent of the value of the rifles and rifle parts manufactured by it were sold at home and 23½ per cent abroad.

From 1927 to 1931, the State establishments only sold percussion caps abroad, to a value of 6,000 crowns.

19. United States of America.

The following table gives the information requested in respect to undertakings of category (a) (second question):

	Distribution of the output			
	By weight		By value	
	For the United States %	For foreign Governments %	For the United States %	For foreign Governments %
Watertown Arsenal	100	—	100	—
Watervliet Arsenal	100	—	100	—
Frankford Arsenal	99.99974	0.00026	99.968	0.032
Picatinny Arsenal	99.99996	0.00004	99.9989	0.0011
Springfield Armory	99.99977	0.00023	99.984	0.016
Rock Island Arsenal	99.99999	0.00001	99.995	0.005
Portsmouth Navy Yard	100	—	100	—
Philadelphia Navy Yard	100	—	100	—
Mare Island Navy Yard	100	—	100	—
Puget Sound Navy Yard	100	—	100	—
Newport Naval-Torpedo Station	100	Negligible	100	Negligible
Indian Head Naval-Powder Factory	100	—	100	—
Washington Naval-Gun Factory	100	Negligible	100	Negligible
Baldwin Naval Ordnance Plant	100	—	100	—
Philadelphia Naval-Aircraft Factory	99.994	0.005	99.994	0.005
New York Navy Yard	100	—	100	—

For category (c) (second question) the information requested is not available.

The following table indicates the distribution of the total production of certain commodities for the years 1927, 1929 and 1931:

Commodity	Percentage consumed in U. S.			Percentage exported		
	1927 %	1929 %	1931 %	1927 %	1929 %	1931 %
Pistols and revolvers	68	65	83	32	35	17
Rifles	84	80	92	16	20	8
Cartridges	81	77	89	19	23	11
Aeroplanes, seaplanes, etc.	94	89	92	6	11	8
Aeroplane engines and parts	90	87	84	10	13	16

20. New Zealand.

The total output of the undertakings was absorbed in home markets.

21. Roumania.

Roumania does not export any implements of war. As regards the home market, the value of the total output during the years 1927 to 1931 was insignificant, being almost entirely confined to repairs and relating to a small extent only to manufacture (some fifty aeroplanes, infantry cartridges, unfilled hand-grenades).

22. Japan.

By reason of the nature of the system obtaining in Japan it would be difficult in practice to make the necessary investigation.

23. France.

Of the State establishments, only the national powder factories sell their products, viz:

- (1) Powders and explosives for purposes of war to the land and naval artillery services and to the colonial services;
- (2) Powders and explosives for purposes of war to foreign Governments;
- (3) Sporting gunpowders and mining powders to the "Administration des Contributions indirectes" for consumption in France or export to foreign countries or to colonies or protectorates.

The following table shows the deliveries by the Powder Department from 1927 to 1931 in percentages (tonnage and value).

Year	Home market		Foreign markets	
	Tonnage	Value	Tonnage	Value
1927	90.5	90.5	9.5	9.5
1928	91.3	92.3	8.7	7.7
1929	92.5	92.4	7.5	7.6
1930	92.6	95.5	7.4	4.5
1931	93.2	96	6.8	4

As regards the sale of the production of private factories, there are no statistics except in the case of material which is exported (namely, the statistics published by the Customs Department of the Finance Ministry). These statistics also contain the particulars with regard to all material supplied by the French Government to foreign Governments.

As regards the total production of private establishments, it does not appear possible to give a definite figure easily or rapidly. At the present moment, there is a complete absence of information on the subject.

24. Irish Free State.

None.

25. Belgium.

The Government establishments neither sell nor export any material of their own manufacture.

As regards the private establishments, their "total" output is published annually in the Belgian *Statistical Year-Book*. It therefore includes a large quantity of arms and ammunition covered by paragraph 2 of Category V. See table attached.

TRADE IN ARMS AND AMMUNITION.

Year	Imports		Exports	
	Weight (in tons)	Value (in thousands of francs)	Weight (in tons)	Value (in thousands of francs)
1927	1,200	15,165 B.F. 2,187 Gold F.	2,507	168,781 B.F. 24,4339 Gold F.
1928	1,435	20,057 B.F. 2,895 Gold F.	2,657	176,451 B.F. 25,467 Gold F.
1929	2,322	25,565 B.F. 3,686 Gold F.	3,565	216,156 B.F. 31,163 Gold F.
1930	1,304	24,622 B.F. 3,560 Gold F.	2,707	161,856 B.F. 23,402 Gold F.

POWDERS AND OTHER EXPLOSIVES.

Year	Imports		Exports	
	Weight (in tons)	Value (in thousands of francs)	Weight (in tons)	Value (in thousands of francs)
1927	539	10,946 B.F. 1,578 Gold F.	1,411	13,549 B.F. 1,954 Gold F.
1928	549	10,088 B.F. 1,456 Gold F.	1,228	13,889 B.F. 2,005 Gold F.
1929	623	16,824 B.F. 2,426 Gold F.	1,597	17,778 B.F. 2,563 Gold F.
1930	693	13,879 B.F. 2,007 Gold F.	1,732	17,808 B.F. 2,575 Gold F.

26. China.

There is nothing to reply, in view of the reply given to question n^o 1.

27. **Sweden.**

As the official statistics are based upon different principles for manufacture and for export respectively, it would be difficult to give exact percentages. We will therefore confine ourselves to the statement that the average annual output from private and State undertakings of articles broadly corresponding to those covered by the questionnaire is from 22 to 23 million crowns for the period 1927-1931, and that the value of exports of these articles is 10 million crowns. These figures do not include gunpowder and other explosives, but the value of the other articles in Category V has had in most cases to be included, as the headings under which this category is placed in the statistical returns are not specific enough to allow of their separate inclusion.

It is much to be hoped that one of the main results of the work of the Committee enquiring into the possibility of a strict control of the armaments industry in Sweden, to which the Swedish representative referred at the meeting of the Bureau on November 18th, 1932 (Minutes, page 100), will be the preparation of statistics from which an exact reply to this question can be furnished later.

28. **Yugoslavia.**

All the undertakings enumerated under the second question have a very low output capacity. All articles coming under Categories I, II, III and IV manufactured by these undertakings, and in so far as they have manufactured them, from 1927 to 1931, were purchased by the State. Consequently, except for articles manufactured for the account of the State and purchased by it, there has been during this period no sale of these articles in the home or export market.

29. **Finland.**

In practice, the above-mentioned undertakings produce for the home market only. During the years 1927-1931, only 1 per cent of their total output was exported.

30. **Netherlands.**

A. *Mother Country.* — As regards the State undertaking (see question 2 (a)), production is intended solely for the army and navy in European territory and in the oversea territories.

As regards private undertakings (see question 2 (c)), the Government does not feel authorised to answer the question unless the other Governments of countries in which private manufacture takes place supply the same information.

B. *Oversea Territories.* — The total output of these undertakings is intended for the armed forces of the Netherlands Indies.

31. **Venezuela.**

Nil.

32. **Italy.**

There are no data available for a reply.

33. **Hungary.**

Distribution of the output of the above-mentioned undertakings between foreign and home markets in percentages of weight and value:

Undertaking	Market	1927	1928	1929	1930	1931
Royal Hungarian State Factory for the manufacture of implements of war.	Home	100	100	100	100	100
	Foreign	—	—	—	—	—
Ferdinand Süß & Co. Ltd., factory for the manufacture of mechanical and optical instruments of precision	Home	70	70	70	70	70
	Foreign	30	30	30	30	30
Factory for the manufacture of sporting cartridges, detonators and metal wares (limited liability company).	Home	100	100	100	100	100
	Foreign	—	—	—	—	—
Arms and Machinery factory (limited liability company).	Home	96	96	98	98	79
	Foreign	4	4	2	2	21

34. **Germany.**

There are no exports of arms, etc.

35. **Persia.**

The replies to this question are negative.

36. **India.**

Government armament factories in India manufacture solely for defence forces of India and not for export or for sale in either home or foreign markets.

37. **Austria.**

This question does arise in the case of Austria, as the exportation of all arms, ammunition and implements of war is prohibited under Article 134 of the Treaty of St. Germain and the Law of January 17th, 1928.

38. **Chile.**

As there is no commercial output, no war material has been sold either on the home or on the foreign markets.

39. **Switzerland.**

Particulars cannot be supplied with regard to the quantities and value of the manufacture and sales of the above-mentioned firms, as legally the Government has no supervisory rights. It is only exports of finished arms which can be estimated on the basis of the Customs statistics. Even in this case, the figures only give a very rough idea of the quantities exported, as exports also include half-manufactured material which is not necessarily shown in the Customs statistics as implements of war.

40. **Australia.**

The sales of the undertakings during the years 1927 to 1931 were as follows:

Category I.

Commonwealth Government Factories.

Year	Home markets Value in %	Exported Value in %
1927	97.81	2.19
1928	100.00	Nil
1929	97.73	2.27
1930	92.34	7.66
1931	94.98	5.02

Note. — Included in the above figures are values of goods of non-military nature made for the Government Departments. The items cannot be separated, but they are not substantial.

Category II.

Nil.

Category III.

Year	Home markets Value in %	Exported Value in %
1926-29	100.00	Nil

Category IV.

Home markets: Value in %	Aircraft other than engines	Govt. Dock- yard. Cockatoo Island	A private firm
	1927	Nil	Nil
	1928	Nil	Nil
	1929	Nil	100
	1930	Nil	Nil
	1931	Nil	Nil

Exported: Nil.

FOURTH QUESTION.

Are there any laws or administrative regulations in your country forbidding all soldiers or members of the military administration in active service to hold paid posts in private armament undertakings ?

REPLIES OF THE GOVERNMENTS OF:

1. **Panama.**

As no such undertakings exist, the question does not arise.

2. **Bulgaria.**

Under the terms of the law concerning military persons, no officer, non-commissioned officer or private soldier coming under the Ministry of War may hold a paid post in any private undertaking engaged in the manufacture of explosives or arms.

3. **Estonia.**

Under the law concerning military service and the administrative regulations, no post may be held in any private undertaking by soldiers or members of the military administration in active service.

4. **Latvia.**

The Latvian legislation does not contain any provisions embodying such a prohibition. Nevertheless, the law relating to service in the Army and the Fleet (Article 377) forbids persons in active service to hold powers of attorney for third persons in matters coming under the institutions to which they belong. They are also forbidden to participate directly or through third persons in money-making undertakings or transactions the conclusion or execution of which would involve a conflict between their private interests and those of their service or in favour of which they might make use of the advantages attaching to the posts which they hold.

6. **Portugal.**

No private undertakings exist.

Annex.

In connection with this reply, the Army Staff supplies the following information:

“Hitherto, no private factories for arms or war material have been established in the country. It is true that, during the war of 1914-1918, private industry helped to supply war material for the Allied Armies, but manufacture was authorised on that occasion only as an exceptional measure. The Portuguese State holds a monopoly for the manufacture and conservation of war material in its establishments, recourse to private industry, even for repairs, being strictly prohibited.

“ No legal provisions actually exist in the country forbidding soldiers in active service to hold paid posts in private armament undertakings. There are, however, legal provisions which absolutely prohibit any military person, irrespective of rank, from engaging in trade of any kind.”

7. **Afghanistan.**

Administrative regulations in the Afghanistan Kingdom do not allow soldiers or members of the military administrations to hold any paid posts or otherwise in private armament undertakings or in other private establishments during the period of their active service.

8. **Turkey.**

The Law of May 28th, 1928, forbids soldiers in active service to take any part in private undertakings.

9. **Siam.**

None.

10. **Poland.**

Soldiers in active service and Government officials belonging to the military administration are not allowed to hold paid posts in private armament undertakings. This question is governed by the following provisions:

A. In the case of soldiers on active service:

(1) Article 50 of the Decree of the President of the Republic dated October 7th, 1932, on the military service of non-commissioned officers and men (*Legal Gazette* No. 89, Section 747).

(2) Article 24 of the Decree of the President of the Republic dated March 7th, 1928, on the military service of warrant officers and other naval ratings (*Legal Gazette* No. 27, Section 251).

(3) Article 23 of the Law of March 23rd, 1922, on the fundamental duties and rights of officers in the Polish Army (*Legal Gazette* No. 32, Section 256).

(4) Article 42 of the Law of June 20th, 1924, on the fundamental duties and rights of officers in the navy (*Legal Gazette* No. 64, Section 626).

B. In the case of officials of the military administration:

Article 29 of the Law of February 17th, 1922, on the civil administration of the State (*Legal Gazette* No. 87, Section 737).

11. **Union of South Africa.**

No.

12. **Greece.**

The law forbids the exercise of any private occupation or profession in the case of all State officials.

13. **Iraq.**

Nil.

14. **Norway.**

There is no prohibition forbidding soldiers or members of the military administration in active service to hold paid posts in private armament undertakings.

15. **United Kingdom.**

There are regulations in all the three fighting services governing the holding of paid posts in private undertakings by any active member of those forces. So far as the Admiralty and the War Office are concerned, there is no actual law or regulation which in itself precludes an officer on the Active List on full pay from holding a post in a private undertaking, but, before any such post can be accepted, application must be made to the Board of Admiralty or the Army Council in accordance with paragraph 20, King's Regulations and Admiralty Instructions for the Navy,

and paragraph 516, King's Regulations for the Army, and, in point of fact, permission would always be refused for an officer of either the Navy or the Army on full pay to accept employment in an armament firm.

As regards the Air Ministry, paragraph 1096 of King's Regulations for the Royal Air Force actually prohibits an officer or airman on the Active List on full pay from accepting any paid post in connection with any company, firm or individual engaged in trade.

16. Lithuania.

Nil.

18. Denmark.

The Law of March 31st, 1931, concerning Government officials provides (Section 44) that, in order to be able to carry on a trade or industry, to accept, in addition to Government service, a position carrying a regular salary or joining the board or governing body of an industrial or commercial company, every Government official must give written notice thereof to the Minister, or to the authority under the Minister qualified to fill the position held by such official. If the authority receiving the intimation considers that the occupation or post in question is inconsistent with the conscientious discharge of the officials' duties as a Government servant, as well as with the honour and trustworthiness which the holder of such a post must possess, the authority concerned may forbid him to hold the position in question.

There are no special rules forbidding soldiers to hold paid posts in private armament undertakings.

19. United States of America.

1. No officer of the Army shall be employed in civil work that will interfere with his military duties.

2. Officers and enlisted men of the Army are forbidden to procure business from the Government for any concern in which they are interested.

3. Enlisted men of the Army shall not leave their posts to engage in civil pursuits that will place them in competition with local civilians.

4. Civil employees of the War Department must perform seven hours of labour daily, Sundays and public holidays excepted; the only other restriction on outside employment is that they shall not be employed by any foreign Government, corporation, partnership or individual that is in competition with American industry.

5. It is provided by law that no payment shall be made from appropriations made by Congress to any officer in the Navy or Marine Corps on the Active or Retired List while such officer is employed by any person or company furnishing naval supplies or war material to the Government. Such employment is unlawful.

6. No enlisted man in the active service of the United States of America in the Navy or Marine Corps, may be detailed, ordered, or permitted to leave his post to engage in any pursuit, business or performance in civil life, for emolument, hire, or otherwise, when the same shall interfere with the customary employment and regular engagement of local civilians in the respective arts, trades, or professions.

7. The employment of civilian employees of the Navy Department or in the field service by private companies engaged in the manufacture of arms, ammunition or implements of war for the Government of the United States of America is prohibited by regulation of the Department.

