

proposes that the Nansen International Office for Refugees should be entrusted by the Council with the tasks mentioned in a resolution of the Committee of the Council for Saar Questions, in regard to persons who formerly possessed the status of Saar inhabitants and who left the Territory at the end of the period of its administration by the League of Nations.

In the Rapporteur's opinion, the decisions to be taken by the Council were a matter of some urgency and the Secretary-General, in his note of April 1st (document C.143.1935.XII), accordingly requested the Members of the Council to inform him within a brief period, whether they agreed to the Rapporteur's proposal. In reply to his communication, the Secretary-General has received only one observation—namely, from the United Kingdom Government. The text of that reply is attached hereto.

The other Members of the Council not having replied to the communication addressed to them by the Secretary-General, the Rapporteur's proposals may, subject to the observations of the United Kingdom Government, be considered as approved by the Council.

Accordingly, under instructions from the President of the Council, and after consulting the Rapporteur on refugee questions, I have the honour to inform you that the Council has decided to approve, under the foregoing conditions, its Rapporteur's proposal to entrust to the Nansen International Office for Refugees the tasks mentioned in the Council Committee's resolution with a view to the protection of refugees from the Saar that resolution will be found in document C.143.1935.XII, attached hereto.

I should be grateful if you would inform me in due course of the action that the Governing Body of the Nansen International Office proposes to take on this decision of the Council of the League of Nations.

(Signed) P DE AZCARATE,
Acting Secretary-General.

ANNEX 1548.

C.186.1935.VII.

FREE CITY OF DANZIG.

SITUATION AT DANZIG LETTER, DATED MAY 7TH, 1935, FROM THE HIGH COMMISSIONER OF THE LEAGUE OF NATIONS AT DANZIG TO THE SECRETARY-GENERAL, TRANSMITTING AN EXTRACT FROM A SPEECH MADE BY THE PRESIDENT OF THE SENATE OF THE FREE CITY ON MARCH 24TH, 1935, AND CORRESPONDENCE RELATING THERETO.

Danzig, May 7th, 1935.

I have the honour to enclose herewith the text of a speech by Herr Greiser, President of the Senate of the Free City of Danzig, on March 24th at a public meeting in Danzig. The meeting was held in support of the National-Socialist Party in the recent election campaign.

I also enclose a copy of an *aide-mémoire* which I presented to the President of the Senate immediately and a copy of his reply, dated March 30th.

It will be seen from the reply that the President of the Senate maintains in substance the text of his speech as published, and that although none of the legal points raised in my memorandum is contested, the view of the Senate is restated at greater length and in a somewhat similar vein.

I have considered it my duty to receive leaders of all parties and responsible citizens on matters affecting the Constitution and to give due consideration to petitions from whatever class of citizen they come.

In this connection, the Council is aware of the number of occasions on which they have been called upon to concern themselves with questions relating to the Danzig Constitution during the past eighteen months, and my report for the year 1934¹ has also informed them of some of the matters on which I felt it necessary to make enquiries of the Senate regarding the application of the Constitution.

As the texts referred to in my *aide-mémoire* are those of resolutions and decisions by the Council, and as it is for the Council to interpret the way in which resolutions are applied, I consider that the public statement of the President of the Senate should be considered at the next Council meeting.

(Signed) Sean LESTER,
High Commissioner

¹ See documents C.42 and 42(a).1935.VII.

TRANSLATION OF AN EXTRACT FROM A SPEECH BY THE PRESIDENT OF THE DANZIG SENATE,
REPORTED IN *Der Danziger Vorposten*, MARCH 25TH, 1935.

Despite all the successes of the National-Socialist Movement, an inept Opposition finds it necessary to disturb the work of the Government by unbridled and fruitless criticism and constant complaints to the League of Nations. There was indeed a danger that the patient and tolerant attitude of the Government, which constantly strove to convince its opponents that their views were wrong, might be interpreted as weakness.

