

C.285.1929.I.

TREATY FOR THE RENUNCIATION OF WAR AS
A NATIONAL POLICY, CONCLUDED AT PARIS ON
AUGUST 27TH, 1928 (KELLOGG PACT), AND MOSCOW
PROTOCOL OF FEBRUARY 9TH, 1929 (LITVINOFF PROTOCOL)¹

NOTE BY THE SECRETARY-GENERAL OF THE LEAGUE.

Madrid, June 13th, 1929.

By a letter dated May 1st, 1929, the High Commissioner of the League of Nations at Danzig communicated to the Secretary-General a copy of a letter, dated April 30th, sent to the High Commissioner by the Danzig Senate, informing him that the Government of the Free City had decided to accede to the Treaty of Paris of August 27th, 1928 (Kellogg Pact), and to the Moscow Protocol of February 9th, 1929 (Litvinoff Protocol), and had requested the Polish Government to approach the Governments of the United States of America and of the Union of Soviet Socialist Republics for that purpose. In accordance with Article 6 of the Danzig-Polish Convention of November 9th, 1920,² the Senate requested the High Commissioner to inform the Secretary-General.

The Secretary-General requested the High Commissioner to inform him whether he intended the contents of this letter to be communicated to the Council, and the High Commissioner replied, by letter dated June 4th, that he did not think it necessary to propose that they should be so communicated. He had just learnt that the Polish Government, while favourable in principle to the Senate's wish, had proposed to the Government of the Free City conversations concerning the methods of co-ordinating the necessary action and making it conform to the Statute of the Free City and to the decisions of the League of Nations, accordingly, the High Commissioner thought that he could not give an opinion to the Council until later.

By a telegram dated June 12th, the High Commissioner, at the request of the Senate, asked the Secretary-General to communicate to the Members of the Council, at its June session, the Senate's letter of April 30th regarding Danzig's decision to accede to the Kellogg Pact and to the Litvinoff Protocol. The High Commissioner added that the Senate attached special importance to the communication of that letter.

In accordance with the High Commissioner's request, the Secretary-General has the honour to communicate herewith to the Members of the Council the High Commissioner's letter of May 1st, 1929, and the Senate's letter of April 30th, 1929.

LETTER FROM THE HIGH COMMISSIONER OF THE LEAGUE OF NATIONS AT DANZIG
TO THE SECRETARY-GENERAL.

[Translation.]

Danzig, May 1st, 1929.

I have the honour to send you herewith a copy of a letter which I have just received from the Danzig Senate informing me that the Government of the Free City has decided to accede to the Kellogg Pact and the Litvinoff Protocol.

The Senate adds that it has asked the Polish Government to communicate to that effect with the United States Government and with the Government of the Soviet Union.

The Senate refers to Article 6 of the Convention of November 9th, 1920, between Danzig and Poland, and requests me to inform you accordingly

(Signed) VAN HAMEL,
High Commissioner

LETTER FROM THE PRESIDENT OF THE DANZIG SENATE TO THE HIGH COMMISSIONER.

[Translation.]

Danzig, April 30th, 1929.

I have the honour to inform you that the Government of the Free City of Danzig has decided to accede to the Treaty concluded at Paris on August 27th, 1928, and known as the Kellogg Pact, and to the Protocol concluded at Moscow on February 9th, 1929, known as the Litvinoff Protocol.

¹ See *Official Journal*, December 1928, page 1947.

² This article reads as follows

“ Poland shall conclude no treaty or international agreement affecting the Free City without previous consultation with the Free City the High Commissioner of the League of Nations shall be informed of the result of this consultation.

“ The High Commissioner shall in all cases have the right to veto any treaty or international agreement, in so far as it applies to the Free City of Danzig, which, in the opinion of the Council of the League of Nations, is inconsistent with the provisions of the present Treaty or with the status of the Free City. ”

We have requested the Polish Government to communicate to that effect with the Government of the United States of America and the Government of the Union of Soviet Socialist Republics respectively

Referring to Article 6 of the Convention of November 9th, 1920, between Danzig and Poland, we beg to bring the foregoing to the notice of the Secretary-General of the League of Nations.

(Signed) SAHM.

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SECOND LETTER FROM THE HIGH COMMISSIONER OF THE LEAGUE OF NATIONS AT DANZIG
TO THE SECRETARY-GENERAL OF THE LEAGUE.

[*Translation.*]]

Danzig, June 21st, 1929.

On the very day of my departure from Danzig, I am glad to be able to inform the Council that the necessary decisions have been taken at Danzig for the accession of the Danzig Government to the General Pact for the Renunciation of War concluded at Paris on August 27th, 1928 (Kellogg Pact), and to the Protocol signed at Moscow on February 9th, 1929, by the representatives of Estonia, Latvia, Poland and the Union of Soviet Socialist Republics (Litvinoff Protocol).

The Danzig Government's decision of April 30th, 1929, has already, at my request, been communicated through you to the Members of the Council at the Madrid session — on June 13th, 1929. In consequence of the written communication dated June 14th, 1929, made to me by the Commissioner-General of the Polish Republic regarding the two instruments (the texts of which are familiar), I am now in a position to add that the Polish Government has agreed to the Danzig Senate's request and will in due course take the necessary steps under Article 6 of the Convention concluded between Poland and the Free City of Danzig on November 9th, 1920. It is understood that such accession will not in any way affect the legal status of the Free City nor the juridical relations connecting Danzig with the League of Nations and with Poland, based on the existing Conventions and decisions of League organs.

In submitting the above communication to the Council in compliance with its resolution of June 21st, 1929, it is my duty, according to the procedure laid down by the Council on December 8th, 1924, to state that I see nothing in the instruments in question which would require resort to the right of veto referred to in Article 6, paragraph 2, of the Treaty of November 9th, 1920.

On the contrary, I consider that the accession of the Free City of Danzig to these international agreements should be welcomed. Even without such formal accession, it is barely conceivable that war should ever become an instrument of national policy at Danzig. None the less, the categorical adhesion of the Danzig Government to the great principles set forth in the Kellogg Pact and the Litvinoff Protocol will, in my opinion, form an effective contribution to the peaceful and friendly relations at present existing between the nations.

(Signed) VAN HAMEL,
High Commissioner