20. New Zealand.

There are none in existence, but such action would not be permitted.

21. Roumania.

No officer, non-commissioned officer, soldier or civilian official of the Army is employed or paid by private arms undertakings.

22. Japan.

Yes. Viz., Regulations concerning the Service of State Officials, Imperial Ordinance No. 39, 1887.

23. **France.**

“ Active service ”, is defined by Article 3 of the Law of May 19th, 1834, on the position of officers:

“ Active service is the position of officers belonging to one of the cadres constituting the Army who are in employment and of officers outside the cadres constituting the Army who are temporarily employed on some special service or mission.”

An officer “ in the cadres ” must devote the whole of his time to his service. Concessions in the matter of writing may be made for certain officers who can thus add to their resources by their pens; but any other occupation, with the exception of the administration of their property, is forbidden to them. In particular, commercial transactions of any kind are forbidden (Circular of December 9th, 1878, B.O.E.M., Vol. 31, page 78) and all the liberal professions are closed to them. Even purely fortuitous co-operation in such activities is only allowed on the express and special authorisation of the military authorities concerned and on condition that it does not interfere with the military service (Instruction of August 25th, 1910, B.O.E.M., Vol. 31, page 7).

Consequently, any paid employment in the armament industry is impossible.

Officers “ outside the cadres ” are officers employed for some purpose by or with the consent of the military authorities. Such employment may come under other Ministries, or Departments, or Communes, or colonies, or foreign Governments: but there can be no question of seconding an officer for the benefit of private industry. Any such step would conflict with the professional dignity of the Army, as defined in Article 23 of the Decree of May 30th, 1924 (B.O.E.M., Vol. 78).

The question whether it is possible for soldiers or members of the military administration in *active service* to hold paid posts in private armament undertakings may therefore be answered categorically in the negative.

It should also be pointed out that officers who are temporarily not in active service, being granted leave with interruption of seniority, are subject to the provisions of Article 175 of the Penal Code, as amended by Article 10 of the Law of October 6th, 1919, which prohibits any public official entrusted, in virtue of his functions, with the direct supervision or control of a private undertaking from acquiring or being accorded any share in the undertaking subject to his supervision or control, whether by way of working for the same, advising the same or having capital in the same (except in the case of the inheritance of a capital interest therein), either at the time of such supervision or control, or within a period of five years from the date on which it ceased.

24. **Irish Free State.**

There are no laws or administrative regulations in the Irish Free State forbidding soldiers or members of the military administration in active service to hold paid posts in private armament undertakings, but provision exists in the Defence Forces (Temporary Provisions) Acts, 1923-1931, for the making of such regulations if and when they are considered necessary.

25. **Belgium.**

No soldier or official may hold a paid post in a private armament undertaking.

26. **China.**

No, there are none.

27. **Sweden.**

There is no prohibition directly barring employment in private armament firms; but, as the rules for the pay of staff employed on national defence contain a general provision that no other employment in addition to State service is allowed without special authorisation, the Government is in possession of ample powers in this respect. Moreover, at the present time, no person belonging to the categories covered by this question occupies a paid appointment in the undertakings in question.

28. **Yugoslavia.**

There are in Yugoslavia no legal provisions expressly forbidding soldiers or members of the military administration in active service to hold paid posts in private armament undertakings. There is only the following provision contained in the law concerning State officials.

“ Except by special permission of the competent authorities, no official is allowed to engage in any secondary occupation beside his regular occupation. He may not fill any post

which conflicts with the dignity and honour of his position or which would prevent him from carrying out his customary duties."

But it is clear, apart from this provision of the law, that no soldier in active service or member of the military administration in active service can occupy a paid post in private undertakings in general, and in private armament undertakings in particular. If such a case should occur, the administrative authorities would take action to bring it to an end.

No such case has so far occurred and no such case exists at the moment.

29. Finland.

According to the laws and administrative regulations in force, soldiers or members of the military administration in active service are not forbidden to hold paid posts in private undertakings, as long as these posts do not interfere with their ordinary duties and on condition that express permission has been obtained in advance from their superiors for each special case.

30. Netherlands.

A. *Mother Country.* — Under Article 86 of the "Reglement voor de militaire ambtenaren der Koninklijke Landmacht" (Regulations for Military Officials of the Royal Land Armed Forces), all soldiers belonging to the professional personnel, or certain categories of them, may, by Royal Decree or by decision of the Minister of Defence, be forbidden to be members of a board of directors or executive board or to be partners, shareholders or members of any institutions, foundations or companies, or certain of them, which are in regular contact, or by their nature may come into contact, with the armed forces of the Netherlands. Up to the present it has never been necessary to apply this provision.

B. *Oversea territories.* — As there are no private armaments undertakings, there is no occasion for any laws or administrative regulations forbidding all soldiers or members of the military administration in active service to hold paid posts in private armaments undertakings.

31. Venezuela.

Nil.

32. Italy.

Persons in military service and State officials may not be employed by private firms or factories, according to the Disciplinary Regulations of the Armed Forces and the provisions regarding the legal status of civil employees of the State Administration, Article 96.

33. Hungary.

Under the Service Regulations of the Hungarian Army, which have force of law, officers on active service are forbidden to accept civil or part-time employment and such officers are also precluded from accepting any post whether honorary or carrying with it an honorarium or any other form of remuneration.

34. Germany.

For all soldiers or members of the military administration in active service, a special authorisation is required, in virtue of the German Military Law of March 23rd, 1921, to hold paid posts of any kind. Such an authorisation has never been granted for a post in a private armament undertaking.

35. Persia.

According to the regulations of the War Ministry, no soldier or person assimilated thereto may enter any private undertaking without a previous authorisation.

36. **India.**

This question does not arise, as there are no private undertakings engaged in the manufacture of the articles coming under the Draft Convention.

37. **Austria.**

There are no provisions explicitly forbidding all soldiers or members of the military administration in active service to hold paid posts in private armament undertakings. However, the acceptance of such a post would imply the carrying-out of a secondary occupation at the same time as the duties imposed by the State. The carrying-on of secondary occupations is subject to a special permit from the higher authority of the official in question. In accordance with the pragmatic regulations in force, this permit could not be granted in the case of posts such as those referred to in the fourth question.

38. **Chile.**

For the same reason as given in point 3, there are no regulations governing the relations between the staff of the military administration in active service and private armaments undertakings.

39. **Switzerland.**

In view of the organisation of our Army, we can only reply to this question in so far as it relates to officials of the Army Administration. Under the Federal Law and Regulations regarding the status of public officials, the latter are not entitled to pursue any supplementary activities without special authority and cannot therefore obtain employment in a private establishment, as a special authorisation for this purpose would be refused. Military personnel in general, that is to say militia ranks, are obviously entitled to engage in activities of all kinds. The Confederation does not impose any restrictions in this respect.

40. **Australia.**

As there are no private armament undertakings in Australia, no specific legislation exists in regard to them, but soldiers and members of the Military Administration are prohibited by administrative regulations from holding any paid post other than in connection with the duties of their offices under the Commonwealth Government.

REPLIES COMMON TO ALL FOUR QUESTIONS.

5. **Albania.**

There are no State or private undertakings for the manufacture of arms in the territory of the Kingdom of Albania.

17. **Egypt.**

No private or State undertakings for the manufacture of arms or war material exist at present in Egypt.

ANNEX 3.

Conf.D./C.C.F.42.

Geneva, May 30th, 1933.

SUMMARY OF REPLIES TO THE QUESTIONNAIRE
ON THE MANUFACTURE OF ARMS.

MEMORANDUM BY THE SECRETARIAT.

In accordance with the request of M. KOMARNICKI, Chairman of the Sub-Committee on the Manufacture of Arms, the various replies of the Governments to the questionnaire of October 28th, 1932 (documents Conf.D./C.L.5 and Conf.D./C.C.F.21, 21a and 21b) are summarised in the present memorandum.

FIRST QUESTION OF THE QUESTIONNAIRE.

*For the purposes of the manufacture of arms and implements of war
is a special permit required ?*

The countries which have replied to this question have been classed in the following four categories: ¹

1. State monopoly;
2. Private manufacture requiring a special permit;
3. Private manufacture requiring a mere declaration;
4. Private manufacture not requiring any formality.

It should be observed, as will be seen later, that, in some countries, the system in force is such that they cannot be classed under any one of the above categories. In some cases, the system varies according to the nature of the articles manufactured.

CATEGORY I. — STATE MONOPOLY.

The manufacture of arms, ammunition and implements of war is an absolute State privilege. In some cases, however, the monopoly applies only to certain categories of arms and ammunition, while the manufacture of the other categories is more or less free. Again, some countries in which a State monopoly exists grant more or less wide concessions to private concerns. The following countries come under this first category:

France ²	Persia	Turkey ⁴
Greece	Portugal	Venezuela
Lithuania	Switzerland ³	Yugoslavia ⁵
Panama		

CATEGORY II. — PRIVATE MANUFACTURE REQUIRING SPECIAL AUTHORISATION.

The second category comprises countries in which private manufacture is allowed, subject to special authorisation in advance. In some cases, however, the system is a mixed one: authorisation is required or granted only for certain categories of arms and ammunition, while the manufacture of other categories is free or subject to a State monopoly. The issue of an authorisation enables the competent authorities to supervise manufacture. Some of the replies contained particulars on this subject, while others gave none. It may be, however, presumed that the right of supervision exists in all cases where previous authorisation is required for private manufacture.

¹ No account has been taken of the cases in which the manufacture of arms and of implements of war is regulated by the various Peace Treaties; nor has any account been taken of New Zealand, where there are no legal provisions regarding the manufacture of arms and implements of war, or of Albania, Egypt or China, where there are no war industries.

² The monopoly relates only to certain explosives and powders.

³ The monopoly relates only to the regulation portable arms and ammunitions for military arms.

⁴ The Government grants concessions to private industry.

⁵ The Government grants concessions only for explosives and non-military arms.

The following countries belong to this second category:

Belgium ¹	India	Mexico ⁴
United Kingdom	Iraq	Netherlands
Estonia	Irish Free State	Poland ⁵
Finland ²	Italy	Siam
France ³	Japan	Spain
Greece	Latvia	Yugoslavia ⁶
Hungary		

CATEGORY III. — PRIVATE MANUFACTURE REQUIRING A MERE DECLARATION.

Only two countries come in this category: Belgium (materials other than that in use in the Belgian Army) and France (arms prescribed by the Regulations). ⁷

CATEGORY IV. — PRIVATE MANUFACTURE NOT REQUIRING ANY FORMALITY.

The following are included in this category:

Afghanistan	Finland ⁹	Sweden
Australia	France ¹⁰	Switzerland ¹²
Chile	Norway	Union of South Africa ¹³
Denmark ⁸	Roumania ¹¹	United States of America.

CONCLUSIONS.

To sum up, there are:

1. Ten cases in which the manufacture of arms, ammunition and implements of war constitutes a State monopoly. Of these ten cases, six take the form of a monopoly pure and simple: the State alone manufactures arms, ammunition and implements of war (Greece, Lithuania, Panama, Persia, Portugal, Venezuela); two cases (France, Switzerland) in which the monopoly exists only for the manufacture of certain arms and ammunition or certain explosives and powders; and, finally, two cases (Turkey, Yugoslavia) in which the Government grants concessions to private concerns.

2. Nineteen cases in which private manufacture requires special authorisation. Of these nineteen cases, there are fifteen (United Kingdom, Estonia, Greece, Hungary, India, Iraq, Irish Free State, Italy, Japan, Latvia, Mexico, Netherlands, Poland, Siam, Spain) in which this system applies without exception; three cases (Belgium, Finland, France) in which the authorisation is required only for certain categories of arms and ammunition, the manufacture of other categories being free; finally, one case (Yugoslavia) in which the authorisation (by concessions) is granted only for explosives and non-military weapons, the manufacture of other categories of arms, ammunition and implements of war constituting a State monopoly.

3. Two cases in which only a simple declaration made before-hand is required for the private manufacture of arms and implements of war (Belgium, France ¹⁴).

4. Eleven cases in which the private manufacture of arms and implements of war entails no formalities. Of these eleven cases, seven (Afghanistan, Chile, Norway, Roumania, Sweden, Union of South Africa, United States of America) allow full liberty without any restriction, ¹⁵ while in the other four cases certain restrictions are imposed: France (freedom to manufacture

¹ A permit is required only for the manufacture of materials for the Belgian Army, while the manufacture of other arms and implements of war is free, subject to a declaration.

² A permit is required only for fire-arms and ammunition. The manufacture of other war material being free.

³ Authorisation is necessary only for the manufacture of dynamite, the manufacture of arms and ammunition being free except for certain explosives the manufacture of which is a State monopoly.

⁴ Particulars taken from the *Diario oficial* of January 28th, 1932.

⁵ Except side arms, the manufacture of which is free.

⁶ Concessions are granted by the State for the manufacture of explosives and non-military arms, the manufacture of other arms and implements of war being a State monopoly.

⁷ For powders and explosives, see under Category I.

⁸ The manufacture of certain explosives requires special authorisation.

⁹ The manufacture of fire-arms and ammunition requires authorisation; the manufacture of implements of war is free.

¹⁰ Freedom for non-regulation weapons; declaration for regulation weapons; authorisation for dynamite and monopoly for certain explosives and powders.

¹¹ An authorisation is required for every industrial enterprise whatsoever using a fair amount of power.

¹² Apart from portable arms used in the Federal Army and ammunition for military arms, the manufacture of which constitutes a State monopoly.

¹³ A special licence is necessary to possess fire-arms.

¹⁴ Manufacture of regulation arms, the manufacture of other arms and implements of war being free with the exception of the State monopoly for the manufacture of certain explosives and powders.

¹⁵ Apart from the necessity for obtaining special authorisation for any industry using a fair amount of power (Roumania) and the necessity of obtaining a licence for the possession of fire-arms (Union of South Africa).

non-regulation weapons; previous declaration for the manufacture of regulation weapons and monopoly for certain explosives and powders); Denmark (authorisation required for the manufacture of certain explosives); Finland (freedom to manufacture implements of war and special authorisation for fire-arms and ammunition); Switzerland (monopoly for portable regulation arms and ammunition and fire-arms).

SECOND QUESTION OF THE QUESTIONNAIRE.

What undertakings in the territory under the jurisdiction of your State are chiefly or largely engaged in the manufacture of the articles coming under Categories I, II, III and IV of the 1929 Draft Convention with regard to the supervision of the manufacture of arms and implements of war (document A.30.1929.XI) ?

- (a) *Are they State-owned ?*
- (b) *Or are they exploited, subsidised, under concession or under supervision by the State ?*
- (c) *Or are they entirely private undertakings ?*

The undertakings referred to above are classified, according to the replies received to this question, in the following three categories:

Country	State-owned	Enterprises exploited, subsidised, under concession or under supervision by the State	Enterprises entirely private
Afghanistan	1 ¹	—	—
Albania	—	—	—
Australia	2	1 ²	— ³
Austria	1 ⁴	—	—
Belgium	3	—	20
United Kingdom	6	—	5
Bulgaria	1	—	—
Chile	1	—	—
China	—	—	—
Denmark	7	—	3
Egypt	—	—	—
Estonia	—	—	—
Finland	5	—	1
France	41	—	107 ⁷
Germany	1	6	—
Greece	1	—	1
Hungary	1	3 ⁸	—
India	6	—	2
Iraq	—	—	—
Irish Free State	—	—	—
Italy	12 ⁹	4 ¹⁰	—
Japan ¹¹	—	—	—

¹ Workshop mainly engaged in repair work.
² Aircraft factory. Not including a number of aircraft factories with a negligible output.
³ State concession.
⁴ The State factory has four sections, three of which (manufacture of ammunition, powders and explosives) are private undertakings under supervision by the State.
⁵ With the exception of certain undertakings which manufacture sporting weapons and a small number of other undertakings which manufacture flying-machines (civilian and military), there are no private undertakings in the United Kingdom which can strictly be considered as chiefly or largely engaged in the manufacture of arms and implements of war.
⁶ State subsidy.
⁷ The main output of the private undertakings manufacturing arms for the German army is not of a military character.
⁸ State supervision.
⁹ Undertakings chiefly engaged in repairs.
¹⁰ State concessions.
¹¹ Details are lacking. The undertakings are mostly State-owned.

