

Annex 698 b.

C. 689. 1924. I.

FREE CITY OF DANZIG ATTACHMENT OF DANZIG NATIONALS TO
POLISH CONSULATES.

DANZIG APPEAL DATED NOVEMBER 18TH, 1924.

[*Translation from the German.*]

The Government of the Free City of Danzig hereby lodges an appeal against the decision of the High Commissioner of the League of Nations at Danzig dated November 8th regarding the question of the Danzig consular attachés. The appeal is not directed against the substance of this decision but only against the portion of it contained in Section 10, paragraph 3, which lays down that disputes shall be settled by an independent authority acting as arbitrator. Although the Danzig Government has no objection to an arbitrator being called in to investigate and to give an advisory opinion upon questions under dispute, it must, however, upon considerations of principle — and in view of future decisions — protest against the elimination of the procedure stipulated in Article 39 of the Treaty of Paris by the setting-up of an arbitrator with powers to take decisions. The Danzig Government considers it of the greatest importance to retain the present procedure of successive stages of appeal, and ventures to point out that the Council has hitherto been careful to maintain intact as far as possible Article 39. We may refer to the report by His Excellency Viscount Ishii, representative of Japan, concerning the Polish-Danzig Agreement of October 24th, 1921, submitted at the Council meeting of January 12th, 1922.

The Senate accordingly proposes that the above-mentioned decision of the High Commissioner of the League of Nations at Danzig should be modified in the sense that an independent authority will only be called on for the purposes of an advisory opinion and that the provision of Article 39 of the Treaty of Paris shall not thereby be affected.

(Signed) SAHM.

Annex 699.

C. 794. 1924. I.

FREE CITY OF DANZIG EXPENDITURE BY THE HIGH COMMISSIONER TO
SECURE EXPERT ADVICE IN CONNECTION WITH THE LIQUIDATION AND
TRANSFORMATION OF CERTAIN PUBLIC CORPORATIONS FORMERLY
OPERATING IN WESTERN PRUSSIA.

Report by M. Quiñones de Leon and Resolution adopted by the Council on December 8th, 1924.

The High Commissioner of the League of Nations at Danzig has requested authority to expend from the funds advanced to him by the League such sums as are required to secure certain expert advice which he considers necessary to enable him to give a decision under Article 39 of the Polish-Danzig Treaty of November 9th, 1920, on a difference concerning the liquidation and transformation of certain public corporations formerly operating in West Prussia.

By resolutions adopted by the Council on November 17th, 1920, and February 1st, 1923, the Secretary-General is authorised to advance funds to the High Commissioner for the payment of his salary and for expenditure on official journeys, correspondence, the maintenance of his office and the salaries of his staff. These expenses are eventually paid by the two Governments in equal parts, in accordance with an agreement which was reached early in 1921. Expenditure for expert advice does not, however, appear to be covered by the arrangements made.

I understand that the High Commissioner desires advice on certain points of a highly technical character, such as problems of accounting and of German civil law.

The case before us appears, however, to be a very special one. The two Governments have specifically informed the High Commissioner that they agree to divide the costs involved, and I think that the Council should, without establishing any precedent, accede to the request of the High Commissioner in this case.

I propose the following resolution

“The Council adopts the present report and authorises the High Commissioner of the League of Nations at Danzig to use the funds advanced to him by the League of Nations in order to secure expert advice on certain technical points in connection with the question of the liquidation and transformation of certain public corporations formerly operating in West Prussia.”