

(c) That part, if any of the movable property which formerly was employed on the upkeep of the part of the Vistula now situated in Polish territory should be handed over to Poland.

Should it be impossible to come to an agreement with regard to the distribution, or should such agreement not have been established directly between the parties, they ought, in the first place, to agree as to the method by which the dispute can be settled, possibly by having recourse to arbitration or to expert opinions. The High Commissioner has proposed that the Harbour Board should appoint an arbitrator, and the Polish Government requested that the arbitrator should be appointed by the Secretary-General of the League of Nations. It should, however, be observed that Section III of the Decision of the Repartition Commission of May 3rd, 1923, provides that, in cases where the parties cannot come to an agreement, they shall appoint, or have appointed by the High Commissioner of the League of Nations, an arbitrator, whose decision shall be final.

In view of the Jurists' opinion, I might confine myself to proposing that the Council should confirm the High Commissioner's decision, with a single modification regarding the authority which would, if necessary appoint the arbitrator mentioned in the decision. I think, however, that it is advisable to go further and — in accordance with the suggestions made in my report of December 12th last and approved by the Council — to propose a resolution which may contribute to a settlement of the whole question. I hope in this respect to have the entire approval of the two interested parties and of the High Commissioner.

I therefore beg to submit the following resolution to the Council:

“(1) The Council is of opinion that the allocation of the property of the former Prussian Vistula Administration to the Harbour Board, made by the letter of the Repartition Commission of March 9th, 1922, was not final. A further distribution shall take place by agreement between the parties, with a view to allocating to Poland and the Harbour Board the proportion of this property corresponding to that part of the Administration which is attributed to them. This distribution may take place without awaiting the results of the negotiations provided for in Article 20, paragraph 3, of the Treaty of November 9th, 1920.

“(2) Should the two parties not be able to agree, they shall appoint or have appointed by the High Commissioner of the League of Nations an arbitrator, whose decision shall be final.

“(3) The parties shall enter into a mutual loan contract with a view to obviating, as far as possible, the necessity for the Harbour Board to replace such material as might be allocated to Poland. Should the parties not come to an agreement, the terms of this contract shall be fixed by the procedure provided for in paragraph 2 of the present resolution.

“(4) The decision of the High Commissioner of the League of Nations at Danzig of November 9th, 1924, is replaced by the present resolution.”

Annex 750.

C. 178. 1925. I.

FREE CITY OF DANZIG HARBOUR POLICE OF THE FREE CITY.

Report by M. Quiñones de León and Resolution adopted by the Council on March 13th, 1925.

On December 12th, 1924¹ the Council approved the report which I had the honour to submit to it regarding a decision by the High Commissioner dated November 10th, 1924, against which the Danzig Senate had appealed. This decision referred to the execution of a previous decision by the High Commissioner regarding the establishment of a special police force to be placed at the disposal of the Danzig Harbour Board. In my report, I suggested that the Council should request the President of the Harbour Board—who, in view of his four years' experience, would appear to be in a position to appreciate the various aspects of the question—to submit to us in due course a detailed proposal for a practical solution of the problem. Colonel de Reynier has now submitted to the Council a plan on this subject, which the Secretary-General has communicated to the members of the Council (Annex 750a). This plan, which is of a technical nature, is based on two principles. In the first place, certain police forces are to be detached from the Free City Police and placed permanently under the Harbour Board's orders. In the second place, a force up to the strength of a company is to be placed by the Senate at the disposal of the Harbour Board at the latter's request in order to carry out special and temporary duties. The plan further provides for co-operation in certain cases between the Senate Police and the Harbour Board Police. The Harbour Board is to transact all its business regarding the Police with the Senate and the Chief of the Danzig Police through the intermediary of a person of Polish nationality chosen by the Board.

My colleagues will remember that the High Commissioner's decision of June 6th, 1923, regarding the constitution of the Harbour Board Police, was accepted by the two parties by the Geneva Agreement of September 1st, 1923, for a trial period of two years. In his decision of November 10th, 1924, the High Commissioner decided that the two years' period provided for by the Agreement of September 1st, 1923, should start as from the date when this Agreement came into operation.

