

Annex 531 a.

GENERAL SITUATION IN THE FREE CITY OF DANZIG

*Statement made by M. Plucinski, Polish representative,
before the Council on July 4th, 1923.*

[Translation.]

The Polish Government has had the honour to forward to the President of the Council of the League of Nations a Note regarding the most important Danzig questions the principles of which, in the opinion of the Polish Government, urgently require a solution. My Government, after examining the Danzig problem in all its details, feels convinced that the present state of affairs in that city cannot continue without doing serious injury to the most vital interests of the Polish Republic. I do not desire to quote here the text of the Note and the Annexes thereto, which are in the hands of the President and of the Members of the Council, and I will confine myself to showing the essential divergence which exists between the legitimate claims of the Polish Government in respect of Danzig — claims based upon the Treaty of Versailles and the Treaty of November 9th, 1920, — and the state of affairs actually existing in Danzig.

None of the provisions of the treaties relating to Danzig have been fully carried out.

I will venture to give an account of some of the most important questions.

The question of Customs in Danzig has been regulated in so clear and explicit a manner, both in the Treaty of Versailles and in the Treaty of November 9th, 1920 that all misunderstandings and difficulties should have been impossible in this matter from the very beginning.

The territory of the Free City of Danzig is placed within the limits of the Customs territory of Poland and is subject to the Polish legislation and Customs tariff. The establishment in Danzig of a separate Customs office, staffed by officials of the Free City and placed under the general control of the Central Polish Customs Administration, was provided for in the Treaty of November 9th 1920. It was laid down in the Warsaw Agreement of October 1921 that the Danzig Customs Office should possess the attributes of an office of the second class established in accordance with the Polish general law on Customs organisation.

The position seemed to be quite clear — the Danzig Customs Office was to be an administrative organisation placed within Polish territory and made directly subject to the central organisation of the Polish Customs. From the hierarchical point of view, it was to work directly under the Finance Ministry at Warsaw, which was the authority placed over it, and it was to promulgate the general Polish laws and regulations in Customs matters.

The executive regulations issued by the local Danzig authorities require, in order that they should have force of law, and in order to preclude in advance any misunderstandings, to be countersigned by the respective organs of the Polish Government.

As regards the appointment and dismissal of Customs officials, it was indispensable, even from the point of view of a good Customs service, that the Polish Government should express its approval in each individual case.

The claims which have been set forth are strictly within the limits of the general Polish Customs control provided for in Article 14 of the Treaty of November 9th 1920.

What is the actual state of affairs ?

The Free City of Danzig argues that Customs legislation only deals with the question of tariffs, and that all provisions with regard to the entry and exit of goods and to the statistics of this traffic do not come within the sphere of general Customs legislation. Consequently, the Free City of Danzig does not consider itself bound to apply Polish laws and regulations. The Danzig Customs organisation has virtually proclaimed itself completely independent of the Central Polish Administration. Not only are the regulations of the Finance Ministry at Warsaw the object of constant criticism on the part of the Danzig authorities, but the latter have often definitely refused to execute them. In matters of Customs procedure, the Danzig Customs Office often refuses to carry out the regulations and instructions of the Warsaw authorities, on the ground that these regulations and instructions are not based upon Polish Customs regulations. In this way, the Danzig Customs Office assumes the right to determine the legality of regulations issued by the Polish Customs Administration. While the Danzig Customs Office regards the Senate of the Free City as the sole authority to which it owes obedience, the Senate constantly requests the Polish Government to enter into negotiations with it, and suggests the application of Article 39 of the Treaty of November 9th 1920 to any disputes which arise, while, in the meantime, it continues to put obstacles in the way of the observance of Polish Customs regulations in Danzig territory. Things have come to such a pass that Customs officials hold public meetings at Danzig to discuss the regulations of the Polish Government and threaten to get rid of the Polish inspectors at Danzig and to boycott Polish citizens. When the Polish Government protested against such disloyal demonstrations, the Senate replied that the Polish Government was responsible for having provoked them by making demands which, it was alleged, were unjustified. Further, the chief financial official, who is the member of the Senate responsible for financial administration, hurled the following challenge at the Polish Government from the tribune of the Danzig Volkstag " Hands off the Customs Administration "

As in view of this state of affairs, it must be admitted that, in so far as the Customs question is concerned, the Versailles Treaty and the Treaty of November 9th 1920 have not up to the

present been executed, and that in the Danzig sector there is a wide gap in the Customs frontiers of Poland.

