

ARTICLE 3.

In case one of the high contracting parties should contravene this treaty, the other contracting powers would *ipso facto* be released with respect to that party from their obligations under this treaty.

ARTICLE 4.

The provisions of this treaty in no wise affect the rights and obligations of the contracting parties resulting from prior international agreements to which they are parties.

ARTICLE 5.

The present treaty will be offered for the accession of all Powers, and will have no binding force until it has been generally accepted, unless the signatory Powers in accord with those that may accede hereto shall agree to decide that it shall come into effect regardless of certain abstentions.

ARTICLE 6.

The present treaty shall be ratified. The ratifications shall be deposited at ; within three months from the date of the deposit of the ratifications it shall be communicated by the Government of to all the Powers, with an invitation to accede.

The Government of will transmit to each of the signatory Powers and the Powers that have acceded a duly certified copy of the instruments of accession as they are received.

One year after the expiration of the three months' period provided in Article 5, the Government of will send out a statement of the signatories and accessions to all the Powers that have signed or acceded.

In faith whereof the above-named plenipotentiaries have signed the present treaty and affixed their seals.

Done at , in copies, drawn up in French and English, both texts having equal validity, the , 1928.

No. 3.

Note handed by German Government to the United States Ambassador in Berlin on the 27th April, 1928.

[Translation.]

MONSIEUR L'AMBAassadeUR,

Berlin, 27th April, 1928.

In your note of the 13th April and its enclosures Your Excellency was so good as to inform me of the negotiations which have taken place between the Government of the United States and the French Government regarding the conclusion of an international pact for the proscription of war. Your Excellency at the same time inquired whether the German Government would be inclined to conclude such a pact on the lines of the draft prepared by the United States Government or whether they considered necessary any modifications of this draft.

The German Government have given to Your Excellency's inquiry that careful consideration demanded by the special importance of the occasion. In examining the proposal they have also been able to take into consideration the draft treaty which has meanwhile been drawn up by the French Government and communicated to the interested Powers. As a result of this examination I have the honour, in the name of the German Government, to inform Your Excellency as follows:—

The German Government warmly welcome the opening of negotiations for the conclusion of an international pact for the proscription of war. The two important principles which inspired the initiative taken by the French Foreign Minister and the proposal of the Government of the United States which arose therefrom, fully correspond to the principles of German policy. Germany has no higher interest than the exclusion of armed conflicts and the development in international life of principles which will guarantee the peaceful settlement of all differences between nations. The conclusion of a pact such as is now contemplated by the Government of the United States would assuredly bring the nations of the earth an important step nearer to this end.

The desire for peace manifested since the war has already led to the conclusion of certain international agreements. It is therefore necessary for those States who are parties to those agreements to make quite clear what relation the pact now proposed will bear to agreements which are already in force. In your note, Mr. Ambassador, you have referred to the considerations raised in this respect by the French Government in their exchange of views with the Government of the United States. In so far as Germany is concerned the only international agreements which need be considered as liable to be affected by the provisions of the new pact are the Covenant of the League and the Locarno-Rhineland Pact; Germany has not entered into any other international engagements which could be affected by the new proposal. In the view of the German Government the observance of the obligations devolving under the Covenant of the League and the Rhineland Pact must remain immovably fixed. The German Government are, however, convinced that these obligations do not contain anything which could in any way conflict with the obligations foreshadowed in the draft pact of the United States. On the contrary, the German Government consider that the binding obligation not to resort to war as an implement of national policy can only tend to strengthen the basic principles of the League Covenant and the Rhineland Pact.