¹ See *Official Journal*, February 1925, page 280.

The Council has received a note from the Danzig Senate, dated February 28th, 1925, which has been communicated to the Members of the Council. In this note the Senate criticises Colonel de Reynier's plan, both on legal and on practical grounds. From the legal point of view the Senate finds that Colonel de Reynier's plan is not in conformity with the High Commissioner's decision of June 6th, 1923. From the practical point of view the Senate fears that Colonel de Reynier's plan, which divides the Free City into three different police areas, is a serious menace to security. Colonel de Reynier's proposal to the effect that the Harbour Board Police officials should co-operate with the officials of the Danzig Police is regarded by the Senate as unworkable. The Senate requests the Council, before taking a decision, to obtain an opinion from police experts. Furthermore, the Senate submits a counter-proposal to the effect that only the Navigation Police shall be permanently transferred to the Harbour Board, and that the Security Police shall be transferred temporarily in cases of need.

I have examined the Senate's arguments, and I do not find that Colonel de Reynier's plan, which seeks a practical solution, is in contradiction with the High Commissioner's decision of June 6th, 1923. As regards the practical side of the question, I would remind the Danzig Senate that Colonel de Reynier's plan is only in the nature of a two years' experiment, and is a compromise between the Polish and Danzig points of view.

The Polish Government has also submitted observations with regard to Colonel de Reynier's report. It requests an immediate extension of the territory to be administered permanently by the Harbour Board Police. I have examined this proposal, and I have come to the conclusion that it aims rather at a final settlement of the whole question than the provisional and experimental arrangements with which we are at present concerned.

I venture to appeal to the good-will of both parties to put Colonel de Reynier's plan into practice at once. The reservations made in the Agreement of September 1st, 1923, which stipulate that at the end of the two years' period each party shall have the right to review its attitude towards the question of the Harbour Police, remain in force. The two years should be reckoned from the date on which Colonel de Reynier's plan begins to operate. In case of doubt, the Chairman of the Harbour Board will state what that date was.

I have the honour to propose the following resolution.

"The Council approves the conclusions contained in the Spanish representative's report.

"The High Commissioner's decision of November 10th, 1924, is replaced by the arrangement contained in Colonel de Reynier's proposal, which is approved by the Council"

C. 99. 1925. I.

Annex 750a.

FREE CITY OF DANZIG HARBOUR POLICE OF THE FREE CITY

Proposal submitted to the Council, at its request, by Colonel de Reynier President of the Danzig Harbour Board, approved by the Council on March 13th, 1925.

[Translation.]

At its meeting in Rome on December 12th, 1924¹ the Council of the League of Nations adopted the draft resolution submitted by its Rapporteur, M. Quiñones de León, regarding the establishment of a special police force to be placed at the disposal of the Danzig Harbour Board.

The Secretary-General of the League of Nations, in execution of the conclusions adopted, instructed the President of the Harbour Board to submit to the Council of the League of Nations "a detailed proposal for a practical solution of the problem" The report suggests, without, however, making it compulsory that the President of the Harbour Board should, in his statement of opinion, "take into account, among other things, the respective requirements of the Harbour Police, the police for the establishments where the jurisdiction of the Harbour Board is clearly delimited, and the police of other localities where the jurisdiction of the Harbour Board extends over ground where the work of the Board is carried out in places accessible to the public"

The various existing police organisations at Danzig which come into consideration are

(a) The Navigation Police (*Schiffahrtspolizei*) who are engaged in regulating the movement of vessels, lighters, timber floating, etc.

(b) The Security Police (*Sicherheitspolizei*) who form the great majority of the police and provide for the traffic and security service throughout the territory of the Free City and some of whom use motor-boats for the performance of their duties.

(c) The Criminal Police (*Kriminalpolizei*) who are entrusted with certain duties requiring special knowledge.

(d) The Administrative Police (*Verwaltungspolizei*) who are engaged in work connected with the registration of the population, social questions, the poor, the fire service, the sanitary service, markets, schools, policing of the roads, etc.

The Harbour Board is specially concerned with the first two of these four categories of police.

¹ See *Official Journal*, February 1925, page 151.