

"The Mandates Commission at that session, although not dealing with the memorandum of the German Government, examined this law with great care, as is apparent from the minutes of its meetings. In its observations the Commission took note of the statement of the accredited representative to the effect that the mandatory Power, conforming strictly to the terms of the mandate, had not been guided by any desire for annexation, that no stipulation of the law conferred upon inhabitants of the territory the status of Belgian subjects, and that the Belgian Government did not propose in any way to modify the policy of indirect administration of the native populations, which had given such satisfactory results so far. The Commission also noted the explanations which were given with regard to certain articles of the law which might give rise to unfortunate interpretations, and that the accredited representative promised to bring to the attention of his Government the observations of the Commission. All these observations are embodied in the report which has already been approved by the Council.

"Although it seems to me that the drafting of certain articles of the law might give rise to doubt, I have after careful consideration come to the conclusion that the authoritative interpretation furnished by the accredited representative is sufficient to dissipate any fears which may have been felt as to a possible covert annexation of the territory and that the Council is justified in contenting itself with taking note of the explanations and assurances thus given."

*The Council adopted the conclusions of the report.*

The Marquis Theodoli withdrew.

#### 1614. Free City of Danzig : Establishment of a Guard Detachment for the Polish Munitions Depot on the Westerplatte.

The PRESIDENT invited the High Commissioner and the representative of Poland to come to the Council table and said that the Council would probably desire also to invite the President of the Senate to come to the table in order to furnish the Council with any information it might require.

Mr. MacDonnell, High Commissioner of the League of Nations, M. Strasburger, representative of Poland, and M. Sahm, President of the Senate of the Free City of Danzig, came to the Council table.

M. QUIÑONES DE LEÓN read his report (Annex 827).

M. SAHM said that the Council of the League of Nations would readily understand that the creation of a munitions depot in the harbour, and all military questions relating thereto, must be extremely unpopular in Danzig. The Parliament of the Free City of Danzig had, by an overwhelming majority, supported the view which he had set forth. As regarded the report of M. Quiñones de León, he must in all respects maintain the former point of view of the Danzig Government. The Danzig Government had assumed that both by the letter and the spirit of the agreement Poland was entitled to possess only a non-military guard in the Westerplatte. The Rapporteur, however, considered that a military guard was permissible, but he had returned a negative answer to the question whether a military base was thereby created in Danzig. The High Commissioner's report stated that he had received a request from the Polish Government to give his consent to the establishment of a guard detachment for the Polish Munitions Depot, which was to consist of two officers, twenty non-commissioned officers and sixty-six other ranks of the Polish Army. The inevitable conclusion was that under the decision of the Council a military guard of the above-mentioned strength was not considered to amount to the creation of a military base. It also followed that any increase of the numbers would raise the whole question again. He trusted, however, that the conditions laid down by the Rapporteur would not lead to the question being brought before the Council again.

M. STRASBURGER, representative of Poland, said that he associated himself entirely with all the suggestions of the Rapporteur, and at the same time shared the opinions, and approved the suggestions, of the High Commissioner as contained in his letter addressed to the Council.

As to the character of the guard he would merely, in reply to the speech of the President of the Senate, emphasise that this guard had only a single object, which was to maintain order and security in the peninsula of the Westerplatte. Since Poland, according to the decision of the Council of the League of Nations, was solely responsible for the security of the peninsula, she regarded it not merely as her right but rather as her duty towards the inhabitants of the Free City to maintain an appropriate military guard for the maintenance of security.

As to the numbers of the guard, he would point out that the expert of the Council of the League of Nations, Count Gravina, was of opinion that this detachment was hardly sufficient. The same opinion had been expressed by the President of the Harbour Board. The Polish Government, however, hoped that the detachment would be adequate and was not asking that it should be increased. The Polish Government was of opinion that such an increase could not be made without the authorisation of the High Commissioner.

Mr. MACDONNELL said he wished to make it clear that certain opinions given by Count Gravina and the President of the Harbour Board and alluded to by the Polish representative

were given by them in the course of consideration of a separate question and were in no sense experts' opinions on the subject of the numbers of the guard necessary for the Westerplatte.

He wished the Council to understand that he had not come to a decision in the face of expert opinion, since no expert had been called upon by the Council or himself to advise in the matter.

M. UNDÉN said he had no objection to make against the report which was based on legal considerations. From the practical point of view, however, he asked whether it would not be advisable to install on the Westerplatte a civilian police instead of a military detachment. This was a question which should be examined by the High Commissioner in agreement with the Polish Government. He accordingly made no proposal on the subject.

M. SAHM expressed his profound gratitude for the proposal put forward by the representative of Sweden.

He was sure that a proposal of this kind would result in soothing the susceptibilities of the population of Danzig to which he had alluded. Moreover, the existence of a civilian police would render easier the relations between the police of the Free City and the police of the peninsula of the Westerplatte as, according to the existing agreement, the peninsula of the Westerplatte did not enjoy any extra-territorial rights. The peninsula was accordingly subject to the laws of Danzig and consequently to the Danzig police, so that the relations between the police and the guard on the peninsula would be facilitated if the proposal of the Swedish representative could be adopted. He asked to have the Swedish representative's proposal inserted in the minutes as a recommendation put forward by the Council.

Sir Austen CHAMBERLAIN said that he would not discuss the merits of the question raised, but merely ask whether the discussion of this question was within the competence of the Council. The Council was being asked to decide on the one point brought to it by the High Commissioner. The other points rested within the competence of the High Commissioner.

The PRESIDENT said that this was the opinion of the Swedish representative, who had merely made a suggestion.

M. STRASBURGER agreed with the High Commissioner that the opinions expressed by Count Gravina and by the President of the Harbour Board could not replace a decision of the High Commissioner on the point.

*The conclusions of the report were adopted.*

Mr. MacDonnell, M. Strasburger and Dr. Sahn withdrew.

#### 1615. Protection of Minorities: Resolution of the Sixth Assembly.

M. DE MELLO-FRANCO read the following report:

"I.

"On September 22nd, 1925, the sixth Assembly adopted the following resolution:

"The Assembly approves that part of the report on the Work of the Council, the Work of the Secretariat and on the Measures taken to execute the Decisions of the Assembly dealing with the procedure followed with regard to the protection of minorities (paragraph VI of Chapter 7 of the Supplementary Report) (Annex 828a). The Lithuanian representative having withdrawn the proposal submitted by him on September 14th, 1925, the Assembly requests the Secretary-General to communicate to the Council the discussion which has taken place in the Sixth Committee in this connection."

"By the proposal mentioned in this resolution the Lithuanian representative had requested the Assembly 'to set up a special committee to prepare a draft general Convention to include all the States Members of the League of Nations and setting forth their common rights and duties in regard to minorities'.

"This proposal was referred to the Sixth Committee of the Assembly, which discussed it on September 16th, 1925, many delegates taking part in the discussion. The Committee's report summarises the discussion as follows:

"On the one hand, the attention of the Committee was drawn to the fact that the treaties and declarations for the protection of minorities of race, language or religion are only the concern of certain States, while other States are exempt from such obligations, and this would not be in conformity with the principle of equality between States. On the other hand, several delegates pointed out that this way of looking at the question was not correct, since the special position of States bound by certain treaties or declarations was the result of special circumstances prevailing in those States."

"In view of this difference of opinion the suggestion was made that the Committee should recommend the Assembly to refer the discussions of the Committee on the Lithuanian proposal to the Council. In view of this suggestion the Lithuanian representative stated that he withdrew his proposal and the Assembly decided, in accordance with the Committee's suggestion, to request