

not consider it in the interests of Canada, of the British Empire, or of the League itself to recommend to Parliament adherence to the Protocol and particularly to its rigid provisions for application of Economic and Military sanctions in every future war. Among the grounds for this conclusion is the consideration of the effect of non-participation of the United States upon attempt to enforce sanctions and particularly so in the case of contiguous countries like Canada. Third, that as Canada believes firmly in submission of International disputes to joint inquiry or arbitration and has shared in certain number of undertakings in this field we would be prepared to consider acceptance of compulsory jurisdiction of Permanent Court in justiciable disputes with certain reservations and co-operation in further consideration of method supplementing the provisions of the Covenant for settlement of non-justiciable issues including method of joint investigation reserving ultimate decision in domestic issues and without undertaking further obligations to enforce decisions in case of other States. Fourth, that we would be prepared to take part at any time in any general Conference on reduction of armaments which did not involve prior acceptance of the Protocol. *Ends.*

—BYNG.

NOTE.—Copy sent to the Commonwealth of Australia, New Zealand, the Union of South Africa, the Irish Free State, and Newfoundland, by despatch, 12th March, 1925.

No. 12.

The Governor-General of the Commonwealth of Australia to the Secretary of State for the Colonies.

[Telegram.]

5TH MARCH.—Following from my Prime Minister :—

Begins : The Commonwealth Government, after having given full and most careful consideration to the Protocol for the Pacific Settlement of International Disputes, has reached the following conclusions regarding the important and far-reaching provisions that are therein contained. In the first place, my Government desires to reaffirm its adherence to the principles which governed its adoption of the League of Nations Covenant and loyal observance of the League's recommendations. It believes that the League came into existence because all nations who were signatories to the Covenant realized from their experience during the War that the time had come to substitute arbitrament of reason for that of force. It cannot overlook the fact, however, that there are some very definite defects in the Covenant which arose, not because their ideals fell short, but because there still existed some mistrust and uncertainty as to the method by which the force of the League should be applied. The League as it stands is a great moral force which gives to the world some concrete expression of the ideals for which its members stand. The Protocol represents a praiseworthy attempt to go further than was found possible when the League was first established. The particular problem with which my Government has exercised itself has been whether the time is opportune to do what was not possible in 1919, and whether advantages to be derived by strengthening the machinery are not altogether disproportionate to the risk of weakening the already established moral influence of the League by serious disagreements among its members.

The aim of the Protocol, which is to further the settlement of international disputes without having recourse to war, thus ensuring to the nations of the world that measure of external security which would permit them to obtain relief from the heavy burden of armaments, is one which, in principle, must commend itself to any State anxious to see strengthened the ties that bind together the members of international communities. It is also indisputable that members of the League, recognizing as they do the relationship between military armaments and the danger of war, are bound to reduce national armaments to the lowest point consistent with national safety. The Protocol has been framed from the point of view that machinery other than that existing in the Covenant destined to provide safeguards against aggression must precede any scheme for disarmament. Relief from the burden of armaments is regarded ultimately as being dependent on the adoption of compulsory arbitration.

It is obvious that the adoption of the principle of compulsory arbitration, which, as laid down in the Protocol, would apply not only between countries accepting that instrument but also between a signatory State and a non-signatory State not a member of the League, would completely transform the method at present provided in the Covenant for the settlement of disputes. The Covenant obliges the member States to refer disputes that are not settled by diplomatic means either to arbitration, judicial settlement, or to inquiry by the Council. A limited class of disputes is regarded as being generally suitable for submission to arbitration or judicial settlement. Should the Protocol become law between member States, compulsory arbitration would become the rule for the settlement of all disputes. Inquiry by the Council would tend to disappear. It is not proposed to enter into discussion on the principle of compulsory arbitration, nor to review the difficulties that may be