Country	State-owned	Enterprises exploited, subsidised, under concession or under supervision by the State	Enterprises entirely private
Latvia	2	1 ¹	—
Lithuania	2 ²	—	—
New Zealand	—	—	1
Netherlands ³	1	—	2
Norway	7	—	1
Panama	—	—	—
Persia	—	—	—
Poland	7	1 ⁴	9
Portugal	2	—	—
Roumania	7 ⁵	2 ⁶	6
Siam	2 ⁷	—	—
Sweden	6	—	5
Switzerland	4	—	9 ⁸
Turkey	1	—	—
Union of South Africa	1 ⁹	—	—
United States of America	16	—	60
Venezuela	—	—	—
Yugoslavia	2	5 ¹⁰	5

NOTES. — (1) The expression "undertakings" refers not only to factories, works, etc., but also to arsenals, workshops and naval dockyards.

(2) The numbers of undertakings indicated cover the four categories referred to in the draft Convention, the great majority of countries not having given separate information for each of these categories.

(3) The figures given in the above table are of a purely indicative character. They are not intended to show the volume of manufacture in the different countries, nor to establish a comparison between them from this point of view.

(4) The dashes in the table indicate the absence of undertakings; the absence of a figure or of a dash in one of the columns indicates that no information is available.

THIRD QUESTION OF THE QUESTIONNAIRE.

How were the sales of the total output of all these undertakings and, if this information is available, of each of them, distributed in percentages (weight, value) between foreign markets and the home markets during the years 1927 to 1931?

In the first place, it is necessary to eliminate the countries whose replies are negative, either because no sales were effected abroad, or because no production exists in the countries in question, or because the Governments have been unable for certain reasons to reply to the questions asked. These countries have been classified in the four following categories:

CATEGORY I.

The total output was exclusively intended for the armed forces of the country:

Bulgaria
India

Lithuania
Netherlands¹¹
Siam

Turkey
Yugoslavia¹²

¹ Concession from the State.

² Repair workshops.

³ Home country.

⁴ State supervision.

⁵ Including six undertakings doing only repairs.

⁶ State participation. One of these undertakings is not yet equipped and the other is only engaged in repairs.

⁷ Workshops equipped chiefly for repairs.

⁸ Including three which produce aeroplane engines in small quantities on behalf of the State. There is also a considerable number of private undertakings manufacturing detached parts for arms and ammunition, as well as various firms manufacturing side-arms. These undertakings, which deliver nearly all their output to the Swiss Government, only represent a trifling fraction of the total output.

⁹ Military aviation.

¹⁰ Undertakings for the manufacture of aeroplanes and engines under supervision by the State.

¹¹ Exclusively concerns State production.

¹² Negligible output.

CATEGORY II.

The total output was exclusively or largely absorbed by the home market:

Germany	Finland ²	New Zealand
Australia ¹	Greece	Portugal
Austria	Latvia ³	Roumania ⁴

CATEGORY III.

There is no output:

Afghanistan	Egypt	Persia
Albania	Estonia	Union of South Africa
Chile	Iraq	Venezuela
China	Panama	

CATEGORY IV.

Impossible, for various reasons, to answer the question asked:

United Kingdom ⁵	Japan	Switzerland
Italy	Netherlands ⁶	

All the other countries enumerated below have replied to the question by giving more or less detailed particulars of the distribution of sales between the home and foreign markets. There is so much variety in these replies, however, that it is impossible to classify them and synthesise the results. In any case, the data are incomplete, as several Governments have only been able to give particulars of the sale of output by State undertakings.

The countries which have furnished more or less detailed information are the following:

Belgium	Hungary	Sweden
Denmark	Norway	United States of America
France	Poland	

FOURTH QUESTION IN THE QUESTIONNAIRE.

Are there any laws or administrative regulations in your country forbidding all soldiers or members of the military administration in active service to hold paid posts in private armament undertakings ?

The countries that have replied to this question may be divided into the three following categories:

CATEGORY I.

Prohibition to hold paid posts in private armament undertakings or any commercial concern whatever: ⁷

Afghanistan	France	Netherlands ⁹
Australia	Greece ⁷	Poland
Belgium	Hungary	Portugal ⁷
United Kingdom ^{7 8}	Italy	Switzerland ¹⁰
Bulgaria	Japan	Turkey
Estonia	Latvia ⁷	United States ¹¹

¹ The average exports for the years 1927-1931 were 3.5 per cent of the total output.

² Exports practically negligible.

³ Apart from a few occasional exports.

⁴ Negligible output.

⁵ The reply refers to the official publication of the United Kingdom entitled *Board of Trade Journal*.

⁶ Concerns private undertakings.

⁷ Certain countries have no such special laws as are contemplated by the fourth question; but the laws and regulations prohibit soldiers on active service from holding posts in any concern or engaging in any business which might involve a clash between their private interests and their duty.

⁸ This applies only to the personnel of the Air Force.

⁹ The Government may forbid soldiers to hold posts of the nature contemplated in the fourth question, but so far it has had no need to make use of this power.

¹⁰ This applies only to officials of the military administration.

¹¹ Prohibition to engage in any occupation incompatible with military duties.

CATEGORY II.

No laws or administrative regulations, but special authority required to accept a post in any private armament undertaking or any commercial concern whatever:

Austria
Denmark
Finland

Germany¹
Persia

Sweden²
Yugoslavia²

CATEGORY III.

No laws or administrative regulations whatever:

China
Iraq
Irish Free State³
Lithuania

New Zealand⁴
Norway
Roumania⁵
Siam

Switzerland⁶
Union of South Africa
United Kingdom⁷
Venezuela

Note. — As regards countries which have no private armament factories and to which the fourth question in the questionnaire does not apply, see their replies to the first to third questions above.

ANNEX 4.

Conf.D./C.C.F.24.

Geneva, February 17th, 1933.

REPORT BY THE SUB-COMMITTEE ON THE MANUFACTURE OF ARMS

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¹ Authority required for any paid post of any kind. Such authority has never been granted for employment in a private armament undertaking.

² In practice, no such cases as that contemplated in the fourth question exist.

³ There is power to issue regulations of the nature contemplated in the fourth question should necessity arise.

⁴ In practice, the holding of a post of the nature contemplated in the fourth question will not be permitted.

⁵ No such cases as are contemplated in the fourth question actually exist.

⁶ For officials of the military administration, see Category I.

⁷ This concerns only the personnel of the Army and Navy; for the personnel of the Air Force, see Category I.

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A. INTRODUCTION.

1. The Sub-Committee on the Manufacture of Arms was formed on October 21st, 1932, by the "Committee for the Regulation of the Trade in and Private and State Manufacture of Arms and Implements of War". Its object was to promote the study of questions relating to the manufacture of arms in such a way as to facilitate the subsequent work of the Committee.

2. The Sub-Committee took as its starting-point the report presented by the Committee to the Bureau on the progress of its work (document Conf.D.145). The Bureau, after discussing this report, adopted on November 22nd a resolution (document Conf.D.149) which the Sub-Committee took into consideration in the course of its work.

3. The Sub-Committee has studied all questions relating to the regulation of the manufacture of arms, with the exception of the following:

(a) The abolition of the private manufacture of arms or the internationalisation of all arms manufacture. The Sub-Committee considered that it did not require to make a special study of these questions until the Committee had settled the question of principle in respect of them.

Moreover, the Sub-Committee would not as yet have been able to study these questions in the light of a sufficient number of replies to the questionnaire relating to the manufacture of arms (document Conf.D./C.L.5).

(b) Other questions which might be specially studied in the light of this questionnaire and the points in regard to which the Danish delegation proposed that the delegations should obtain information (document Conf.D.145, point 9).

(c) Regulation and publicity of the production of arms and war material. In its resolution of November 22nd, 1932 "the Bureau considers that any final formula should be postponed until appropriate solutions have been reached by the competent organs of the Conference". In this connection, certain delegations observed that the Conference has not yet taken sufficiently definite decisions regarding the limitation and publicity of war material to enable a useful study of these questions to be made. Consequently, the Sub-Committee has not examined the question of the equality of treatment as between State manufacture and private manufacture in regard to the regulation and publicity of the production of arms.

(d) The Sub-Committee has not studied in detail the question of categories, because, after a preliminary examination, it considers it expedient to propose to the Committee the setting-up of a technical committee to study the categories both for the manufacture of and for the trade in arms.

One delegation pointed out that the convening of this committee of experts could not serve any useful purpose until the Conference had taken decisions regarding the qualitative and quantitative limitation of war material. It was observed that the aircraft category could not be defined until the Conference had taken a decision in regard to civil aviation.

The observations arising out of the Sub-Committee's preliminary study of categories are given below.

(e) The question whether special stipulations relating to war inventions should be proposed. This question was raised by certain delegations, which reserved the right to submit suggestions later to the Committee.

4. The Sub-Committee presents the following report on the regulation of the manufacture of arms. This report contains very few final proposals. In several cases the Committee could not come to an agreement, so that certain proposals mentioned below are only supported by a few delegations. In cases where divergent opinions have been expressed on the same question,

alternative texts are submitted. Many of the proposals are merely provisional because they depend on other work of the Conference which has not yet been terminated. Several delegations are of opinion that it will not be possible to frame unanimous and final proposals until the Conference has settled the questions of the limitation and publicity of war material and civil aviation.

5. *Preamble.*

As the Bureau, in its resolution of November 22nd, 1932, considers that it is already agreed that the provisions relating to the manufacture of arms shall be included in the same legal instrument as the Convention for the Reduction and Limitation of Armaments, the question of a special preamble for the manufacture of arms does not arise.

B. DEFINITIONS.

6. *Categories of authorised arms.*

I. In studying the question of categories of authorised arms, the Sub-Committee was guided by the Committee's decisions to change the list of categories of arms as little as possible and to provide the same categories for the manufacture as for the trade in arms.

It based its discussion on the categories of arms mentioned in Article 1 of the Draft Convention of 1929 and those of the 1925 Convention on the Trade in Arms. In addition, it took note of the proposal for the unification of Customs nomenclature drawn up by the Sub-Committee of Experts for the Unification of Customs Nomenclature of the Economic Committee of the League of Nations (document Conf.D./C.C.F./S.C.F./24).

II. Although the Sub-Committee has merely had a first exchange of views regarding categories (for the reasons mentioned above under 3(d)), it submits the following preliminary observations on the subject:

(a) If the principle of qualitative disarmament means that arms the individual power of which exceeds certain limits are to be entirely abolished or internationalised, it would be advisable to fix maximum limits for the categories of arms to which qualitative disarmament would apply, such as guns, tanks, vessels of war and aircraft.¹

(b) The Sub-Committee observed that certain corrections would be necessary in the list of categories of the 1929 draft.

(c) Without proposing to make extensive changes, some delegations asked that the categories should be simplified or that arms of which the military value has become very small ("armes blanches") should be omitted.

The question of spare parts was considered by the Sub-Committee. It was pointed out that the question should not be interpreted in such a wide sense as had been done by the Committee of Experts for the Unification of Customs Nomenclature for tariff purposes, because a restricted conception of spare parts would facilitate control and the compilation of military statistics and would avoid the necessity for extending the licensing system to too many factories.

7. *Prohibited arms.*

I. As proposals to forbid the manufacture of prohibited arms were submitted to the Committee, the question arose whether special categories should be provided in this connection. This question was also raised by the recommendation of the Special Committee on Chemical, Incendiary and Bacterial Weapons, which asked that the Committee for the Trade in and Manufacture of Arms should take its work into consideration.

II. The Sub-Committee noted that there are various kinds of prohibited arms:

(1) Arms the use of which is or will be prohibited by the Conference.

(a) Arms and means of warfare which as far as is known can only be used against an adversary: explosive bullets, certain implements and projectiles for chemical and incendiary warfare; mustard gas, poisoned weapons, etc.

(b) Arms and means of warfare used both for warlike and for pacific purposes: chemical products, flame projectors, dum-dum bullets, poisons, etc.

(2) Arms to which qualitative disarmament will apply when they exceed certain characteristic limits: guns, tanks, warships and aircraft.²

The Sub-Committee acknowledged that there would be some difficulty in defining these various weapons. As some delegations did not see any use in doing so, it did not attempt to define them.

¹ This might be done by adding at the end of item 5 (b) and (c) of Category I: "but not exceeding x centimetres" and to item II of this category: "the weight of which not exceed x tons". In Category III "Vessels of war of all kinds" should be replaced by the various classes of vessels defined in the Convention, adding to each class: "the displacement of which does not exceed x tons, and the guns of which have a calibre not exceeding y centimetres". Aircraft prohibited on account of their individual power would be excluded from Category IV.

² The question whether these arms are also prohibited in wartime is dealt with under section 22.



Moreover, the Sub-Committee was unable to take into account the definition of some of these arms given by the Drafting Committee on Chemical, Incendiary and Bacterial Weapons as that Committee had not finished its work.

III. The following arguments were submitted for and against the establishment of categories of prohibited arms:

(a) It is difficult to give an exhaustive list of prohibited arms. There is a risk that any definite list may omit certain existing or future arms.

Reference should merely be made to international law, which prohibits the use of these arms.

(b) Most of the prohibited arms are allowed to be manufactured for pacific purposes, so that there is no control over the purposes for which they are to be used.

The manufacture of prohibited arms cannot therefore be prohibited, but only their use.

(c) It is therefore not necessary to establish categories of prohibited arms.

(d) It is merely necessary to include a provision relating to prohibited arms in the preamble to the future Convention for the Reduction and Limitation of Armaments. On this subject, the following text, drawn up by the Special Committee, will be remembered: "whereas arms, munitions and material of which the employment in war is prohibited by international law cannot be manufactured with a view to such use".

A proposed compromise providing that the Preamble should refer to an annex enumerating the principal prohibited arms merely for information and not exhaustively was not unanimously accepted by the Sub-Committee.

8. *Definition of private manufacture.*

The Committee took as a basis for discussion Article 2 of the Draft Convention of 1929, which it provisionally adopted with the reservations shown below.

"For the purposes of the present Convention ¹ private manufacture shall be considered to mean manufacture of articles defined in Article 1 taking place in establishments of which the State is not the sole proprietor, and which are (mainly or to a large extent) ² engaged in the manufacture of the articles covered by categories . . . ³ of Article 1 (excluding manufacture on the order and behalf of the State). ⁴

C. RESTRICTIONS ON THE MANUFACTURE OF ARMS.

9. *Decision of principle regarding licensing systems.*

The Sub-Committee considered that the manufacture of weapons of war should be authorised only under a licence granted to the manufacturers. The delegations which desire the complete

¹ This phrase has been reserved until it is known what legal instrument will contain the provisions relating to the manufacture of arms.

