

with certain established principles of international law for warfare on land and sea, it might be agreed by all that (1) the intentional bombing of civilian populations is illegal; (2) targets aimed at from the air must be legitimate objectives, and must be capable of identification; and (3) any attack on those legitimate objectives must be made in such a way that civilian populations in the neighbourhood would not be bombed through carelessness.

Mr. Wellington Koo, for China, had already laid before the Assembly, the Council, and League Committees impressive facts from the experience of his country. Now he dealt less with the immediate tragedies inflicted on his countrymen by bombing from the air than with the challenging implications that this practice carried for the world at large. He claimed the practice to be at once a betrayal of all considerations of humanity and a violation of those well-established principles of international law that distinguish between combatants and non-combatants. He asked again that States, whether members of the League or not, be recommended to refrain from supplying offending Powers with the wherewithal of military aviation. He suggested that the League take the initiative to secure a convention to prohibit or restrict aerial bombardment; and he urged that the use of poison gas be the subject of competent inquiry, looking to League action for its prohibition.

Substantial contributions to the discussion followed from the representatives of France, Mexico, Greece, Hungary, Haiti, the Netherlands, Argentina, the Union of Soviet Socialist Republics, Uruguay, Ireland, and Norway.

This led to general agreement on a resolution and recommendation for submission to the Assembly. Reservation was expressed by the representative of Poland—he was prepared to accede forthwith to certain general rules condemning certain methods of war, but in his view “the Committee was not called upon to pass judgment on any particular situation; . . . he would be unable to accept any resolution which embodied any condemnation, however indirect, of any particular situation whatsoever.”

He, and also Hungary's representative, indicated that they would vote for the resolutions, but would abstain from voting on the recommendation drafted. With these two abstentions (on Resolution II and recommendation) the Committee, and the Assembly without discussion or dissent, adopted the following resolutions and recommendation:—

I. Reduction and Limitation of Armaments.

Resolution—

“The Assembly—

“Referring to its resolution of 30th September, 1937, recommending the conclusion of a convention on publicity of national-defence expenditure;

“Considering that the Bureau of the Conference for the Reduction and Limitation of Armaments will meet shortly to consider the observations of Governments on this subject;

“Noting the information collected as the result of its recommendation of 30th September, 1937, on the supervision of the manufacture of and trade in arms, ammunition, and implements of war:

“(1) Requests those Governments which have not given effect to its recommendation concerning the supervision of the manufacture of and trade in arms, ammunition, and implements of war to do so before the next ordinary session of the Assembly;

“(2) Requests the members of the League to communicate to the Secretary-General regularly any changes made in this connection in their legislation or administrative methods;

“(3) Lastly, requests the Secretary-General to convey the present resolution and the relevant minutes of the discussions of the Third Committee to the Bureau and to the Governments of all the States which are or have been represented at the Conference for the Reduction and Limitation of Armaments.”

II. Protection of Civilian Populations against Air Bombardment in Case of War.

Resolution—

“The Assembly—

“Considering that on numerous occasions public opinion has expressed through the most authoritative channels its horror of the bombing of civilian populations;

“Considering that this practice, for which there is no military necessity, and which, as experience shows, only causes needless suffering, is condemned under the recognized principles of international law;

“Considering, further, that, though this principle ought to be respected by all States and does not require further reaffirmation, it urgently needs to be made the subject of regulations specially adapted to air warfare, and taking account of the lessons of experience;

“Considering that the solution of this problem, which is of concern to all States, whether members of the League of Nations or not, calls for technical investigation and thorough consideration;