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C.I.D. Paper No. 616-B.

I CIRCULATE to the Cabinet and Committee of Imperial Defence a draft of a Treaty of Mutual Guarantee which has been prepared by my direction. The draft conforms to the principles laid down in the recently published correspondence on Security (Cmd. 2435); my idea in having it prepared was that it might be submitted at the proper moment to the other Powers concerned as a suggested basis of negotiations. The French Ambassador, whom I told of my intention, now asks that our ideas should be communicated to the French Government as soon as possible.

I shall welcome any comments and suggestions which my colleagues may desire to make regarding the draft. They will probably agree, however, that before it is formally considered by the Cabinet, the draft could usefully be examined by the Committee of Imperial Defence. I would ask for a very early meeting for the purpose as I think it important that Great Britain should keep the lead and that the basis of discussion should be a British draft.

A. C.

June 27, 1925.

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CONFIDENTIAL.

30

June 26, 1925.

[C 8600/459/18]

DRAFT TREATY OF MUTUAL GUARANTEE.

BELGIUM, THE BRITISH EMPIRE, FRANCE, GERMANY
AND ITALY,

Realising the need of satisfying the desire for security of the peoples upon whom fell the brunt of the fighting in the war of 1914-18 ;

Taking note of the abrogation of the treaties for the neutralisation of Belgium, and conscious of the necessity of stabilising the territorial *status quo* in the area which has so frequently been the scene of European conflicts ;

Have agreed as follows :—

1. The high contracting parties severally and collectively guarantee the maintenance and inviolability of the frontiers between France and Belgium on the one hand and Germany on the other hand, as fixed by or in pursuance of the Treaty of Peace signed at Versailles on the 28th June, 1919.

2. France and Belgium of the one part and Germany of the other part severally undertake that they will in no case resort to war against the other except in resistance to invasion or attack or when acting with the authorisation of the Council or the Assembly of the League of Nations.

3. If any party to the present treaty alleges that a violation of article 2 of this treaty or of articles 42, 43 or 180 of the Treaty of Versailles has been, or is being, committed, the question shall be brought before the Council of the League forthwith.

4. As soon as any violation of article 2 of this treaty or of articles 42, 43 or 180 of the Treaty of Versailles shall have been established to the satisfaction of the Council of the League, the Council shall forthwith notify such violation to each of the parties to this treaty.

5. The parties to this treaty severally agree that in the event of any notification being made to them as provided in article 4, they will each of them come immediately to the assistance of the Power against which the act complained of is directed.

2923 [13223]

6. Treaties shall be concluded between France and Germany and between Belgium and Germany respectively providing for the peaceful settlement of all disputes, whether juridical or political, which may arise between them.

7.—(1.) The treaties referred to in article 6 shall be placed under the guarantee of the parties to the present treaty as provided by the following stipulations.

(2.) If it is alleged by a party to one of the said treaties that the other party has failed to comply with its provisions, either by refusing to submit a dispute to the machinery therein provided for the settlement of disputes, or by failing to comply with an award, recommendation or report resulting therefrom, the question shall be referred to the Council of the League.

(3.) If the Council of the League is satisfied that a party to one of the said treaties has failed to comply with its provisions as alleged, the Council shall propose what steps should be taken to secure compliance with the Treaty.

(4.) If the party which has failed to comply with the provisions of the treaty resorts to war against the other party to the treaty, the parties to this treaty severally agree that they will each of them come immediately to the assistance of the Power attacked.

8. The provisions of the present treaty shall not be deemed to prevent action in fulfilment of a guarantee given by one of the parties to the present treaty for the due execution of an arbitration treaty of the same purport as those referred to in article 6, concluded by another party to the present treaty with a third State, where the party failing to comply with the provisions of the said arbitration treaty resorts to war against the other party to the treaty. Nor shall they be deemed to affect the rights enjoyed by any of the parties to the present treaty under Part XIV, Section 1, of the Treaty of Versailles or under the subsequent agreements there provided for, or to prevent action in pursuance of rights enjoyed by any of the parties to the present treaty under a treaty now in force between that party and another party to the present treaty, provided such action is not inconsistent with the Covenant.

9. Nothing in this treaty shall affect the rights and obligations of the high contracting parties as Members of the League of Nations, nor shall it prejudice the power and the duty of the League to take, in accordance with the provisions of the Covenant, any action that may be deemed wise and effectual to safeguard the peace of the world.

10. The provisions of articles 1, 5 and 7 (4) of this treaty shall not impose any obligation upon any of the British Dominions, or upon India, unless the Government of any such Dominion, or of India, signifies its acceptance of the obligations imposed by the said articles.

11. Copies of the treaties referred to in article 6 shall be communicated to each of the parties to this treaty before its ratification.

12. The present treaty must be submitted to the Council of the League of Nations and must be recognised by the Council, acting if need be by a majority, as an engagement which is consistent with the Covenant of the League; it will continue in force until, on the application of one of the parties to it, the Council, acting

if need be by a majority, agrees that the League itself affords sufficient protection.

The present treaty shall be ratified, but shall not come into force unless and until Germany has become a Member of the League of Nations.

or

13. No State shall be entitled to claim the benefits of this treaty unless it is a Member of the League of Nations.

The present treaty shall be ratified, &c.