² This phrase has been reserved because it seems too vague; some Members of the Committee wished to delete it and others to make it more specific.

³ The indication of the categories is reserved (in the 1929 draft, reference is made to Categories I, II, III and IV).

⁴ This phrase, which means that private manufacture on the order and behalf of the State is not reckoned as private manufacture but as State manufacture, has been reserved until the question of the treatment of State manufacture comes under consideration.

abolition of private manufacture agree with this proposal on the subject of licences, should their demand for suppression not be accepted.¹

Opinions differed, however, on the question whether such licences should be national or international, and on the subject of the provisions to be made with regard to such licences.

It is for the Governments to grant licences and lay down provisions with regard to them.

An international system of licences would preclude equal treatment of private and State manufacture.

On the other hand, it is understood that any system of licences for the manufacture of arms must be completed by a system of licences for import and export.

There should not, therefore, be any international stipulations with regard to licences (apart from the grant of licences for the manufacture of weapons of war).

If the private manufacture of arms cannot be abolished, provision should at least be made for an international system of licences.

A purely national system of licences would not permit of effective supervision and would not correspond to the international provisions which will be laid down for the reduction and limitation of armaments.

Certain delegations made proposals for a compromise, but these did not secure unanimity in the Sub-Committee. It was proposed to lay down:

(a) General principles by which Governments would be guided in drawing up their national licences;

(b) A system of uniform national licences based on a model licence laid down by the Convention.

10. *Stipulations concerning licences.*

I. Type of licence.

The High Contracting Parties undertake not to permit in the territory under their jurisdiction the private manufacture as defined . . . of the articles covered by categories . . . unless the manufacturers there-of are licensed by the Government.²

This provision is considered insufficient for the reasons given above in the right-hand column of No. 9.

II. Specification of the arms the manufacture of which is authorised under licence.

The Government licence must stipulate what categories of arms the holder is authorised to manufacture.³

The Government licence must specify with as much detail as possible the kind and quantity of implements of war which the holder of a licence is authorised to manufacture.

III. Duration of licences.

The Sub-Committee recognises that, from the economic point of view, licences of short duration might not be practical, because manufacturers would refuse to invest capital in war industries owing to the fact that they would not be sure of receiving a return on such capital.

This licence shall be valid for a period to be determined individually by each High Contracting Party, and shall be renewable for a further period at the discretion of the Government.⁴

The period of validity of the licences should be fixed by the Permanent Disarmament Commission.

¹ This remark also applies to the other proposals of the Sub-Committee in the subsequent part of this report.

² This proposal corresponds to the first part of Article 3 of the 1929 Draft Convention, with the following modifications:

(i) A blank is left for the article defining private manufacture and for the categories, these questions having not yet been settled;

(ii) The end of the paragraph is deleted, and the subject to which it refers—specifications of arms, etc.—is dealt with later.

³ Article 3 of the 1929 Draft Convention stipulated that manufacturers must be "licensed by the Government to manufacture the articles referred to in this Article" (Categories I, II, III and IV). A specification was not expressly indicated, but seems to have been contemplated in Article 4, which provides that the High Contracting Parties undertake to publish a description of the war material for which the licence is granted.

⁴ This text is identical with the second paragraph of Article 3 of the 1929 Draft Convention.

IV. Conditions of withdrawal.

(a) The power to withdraw a licence being implicitly contained in the right to grant it, it is not necessary to provide stipulations on this subject.

(a) Each Government should reserve the right, in the text of the licences, to withdraw them in the event of the activity of the holder of the licence being likely to disturb good international relations.

The power to withdraw a licence is not implicitly involved in the right to grant one, but at present depends on the law of the country. Where such law does not authorise withdrawal, the establishment may continue to manufacture, even if such manufacture has had "evil effects". The Sub-Committee knows of no case in which a Government has withdrawn a licence for such reason. The Conference must therefore decide as to the undertakings to be entered into by Governments in regard to the withdrawal of licences.

(b) Same remark as (a).

(b) When granting licences, Governments shall draw the attention of holders to the fact that, should the Government have to take action against the holder, the licence can be withdrawn without entitling the holder to claim for damages.

II. *Prohibition of the granting of licences for prohibited arms.*

As the Sub-Committee was not unanimous on the question whether categories of prohibited arms should be established and special provisions made in respect of them, it did not go into the question of the prohibition of the granting of licences for the manufacture of prohibited arms.

12. *Personal restrictions affecting arms manufacturers.*

I. The French delegation has submitted the following recommendations in respect of personal restrictions affecting arms manufacturers:

"In consideration of the acknowledged importance of the public opinion of the world for the application of any pact and the supervision over the observance of any convention relative to the reduction and limitation of armaments; in consideration further, of the prevailing uneasiness reflected by public opinion regarding the 'evil effects' attendant upon the private manufacture of arms, an uneasiness which has already brought about the introduction of certain disabilities:

"The Sub-Committee considers it necessary that, with a view to giving satisfaction and guidance to public opinion, all countries signatories to the Disarmament Convention should undertake to adopt the same legislative and administrative measures, in order that, in accordance with principles IV and V¹ of the Temporary Mixed Commission's report, the following should be prohibited:

"(a) Any collusion, direct or indirect, between the holder of a manufacturing licence and the holder of any position in a newspaper enterprise, whether in connection with editing or publishing:

"(b) The simultaneous tenure by one individual of a legislative office and a position as director or manager of a private concern manufacturing war material under Government contracts."

II. The Sub-Committee endeavoured to separate the various questions raised by the problem of personal restrictions affecting arms manufactures.

III. Is it possible and advisable to provide personal restrictions affecting arms manufacturers?

(a) It was agreed that personal restrictions could not be introduced without constitutional changes in the various countries and that, even if the Convention were to provide that all States should alter their constitutions to that effect, such changes would require considerable time.

Some delegations, however, think that such restrictions might be useful, while others are opposed to the imposition of personal restrictions upon private arms manufacturers.

¹ Document Conf.D.77.

(b) It must be left to the various States to prevent the activity of arms manufacturers from having evil effects. It is for each State to regulate its private manufacture of arms.

Moreover, it is unnecessary to provide restrictions of this kind, because the wide publicity of the manufacture of and trade in arms will sufficiently check any evil effects which might arise.

(c) The profession of arms manufacturer is considered a legitimate and honourable one and therefore personal restrictions should not be imposed on these manufacturers.

(d) It would be difficult to state what manufacturers should come under the restrictions. (Should they include manufacturers of auxiliary arms and spare parts, the thousands of manufacturers who in wartime change their production with a view to manufacturing arms? How should firms be treated who are proprietors both of arms factories and newspapers, etc.)

(e) Reply to the arguments stated in the right-hand column:

The Temporary Mixed Commission did not consist of Government representatives, but of experts appointed in a personal capacity. The Governments did not always adopt the proposals of the experts from their own countries.

Subsequently, the Special Committee on the Manufacture of Arms dealt with the question and did not think that all States could introduce personal restrictions on arms manufacturers. For this reason, the 1929 Draft Convention does not mention this question.

IV. Can manufacturers exercise an evil influence only in their own country, or also in other countries?

In general, arms manufacturers can only exercise influence in their own countries. But it may happen that arms manufacturers influence foreign newspapers also and bribe or subsidise political parties.

V. Must special measures be introduced to prevent arms manufacturers from exercising an evil influence on newspapers?

(a) Government control over the ownership of the Press is undesirable, as it is difficult to conceive of any such measures being compatible with the legitimate freedom of the Press.

(b) Legislation would be ineffectual, and arms manufactures would be able to exercise a decisive influence on the Press in spite of such legislation (a single financial group, in many cases anonymous, may manufacture arms, own newspapers, and so forth).

(c) See III (b), first paragraph.

(b) It is absolutely necessary to introduce restrictions of this kind in order to check the evil effects of private manufacture.

(c) The personal restrictions contemplated do not affect the honour of arms manufacturers. In some States there are already personal restrictions on the members of certain professions without their honour being affected (*e.g.*, doctors, who may not inherit from their patients, etc.).

(d) In accordance with the report of the Temporary Mixed Commission (document Conf. D.77), the holders of licences for the private manufacture of arms and the managers, directors and high officials of such undertakings should come under these restrictions.

(e) All the members of the Temporary Mixed Commission recommended in their report of 1924 (document Conf.D.77) that the manufacturers of arms should be debarred from financing newspapers and from standing for Parliament. The Sub-Committee should not make a proposal falling short of that put forward by the Commission.

(a) Measures should be introduced which would be restricted to what is necessary in the interests of peace and would not affect the principle of the freedom of the Press. Even now the freedom of the Press is in certain cases restricted—*e.g.*, as regards the publication of articles of an obscene nature.

(d) Special measures should be considered for preventing arms manufacturers from influencing foreign newspapers.

(e) The question of not influencing newspapers in a manner harmful to peace and good understanding between the nations is connected with moral disarmament.

VI. Must arms manufacturers be prevented from standing for Parliament ?

(a) Reply to the arguments stated in the right-hand column:

Such measures would serve no useful purpose, because, assuming that arms manufacturers are able to exert an influence on legislatures by their presence in them as members, it would be equally possible for them to exert such an influence through other individuals not officially connected with their concern.

In some countries which have the system of corporate representation, all the representatives of a corporation might come under the prohibition to stand for Parliament. This would be incompatible with the Constitution.

(a) Arms manufacturers must be prevented from standing for Parliament. In a number of countries there are already measures preventing members of certain professions—in particular, arms manufacturers—from standing for Parliament.

(b) This question is part of the problem of adapting national law to the present stage of development of international law and is therefore linked up with the question of moral disarmament.

VII. What would be the best procedure for putting into force personal restrictions affecting arms manufacturers ?

The Sub-Committee has not considered the possibility of suggesting international restrictions for arms manufacturers, but some delegations propose to recommend the States to introduce such measures in their national legislation:

To submit to the Conference a recommendation which might be submitted to all the States taking part in the Conference (*cf.* in this connection the French proposal in point I above).

D. LIMITATION OF MANUFACTURE.

13. *Qualitative limitation of manufacture.*

The Naval Agreements of Washington and London, together with the Draft Convention of the Temporary Mixed Commission, prohibit the construction of vessels of war with characteristics exceeding those provided by the Convention.

The Sub-Committee proposes to include a similar clause for all weapons subject to qualitative disarmament. A provision of this kind might be worded as follows:

“ The High Contracting Parties undertake not to cause to be manufactured or constructed and not to permit within their jurisdiction the manufacture or construction for their own account, that of another State or of private individuals, of arms, vessels of war or aeroplanes possessing characteristics exceeding those provided in Categories . . . ”¹

14. *Prohibition to manufacture prohibited arms.*

The delegations in favour of establishing “ categories ” of arms the use of which in time of war is or will be entirely prohibited by the Convention propose to prohibit expressly the manufacture of these arms when they are intended for purposes of war (see above under 7).

15. *Limitation of capital invested in war industries.*

I. The Sub-Committee, in accordance with the Soviet proposal (document Conf.D./Bureau 10), considered the question of direct limitation and reduction of capital invested in war industries

¹ If the categories remain unchanged, the reference would be to Categories I, III and IV.

and auxiliary industries. This proposal was approved or rejected for the following reasons:

Such limitation and reduction are not practicable for the reasons indicated below under II).

The capital invested in war industries would be limited and reduced automatically and in a practical manner by the adoption of national and international measures for reducing armaments and establishing quotas for the manufacture of arms.

A limitation of the capital invested in the big undertakings almost exclusively manufacturing war material must be prescribed.

The financial operations affected by these undertakings should be not only limited but reduced.

II. In order to study this problem, the Sub-Committee put the following questions:

(a) Is it possible to define the capital invested in war industry ?

It is not possible to define the capital invested in war industry. There are many establishments which manufacture both arms and articles utilised for civil purposes (military rifles and sporting guns, gun-carriages and bicycles, tanks and tractors, warships and merchant vessels, etc.). It would be very difficult to divide up the capital invested in these factories. Furthermore, the development of subsidiary and affiliated companies among big manufacturing concerns introduces complications which make it impossible to determine the total capital of these concerns or the purposes to which it is devoted.

It is difficult to define all the capital invested in war industry, but it is possible to define the capital invested in big undertakings almost exclusively manufacturing armaments.

(b) Is it possible to define the capital invested in the auxiliary industries ?

Since it is impossible to define capital invested in war industries, all the more must it be impossible to define that invested in auxiliary industries.

(c) What capital should be taken into consideration ?

It would be very difficult to determine what capital should be taken into account (paid-up capital or nominal capital or market value, capital alone or capital with reserves and loans).

All capital, including reserves and loans. It would be comparatively easy to supervise the financial transactions of the undertakings in such a way as not only to limit but reduce them.

E. PUBLICITY.

16. *Publicity of licences.*

I. By Governments.

The Sub-Committee provisionally retained the text of Article 4 of the 1929 Draft Convention. The following text was adopted. The modifications proposed by certain delegations are shown in parentheses:

“ The High Contracting Parties undertake to forward to the Permanent Disarmament Commission,¹ or to publish, within two months of the close of each quarter beginning on the first day of January, April, July and October, a list of licences granted or renewed
(or modified) (or withdrawn)

during that quarter, together with:

(a) A description (with indication of the quantity) of the war material for which the licence is granted;

“ (b) The name and address of the registered or head office of the licensee (and the period for which the licence has been granted or renewed).”²

¹ In the 1929 Draft Convention, reference was made to the Secretary-General of the League of Nations.

² One delegation proposed the omission of this phrase.

In this clause, the Sub-Committee has maintained the alternative of forwarding the text of the provisions to the Permanent Disarmament Commission or publishing it, on the ground that it rests with the Conference to specify, if it thinks fit, the manner in which the information is to be supplied to it.

Certain delegations attach great importance to the standardisation of licences, as they consider that comparison would be impossible on the basis of dissimilar licence systems.

Other delegations remarked that what was really important was, not the standardisation of the form of licences, but the co-ordination of the information to be supplied by the Governments to the Permanent Disarmament Commission on the basis of such licences. In their opinion, the publicity of licences (which apply to private manufacture only) should not be effected in a manner which would run counter to the principle of equality of treatment between private and State manufacture. It is, moreover, not by the particulars relative to licences, but by the output of the private and State manufacture of arms in any given country that the extent of its arms manufacture would be ascertained.

It was understood that the final proposals regarding the publicity of licences would depend upon the decisions embodied in the stipulations relative to the publicity, supervision and limitation of war material in general.

II. Publication of licences by the Permanent Disarmament Commission.

The Sub-Committee provisionally adopted the following clause:

“ The Permanent Disarmament Commission shall periodically publish a list of licences issued by the Governments. ”

A stipulation on these lines was proposed by the Temporary Mixed Commission and by certain delegations on the Committee for the Regulation of the Trade in and Manufacture of Arms.

17. *Publicity of manufacture of arms.*

As was mentioned in the introduction, the Sub-Committee felt that it would be inexpedient to study the question of the publicity of manufacture of arms until the Conference had taken a decision regarding the publicity of war material in general. Nevertheless, the Committee felt that it might concern itself with one aspect—a negative aspect—of the question: a stipulation to the effect that there should be no obligation as regards publicity in the case of certain weapons included in Category V of the Draft Convention.

The Sub-Committee adopted in this connection the following text:

“ Articles covered by Category . . . shall only be subject to such publicity as may be prescribed by the national legislation. ”

This text is the same as that of Article 7 of the Draft Convention of 1929, but the specification of the category is left blank.