The Polish Government counted on the loyalty of Danzig, and sincerely desired to facilitate the economic existence of that city to the utmost possible extent, by granting larger concessions. As proof of this, the Polish Government granted to the City of Danzig a share in the total of all the Customs receipts of the Polish Republic, estimating for this purpose the purchasing power of a Danzig citizen as being six times greater than that of a Polish citizen. Consequently, the Free City of Danzig receives at the present time about 8 per cent of the Customs receipts of the whole of the Polish Republic, although the proportion of the population of Danzig to that of Poland is only 1.3 per cent. These receipts constitute the chief item of revenue in the budget of the Free City, and contribute in a predominant measure to ensure its equilibrium.

The above concession was granted to the Free City for the three years 1922, 1923 and 1924. If the Treaty of November 9th 1920 were alone taken into account, which provided only for the division of the Customs duties levied within the territory of the Free City itself, and not of the gross, but of the net receipts, the amount so obtained would only constitute a small percentage of the dues which the Free City at present levies.

To pass on to the question of the Harbour of Danzig, I must emphasise the fact that the authors of the Treaty of Versailles guaranteed to Poland the free use and service of the Harbour of Danzig without any restriction. The Treaty of November 9th 1920 established the Harbour Board, whose sole task was to ensure for Poland the unrestricted use of the Harbour of Danzig, which she was to have the right of developing to the extent considered necessary. For reasons which were perfectly just and comprehensible, and principally in view of the geographical situation of Danzig, the Treaty of November 9th 1920 did not impose on the Harbour Board any obligation towards the Free City. The Polish Government considered that the Harbour Board would necessarily have the character of a mixed Polish-Danzig organisation, autonomous and independent of the law and of the courts, — whether of Poland or of Danzig — having its own mixed tribunal and executive power, together with a police force independent of Danzig or Polish administrative organs. Poland has the absolute right to claim that the Harbour Board should be organised according to the principles which have been set forth.

Her right is recognised in Articles 20 and 26 of the Treaty of November 9th 1920 which render the Harbour Board fully responsible for the measures which it is called upon to take in order to ensure to Poland the free use and service of the Harbour. It is therefore on the strength of the Treaties in force alone that Poland claims that the Harbour Board should not forget that the only reason for its existence is to serve Polish interests, which cannot be restricted by the Constitution of the Free City, and still less by a special Statute of the Harbour Board.

The Polish argument, therefore, clearly proves that the Harbour of Danzig must serve the interests of the Republic. All arguments opposed to this view, and urging that the Harbour Board cannot form a State within a State, or that the constitution of Danzig is in opposition to the organisation of the Harbour Board, are contrary to the provisions of the Treaty of Versailles and the Treaty of November 9th 1920. I will venture to give an account of the existing state of affairs in the light of ascertained facts. The Harbour Board is constantly occupied dealing with in questions regarding its relations with the local administrative authorities, — questions of quite secondary importance — and entirely neglects the essential problem, which is that of guaranteeing to Poland the freedom and development of its import and export trade.

Further, whereas the Danzig Delegation can always, in the application of the decisions of the Harbour Board, count on the support of the executive organs at the disposal of the Senate in the Port, the rare decisions adopted in conformity with the wishes of the Polish Delegation only give rise to interminable theoretical discussions between Poland and the Free City the Senate fully exercising its executive authority, in the meantime, in a sense contrary to the legitimate claims of Poland.

