

M. FLANDIN presented the following report and draft resolution.<sup>1</sup>

“ At its meeting on September 4th, 1931,<sup>2</sup> the Council requested the Financial Committee to give its opinion on the proposal made by the neutral members of the Greco-Bulgarian Inter-migration Commission in their letter of July 7th, 1931. This proposal was that the functions conferred upon the Mixed Commission by the Molloff-Caphandaris Agreement of December 9th, 1927 should be transferred to such other person or body as might be selected for the purpose by the Council of the League of Nations in application of Article 7 of this agreement.

In its report to the Council on this subject (Annex 1325), the Financial Committee expresses the opinion that, as the neutral members have stated that the Mixed Commission has almost completed its work and will shortly be wound up, it would be desirable for the Council to come to a decision regarding this transfer. In order to avoid setting up any fresh organisation, the Financial Committee suggests that it might itself undertake the functions in question, on the understanding that it may appoint certain of its members to act in its name during the intervals between its sessions.

“ I therefore propose the adoption of the following draft resolution.

“ The Council decides to transfer the functions conferred upon the Mixed Commission until now by the Agreement of December 9th, 1927 to the Financial Committee as from to-day on the understanding that the Financial Committee may appoint certain of its members to act in its name during the intervals between its sessions. ”

M. MOLLOFF representative of Bulgaria, said that he had nothing to add to the report, which he accepted.

*The draft resolution was adopted.*

Colonel CORFE said that, on behalf of the Greco-Bulgarian Inter-migration Commission, he desired to thank the Council for the decision it had just taken. Article 7 of the Molloff-Caphandaris Agreement being applied from that date, and the Mixed Commission being relieved of its functions under that agreement, the neutral members, who had been nominated by the Council on the Mixed Commission, believed that it would be possible to notify the Council at its next session of the complete liquidation of all the Commission's work, and lay before it a full report of the Mixed Commission's activities.

M. Molloff, M. Politis and Colonel Corfe withdrew

#### 2904. Free City of Danzig. Amendment to the Constitution.

M. Ziehm, President of the Senate of the Free City of Danzig, and Count Gravina, High Commissioner of the League of Nations at Danzig, came to the Council table.

Viscount CECIL presented the following report and draft resolution.<sup>3</sup>

“ On September 5th, 1931, the High Commissioner of the League of Nations at Danzig transmitted to the Council a letter dated August 29th, 1931, from the Senate of the Free City, communicating the text of a law amending the Constitution of the Free City (Annex 1327).

“ Under Article 49 of the Constitution of Danzig, an amendment to the Constitution proposed by the Popular Assembly cannot be adopted unless it passes its second reading by a two-thirds majority at least two-thirds of the elected deputies being present; at least one month must elapse between the first and second readings. Amendments to the Constitution can only come into force after they have been communicated to the League of Nations and after the League has stated that it has no objection to these amendments.

“ The purpose of the draft law submitted to us is the reduction of the salaries and pensions of officials and employees on the active list and retired officials and their survivors.

“ It was necessary that this law since it involves interference with the established rights of officials and the modification of Articles 92 and 110 of the Danzig Constitution, should take the form prescribed by Article 49 of the Danzig Constitution for laws amending the Constitution.

“ The Bill, as submitted to us, passed the first reading in the Popular Assembly of the Free City by a two-thirds majority on August 28th, 1931, at least two-thirds of the elected deputies being present. The Senate has no doubt that the same majority will be forthcoming at the second reading, which, under the Constitution, cannot take place until September 28th, 1931.

“ As the restoration of the Free City's financial position brooks no delay the Senate requests the League Council to state at once that it has no objection to the amendments made in the Constitution by the new law as submitted to us, subject always to the Bill's receiving at the second reading the majority of the votes of the Assembly required by the Constitution.

“ In his covering letter, the High Commissioner says that the measure contemplated by this draft law being in accordance with the recommendations made to the Council by the Financial

<sup>1</sup> Document C.569.1931.I.