The Sub-Committee agreed that it referred to war materials, which are of only small importance or are also used for non-military purposes (powder, etc.), but it has not yet specified what weapons are concerned, as the question of categories has not yet been examined. In the 1929 draft, the wording referred to weapons of Category V, but certain delegations considered that it might be advisable to provide publicity for explosives (which appear in that same category).

Other delegations drew attention to the difficulties and inconveniences of such publicity, more especially in regard to explosives which are also used for non-military purposes.

Further, the Committee took steps to ascertain the present position in regard to statistics of manufacture of arms and now directs the Committee's attention to the Secretariat memorandum (document Conf.D./C.C.F.23) which also deals with the present position in regard to such statistics.

18. *Publicity of certain appliances or products which can be utilised for purposes of war.*

There are certain weapons, such as dum-dum bullets and flame projectors, and certain chemical products the manufacture of which for pacific purposes is restricted and in regard to which some delegations think that an abnormal increase might be highly significant. Those delegations propose accordingly that the quantity of such arms and products manufactured should be published. Other delegations have drawn attention to the difficulties and inconveniences of such publicity.

19. *Publicity of capital invested in the armaments industry.*

The arguments which have been submitted for and against the limitation of capital invested in the armaments industries and auxiliary industries apply also to the publicity of such capital (see section 15).

20. *Publicity of laws.*

“ The High Contracting Parties undertake to forward to the Permanent Disarmament Commission, or to publish, the text of the provisions of all statutes, orders or regulations in

force within their territory dealing with articles covered by categories . . . All provisions enacted for the purpose of carrying out the present Convention and all amendments and additions to such statutes, orders, regulations and provisions shall also be published, or forwarded to the Permanent Disarmament Commission.”¹

In this clause, the Sub-Committee has maintained the alternative of forwarding the text of the provisions to the Permanent Commission or publishing it, on the ground that it rests with the Conference to specify, if it thinks fit, the manner in which the information is to be supplied to it.

F. SUPERVISION.

21. *Supervision (general or special) over arms manufacture.*

I. In its resolution of November 22nd, 1932, the Bureau requested the Committee:

“To consider whether, within the general framework of the supervision already adopted by the Bureau, it is necessary to provide a technical procedure better adapted to the international supervision of the trade in and manufacture of arms.”

The Sub-Committee was unanimous in recommending that the international supervision to be provided for by the Convention should apply to arms manufacture.

II. The Sub-Committee considered whether any special procedure should be laid down for the supervision of arms manufacture.

Various points of view were expressed on this matter.

(a) The study of the problem of supervision of arms manufacture should be postponed until a decision has been taken as to the procedure in regard to the publicity and supervision of war material.

(a) The first step should be to decide on the nature of the supervision to be applied to arms manufacture, and the special procedure to be adopted in this connection; it will then be possible to decide to what extent arms manufacture can be supervised.

(b) As the private manufacture of arms is to be abolished, the question only arises in the case of State factories; such factories should be subjected to a strict international supervision and special procedure should be laid down for this purpose.

(c) The same technical procedure should be laid down for the supervision of arms manufacture as for the limitation of war materials in general.

(c) A special procedure should be laid down for the supervision of manufacture, as general supervision would not be sufficiently effective.

(d) If it is proposed to supervise the quantity (weight and number) and value of arms manufactured, special rules must be laid down for this purpose. As regards supervision of value, it would be best to await the report of the Committee on National Defence Expenditure.

III. Proposed special procedures for the supervision of arms manufacture.

The following proposals were put forward by certain delegations:

I. “If one of the High Contracting Parties is at any time of opinion that the manufacture of arms, ammunition and war material in the territory of another High Contracting Party shows a sudden large and abnormal increase, and if it regards such increase as evidence of a menace to peace, it may refer the matter to the Permanent Disarmament Commission.

“The Commission shall invite the High Contracting Party whose manufacture led to the taking of this step to furnish all necessary explanations. It shall undertake an enquiry into the matter and, for this purpose, shall be entitled to make use of the various sources of information provided for in the present Convention.

“The Commission shall draw up a reasoned report as soon as possible, giving the result of its enquiry.

“The High Contracting Parties shall without delay come to an agreement regarding the conclusions in the report.”

¹ This clause is the same as the one which appears in the last paragraph of Article 5 of the Draft Convention of 1929 but with the following modifications:

As the Conference has decided to set up a Permanent Disarmament Commission, the laws in force are to be forwarded to the Commission and not to the Secretary-General.

Furthermore, the 1929 draft refers specifically to articles covered by Categories I, II, III and IV. As the question of categories has not yet been gone into, the present text leaves it open.

2. The Permanent Disarmament Commission should be kept informed of orders for arms and of the relative expenditure, and should be in a position to supervise manufacture on the basis of output, and if necessary by inspection on the spot.

Supervision should, in addition, be exercised by the workmen's organisations whose members are employed on arms production.

The Sub-Committee did not discuss these proposals.

IV. Should the same supervision be applied to private manufacture and to State manufacture ?

Supervision of private manufacture should be stricter than that of State manufacture.

Private and State manufacture should be subjected to "equivalent" supervision.¹ Provision might, however, be made for the same measure of supervision by different methods of procedure.

G. DEROGATIONS.

22. *Derogations from the stipulations regarding arms manufacture.*

I. As the stipulations relative to arms manufacture will be incorporated in the same legal instrument as the Convention for the Reduction and Limitation of Armaments, the question of derogations in regard to stipulations relative to arms manufacture appears to be essentially bound up with the more general question of derogations in respect of the limitation of armaments. The question of derogations from the stipulations relative to arms manufacture—assuming that they require a special procedure—cannot therefore be usefully examined by the Sub-Committee until a later stage.

II. In the course of the preliminary examination of the question of derogations, certain delegations raised the question of how far the stipulations relative to arms manufacture would remain in force in time of war:

- (a) For belligerents,
- (b) For neutrals and, furthermore,
- (c) In regard to arms affected by qualitative disarmament.

While recognising the importance of these questions, the Sub-Committee considered that they did not fall within its competence, as they raised problems of international law such as the respecting of the rights and duties of neutrals in time of war and related not merely to manufacture but also to the limitation of armaments.

ANNEX 5.

Conf. D./C.C.F.38.

Geneva, May 5th, 1933.

REPORT BY THE TECHNICAL COMMITTEE ON CATEGORIES OF ARMS.

I. The Technical Committee on Categories of Arms, the constitution of which had been proposed both by the Sub-Committee on the Manufacture of Arms and by the Sub-Committee on the Trade in Arms, was set up on April 12th, 1933, by the Chairman of the Committee for the Regulation of the Trade in and the Private and State Manufacture of Arms and Implements of War.

The Technical Committee elected General Bénitez (Spain) as Chairman.

M. Magnette, rapporteur of the Arms and Ammunition section of the «Draft Customs Nomenclature drawn up by the Sub-Committee of Experts for the Unification of Customs Nomenclature» set up by the Economic Committee of the League of Nations, took part in the Committee's work and, thanks to his valuable assistance, the categories established for the regulation of the trade in and the manufacture of arms have been brought into line as far as possible with the categories of arms proposed for the unification of Customs nomenclature.

Moreover, M. Magnette stated that his participation in this Committee's work will likewise have been helpful from the point of view of the final establishment of the Customs nomenclature for categories of arms.

¹ It was remarked that private manufacture and State manufacture could only be supervised on a basis of equality if such supervision was carried out by an international body (there could be no question of any State's supervising its own manufactures). Certain delegations observed that such supervision might be exercised through equal publicity in regard to the output of private and State manufacture.

2. The Committee's task was to establish categories of arms both for the regulation of the trade in and the regulation of the manufacture of arms, ammunition and implements of war.

The Committee confined itself to establishing categories for "authorised" arms; it did not deal with the question of categories for "prohibited" arms, as the Committee for the Regulation of the Trade in and Manufacture of Arms has not yet decided whether effect shall be given to the suggestion made by certain delegations to provide categories for "prohibited" arms.¹

Generally speaking, the Committee has not considered the question whether publicity (and possibly limitation) should relate to weight, number or value.

3. The Committee took as a basis the categories established in 1929 by the Special Committee (document A.30.1929.IX). Amendments were submitted by the French, German, Italian and Polish delegations. These various proposals were all in accordance with the desire expressed by the Committee for the Regulation of the Trade in and Manufacture of Arms in that they were based on the three following principles:

- (a) The categories of arms already established should be modified as little as possible;
- (b) These categories should be simplified for practical purposes, and particularly in order to do away with any doubtful line of demarcation between the different categories;
- (c) The categories should as far as possible be brought into line with those provided for the unification of Customs nomenclature.

As it was anxious to avoid any unnecessary modification of the categories previously established—which would involve a revision of the provisions relating to those categories—the Committee was unable to accept the proposals submitted by the French² and German delegations, which would have made it necessary to change the order and the contents of the different categories. They had suggested that the principal land, naval and air arms should be grouped in one or three categories, and that accessory arms and those not employed exclusively for military purposes should be placed in an auxiliary category.

4. The categories of arms established by the Committee are given below.

In order to show what changes have been made as compared with the 1929 categories, the latter have been placed opposite those proposed by the Technical Committee, and explanations are given in regard to the various alterations.

1929 DRAFT CONVENTION.

COMMITTEE'S PROPOSAL.

CATEGORY I.

Arms, ammunition and implements of war exclusively designed and intended for land, sea or aerial warfare.

Arms, ammunition and implements of war, exclusively designed for land, sea or aerial warfare, except those covered by other categories.³

A. Arms, ammunition and implements exclusively designed and intended for land, sea or aerial warfare⁴ both those which are or shall be comprised in the armament of the armed forces of a State and those which have been comprised in such armament⁵ except such arms, ammunition and implements which, though included in the above definition, are covered by other categories⁶.

A. Arms and their component parts⁷ which are easily recognisable, have a definite military characteristic and are capable of being utilised only in the assembling or repair of such arms.⁵

Such arms, ammunition and implements are classified under the following twelve headings:

Such arms, ammunition and implements are classified under the following 5 headings:

- 1. Rifles, muskets, carbines.
- 2. (a) Machine-guns, automatic rifles and machines-pistols of all calibres.

- 1. Rifles, muskets, carbines.
- 2. Machine-guns, automatic rifles and machine-pistols of all calibres.

¹ See report of the Sub-Committee on Manufacture (document Conf.D./C.C.F./24, section 7).

² For the French proposal, see paragraph 5, page 64.

³ The addition of these words makes the title more explicit; otherwise vessels of war and aircraft would also come under this category.

⁴ The words omitted were considered superfluous, since they are already included in the title.

⁵ It was not considered necessary expressly to mention the fact that obsolete arms also come under this category, in view of the definition given for Categories I and II.

⁶ This phrase has been replaced by the addition to the title.

⁷ The Committee considered it possible to simplify the list of categories by grouping component parts with the complete arms to which they belong. The words added here replace paragraph B of Category I.

The word "essential" as applied to component parts has been omitted in view of the Customs difficulties which would arise in practice in deciding whether a part is essential or not.

1929 DRAFT CONVENTION.

COMMITTEE'S PROPOSAL.

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| <p>(b) Mountings for machine-guns;^{1 2}
 (c) Interrupter gears.¹</p> <p>3. Projectiles and ammunition for the arms enumerated in Nos. 1 and 2 above.</p> <p>4. Gun-sighting apparatus, including aerial gun-sights and bomb-sights, and fire-control apparatus.²</p> <p>5. (a) Cannon, long or short, and howitzers, of a calibre less than 5.9 inches (15 cm.)³;
 (b) Cannon, long or short, and howitzers, of a calibre of 5.9 inches (15 cm.) or above;
 (c) Mortars of all kinds³;
 (d) Gun carriages, mountings, recuperators, accessories for mountings.¹</p> <p>6. Projectiles and ammunition for the arms enumerated in No. 5 above.</p> <p>7. Apparatus for the discharge of bombs, torpedoes, depth charges and other kinds of projectiles.</p> <p>8. (a) Grenades;
 (b) Bombs²;
 (c) Land mines, submarine mines fixed or floating), depth charges;</p> <p>9. Appliances for use with the above arms and apparatus.²</p> <p>10. Bayonets.</p> <p>11. Tanks and armoured cars.</p> <p>12. Arms and ammunition not enumerated above.</p> <p>B. Essential and easily recognisable component parts, completely finished, of the articles covered by A above, if capable of being utilised only in the assembling or repair of the said articles, or as spare parts.⁴</p> | <p>See below under B.</p> <p>3. Guns, howitzers and mortars.</p> <p>See below under B.</p> <p>4. Apparatus for the discharge of bombs, torpedoes, depth charges and other kinds of projectiles.</p> <p>See below under B.</p> <p>See below under B.</p> <p>See Category V, 3.</p> <p>5. Tanks and armoured cars.</p> <p>B. Projectiles and ammunition for the arms enumerated under A above, and hand grenades and mines.</p> <p>Also their component parts which are easily recognisable, have a definite military characteristic and are capable of being used only in the assembling or repair⁶ of such arms.</p> |
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CATEGORY II.

Arms and ammunition capable of being used for military or other purposes.

Arms and ammunition capable of being used for military or other purposes, except those covered by other categories.⁶

A. Arms and their component parts which are easily recognisable, have a definite military characteristic and are capable of being utilised only in the assembling or repair⁷ of such arms.

¹ This subdivision was deleted, as the Committee thought it contained one of the component parts included in the list (*cf.* page 61, note 7).

² See French proposal on this point on page 64 and 65.

³ It was thought that the various kinds of artillery could be combined under one heading, but the German delegation reserved the right to revert to the question in the Committee for the Regulation of the Trade in and Manufacture of Arms.

⁴ See, as regards the deletion of this paragraph, the explanations in note 7 on page 61.

⁵ It is suggested that all "ammunition" and the component parts thereof (for which general particulars of weight and value could be given) should be grouped in one special paragraph B, while arms would appear in paragraph A. As formerly listed, paragraph A contained completed arms and paragraph B component parts.

⁶ This addition was made for the same reasons as in the case of Category I (see page 61, note 3).

⁷ This addition was made for the reasons given in note 7 on page 61.

1 and 2, same wording as the right-hand column.

3. Ammunition for the arms enumerated under 1 and 2 above with the exception of those covered by Category I.

4. Swords and lances.

B. Essential and easily recognisable component parts of the articles covered by paragraph A above, which are entirely finished, and utilisable exclusively for the assembling and repair of the said arms or as spare parts.²

1. Revolvers, and self-loading or automatic pistols, and developments of the same, designed for single-handed use or fired from the shoulder, of a calibre greater than 6.5 mm. and length of barrel greater than 10 cm.

2. Fire-arms designed, intended or adapted for non-military purposes, such as sport or personal defence, that will fire cartridges that can be fired from fire-arms in Category I; other rifled fire-arms firing from the shoulder, of a calibre of 6 mm. or above, not included in Category I, with the exception of rifled fire-arms with a "break-down" action.

B. Ammunition for the arms enumerated in A above, except the ammunition covered by Category I; also its component parts which are easily recognisable, have a definite military characteristic and are capable of being utilised only in the assembling of such ammunition.¹

See under Category V.

CATEGORY III.

Vessels of war and their armament.

Vessels of war and their armament.

1. Vessels of war of all kinds.

2. Arms, ammunition and implements of war mounted on board and forming part of their normal armament.

Vessels of war of all kinds and their arms, ammunition and implements of war forming part of their normal armament.³

CATEGORY IV.