Seeing that the attitude of the Harbour Board in questions of import and export only raises obstacles, Polish commerce is likely to be forced more and more to seek other means of communication, to the disadvantage alike of Poland and of the Free City itself and also of other countries, which are desirous of having sea communications with Poland.

Moreover, the most recent decisions, which are based upon Article 39 of the Treaty of November 9th 1920 claim the right on behalf of the Harbour Board to impose financial charges on Poland for the cost of administration and installation. The Harbour Board, however, possesses no executive authority over the territory of the Harbour, as that authority is exercised solely by the Danzig Senate. Similarly, in spite of the Treaty of November 9th 1920, which expressly stipulates that the employees and officials of the Harbour shall be recruited, so far as possible, in equal numbers from among Polish and Danzig nationals, the Poles are almost entirely excluded from the Harbour services. In these circumstances, Poland, while called upon to bear burdens, does not possess any rights — an arrangement entirely contrary to the principles of equity, which demand a certain equilibrium between burdens and rights.

This position is of course, quite intolerable, to the Polish Government. That Government also considers that the decisions stipulating that the Harbour Board has the right, without the consent of the Polish Delegation or Government, to sell or to mortgage the immovable property which is allocated to it by the Polish Government and the Free City in virtue of Article 107 of the Treaty of Versailles, are quite incompatible with the Agreements which have been concluded, as well as with the opinion of the Conference of Ambassadors, which was communicated to the Council of the League of Nations on April 13th, 1922.

In summing up our observations in regard to the activity of the Harbour Board, we come to the conclusion that, if it has not checked the great natural flow of trade from Poland towards Danzig, it has, nevertheless, failed to promote its development.

In the event of the decisions quoted above being approved by the Council of the League of Nations, we should be led to believe that the only object of the Harbour of Danzig is to maintain the Harbour Board itself, and that it is a domain in which the latter exercises absolute power. Such a position would be equivalent to the closing of the Harbour to Poland.

I will now pass on to the third subject of my remarks, the position of Polish nationals in the territory of the Free City

The development of Polish commerce, for which Danzig is the only outlet, is bound to lead to Polish nationals establishing themselves in Danzig. With this in view, provision was made in the Treaty of Versailles and later in the Treaty of November 9th 1920.

“Against any discrimination within the Free City of Danzig to the detriment of citizens of Poland and other persons of Polish origin or speech”

The Polish Government considers that, in virtue of this article and of the special agreements, the position of Polish nationals in Danzig has been defined as follows

“Polish nationals may enter the territory of the Free City only through control stations and on production of identification papers. During their stay in Danzig, they are subject to all the laws and regulations in force in Danzig. They do not enjoy the political rights of citizens of the Free City. In exceptional cases, they may be expelled by the Danzig authorities, according to the procedure laid down in a special agreement.”

Unfortunately, the treatment which Poles in Danzig actually receive is very different from the treatment the principles of which I have just set forth, though this latter is, in the opinion of the Polish Government, the only equitable treatment.

In point of fact, every Polish subject, on entering or leaving Danzig territory, is subjected to formalities which constitute infringements of the privileges granted to Poles by the Warsaw Agreement. He must appear in person at the police station and answer questions as to his identity, his object in coming, his family and his material circumstances. This interrogation frequently obliges the traveller to remain longer in Danzig than he had intended. The Danzig police require Polish nationals to take out special permits of residence, which are often refused or granted only for a limited time, so that the applicants can never be certain of their own position and that of their business in Danzig. A Polish subject who is refused a permit of residence must immediately leave the territory of the Free City. Thus the Danzig authorities have taken special restrictive measures against Polish nationals, though these measures do not obviously constitute expulsion.

Furthermore, there is still in Danzig a labour bureau for demobilised soldiers. This bureau forbids employers, much to their disadvantage, to engage Polish nationals, on the ground that the work might be given to demobilised soldiers. The first infringement of the regulations issued by the bureau renders the employer liable to a fine of one million marks, while the employee is forced to leave the territory of the Free City though his departure is not regarded by the authorities as an expulsion. This procedure thus represents a new disguised form of expulsion.

