

The Convention is concluded for a period of twelve years. It will continue, however, to remain in force indefinitely, unless and until the three Contracting Parties agree to revise it.

As soon as the Convention has been signed by the three Contracting Parties the latter will approach the other signatories of the Act of Algeciras and invite them to adhere to the new Convention. An important section of the Convention is devoted to the complete neutralization of the Tangier zone. The construction of fortifications and all other preparations for war are categorically forbidden. The acceptance of the Convention by the other signatory Powers of the Act of Algeciras will mean that Italy and the other signatories will share with France, Spain, and Great Britain both the administration of the zone and the maintenance of its neutrality.

No. 6.

New Zealand, Dominions Treaty No. 50.

MY LORD,—

Downing Street, 31st December, 1923.

I have the honour to transmit to Your Excellency, to be laid before your Ministers, a copy of a letter from the International Commission for Air Navigation regarding an application by His Majesty's Government for a derogation from Article 5 of the Aerial Navigation Convention of 1919.

2. It will be recollected that provision for the grant of derogations from this article was made in the additional Protocol to the Convention, which appears on pages 3-5 of parliamentary paper Cmd. 1741—Treaty Series No. 11 (1922)—of which copies were enclosed in my predecessor's despatch, Dominions No. 315, of the 29th August, 1922. A declaration was inserted in the Procés Verbal of the Deposit of Ratifications of the Convention and the Additional Protocol (pages 5-7 of the same parliamentary paper) to the effect that until it might be possible to grant the derogations provided in the Additional Protocol the Governments concerned might postpone the application of the provisions of Article 5 of the Convention, as regards the signatory States which had not yet deposited their ratifications, as well as Spain, Switzerland, Norway, Sweden, and Netherlands, Denmark, Finland, Esthonia, Latvia, and Monaco. As stated in my predecessor's despatch, Dominions, Treaty, No. 44, of the 20th September, 1922, it was at first considered inopportune to institute steps for the purpose of obtaining the grant of specific derogations under the Additional Protocol, and a formal notification was made to the French Government, for communication to the International Commission and to the other Contracting States, of the intention of His Majesty's Government to postpone the application of the provisions of Article 5 in respect of the States referred to in the declaration inserted in the Procés Verbal of the Deposit of Ratifications. As however, an application for a derogation has since been made by the French Government (*vide* my telegram of the 14th April) it has been thought well for His Majesty's Government to make a similar application, and the result of the application is shown in the enclosed letter.

3. It will be observed that the list of States specified in the application is the same as that covered by the notification to the French Government mentioned in the preceding paragraph, and it is presumed that your Ministers would agree to a reply being sent to the International Commission, to the effect that they accept the derogation.

4. I shall be glad if a reply to this despatch can be returned by telegraph.

I have, &c.,

DEVONSHIRE.

Governor-General His Excellency the Right Hon.

Viscount Jellicoe, G.C.B., O.M., G.C.V.O., &c.

Enclosure.

Paris, le 13th December, 1923,
20 Avenue Kleber.

SIR,—

In accordance with the provisions of the Additional Protocol to the Convention dated in Paris the 1st May, 1920, the British Government has made, in the name of Great Britain and Northern Ireland, an application for a derogation from Article 5 in respect of the States signatory to the Air Convention of the 13th October, 1919, which have not yet ratified it, as well as of Spain, Switzerland, Norway, Sweden, Denmark, Holland, Finland, Esthonia, Latvia, and Monaco.

This application for a derogation was examined in October last by the International Commission for Air Navigation, which approved same, the duration thereof being fixed at six months, but the derogation granted will not take effect until after having been expressly accepted by all the Contracting States.