

" The work of the Committee which you have just set up is to determine for what questions the intervention of the League of Nations and the conclusion of conventions may be useful and possible. This task is certainly delicate and difficult, but is rich in promise for the future of humanity. The composition which you have given to your Committee appears to me to give the surest guarantee that the problems submitted to its examination will be treated with a complete realisation of the facts and elucidated by the light of the various systems of law prevailing in the world.

" It is therefore with a keen satisfaction that the Swedish Government has noted the favourable reception which the fifth Assembly and the Council have given to the initiative taken by the first Swedish delegate, with a view to enlarging and co-ordinating the work of the League of Nations and the development of international law.

" I venture also to express my deep gratitude to the Council for the great honour which it has shown to my country by appointing as Chairman of the Committee the Swedish member, M. Hammarskjöld, who is one of the most eminent jurists of Sweden. "

*The Council approved the report.*

#### 1411. Free City of Danzig Expulsion of Danzig Nationals from Poland.

M. SAHM, President of the Senate of Danzig, M. STRASBURGER, representative of Poland, and Mr. MacDonnell, High Commissioner for the League of Nations, came to the Council table.

M. QUIÑONES DE LEÓN read his report (Annex 720) and submitted the following resolution

" The Council

"(1) Thanks the jurists of the representatives of France, Great Britain and Italy and also the Director of the Legal Section of the Secretariat for their opinion given on November 21st, 1924, regarding the expulsion of certain Danzig nationals from Poland (Annex 720a)

"(2) Confirms the Decision of August 1st, 1924, of the High Commissioner of the League of Nations at Danzig regarding the expulsion of Danzig nationals from Poland. "

M. SAHM, President of the Danzig Senate, said that the jurists had not, in his opinion, taken fully into consideration the Treaties concluded between Poland and the Free City and the conclusions resulting from these Treaties. Under the provisions of the agreement concluded on October 24th, 1921, at Warsaw, the two States assured to their nationals the same rights in everything concerning their economic, industrial and commercial activities. He accordingly considered that the two States had undertaken to deal in the same way with all cases of expulsion regarding their respective nationals. In the agreement signed on August 17th, 1922, with Poland with regard to the expulsion of Polish nationals from Danzig, the Free City had met the wishes of Poland and thought that Poland would act in a similar manner when it came to dealing with the expulsion of Danzig citizens.

The Rapporteur had certainly been of the same opinion when he had stated in his report " I am sure that the Polish Government will in future also do its best to limit as far as possible the number of such cases, bearing in mind the special relations which exist between Poland and the Free City and which, in conformity with Article 38 of the Treaty of November 9th, 1920, gave rise to the conclusion of the Agreement of August 17th, 1922, regarding the expulsion of Polish nationals from Danzig "

This sentence provided the Free City with a guarantee, if it were included in the decision of the Council and if the representative of the Polish Government were to state in the name of his Government that it took that view in regard to this question. The representative of Danzig asked that his statement should at any rate be recorded in the Minutes.

M. STRASBURGER, representative of Poland, noted that, from the legal point of view, the question had been closely examined by the High Commissioner, by the Council and by the Committee of Experts. There was therefore nothing to add to the resolutions and explanations which had been given.

The Warsaw Convention, quoted by the representative of Danzig, was purely a commercial convention and had no connection with the expulsion of undesirable persons. It therefore in no way excluded the right of each party to expel undesirable persons.

The representative of the Free City further had expressed a desire to see the number of cases of expulsion reduced as far as possible. He would recall the statements of the legal experts and of the High Commissioner to the effect that the cases of expulsion by Poland of Danzig nationals had been extremely rare the Polish Government had only made use of its rights on exceptional occasions. In the same way if his Government were compelled to have recourse to expulsion in the future, this would only occur on very rare occasions and would be due to considerations for the safety of the Polish State and of respect for the laws of Poland.

M. SAHM asked whether the Polish Government, when considering cases of the expulsion of Danzig nationals from Poland, would be ready to keep to the stipulations of the agreement concluded regarding the expulsion of Polish nationals from Danzig. The Rapporteur had expressed a wish to this effect.

M. STRASBURGER replied that his meaning was as follows. From the legal point of view Poland need not assume that obligation. If, however, Poland were asked to make an offer to restrict, as she had done in the past, the number of cases of expulsion as far as possible taking into account her special relations with the Free City he could give that assurance.

*The resolution was adopted.*