In the last half-year, the activities of the Opposition have assumed forms which no Government could tolerate. Unfortunately, it must be said that the High Commissioner has not always taken the same view of his task as the population—namely, that he is only to act as arbitrator in the relations existing between Danzig and Poland. The League of Nations organ in Danzig saw in its halls less of the Germans in Danzig than of the representatives of bankrupt parties who, if they put into practice the democratic principles they are constantly advocating, would really have bowed to the will of the majority. In this way, relations between the international organ of the League and the representatives of the opposition constantly improved.

Even a party which seemed to have vanished from the scene, such as the Social-Democratic Party felt itself called upon, together with the Centre, to present complaints to this international organ instead of following the principles of democracy by accepting the will of the majority. The effect of this separatist activity on the part of the Opposition is shown in the League of Nations report of the British representative, Mr. Eden, on Danzig. In this report, the Centre is told that questions must first be elucidated in Danzig before they are referred to international organs. The lack of political decency which the Centre had always evinced is thus confirmed by a respected and distinguished Englishman.

AIDE-MEMOIRE SENT BY THE HIGH COMMISSIONER OF THE LEAGUE OF NATIONS AT DANZIG TO
THE PRESIDENT OF THE SENATE OF THE FREE CITY.

Danzig, March 26th, 1935.

The *Danziger Vorposten*, the organ of the National-Socialist Party in Danzig, contains in its edition of Monday March 25th, the report of a speech made by the President of the Senate at an election meeting of the National-Socialist Party held on March 24th at the "Messehalle"

The High Commissioner cannot conceal from the Senate of the Free City that the reading of certain passages of this report has caused him great surprise. These passages cannot be passed in silence as they contain, in the opinion of the High Commissioner, fundamental inexactitudes as to the nature and the extent of the functions attributed to the League of Nations by the treaties in force.

The High Commissioner in consequence has the honour to make the following statements:

1. He cannot admit—and he is sure that the Senate will agree with him—the possibility of any connection between the fact that the parties of the Opposition (as is said in the report under quotation) "addressed continually complaints" to the League of Nations on matters affecting the Constitution and the attempt attributed to these parties to destroy or damage by these means the work of the Government.

2. As to the functions confided to the League of Nations by the dispositions in force, the High Commissioner does not do more than recall the report of Vicount Ishii, adopted by the Council on November 17th, 1920:

"The provisions of the Treaty of Versailles, according to which the Constitution of the Free City shall be placed under the guarantee of the League of Nations, implies: (1) that this Constitution will have to obtain the approval of the League of Nations; (2) that the Constitution can only be changed with the permission of the League of Nations; and (3) that the constitutional life of the Free City of Danzig must always be in accordance with the terms of the Constitution."

and, as regards more particularly the High Commissioner, the report adopted by the Council at its meeting of May 22nd, 1931, the terms of which are also known to the Senate.

Furthermore, as regards the right of petition by Danzig citizens, the High Commissioner recalls the letter dated June 10th, 1925, which was sent to him by the Secretary-General after having been approved by the Council.

There can therefore be no question as to the right of citizens of Danzig to inform or appeal to the organs of the League of Nations concerning matters affecting the Constitution of Danzig, and the High Commissioner therefore is surprised at frequent references by members of the Senate to the Opposition as traitors and separatists, principally on the ground that they exercise their right of appeal to the League.

3. As to the rather singular remarks attributed to the President of the Senate regarding the way in which the High Commissioner carries out his duties, especially in his relations with non-

governmental parties who are alleged in consequence to place themselves in opposition to the German population of Danzig, the High Commissioner cannot admit of discussion with the Senate on this subject: he confines himself to recalling the dispositions mentioned in paragraph 2 and to recalling that the representative of the League of Nations is only responsible to the Council of the League for the manner in which he carries out the mandate confided to him by the Council.

