

No. 13.

Note communicated by the German Government to the United States Ambassador at Berlin on 11th July, 1928.

[Translation.]

MONSIEUR L'AMBASSADEUR,

Berlin, 11th July, 1928.

I acknowledge the receipt of Your Excellency's note of the 23rd June regarding the conclusion of an international treaty to outlaw war, and have the honour, under instructions from the German Government, to make the following reply:—

The German Government have examined with the closest attention the contents of the note and the revised draft of the pact which was annexed thereto. They note with satisfaction that the standpoint of the Government of the United States of America, as set forth therein, corresponds in principle to the German point of view communicated in the note of the 27th April. The German Government also approve the alterations made in the preamble of the draft pact. They are therefore glad to be able to state that they take note of the views of the United States Government as expressed in Your Excellency's note of the 23rd June, that they agree to the interpretation given therein of the terms of the contemplated pact, and that they are accordingly ready to sign this pact in the form now proposed.

I have, &c.,
SCHUBERT.

No. 14.

Note communicated by the French Government to the United States Ambassador at Paris on 14th July, 1928.

[Translation.]

MONSIEUR L'AMBASSADEUR,

Paris, 14th July, 1928.

In your note of the 23rd June last Your Excellency was good enough to transmit a revised text of the draft treaty for the renunciation of war accompanied by the interpretation which the Government of the United States propose to give to that document.

I request you to be so good as to impress the United States Government with what great interest the Government of the Republic has taken cognizance of this fresh communication which is of a character to facilitate signature of a treaty, the successful conclusion of which is the heartfelt wish of the French nation as well as of the American nation.

It follows in the first place from the new preamble that the object of the proposed treaty is to perpetuate pacific and friendly relations within the contractual conditions in which they are today established between the interested nations; that the essential condition is that the signatory Powers renounce war "as an instrument of their national policy"; and that further the signatory Power which shall hereafter seek by a personal resort to war to promote its own interests will be denied the benefits of the treaty.

The Government of the Republic are happy to say that they are in agreement with these new provisions.

The Government of the Republic is happy, furthermore, to take note of the interpretation which the Government of the United States attaches to the new treaty in order to give satisfaction to the various observations which have been formulated on the part of France.

These observations may be summarized as follows:

Nothing in the new treaty either restricts or compromises in any way the right of personal defence. Each nation still remains free in this respect to defend its territory against an attack or an invasion; that the nation alone is competent to decide if circumstances require a recourse to war for its own defence.

In the second place none of the provisions of the new treaty conflict either with the provisions of the Covenant of the League of Nations or with those of the treaties of Locarno or of the treaties of neutrality.

Furthermore any violation of the new treaty by one of the contracting Powers would completely liberate the other contracting Powers from their obligations towards the Power breaking the treaty.

Finally the invitation to sign the treaty which it has already extended to all Powers signatories of the Acts concluded at Locarno and which it is disposed to extend to the Powers parties to the treaties of neutrality, together with the circumstance that it will be open to the other Powers to accede, is of a nature to give to the new treaty in the measure in which this is practically desirable the character of universality, which conforms to the view of the Government of the Republic.

Thanks to precisions which have thus been made in the new preamble, and thanks to the interpretations which have furthermore been given to the treaty, the Government of the Republic is happy to observe that the new Act can be reconciled with the engagements of the existing treaties to which France is also a contracting party and which it is naturally her strict duty fully to respect in all good faith and loyalty.

In these circumstances and conditions the Government of the Republic is perfectly disposed to sign the treaty as proposed in Your Excellency's note of the 23rd June, 1928.

At the moment when the Government of the Republic thus gives assurance of its contribution to the realization of a project which has been long in contemplation and of which it has since the beginning realized the full moral significance, it desires to render homage to the generous spirit with which the Government of the United States has made this new manifestation of human fraternity which conforms fully to the deep aspirations of the French people and of the American people and which responds to the sentiment of international solidarity shared ever more and more amongst nations.

I have, &c.,
BRIAND.