Aircraft.⁴

1. Aircraft assembled or dismantled.

2. Aircraft engines.

1. Aircraft assembled or dismantled.

2. Aircraft engines.

Completed aircraft and aircraft engines manufactured for the armed forces of the various countries.

¹ This change was made for the same reasons as in the case of Category I (see page 62, note 5).

² It is proposed to omit this paragraph for the same reasons as in the case of Category I (see page 6, note 7, and the addition above under A, page 62).

³ It is proposed that there should not be two separate subdivisions for Category III, because it has been thought desirable to include complete warships in a single group (as an entity), this arrangement corresponding to the Washington and London Treaties and the United Kingdom Plan (document Conf.D.157, Addendum, Annex 1 Standard Displacement).

⁴ The Committee was unable to agree on the subject of aircraft. The French, Japanese, Polish and Spanish delegations wished to keep the heads drawn up in 1929, whereas the American, United Kingdom, German and Italian delegations proposed to include under those heads only aircraft "manufactured for the armed forces of the various countries" and to group aircraft and aircraft engines under a single head on the same lines as in Category III.

Seeing that the decision as to the inclusion of civil aviation in this category is a political question, the Technical Committee does not see how it can continue this enquiry without special instructions on the point.

CATEGORY V.

1929 DRAFT CONVENTION (*continued*).

COMMITTEE'S PROPOSAL (*continued*).

1 and 2. Same text as in the right-hand column.

1. Propellants and explosives,¹ except common black gunpowder.

2. Arms and ammunition other than those covered by Categories I and II, such as pistols and revolvers of all models, rifled weapons with a "break-down" action, other rifled fire-arms of a calibre of less than 6 mm. designed for firing from the shoulder, guns with more than one barrel of which at least one barrel is smooth-bore, fire-arms firing rim-fire ammunition, muzzle-loading fire-arms.

3. Swords, lances, bayonets and similar weapons.²

5. The French proposal which the Committee decided to annex to its report—and which is given hereunder—was further based on the following principles:

(1) Categories should be arranged in the order of their importance on the one hand for the armament of modern armed forces and on the other hand for the possibilities they afford of supervision of the execution of a Convention for the Reduction and Limitation of Armaments.

(2) There should be no separation of the material comprised in the armament of the land, naval or air forces which is manufactured under analogous conditions, as well as of ammunition, propellants and explosives (Category I).

(3) There should be a special category for implements or parts of implements less important for the execution of the Disarmament Convention, the strict supervision of which would require special regulations (Category IV).

(4) There should be a special category for armaments not of great military value but of importance from the standpoint of trade, particularly in certain special zones (Category V).

As the Committee rejected this proposal, the French delegation asked that it should be annexed to the report.

FRENCH PROPOSAL.

Category I.

Arms, ammunition, and implements of war forming the main armament of the land forces or also used in the naval and air forces (other than arms and implements of war no longer in service).

1. Rifles, muskets, carbines.
2. Machine-guns, automatic rifles, machine-pistols.
3. Projectiles and ammunition for the arms enumerated above.
4. (a) Artillery of all calibres (complete).
(b) Gun-barrels, recoil buffer-recuperators, mountings for the above arms.
5. Loaded projectiles, fixed ammunition, shell-cases for the above arms.
6. Grenades and bombs, loaded.
7. Tanks and armoured cars.
8. (a) Gunpowder.
(b) Explosives.
(c) Armour-plate.

Category II.

Warships and their special armament.

(The French delegation will give further details if necessary.)

¹ The French delegation enters a formal reservation against gunpowder and explosives being kept in the same category as muzzle-loading fire-arms; it considers that, if these propellants and explosives are not included in Category I, they should be put in a special category subject to the same measures of control as the armaments of Category I (see French proposal on this point below).

² These weapons were formerly included in Categories I (10) and II (4).

Category III.

Aircraft and their special armament.

- 1. Aircraft, assembled or dismantled.
- 2. Aircraft engines.

Category IV.

Implements or parts of implements comprised in the armament of the land, naval, or air forces, and requiring special regulations.

- 1. Component parts for military small arms (by weight).¹
- 2. (a) Component parts for automatic arms (by weight).¹
(b) Mountings of all kinds for machine-guns (by number).¹
(c) Interrupter gears (by number).
- 3. Gun-laying apparatus, range-finding instruments, fire-control apparatus, aerial gun-sights.
- 4. Component parts for artillery, other than those in Category I, 4, paragraph (b).¹
- 5. Special apparatus and instruments for the discharge of grenades and bombs.²
- 6. Unloaded projectiles.³
- 7. Unloaded grenades and bombs.³
- 8. Primers and detonators.³

Category V.

Implements capable of being used in war, the trade in which is to be regulated chiefly in certain special zones.

- 1. Revolvers and automatic or self-loading pistols.
- 2. Fire-arms designed, intended, or adapted for non-military purposes, such as sporting weapons, but firing the same ammunition as the arms specified in Category I.
- 3. Sporting guns and ammunition therefor.
- 4. Arms no longer in service in the armed forces.

As has been stated, the Committee was of opinion that such a change would necessitate special rules regarding the arms in these new categories. It was also urged that, in opposition to the French proposal, it would be useful to include in the same category—and therefore to treat them in the same way—complete arms and their component parts.

The Committee therefore kept the former order of categories and rejected the French proposal.

Conf. D./C.C.F.40 and 40(a).

Geneva, May 27th and 30th, 1933.

ANNEX 6.

REPORT BY THE SUB-COMMITTEE ON THE TRADE IN ARMS

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¹ Included in the component parts in Category I—A, pages 61 and 62.

² Appear as subdivision 1, 4 of Category IA, page 5.

³ Included in the component parts in Category I B, page 62.

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A. INTRODUCTION.

1. The Sub-Committee on Trade in Arms was formed on October 19th, 1932, by the Committee for the Regulation of Trade in and Private and State Manufacture of Arms and Implements of War. Its object was to push forward the study of questions relating to the trade in arms in such a way as to facilitate the subsequent work of the Committee. It had been understood that the Sub-Committee on Trade in Arms would meet after that on the Manufacture of Arms.

2. In accordance with the Report submitted by the Committee to the Bureau of the Conference on November 12th, 1932 (document Conf.D.145)—

“the Committee has agreed in principle to recommend the revision of the 1925 Convention but, for reasons of expediency, to limit the amendment to the minimum strictly required”—the Sub-Committee took the 1925 Convention¹ as a basis for discussion, certain delegations nevertheless reserving their final attitude towards this Convention. It also kept in mind the Bureau's resolution of November 22nd, 1932 (document Conf.D.149) and the proposals which were laid before it by various delegations.

The Spanish delegation reserves the right to submit proposals to the Committee dealing both with trade in and manufacture of arms.

3. The Sub-Committee presents the following report on the regulation of the trade in arms.

In several cases, the Committee could not come to an agreement, so that certain proposals mentioned below are only supported by a few delegations. Other proposals are merely provisional, because they depend on work of the Conference which has not yet been terminated.

The various delegations stipulate that the adoption of the proposals submitted in this report shall be dependent on the final establishment of the categories, and one delegation² states that, whenever Category I is mentioned, this must be understood to include gunpowder and explosives.

¹ The report mentioned the articles of the 1925 Convention which were discussed, but does not indicate the slight changes in the text made principally in consequence of the resolution adopted by the Conference concerning the establishment of the Permanent Disarmament Commission.

² France.

Moreover, the delegations¹ which propose an international licensing system only approved of the text relative thereto on the hypothesis of such a system's being adopted. These same delegations reserve the right to ask for a change in the text in the event of the abolition of the private manufacture of arms being adopted.

B. PREAMBLE AND CATEGORIES.

4. *Preamble.*

As in its resolution of November 22nd, 1932, the Bureau of the Conference considered that it was already agreed that the provisions relating to the trade in and the manufacture of arms and implements of war should be included in the same legal instrument as the Convention for the Reduction and Limitation of Armaments, the question of the drawing up of a special preamble in regard to trade in arms does not arise.

5. *Categories.*

The Sub-Committee was not competent to pronounce upon the Technical Committee's report on categories of arms (document Conf.D./C.C.F.38), which is a matter for the Plenary Committee, but it felt bound in its report provisionally to take into account the categories adopted by that Committee, subject to the observations of certain delegations which are included in the report.

6. *Definition of documents authorising the trade in arms.*

The Sub-Committee dealt with the question of the definitions used to indicate the documents required for the export and import of arms. It noted that the word "licence" was used in the 1925 Convention in the sense of a "special permit" authorising the export of a limited quantity of arms, whereas in the 1929 Draft Convention relating to manufacture this is taken to mean a general permit authorising the manufacture of certain arms. The "special licence" to trade in arms is valid for the export of only one consignment, whereas the "general licence" to manufacture is in practice valid for a comparatively lengthy period.

As has already been observed, it would be premature to pronounce upon the definition of "licences" until a decision has been taken as to the régime to be adopted for the trade in arms. The Sub-Committee did not pursue this study, but considers that it would be advisable to submit in the Committee's final report precise definitions for licences or other documents required for the purpose of regulating the trade in and manufacture of arms.

Proposals in this connection have already been made by the German delegation.

C. RESTRICTIONS UPON TRADE IN ARMS.

7. *Decision of principle regarding the issue of licences.*

The Sub-Committee is of opinion that the licensing system must be strict as regards arms and implements of war proper, but different views are held as to the arms for the consignment of which a licence must be obtained and as to the type of licence (national or international).

Certain delegations² are of opinion that the licensing system should be based on the provisions of the 1925 Convention—*i.e.*, that it should apply solely to national licences. Other delegations¹ consider that a purely national licensing system would be inadequate and would not be adapted to the scale of the proposed Convention. They believe, moreover, that licences should be subject to definite and effective international supervision.

The changes which the various proposals mentioned above would introduce into the licensing system provided for in the 1925 Convention are enumerated below.

8. *Documentation relating to licensing systems for the trade in arms in force in the various countries.*

The Sub-Committee examined with interest the Secretariat's memorandum on the documentation relating to licensing systems for the trade in arms in force in the various countries.

9. *Exportation of arms of Category I to importing States.*

The Sub-Committee adopted the following Article³:

Article A. — "*The High Contracting Parties undertake not to export or permit the export of articles covered by Category I, except in accordance with the following conditions:*

"(1) *The export shall be for a direct supply to the Government of the importing State or, with the consent of such Government, to a public authority subordinate to it;*

¹ France, Poland, Spain.

² United Kingdom, Germany, Italy, Japan, United States of America.

³ Article 2 of the 1925 Convention.

“(2) An order in writing, which shall be signed or endorsed by a representative of the importing Government duly authorised so to act, shall have been presented to the competent authorities of the exporting country. This order shall state that the articles to be exported are required for delivery to the importing Government or public authority as provided in paragraph 1.”

10. *Export of arms of Category I to private persons.*

The Sub-Committee adopted the following Article: ¹

Article B. — “Nevertheless, export for supply to private persons may be permitted in the following cases:

“(1) Articles covered by Category I exported direct to a manufacturer of war material for use by him for the requirements of his industry, provided their import has been duly authorised by the Government of the importing country;

“(2) Rifles, muskets and carbines and their ammunition exported for supply to rifle associations formed for the encouragement of individual sport and duly authorised by their own Government to use them, the import of which is not contrary to any other provisions of the present Convention. Such arms and ammunition shall be sent direct to the Government of the importing country for transmission by such Government to the associations for which they are supplied;

“(3) Samples of articles covered by Category I exported for demonstration purposes direct to a trade representative of the exporting manufacturer, such representative being duly authorised by the Government of the importing country to receive them.

“In the above-mentioned cases, an order in writing, endorsed by the Government of the importing country or by its representative duly authorised so to act, must have been presented to the authorities of the exporting country. It shall contain all the information necessary to show that the order is properly made under this Article.”

11. *Documents for the foreign trade of arms in Category I.*

The Sub-Committee adopted the following Article: ²

Article C. — “Permission to export under Articles A and B shall be signified by a licence. An export declaration, if filed with and approved by the competent authorities of the exporting country, may take the place of a licence.

[As regards the export of arms referred to in Article B ³]: “Such a licence or declaration must contain:

“(a) A description sufficient for the identification of the articles to which it relates, and giving their designation according to the headings in Category I, and their number or weight;

“(b) The name and address of the exporter;

“(c) The name and address of the importing consignee;

“(d) The name of the Government which has authorised the import.

“Each separate consignment which crosses the frontier of the exporting country, whether by land, water or air, shall be accompanied by a document containing the particulars indicated above. This document may be either the licence or export declaration or a certified copy thereof or a certificate issued by the Customs authorities of the exporting country, stating that the consignment is exported under licence or export declaration in accordance with the provisions of the present Convention.”

One delegation ⁴ was of opinion that, in the case of exports on behalf of a State (Article A), this licence or this declaration should take into account either the value, the number or the weight or all these three characteristics together, for the articles in Categories I (A and B), II (A and B) and IV, according to what the Disarmament Conference decides for the returns of production of the same materials on behalf of States in conformity with paragraph 2 of Article 5 of the Convention on Manufacture. ⁵ This model should be established in such a way as to place producing and non-producing countries on an equal footing as regards publicity.

12. *Foreign trade in arms of Category II.*

Subject to the various reservations made by certain delegations ⁶ which cannot finally express their view until they know exactly what material will be included in Category II, the Sub-Committee provisionally adopted the following article: ⁷

Article D. — “The articles covered by Category II shall only be exported under cover of an export document, which may be either a licence issued by the competent authorities of

¹ Article 3 of the 1925 Convention.

² Article 4 of the 1925 Convention.

³ In regard to this addition proposed by the Persian delegation, see the explanations given below.

⁴ Persia.

⁵ 1929 Draft Convention (document A.30.1929.IX).

⁶ France, Poland.

⁷ Article 5 of the 1925 Convention.

the exporting country or an export declaration endorsed by or filed with them. If the legislation of the importing country requires the endorsement of a duly authorised representative of its Government, and if this fact has been notified by the said Government to the Government of the exporting country, then such an endorsement must have been obtained and submitted to the competent authorities of the exporting country before the export may take place.

“Neither the licence nor the export declaration shall entail any responsibility upon the Government of the exporting country as to the destination or ultimate use of any consignment.

“Nevertheless, if the High Contracting Parties consider, on account of the size, destination or other circumstances of a consignment, that the arms and ammunition consigned are intended for war purposes, they undertake to apply to such consignment the provisions of Articles A, B and C.”

13. *Personal restrictions affecting traders in arms.*

The delegations which are of opinion that personal restrictions should be laid down for arms manufacturers¹ propose that the same restrictions should be provided for traders in arms.

D. LIMITATION OF THE TRADE IN ARMS.²

14. *Quantitative limitation of the trade in arms.*

Certain delegations³ are in favour of the quantitative limitation of the importation (and manufacture) of arms, but they have not yet submitted definite proposals on this matter, so that the Sub-Committee has not discussed the question.

It was observed in this connection that, as regards the quantitative limitation of imports, any imports for private persons should be placed to the account of the country into whose territory the arms are imported.

Other delegations⁴ are opposed to any quantitative limitation of the trade in arms except in so far as this limitation is implied in the articles of the Convention dealing with material. A separate quantitative limitation of the trade in arms does not seem to them either equitable or practicable.