In the circumstances, the High Commissioner is unable to understand what is meant by the reported declaration of the President of the Senate that the relations between the organs of the League of Nations and the Opposition parties are constantly improving in contrast with the relations with the " Germans of Danzig "

4. Finally the High Commissioner, scrupulous as always to avoid any interference in the internal politics of the Free City cannot ignore the fact that in the course of this election campaign members of the Senate have again referred to the Opposition as separatists and traitors for having addressed themselves in accordance with their rights to the organs of the League; nor can he accept the interpretation given in the reported speech of the President of the Senate of the report of the Council in January last on constitutional questions.

In view of the fact that the speech under discussion has been attributed to the highest Danzig personage at a public meeting and that the speech has been published by the Press, the High Commissioner has felt it to be his duty to recall to the Senate his view in the matter.

In the circumstances, he will be glad if the Senate will be good enough to inform him if the report which has appeared in the *Vorposten* corresponds to the words pronounced by the President. Should that not be the case, he will be glad to be informed in what respect the report is wrong and what steps the Senate proposes to take to correct the impression made by this report.

AIDE-MÉMOIRE FROM THE PRESIDENT OF THE SENATE OF THE FREE CITY TO THE
HIGH COMMISSIONER OF THE LEAGUE OF NATIONS AT DANZIG.

[Translation from the German.]

Danzig, March 30th, 1935.

In reply to the *aide-mémoire* of March 26th, the Senate has the honour to state that the report in the *Vorposten* of a speech delivered by the President of the Senate at an election meeting held in the " Messehalle " on March 24th last reproduces approximately what was actually said. There seems, however, to be some misunderstanding as to the purport of the speech. It may be said at the outset that the speech does not and was not intended to contain any attack on the High Commissioner: it only expresses the feeling of the overwhelming majority of the population of Danzig. It cannot be admitted, however, that the speech of the President of the Senate contains any substantial inaccuracies with reference to the nature and scope of the powers conferred upon the League of Nations by the treaties in force.

The various points may be explained as follows:

Ad 1. There is surely no doubt that the Opposition parties are trying in every way to damage the Government's work. It is also true that representatives of the Opposition parties, or the parties themselves, frequently go to the High Commissioner with complaints. There is a very close connection between these two facts.

If the Opposition parties constantly complain to the League (the High Commissioner), that certainly stiffens their resistance to the Government, since they know that under Article 42 of the Danzig Constitution the League may at any time require official information regarding all public affairs of the Free City. The more the Opposition appeals to the League in regard to even the most trivial matters and misrepresented incidents, the more the Government's work is damaged and its authority undermined. If, for example, newspapers or parties can send petitions to the League regarding any trifling prohibition or regarding a seizure of a newspaper (as indeed they do), they regard it as an opportunity—which they utilise to the utmost—to write in the most provocative and insulting way about the Government and the Government parties. Then if the newspapers are prohibited, they appeal to the League and so collect together material which seems to argue against the freedom of election. If they are not prohibited, they carry their attacks on the Government beyond all bounds, on the assumption that the Government, fearful of League intervention, dare do nothing against them. Every small incident is magnified into a sensation and every slight scuffle into an act of terrorism. Every time election posters are torn down—an action that is a commonplace of all election campaigns—the Government is made answerable. That is surely an indication of the connection between the petitions relating to the Constitution and the attempts of the Opposition parties to damage the Government's work.

Ad 2. The Senate is of course acquainted with the reports and documents quoted in the *aide-mémoire* of March 26th. The arguments used in the *aide-mémoire*, however, seem to be somewhat beside the point, inasmuch as the Senate has in no way changed the Constitution, nor has it so far had any intention of doing so, certainly not without the consent of the League. The State life of the Free City is ordered now as it has always been, in accordance with the provisions of the Constitution. Indeed, the Senate is careful in its laws and ordinances to keep well within the Constitution, although its right to carry out National-Socialist principles within the framework of the Constitution has never been contested.