Orders like these are flagrantly contradictory to the principle of the freedom of labour they hamper the free development of commerce and industry and, moreover, are not justified, because Danzig, since its incorporation into the Polish Customs area, has been economically prosperous and is unaffected by the unemployment problem.

In this connection, I should also like to mention the Danzig law forbidding the acquisition of buildings without special permission. This permission, which is granted to any citizen of Danzig who asks for it, is regularly refused to Polish nationals. I should further like to mention the law which prohibits the free disposal by Poles of immovable property acquired since January 10th, 1920, *i.e.*, since the ratification of the Treaty of Versailles. All the protests on this subject addressed by the Polish Government to the Senate and the High Commissioner have been of no avail. The number of Polish nationals who have been forbidden to acquire buildings, and thereby to establish themselves in Danzig, is considerable.

Notwithstanding the Treaty of November 9th 1920 and the Warsaw Agreement, Polish commercial companies and associations are not treated on an equal footing with Danzig undertakings, and Polish trade as a whole is thus involved in heavy losses. If this state of affairs continues, the Polish Government will be obliged to take steps to protect its nationals, both in Danzig territory and on the Polish-Danzig frontier.

POLISH OFFICIALS IN DANZIG.

After difficult negotiations, which lasted for a whole year, the Polish Government reached an agreement with the Senate of the Free City during the session of the Council in May 1922, regarding the status of the Polish authorities, which must necessarily be established in Danzig and provided for in the Treaty of November 9th 1920. The agreement was based upon three principles, and three classes of officials were recognised

(1) Those who are appointed by the representative of the Polish Government to serve in the offices of the Polish Commissioner-General, and who have to carry on the business of the Polish Government with the Danzig authorities and Polish nationals in Danzig, and to deal with the current foreign relations of the Free City and its citizens. This class of official is appointed without restriction and at the expense of the Polish Republic. It was laid down that staff necessary for this work should consist of diplomatic and administrative officials and subordinate

employees. Officials of this class were to enjoy extra-territorial rights in Danzig. When questioned as to the number of officials who should belong to this class, I replied that it would not exceed 100 and a few score, though I did not undertake to fix the exact number.

(2) The second class comprised Customs officials, post-office officials, and all those who were not to be included in the first class. These officials were not to enjoy extra-territorial rights, but were to have the same rights as Danzig administrative officials.

(3) The third class consisted of Polish railwaymen, whose legal status was to be settled later, at the same time as the question of the seat of the Polish Railway Administration. The Protocol of the Agreement drawn up by the Secretariat of the League of Nations, and accepted by the Council, definitely established the three classes which I have mentioned. In practice, however, the Free City refused to recognise the extra-territorial status of any of the officials in the first class, and the Polish Government was, therefore, obliged to resort to a new procedure — that provided for in Article 39 of the Treaty of November 9th 1920. The decision, which was given as a result of this procedure, lays down that the number of officials in the first class must not exceed six.

Thus, this entire question, which had already been dealt with by two authorities, will again be brought up before the Council, and, if we may judge from past experience, the dispute will not be settled for some time.

POLISH STATE PROPERTY IN DANZIG.

I should like to say a few words on the position of Polish State property in the Free City of Danzig. The question of taxation on this property was finally settled by an amicable agreement between Danzig and Poland at the nineteenth session of the Council in May 1922. But the Senate's interpretation of the agreement thus concluded has led to a further dispute, and the recent important decision on the subject constitutes, in the opinion of the Polish Government, a serious attack on the foundation of the agreement in question.

The immovable property assigned to the Polish Government by the Commission for the allocation of State property was to have been handed over a year ago to the Polish Government, which proposed to use it for its various offices. But the Danzig Housing Department, which is the sole executive authority on this matter, is still in possession of the buildings, which it has arbitrarily handed over to private tenants who are citizens of Danzig, so that the Polish Government is unable to organise its postal and Customs service in Danzig, which was recognised by the Treaty of November 9th 1920 as of the utmost importance for Poland.