<sup>2</sup> See *Official Journal*, November 1931, page 2034.

<sup>3</sup> Document C.563.1931.I.

Committee in 1926, when the Council approved a loan to Danzig, he can only recommend the procedure contemplated by the Senate of the Free City

“ I have examined the Bill in the light of the Council's earlier resolutions relative to the Constitution of Danzig, and I have no observations to make on this point. I venture to submit the following draft resolution to the Council.

“ The Council authorises the President, in the event of the law amending the Constitution of the Free City the draft of which passed its first reading on August 28th, 1931, and the text of which is reproduced in the annex to the letter of August 29th, 1931, from the President of the Danzig Senate to the High Commissioner of the League of Nations, passing its second reading without amendment, in accordance with the Constitution, to inform the Senate of the Free City through the High Commissioner, that the Council has no objection to this amendment to the Constitution. ”

M. ZIEHM, President of the Senate of the Free City of Danzig, had no comments to make on the report.

*The draft resolution was adopted.*

#### 2905. Free City of Danzig. Danzig-Polish Relations. Special Report by the High Commissioner.

Viscount CECIL presented the following report and draft resolution.<sup>1</sup>

“ At its meeting of May 22nd last, the Council, after examining the situation of Danzig-Polish relations, requested the High Commissioner to submit a further report for its session in September. In compliance with this request, the High Commissioner forwarded to the Council on August 15th a report on the situation, followed by a supplementary report dated August 20th, 1931.

“ I attach to my present report the High Commissioner's report, of which I desire to express my high appreciation.

“ I am convinced that all the members of the Council will wish to thank him for all the efforts he has made to ensure normal relations between the Free City of Danzig and Poland.

“ In his report, the High Commissioner submitted to the Council certain questions relating to the matter of the *port d'attache*, or, as it has latterly been termed, the question of access to and anchorage in the port of Danzig for Polish war vessels. The position of this question is as follows:

“ This matter was submitted to the Council on several occasions—in particular, in September and December 1927. In August 1928, letters were exchanged between the parties, as the result of which the provisional Agreement of October 8th, 1921, was extended, and it was stipulated that it could not be denounced before July 1st, 1931. The Free City denounced it for that date. However, in order to facilitate negotiations, the Danzig Government of its own accord stated that it would maintain in force the provisions of the agreement until August 15th, 1931. As the negotiations did not succeed, the Senate again extended the time-limit up to September 15th. It added, however, that, if no result was reached by that date, it would consider any use of the port of Danzig by Polish warships, which was not in strict conformity with the international regulations in force for the admission of foreign war vessels, as direct action within the meaning of the Council's resolution of March 13th, 1925.<sup>3</sup>

“ The High Commissioner requests the Council to signify in the very likely case of the Danzig-Polish negotiations breaking down, and of the Senate of the Free City requesting him to declare that direct action has been taken, whether the Council considers that such direct action has been taken or not. The High Commissioner is of opinion that, by its resolution of March 13th, 1925, the Council, in principle, reserved the competence to judge of direct action and that this competence is conferred upon the High Commissioner only provisionally and in cases of urgency subject to the final approval of the Council. Moreover, from a study of the files relating to the question of the *port d'attache*, the High Commissioner concludes that the Council desired to reserve to itself the definition of the question of principle, which the High Commissioner might perhaps implicitly prejudge if he had to take a decision on the question of direct action

“ I can only congratulate the High Commissioner on his foresight in this matter. According to the information at my disposal, I am obliged to state that there is no probability of a practical agreement being reached. In order to reply to the question raised by the High Commissioner in regard to direct action the Council will be obliged to go into the juridical aspect of the substance of the question, in regard to which the two parties disagree. As they wish to have this aspect of the question cleared up, I would suggest that the Council should ask the Permanent

<sup>1</sup> Document C.567.1931.I.  
See *Official Journal*, July 1931, page 1132.  
See *Official Journal*, April 1925, page 468.