The Senate is, of course, also aware that the High Commissioner may submit reports to the League, and that he may receive petitions, report on them, and, in "very serious" cases, may submit them to the League Council for consideration. But the Senate is convinced that the High Commissioner's chief duty lies in the settlement of disputes between Danzig and Poland, and that the protection of the Danzig Constitution is entrusted to the League mainly on international grounds. Danzig has been separated from the German Reich in order to provide Poland with free access to the sea, and for no other reason. It therefore seems to us the League's duty to ensure that in this respect the Statute of the Free City of Danzig is not changed, that the Constitution is not made a means of modifying the rights of Poland or of other States contrary to the Treaty of Versailles.

We would refer to a communication of February 23rd, 1921, from Professor Attolico, a former Acting High Commissioner, to the Members of the League Council, Section XVI of which is worded as follows:

"A guiding principle in the Danzig question ought, in my view, to be that the League interfere as little as possible in the internal affairs of the Free City"

In every State—and in Danzig also—the Opposition is entitled to use all constitutional means of upholding its rights. When these means are exhausted, it is certainly unusual that the Opposition should then turn to external authorities. If the Danzig Opposition brings before the organs of the League internal difficulties—which have nothing to do with the international status of the Free City—and exaggerated and often false accounts of actual incidents, instead of accepting the existing form of government; if it refers these difficulties, which everyone imbued with a sense of nationality must wish to settle at home, to an authority which is composed solely of foreign States, and in which Danzig has not even a seat or a voice, every German Danziger must feel resentment, and it is not surprising that in the heat of an election campaign these people should be branded as traitors or separatists.

Ad 3. The President's speech really voices the view of the majority of the population. As already stated, that majority considers that the High Commissioner's principal duty is to act as arbitrator between Danzig and Poland, and it cannot understand why internal differences having little or nothing to do with the statute or the international situation of Danzig should constantly be brought before the organs of the League. It is in no way questioned in the speech, however, that the High Commissioner, as the League's representative, is only responsible to the Council of the League for the manner in which he carries out the mandate confided to him by the Council. Although in the speech it is stated that the relations between the Opposition parties and the organs of the League seem to be constantly improving, the implication was simply that any outsider might gain the impression that the High Commissioner was taking up the cause of the Opposition parties a little too sympathetically; and it should therefore be considered whether it would not be better to take rather more heed of the feelings of the large majority of German Danzigers and the great nation-wide movement which embraces all Germans.

Ad 4. The way in which the terms "traitors" and "separatists" are to be understood has already been explained.

In any case, the Council's report of January of this year is taken by the Government to imply that internal affairs above all are to be settled in Danzig itself. Objections contesting the validity of the elections are, for example, decided in the normal way by the Supreme Court of the Free City of Danzig in accordance with the Constitution guaranteed by the League.

The High Commissioner has frequently said that in Danzig he has official dealings with the Danzig Government alone, and with no one else. The parties in opposition to the Government are, however, tending more and more in their discussions to regard the person and office of the High Commissioner as means for the protection of the political minority and are voicing that opinion in speeches and Press articles. This is very naturally resented by the vast majority of the Danzig population, which is co-operating wholeheartedly in the reconstruction work carried out by the Danzig Government. It must therefore be the duty of the head of the Government, enjoying the confidence of the majority of the people, to give expression to that feeling, more particularly since there was a danger that, in course of time, the powers and duties of the High Commissioner—who admittedly occupies a difficult position—would no longer be clearly defined.

Accordingly the President of the Senate, as the interpreter of the will of the people of Danzig, intended in his speech, fully recognising the High Commissioner's position, to obviate the danger of a one-sided and incorrect account of the situation given by the political opposition. He was the more anxious to do so because he realises that the High Commissioner constitutes the strongest support of a strict observance of the Danzig Constitution which is in accordance not only with the wishes, but with the practice, of the Government.

The President of the Senate therefore believes himself to be fully in agreement with the High Commissioner regarding the latter's position in Danzig, as defined and established by the Council of the League.

The Senate hopes that these explanations will entirely correct the impression conveyed by the President's speech, and that the High Commissioner will be satisfied that the President's

observations in no way constituted a personal attack on the High Commissioner, with whom the Government of the Free City desires to collaborate in complete harmony

ANNEX 1549.