15. *Qualitative limitation of the trade in arms.*

The Sub-Committee provisionally adopted the following stipulation, which corresponds to a similar stipulation proposed by the Sub-Committee on the Manufacture of Arms:⁵

Article E. — “The High Contracting Parties undertake not to acquire and not to permit the import, export or transit of arms, warships or aircraft with characteristics in excess of those laid down in the general Convention.”

16. *Prohibition of the trade in prohibited arms.*

The delegations in favour of establishing “categories” of arms the use of which in time of war is or will be entirely prohibited by the Convention propose to prohibit expressly the trade in these arms when they are intended for purposes of war.

E. SUPERVISION.

17. *Supervision (general or special) over the trade in arms.*

Certain delegations⁴ are of opinion that the measures of supervision provided for by the Convention for the Reduction and Limitation of Armaments and the stipulations of the 1925 Convention would constitute a sufficient degree of supervision for the trade in arms. Other delegations³, however, consider that a special procedure should be provided for the trade in arms.

A number of delegations reserve the right to submit concrete proposals on this subject at a later stage of the Committee's work. The following proposal has, however, already been put forward by one delegation⁶:

“If one of the High Contracting Parties is at any time of opinion that imports of arms, ammunition and war material into the territory of another High Contracting Party show a sudden, large and abnormal increase, and if it regards such increase as evidence of a menace to peace, it may refer the matter to the Permanent Disarmament Commission.

¹ Document Conf.D./C.C.F.24, Section 12.

² This question is not dealt with in the 1925 Convention.

³ France, Poland, Spain.

⁴ United Kingdom, Germany, Italy, Japan, United States of America.

⁵ Document Conf.D./C.C.F.24, Section 13.

⁶ Poland.

“The Commission shall invite the High Contracting Party whose imports led to the taking of this step to furnish all necessary explanations. It shall undertake an enquiry into the matter and, for this purpose, shall be entitled to make use of the various sources of information provided for in the present Convention.

“The Commission shall draw up a reasoned report as soon as possible giving the result of its enquiry.

“The High Contracting Party shall without delay concert together regarding the conclusions in the report.”

One delegation¹ recognises the importance of the above proposal in the event of no quantitative limitation of the manufacture of and trade in arms being provided for.

18. *Submission of national licences to the Permanent Disarmament Commission.*

Certain delegations² are in favour of a system of licences issued by national authorities according to a standardised and detailed type, recognising a time limit which will enable the Permanent Commission to intervene with effect if necessary before the delivery of the material. One delegation³ submitted the following proposal on this matter:

“The States signatories to the Disarmament Convention should undertake to forward to the Permanent Disarmament Commission a copy of any licence authorising an export of arms or ammunition. This copy should be sent to the Commission at the same time as the licence is delivered to the applicant.

“Exportation could only take place at the end of a certain time after the date of the forwarding of the copy of the licence. This time should be sufficiently long to enable the Commission to be acquainted with the licence before exportation takes place.

“The Commission would be entitled to draw the attention of the Government concerned to any provision in the licence which seemed to it not to be in keeping with international obligations and might ask this Government to supply it with the necessary explanations. In this case, the despatch of arms could not take place until the matter had been completely cleared up. The Commission might, in addition, have the contents of the consignment verified by a commission of enquiry, the existence of which has already been provided for within the framework of the general attributions of the Permanent Commission.”

Certain delegations⁴ are of opinion that a stipulation of this kind would be impracticable and would cause needless work.

F. PUBLICITY.

19. *Publicity of trade in arms covered by Categories I and II.*

Article F⁵. — *The High Contracting Parties undertake to publish or to forward to the Permanent Disarmament Commission, within two months of the close of each quarter, a statistical return of their foreign trade during this quarter in the articles covered by Categories I and II. This return shall be drawn up in accordance with the specimen forms contained in Annex I⁶ to the present Convention and shall show under each heading provided for in Article 1 for the said categories the value and the weight or number of the articles exported or imported under a licence or export declaration, and the distribution of these amounts according to country of origin or destination.*

“In all cases where the consignment comes from, or is sent to, a territory possessing an autonomous Customs system, such territory shall be shown as the country of origin or destination.”

This stipulation was adopted by the Sub-Committee, but certain delegations⁷ accept this text only subject to the decisions taken as regards the proposal submitted in section 18. One delegation⁸ also observed that, if States undertook to transmit copies of licences to the Permanent Disarmament Commission, the latter might be asked to draw up the above-mentioned statistics itself. Other delegations⁸ observe that publicity of the trade in arms will depend on publicity of arms manufacture.

20. *Statistics relating to trade in arms.*

The question of drawing up Annex 1, mentioned in section 19 above, and the date of the publicity of the statistics⁹ and the more general question of statistics, have been reserved. The

¹ France.

² France, Poland, Spain.

³ Poland.

⁴ United Kingdom, Germany, Italy, Japan, United States of America.

⁵ Article 6 of the 1925 Convention.

⁶ See Section 20.

⁷ France, Poland.

⁸ United Kingdom, Persia.

⁹ Fourth paragraph of Article 6 of the 1925 Convention: “The first statistical return to be published by each of the High Contracting Parties shall be for the quarter beginning on the first day of January, April, July or October, subsequent to the date on which the present Convention comes into force with regard to the High Contracting Party concerned.”

Committee, however, was anxious to make it clear forthwith that, in its opinion, provision should be made for regular publicity on the part of States and for publication by the Permanent Disarmament Commission. This question might be studied by the Committee simultaneously with the Secretariat's memorandum on the present position as regards statistics of the manufacture of and trade in arms.¹ Some delegations² proposed that publicity in respect of the trade in arms should be analogous to that which the Sub-Committee on the Manufacture of Arms had provided for in respect of licences.³

21. *Publicity of laws relating to trade in arms.*

The Sub-Committee has adopted the following text:⁴

Article G. — “ *The High Contracting Parties undertake to publish or to forward to the Permanent Disarmament Commission the text of the provisions of all statutes, orders or regulations in force within their territory dealing with the export and import of articles covered by Article 1, and to include therein all provisions enacted for the purpose of giving effect to the present Convention. Amendments and additions to these provisions shall be likewise published in annexes to subsequent quarterly returns.*”

22. *Publicity of licences granted for trade in arms.*

I. Some delegations⁵ propose to supplement the 1925 Convention by providing for publicity for licences granted for trade in arms, corresponding to the publicity provided for licences for the manufacture of arms. These delegations consider that the text of this additional article might be similar to that proposed by the Sub-Committee for the Manufacture of Arms, which reads as follows:

“ The High Contracting Parties undertake to forward to the Permanent Disarmament Commission, or to publish, within two months of the close of each quarter beginning on the first day of January, April, July and October, a list of licences granted (or withdrawn)⁶ or renewed (or modified)⁶ during the preceding quarter, together with:

“ (a) A description (with an indication of the quantity) of the war material for which the licence is granted;

“ (b) The name and address of the registered or head office of the licensee (and the period for which the licence has been granted or renewed). ”⁷

The delegations in favour of such a provision regarding publicity for licences granted for trade in arms propose that the Permanent Commission be instructed to publish sufficiently detailed statistics⁸ on the basis of these particulars.

II. Other delegations⁹ point out that an export licence is different in character from a licence to manufacture, and they consider that to give publicity to individual export licences cannot be either necessary or practicable.

The Sub-Committee did not think it could continue the study of this question until a decision had been taken as to what system of licence should be adopted.¹⁰

23. *Publicity in respect of the construction and transfer of warships and their armament to another State.*

In order to comply with the various stipulations regarding warships, and to include exempted warships also in the publicity, the Sub-Committee adopted the following Article¹¹, which designedly refers only to the “ trade ” in warships:

Article H. — “ *Within one month after the date of laying down and the date of completion respectively of each vessel of war, subject to limitation in virtue of treaties in force, laid down or completed on behalf of another Government, the High Contracting Parties shall communicate to the Permanent Disarmament Commission the information detailed below:*

“ (a) *The date of laying down the keel and the following particulars:*

“ *Classification of the vessel (stating for which Government it was built);*
“ *Standard displacement in tons and metric tons;*

¹ Document Conf.D./C.C.F.23.

² France, Poland, Spain.

³ See Section 22.

⁴ Article 6 of the 1925 Convention, last paragraph.

⁵ France, Poland, Spain.

⁶ Additions proposed by certain delegations (not specified) in the report on the manufacture of arms.

⁷ Addition proposed by a delegation (not specified) in the report on the manufacture of arms.

⁸ The Sub-Committee for the Manufacture of Arms provisionally adopted the following provision on this subject:
“ The Permanent Disarmament Commission shall periodically publish a list of licences issued by the Governments.”

⁹ United Kingdom, Germany, Italy, Japan, United States of America.

¹⁰ See Section 7.

¹¹ Article 7 of the 1925 Convention, Washington and London Treaties, Article 34 of the Draft Convention drawn up by the Preparatory Commission, adopted by the Naval Commission on June 3rd, 1932.

“ *Principal dimensions—namely, length of waterline, extreme beam at or below waterline;*

“ *Mean draught at standard displacement;*

“ *Calibre of the largest gun.*

“(b) *The date of completion, together with the foregoing particulars relating to the vessel at that date.*

“ *Within two months of the close of each quarter, a return for that quarter shall be made to the Permanent Commission, showing the particulars specified above in respect of every vessel of war not subject to limitation, laid down or completed with their territorial jurisdiction on behalf of the Government of another State.*”

24. *Publicity of exports of aircraft and aircraft engines (Category IV).*

As regards publicity of the trade in aircraft, the Sub-Committee adopted the following text:

Article I. — “ *The High Contracting Parties undertake to publish, within two months of the close of each quarter, a return for that quarter of the export of complete aircraft and aircraft engines [manufactured for the armed forces of the various countries] giving quantities exported and their allocation according to countries of destination.*”¹

Certain delegations² propose the addition of the words between brackets so as not to include civil aviation in the publicity provided for in respect of the trade in arms, but they do not object to publicity for civil aviation elsewhere.

As the decision regarding the inclusion of civil aviation in this category is of a political nature, the Sub-Committee does not see its way to pursue this investigation.

G. VARIOUS PROVISIONS.

25. *Freedom as regards certain arms (Categories IV and V).*

The 1925 Convention³ provides that:

“ Subject to the provisions of Chapter III, the articles covered by Categories IV and V may be exported without formalities or restrictions ”.

Certain delegations⁴ are in favour of retaining this stipulation, whereas others⁵ consider that the trade in aircraft and aircraft engines, both civil and military, should be subject to the same regulations as would apply to the trade in arms in Category I. One delegation advocates consideration of the possibility of applying the licence system to complete aircraft destined for the armed forces.

It will only be possible to draw up the text of this article when Category IV has been definitely adopted.

26. *Exceptions in respect of provisions relating to the trade in arms.*

The Sub-Committee adopted the following provision, which appears among the general provisions of the 1925 Convention:⁶

Article J. — “ *The High Contracting Parties agree that the provisions of the present Convention do not apply:*

“ (a) *To arms or ammunition or to implements of war forwarded from territory under the sovereignty, jurisdiction, protection or tutelage of a High Contracting Party for the use of the armed forces of such High Contracting Party, wherever situated; nor*

“ (b) *To arms or ammunition carried by individual members of such forces or by other persons in the service of a High Contracting Party and required by reason of their calling; nor*

“ (c) *To rifles, muskets, carbines and the necessary ammunition therefor, carried by members of rifle clubs for the sole purpose of individual use of international competitions in marksmanship.*”

27. *Prohibition to dispose of warships.*

Some delegations⁷ propose to include among the clauses relating to the trade in arms the following Article:⁸

“ Each of the High Contracting Parties undertakes not to dispose by gift, sale or any

¹ With the exception of the words between brackets and of the time-limit mentioned, this text is similar to Article 9 of the 1925 Convention.

² Germany, Italy.

³ Article 10 of the 1925 Convention.

⁴ United Kingdom, Germany, Italy, United States of America.

⁵ France, Poland, Spain.

⁶ Article 34 of the 1925 Convention.

⁷ United Kingdom, Italy, United States of America.

⁸ Article 21 of the draft Convention Drawn up by the Preparatory Commission.

mode of transfer, of any vessel of war in such a manner that such vessel may become a vessel of war in the navy of any foreign Power.”

This question was not discussed by the Sub-Committee.

28. *Arms imported from non-contracting States.*

With a view to preventing non-contracting States from obtaining more favourable treatment for the trade in arms than States agreeing, in the general interest, to subject their own trade to the restrictions of the present Convention, the 1925 Conference inserted a provision¹ which the Sub-Committee has adopted and which reads as follows:

Article K. — “ *The High Contracting Parties undertake not to apply a more favourable régime to imports of articles referred to in Article 1 coming from territories of non-contracting States than that which they will apply to such imports coming from territories of contracting States, and to subject these imports, of whatever origin, to the same conditions of authorisation and, so far as possible, of publicity.*”

One delegation² proposed that a prohibition of the export of arms to non-contracting States should be added by inserting the following provision:

“ The High Contracting Parties undertake to prohibit any export of articles referred to in Article 1 to non-contracting States ”.

29. *Special Zones.*

I. The Persian delegation is of opinion that the provision in Article 23 (d) of the Covenant of the League of Nations, which—

“ entrusts the League with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest ”,— does not involve the necessity for providing for special maritime zones. Should the Conference decide to maintain the maritime zones, the Persian delegation, as it stated in the Committee, agrees in a spirit of compromise to such a solution, but requests that the Persian Gulf and the Gulf of Oman be excluded. It is only at the cost of great sacrifices that Persia has ensured the security of her territory, of her territorial waters, and of the high seas, and the provisions of the 1925 Convention therefore no longer correspond to the actual situation, especially as those provisions are contrary to the Covenant and infringe Persia's freedom of the seas and of trade. Persia proposed to conclude a bilateral treaty with the United Kingdom regarding supervision in the Persian Gulf and the Gulf of Oman, with a view to safeguarding the interests of the two countries.

The United Kingdom delegation is not convinced of the advisability of settling the question of general security in the Persian Gulf and the Gulf of Oman by a bilateral agreement. It considers that such security could only be adequately ensured in the interests of all the States and in accordance with the provisions of the Covenant by the maintenance of the maritime zones as defined in Article 12 of the 1925 Convention.

The Sub-Committee considers it necessary to retain the special laid zones as provided for in the 1925 Convention.³ As regards the maritime zones, the Sub-Committee agrees to their maintenance in the Red Sea and the Gulf of Aden, but has decided to refer to the Plenary Committee the question of the Persian Gulf and the Gulf of Oman, which more especially concerns the United Kingdom and Persian delegations.

II. The Sub-Committee is of opinion that all the Articles and the Annex of the 1925 Convention relating to special zones (subject to the definition of those zones contained in those articles and in the Annex) should be reproduced in full, but that certain amendments should be introduced to eliminate the conception of “ native vessels ”.

These amendments are as follows:

“ Chapter III.

Article 20.⁴ — Amend to read:

“ The High Contracting Parties agree that, within the special zones, no vessel of under 500 tons (net tonnage) shall be allowed to ship, discharge or tranship articles covered by Categories I, II, IV and V.

“ The provisions of the first paragraph of the present Article do not apply to lighters or barges or to vessels engaged exclusively in the coasting trade between different ports of the same State, colony, protectorate or mandated territory where warehouses are situated. The conditions under which articles covered by Categories I, II, IV and V may be carried by such vessels are laid down in paragraph 1 of Section II of Annex II of the present Convention, to which the High Contracting Parties undertake to conform.”

Article 21. — Line 2: Delete “ native ”.

¹ Article 11 of the 1925 Convention.

² Poland.

