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CABINET.

GERMANY AND THE LOCARNO TREATY.

Memorandum by Secretary of State for Foreign Affairs.

M. FLANDIN in the course of his last conversation at the meeting of the Locarno Powers invited His Majesty's Government to produce at our next meeting some statement of our policy and procedure which might form a basis of discussion. We resisted this appeal, and maintained that we would prefer to study M. Flandin's views before putting forward our own.

At the same time it is clearly desirable, if only for the purpose of clearing our own mind, that we prepare some statement of our own views. For this purpose I circulate the attached paper to my colleagues.

In connection with paragraph 4 (iii), M. van Zeeland had formulated certain proposals (see Foreign Office despatch to Brussels No. 149 of the 14th March). They were as follows:—

- (a) Automatic functioning of the action of the guarantors in the agreements replacing the Locarno Treaties;
- (b) Agreement regarding the establishment of contacts between the General Staffs to lay down the technical conditions in which the obligations undertaken in the Pacts would eventually be brought into effect;
- (c) Increase of the material precautions laid down in the multilateral Pacts.

In my view the future structure of security in Western Europe should be in two parts: First, non-aggression pacts between Germany and France and Belgium, and perhaps Holland, which would be guaranteed by Great Britain and Italy. Second, a superstructure consisting of a pact of mutual assistance between Great Britain, France and Belgium, which would be open to Germany. It must be anticipated that France and Belgium will desire that this pact of mutual assistance should approach as near as possible to what the Belgian Prime Minister describes as "automatic functioning." In any event, it is certain that both these Governments will ask that the pact of mutual assistance shall include agreement on the establishment of contacts between the General Staffs of the signatory Powers.

A. E.

Foreign Office, March 15, 1936.

SUGGESTED PROCEDURE.

(A) Finding by the Council, under Article 4 (2) of Locarno, that a breach of Article 43 of the Treaty of Versailles has been committed and notification of the finding to the Locarno Powers.

(B) Resolution by the Council on the following lines:—

1. Condemnation of Germany's action on following lines (Belgian draft):—

“The Council of the League of Nations decides—

(1) That the scrupulous respect for all treaty obligations is a fundamental principle of international life and an essential condition of the maintenance of peace;

(2) That it is an essential principle of the law of nations that no Power can liberate itself from the engagements of a treaty nor modify the stipulations thereof unless with the consent of the other contracting Parties;

(3) That the breach of Article 43 of the Treaty of Versailles and the unilateral repudiation of the Treaties of Locarno by the German Government is in contradiction with these principles;

(4) That by this unilateral action the German Government confers upon itself no legal rights;

(5) That this unilateral action, by introducing a new disturbing element into the international situation, must necessarily appear to be a threat to European security.

2. Invitation to France and Germany to refer to either the Permanent Court of International Justice or the Permanent Court of Arbitration the question of the compatibility of the Franco-Soviet Pact with Locarno, and any other matters which it might be thought proper so to refer.

(N.B.—The Belgian proposal was to refer “the German complaints” to the Franco-German Conciliation Commission provided for under Locarno. The question whether the reference should be to conciliation or to one of the above Courts depends on the matters which it might be decided to deal with in this way.)

3. Arrangements to be laid down by the Council for the period pending and during negotiations proposed under 4.

(a) Reaffirmation of Locarno by the signatory Powers other than Germany. The following draft has been suggested:—

“Nothing which has happened before or since the said breach has absolved the signatories under the Treaty of Locarno from any of their obligations or guarantees, which remain in their entirety until a new convention is concluded.”

(b) Stationing of an International Force, including British troops, on either side of the frontiers between France and Germany and between Belgium and Germany.

(c) In view of the despatch of the International Force, recommendation to Germany, France and Belgium to suspend immediately all despatch of troops or war material into the frontier zones* of the three countries, not to construct any new fortifications in those areas, and to suspend work on existing fortifications.

4. The Council takes note of the German proposals 2 to 7 and invites the five Locarno Powers to negotiate on basis of:—

- (i) These German proposals so far as they concern the five Locarno Powers.
- (ii) Revision of the status of the Rhineland on the basis of equality of rights of neighbouring States.
- (iii) Compensation to France and Belgium for the diminution of security which the revision of the status of the Rhineland in the sense indicated above would represent for them.

March 15, 1936.

* Extent of these zones to be specified ultimately.