C.183.M.101.1935.VII.

DISPUTE BETWEEN ETHIOPIA AND ITALY REQUEST BY THE
ETHIOPIAN GOVERNMENTI. LETTER, DATED MAY 11TH, 1935, FROM THE ETHIOPIAN GOVERNMENT
TO THE SECRETARY-GENERAL.

[Translation.]

Paris, May 11th, 1935.

The Imperial Ethiopian Government requests you to acquaint the Council of the League of Nations with the serious action taken by the Royal Italian Government in proceeding to the mobilisation of several classes and sending numerous troops and large quantities of war material to Eritrea and Somaliland. The official speeches by which these acts have been accompanied leave no room for doubt as to the hostile intentions of the Royal Italian Government.

Ethiopia has on several occasions called the Council's attention to the dangers to international peace involved by this continued series of warlike preparations. It is vain for the Italian Government to seek pretexts in a tendentious interpretation of a speech made by His Majesty the Emperor, and in an alleged mobilisation of the Ethiopian army. To these allegations the Ethiopian Government replies by stating a fact of which the Council has long been aware—namely, that repeated requests have been made to Italy to appoint arbitrators, as provided in Article 5 of the Italo-Ethiopian Treaty of 1928. In January¹ and in April 1935,² Italy promised the Council of the League to proceed speedily to an amicable settlement by constituting the arbitral tribunal provided for in the Treaty of 1928. The Council unanimously took note of the conciliatory desire expressed by the two contending States to apply Article 5 of the Treaty of 1928 in full, both in the letter and in the spirit.

This recommendation, made after the Ethiopian delegate had demonstrated the dangers involved in Italy's military preparations, undoubtedly referred to the undertaking in the aforesaid Article 5 not to have recourse to armed force under any pretext.

As soon as the Ethiopian Government had examined the Minutes of the Council meeting of April 15th, 1935, it proposed to Italy that May 10th should be fixed as the date for the simultaneous designation of arbitrators. Meanwhile, as if she were anxious to make arbitration impossible, Italy was approaching certain foreign Governments, some of whose nationals were likely to be selected as arbitrators by the Ethiopian Government, and was requesting them to deter their nationals from accepting such appointment. In an explicit communication from the Italian Minister at Addis Ababa, the Ethiopian Government was invited to choose arbitrators of Ethiopian nationality. The Government at Addis Ababa thinks, on the contrary that the surest means of securing an impartial and independent arbitral tribunal is to select as arbitrators persons of great independence, high reputation and undisputed authority and experience in the matter of arbitration.

Confronted by this attitude, the Royal Italian Government refrained from replying to the Ethiopian proposal. The days passed without the smallest step being taken in the direction of arbitration, although this had been accepted by Italy before the Council of the League. Responsible statesmen, in official speeches, levelled the most odious accusations against Ethiopia, and announced Italy's decision to have done with her once for all. A further mobilisation of military forces was ordered. By way of pretext for these measures in preparation for aggression, the Italian Government announced that His Majesty the Emperor had ordered the general mobilisation of the army.

The Ethiopian Government protests against this report, which is absolutely false. The Ethiopian Government has not ordered any measure of mobilisation. It affirms its pacific sentiments. It renews the request it has frequently made since the Walwal incident, that arbitration should at once be resorted to, as provided in the Treaty of 1928. It pledges itself without reservation or reticence to submit to the decision of impartial arbitrators, whatever that decision may be.

In the grave circumstances of the present moment, the Ethiopian Government feels justified in referring to the following statement which was made in the Council on April 16th, 1935.³

“ The Council of the League of Nations will shoulder its responsibilities. As the guardian of peace, it will not wish to remain silent or indifferent at this juncture. Let it be mindful of its origins; let it remember the principles on which it was founded, let it measure the consequences of its attitude, and it will not fail in its task. The peoples of the world know that

¹ See *Official Journal*, February 1935, page 162.

² See *Official Journal*, May 1935, page 546.

³ See *Official Journal*, May 1935, pages 550 and 551.