³ Chapter III and Annex II.

⁴ Since Articles 12 *et seq.* of the 1925 Convention have been only very slightly amended, it did not seem necessary to indicate them by mean of letters.

Article 22. — Line 2: Delete “ native ”.

Article 27. — Penultimate line: Delete “ native ”.

Add new Article 27 (a) to Chapter III:

“ The provisions of the present Convention respecting the right to fly the flag of a High Contracting Party shall not apply to vessels duly registered in the territories of a High Contracting Party which, by the laws of such Party, are required to fly the flag of that Party. The High Contracting Parties agree, however, that all such vessels, before entering or trading within the special zones, shall be furnished by the consular or other authorities of that Party with a licence, authorising the said vessels to enter or trade within the zones. Such licences shall be renewed annually and shall so far as possible be given subject to the conditions and regulations specified in paragraphs 3 and 4 of Section II of Annex II to the Convention.¹”

Annex II. — Section II.

Paragraph 4: Amend to read:

- (i) “ All vessels of less than 500 tons (net tonnage) before, etc.”
- (ii) Delete “ native ” — line 1, sub-paragraph (a).
- (iii) Delete “ native ” — line 1, sub-paragraph (b).

Paragraph 5: (i) Sub-paragraph 1. — Amend to read:

“ When a warship belonging to one of the High Contracting Parties encounters within the maritime zone but outside territorial waters a vessel of under 500 tons burden (net tonnage), etc.”

- (ii) Delete sub-paragraph 2.

One delegation ² takes the view that the provisions of Section II of Annex II should not apply to vessels regularly flying the flag of one of the High Contracting Parties. These provisions should apply solely to vessels which either fly the flag of one of the High Contracting Parties without authorisation or fly no flag at all.

30. *Special Provisions (Articles 28 to 30) and declarations regarding the Territory of Ifni.*

I. In consequence of the entry into force of the Treaty regarding the Regulation of the Importation of Arms into Abyssinia, signed at Paris on August 21st, 1930 ³, the Sub-Committee proposes to re-draft Article 28 as follows:

“ If a State at present included in the special zones should, at the moment of its accession to the present Convention, assume with respect to its own territory the undertakings necessary to comply with the stipulations, inclusive of Articles 12 to 18, of the said Convention with regard to the export, import and transport of arms and ammunition and of implements of war, and, on the understanding that, when such State possesses a sea-coast, it will also assume the obligations contained in Articles 19 to 26 inclusive, the High Contracting Parties declare that such accession, as soon as it becomes effective in accordance with Article 41, will have the following legal effect:

- “ (1) The said State will be excluded from the said zones;
- “ (2) The High Contracting Parties agree as regards such State to comply with the stipulations of Articles 12 to 18 inclusive as regards the territory of the said State;
- “ (3) They will observe the regulations put into force in conformity with the said undertakings by that State as a sovereign State;
- “ (4) They agree, when that State possesses a sea-coast, to comply with the obligations of Articles 19 to 27 inclusive in regard to that State.”

II. The Sub-Committee did not feel that it could discuss Article 29, because they are political in character, but it adopted Article 30, which reads as follows:

“ The High Contracting Parties, who possess extra-territorial jurisdiction in the territory of another State Party to the present Convention, undertake, in cases where the rules of this Convention cannot be enforced by the local courts as regards their nationals in such territory, to prohibit all action by such nationals contrary to the provisions of the present Convention.”

III. The Spanish delegation intends to make a proposal to the Committee with regard to the Ifni Declaration.

¹ The addition of this supplementary article is proposed because the replacement of the expression “ native vessels ” by “ vessels of under 500 tons ” would have the effect of bringing any vessel of the High Contracting Parties of displacement under 500 tons, in any part of the world, under the special provisions relating to the authorisation to fly the flag (Article 22).

² Persia.

³ Document C.713.1930.IX.

31. *General provisions (Articles 31-41).*

As it is proposed that the provisions regarding the trade in arms be embodied in the General Convention,¹ the Sub-Committee has not made a study of those provisions.²

One delegation,³ however, desired to state that, in its opinion, the provisions regarding the maintenance of previous Treaties⁴ should be retained, while another delegation⁵ made a reservation regarding this observation because it did not consider that political questions came within the Sub-Committee's terms of reference.

Certain delegations⁶ are of opinion that the question of the measures to be taken in regard to the trade in arms in the event of an aggression or threat of aggression is a highly important one, although, on account of its political aspect, it has not been discussed by the Sub-Committee.

ANNEX 7.

Conf. D./C.C.F.41.

Geneva, May 27th, 1933.

PROPOSAL SUBMITTED BY THE FRENCH DELEGATION TO THE
COMMITTEE FOR THE REGULATION OF THE TRADE IN AND
THE PRIVATE AND STATE MANUFACTURE OF ARMS AND
IMPLEMENTS OF WAR.

*Add to Part II, Section II, of the Draft Convention submitted by the United Kingdom
Delegation the following Chapter 4.⁷*

CHAPTER 4. — LIMITATION AND SUPERVISION OF THE MANUFACTURE
OF AND TRADE IN WAR MATERIAL.

Article A.

The following provisions shall apply to the manufacture of and trade in the articles enumerated in Annex I.

[The categories of war material subject to the regulations laid down hereafter shall be determined by the conclusions of the Conference with regard to the quantitative limitation of material and shall include, as far as may be necessary, the articles covered by Categories I (sub-categories A and B), III (sub-category 2) and V (sub-category I) of Article I of the 1925 Convention on the Supervision of the International Trade in Arms and Ammunition and in Implements of War.]

Article B.

1. Annex I fixes the quotas within the limits of which each of the High Contracting Parties may, during the period of application of the present Convention, procure the said articles whether the latter are manufactured or imported by it direct or are imported on its behalf.

2. The manufactures or imports of the said articles effected on behalf of third parties within the limits of the jurisdiction of each High Contracting Party must not exceed by more than x per cent the amount of the quotas assigned to it.

3. The High Contracting Parties shall take the necessary steps to ensure that within a period of . . . from the coming into force of the present Convention, the manufacture of the said articles shall be prohibited within the sphere of their jurisdiction except in establishments belonging to the State or directly supervised by it.

4. It shall be for the Permanent Disarmament Commission to judge at any time whether the rate of supply of the said articles to each of the High Contracting Parties, as shown in particular by the licences or declarations of manufacture or export transmitted to the Secretary-General of the League, is in relation with the size of the quotas assigned to that Party.

5. The Permanent Disarmament Commission shall arrange for the progressive standardisation of war material as between the Powers whose armed land forces are subject to the provisions of Part II, Section I, Chapter 2, of the present Convention. The Secretary-General of the League shall only give the visa provided for in Article D below if the nature and amount of the material supplied to the said Powers meet with the approval of the Permanent Disarmament Commission.

¹ See Section 3.

² With the exception of Article 32, which is technical (see Section 26).

³ Poland.

⁴ Article 34.

⁵ Germany.

⁶ France and Poland.

⁷ This proposal is not identical with the proposal submitted by the French delegation to the General Commission on May 29th, 1933 (document Conf.D/C.G.122).

Article C.

The High Contracting Parties undertake not to order the said articles to be manufactured or to export them or to permit their exportation unless the following conditions are fulfilled:

- (a) The characteristics of the arms or material shall comply with the present Convention;
- (b) Export or manufacture shall take place with a view to direct supply to a Government or, with the assent of the said Government, to some public authority under its control;
- (c) Supplies to the Governments or public authorities of the Powers whose land armed forces are subject to the provisions of Part II, Section I, Chapter E, of the present Convention must be approved by the Permanent Disarmament Commission.

Article D.

1. In every case of manufacture or export of the said articles, the Government of the High Contracting Party shall issue an export or manufacture licence or declaration.

2. The said licence or declaration, which shall be made out in duplicate, one copy being immediately addressed to the Secretary-General of the League of Nations shall contain:

- (a) A description permitting of the identification of the material to which it applies, together with particulars of the said articles in accordance with the headings of Annex I and details of their numbers or weight and their principal characteristics, more especially the calibre of artillery and the tonnage of tanks;
- (b) The name of the exporter or factory;
- (c) The name of the consignee;
- (d) The name of the Government, if any, having authorised importation.

In the case of the supplies mentioned in Article C, paragraph (c), the licence or declaration must also carry a visa by the Secretariat of the League of Nations certifying that the said supplies have been approved by the Permanent Disarmament Commission.

Article E.

The international trade in arms, ammunition and implements of war other than the articles enumerated in Article A shall be governed by the provisions of Annex II to the present Chapter. The High Contracting Parties shall comply with these provisions.

[Annex II will reproduce, with such amendments or additions as may appear appropriate, the provisions of the 1925 Convention on the Supervision of International Trade in Arms, Ammunition and Implements of War.]

ANNEX 8.

Conf.D./C.G.49.

Geneva, March 6th, 1933.

SUSPENSION OF THE PROVISIONS OF THE CONVENTION
IN WAR-TIME AND DEROGATIONS.

QUESTION RAISED BY THE COMMITTEE FOR THE REGULATION OF THE TRADE
IN AND PRIVATE AND STATE MANUFACTURE OF ARMS AND IMPLEMENTS OF WAR.

The Committee for the regulation of the trade in and private and State manufacture of arms and implements of war had laid before it on February 22nd, 1933, by its Sub-Committee on the Manufacture of Arms the question of the suspension in war time of the provisions concerning the manufacture of arms. This question, which is important, not only as regards the manufacture of arms, but also as regards the trade in the same, appears to be dependent on the more general question of the suspension of the provisions concerning the limitation of arms in war time and, to a certain extent, also on derogations from these provisions allowed for other reasons.¹ The Committee feels that this general question must be settled before it can study the point whether special methods should be specified as regards the stipulations concerning the manufacture of and trade in arms.

In the course of the preliminary study of this question, certain delegations asked up to what point the provisions concerning the manufacture of arms would remain in force in war time:

- (a) As far as belligerents were concerned;
- (b) As far as neutrals were concerned; and, moreover,
- (c) As far as arms subject to qualitative disarmament were concerned.

¹ Article 50 of the Draft Convention of the Preparatory Commission, Article 33 of the 1925 Convention concerning the Trade in Arms, Article 8 of the Draft Convention of 1929 concerning the Manufacture of Arms: Articles 6 and 7 of the 1907 Hague Convention (XIII) concerning the Rights and Duties of Neutral Powers in the Case of War at Sea.

Though recognising the importance of these questions, the Committee felt that they lay outside its terms of reference, because they raised the problems of international law such as the respect for the rights and duties of neutrals in war time, and referred, not only to the manufacture of and trade in arms, but also to the limitation of armaments.

The Committee submits an extract of Minutes dealing with this question, annexed hereto.

Appendix to Annex 8.

COMMITTEE FOR THE REGULATION OF THE TRADE IN AND PRIVATE AND STATE MANUFACTURE
OF ARMS AND IMPLEMENTS OF WAR.

EXTRACT OF MINUTES OF THE ELEVENTH MEETING

held on Thursday, March 2nd, 1933, at 10.30 a.m.

Memorandum by the Rapporteur (document Conf.D./C.C.F.35).

The CHAIRMAN opened the discussion on the memorandum by the Rapporteur concerning the question of the suspension of the Convention in war-time.

M. KOMARNICKI (Poland), rapporteur, observed that, in going through the report of the Sub-Committee, that question had struck him as being of special importance from the standpoint of the trade in and manufacture of arms. He suggested accordingly that the Committee, when referring to the General Commission the two questions of principle raised by the British representative, should refer to it also the question of the suspension of the Convention, directing the General Commission's attention to the expediency of studying a point so closely bound up with the Committee's work. The drafting Committee had been unable to concern itself with the question, being bound by its terms of reference.

Mr. CARR (United Kingdom) said that he had no objection to the question's being referred to the General Commission provided that, coming as it did within a different category, it was submitted in a separate report. He suggested that the last paragraph of document Conf.D./C.C.F.35 be deleted or amended: ¹ he did not regard the question referred to therein as one on which the Committee necessarily required special guidance—it was one which would arise in connection with the whole of the General Convention.

He thought there was general agreement that, except for the "humanitarian" clauses, the provisions of the Convention on Trade and Manufacture would probably lapse in time of war (provisions relating, for instance, to licences or publicity). But there was considerable doubt about the method. Was the Convention to cease to operate automatically, or was there to be an arrangement on the lines of the derogation clause (Article 50) of the Preparatory Commission's Draft Convention? The Committee should, he thought, confine itself to directing the General Commission's attention to that point, suggesting perhaps that it be referred to a legal Committee.

M. REBER (United States of America) agreed with Mr. Carr. He urged that the work of the Committee and of the Sub-Committee on the Trade in Arms should not be held up while awaiting a reply from the General Commission to this question, the solution of which he considered depended upon decisions as to the suspension or derogation of the General Convention. The last sentence in the first paragraph of the rapporteur's memorandum might be deleted. He hoped the rapporteur would make it clear that the Committee was not waiting for a ruling from the General Commission.

M. KOMARNICKI (Poland), rapporteur, agreed as to the necessity for a separate report regarding the suspension of the Convention, an issue which involved a separate group of questions: the draft report had already been submitted in the form of a memorandum by the rapporteur.

He agreed with Mr. Carr and Mr. Reber that the Committee's work must not be held up while waiting for the General Commission's reply, though the Committee could not of course frame its final report before having that reply. The question of the suspension of the Convention in war time might quite legitimately be referred to the Commission, in view of the Bureau's decision of November 22nd, 1932:

"The Bureau of the Conference . . .

"Considers that it is already agreed that the provisions relating to the trade in and manufacture of arms and implements of war shall be included in the same legal instrument as the Convention for the Reduction and Limitation of Armaments."

The last paragraph in document Conf.D./C.C.F.35 could be deleted. Subject to that amendment, the memorandum might stand: its purpose was to ensure that the Committee should have the General Commission's decision on the two principles before concluding its work.

Captain (I.R.N.) RUSPOLI (Italy) endorsed the views of Mr. Carr and M. Reber. The question of the suspension of the Convention in war time was, he urged, far beyond the scope of the Committee's terms of reference. Moreover, the League Council would be dealing shortly with the question

¹ The Committee would be grateful if the General Commission would elucidate this point.

of an embargo on arms, and the point now under discussion might have to be considered in connection with that question and with the provisions of Article 8, paragraph 5, of the Covenant:

“The Members of the League agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The Council shall advise how the evil effects attendant upon such manufacture can be prevented, *due regard being had to the necessities of those Members of the League which are not able to manufacture the munitions and implements of war necessary for their safety.*”

One should avoid placing non-producing States in condition of inferiority with regard to States capable of producing their implements of war or having accumulated large stocks of armaments.

M. KOMARNICKI, rapporteur, proposed that an extract from the Minutes of the meeting, recording the discussion, be annexed to the memorandum.

This was agreed.

M. KULSKI (Poland) thought that the question of the suspension of the Convention in war time concerned the Committee in the highest degree. It could not of course be settled by the Committee now, but, when the General Commission had come to a decision, perhaps after referring the matter to a legal body for opinion, the Committee would have to study the question from the special point of view of manufacture and trade.

The RAPPORTEUR agreed. The Committee's right to discuss the question further might be inferred from the last sentence of paragraph 2:

“The Committee feels that this general question must be settled before it can study the point whether special methods should be specified as regards the stipulations concerning the manufacture of and trade in arms.”

The Committee approved document Conf.D./C.C.F.35, subject to the amendment accepted by the rapporteur.