I may here mention the unfortunate position of Polish officials in Danzig who have nowhere to live, and are refused accommodation by the Danzig Housing Department (*Wohnungsamt*). It should be pointed out that at the same time the Senate of the Free City of Danzig is accommodating industrial enterprises in the immense buildings assigned to it by the Allocation Commission, which, in spite of the housing shortage, are not claimed by the Danzig Housing Department for housing purposes.

I will now turn to the observations on the statement addressed by the League of Nations' High Commissioner at Danzig to the Secretary-General of the League on January 4th, 1923.

The High Commissioner's statement deals with two questions, both of which are of the utmost importance to the Polish State. It deals principally with the question of the competence of the League of Nations High Commissioner at Danzig, and incidentally with the infinitely more important question of the legal relation between the Treaty of Versailles and the Polish-Danzig Treaty of November 9th, 1920, concluded in virtue of that Treaty. The Polish Delegation cannot accept the High Commissioner's views, and has the honour to submit its observations on the two questions — it will deal in the first place with the question of the relation between the Treaty of Versailles and the Treaty of November 9th, 1920.

The Treaty of November 9th 1920 is drawn up on the basis of Article 104 of the Treaty of Versailles. This Article contains the conditions specifically laid down, which were accepted by the Polish Republic and imposed upon the Free City of Danzig, regarding the text of the Treaty which was to be concluded. The general principles of this text are already embodied in the Treaty of Versailles, so that the Treaty will always remain the legal basis of the relations between Poland and the Free City and of all subsequent arrangements and agreements, which are to be interpreted in the light of the principles laid down in the Treaty. The Treaty of November 9th 1920 must not, therefore, be regarded as the decisive text, independently of the Treaty of Versailles defining the rights of the Polish Republic — on the contrary, the meaning and the text of this Treaty are only to be read in close connection with the meaning and the text of the Treaty of Versailles. The Treaty of Versailles is the original and legal basis — the Treaty of November 9th merely contains clauses based upon it.

The difference of opinion to which I have referred is not of merely theoretical importance; it is of supreme practical importance in connection with the special relations between Poland and the Free City.

The relation between the Treaty of November 9th 1920 and the Treaty of Versailles confirms by implication the Polish Delegation's view of the question of the competence of the League of Nations High Commissioner at Danzig. The extent of this competence cannot be determined solely on the basis of Article 39 of the Treaty of November 9th 1920 without considering the wording and meaning of the Treaty of Versailles, but must be governed by the principles laid down in that Treaty.

It should be emphasised that Article 104 merely enumerates the Polish rights in the territory of the Free City — All the clauses of this article are only limitations of the political and

economic independence of the Free City in favour of Poland. Poland is placed under no obligation all the obligations are imposed on the Free City. It is these obligations which provide Poland with the necessary guarantees of immediate and direct access to the sea, and which constitute the sole reason for the detachment of the Danzig territory from the German Empire and its establishment as a Free City.

In view of the foregoing considerations, it should be pointed out that the differences between the Free City and Poland, referred to in Article 103 of the Treaty, can only relate to the obligations of the Free City towards the Polish Republic, or to the rights of the Republic in the territory of the Free City.

The adoption of the High Commissioner's contention that Article 39 of the Treaty of November 9th 1920 quite independently of the Treaty of Versailles, covers all cases of dispute which may arise between Poland and the Free City concerning treaties or any other agreements, and all questions of relations between Poland and the Free City would render it possible for any domestic administrative action on the part of Poland to give rise to a Polish-Danzig dispute, and such a dispute would automatically fall within the scope of Article 39 of the Convention. Polish legislation, jurisdiction and administration would thus be subject to a superior jurisdiction. The mere participation of a Danzig citizen or of Danzig capital in any Polish enterprise would suffice to set in motion the procedure provided for under Article 39 of the Treaty of November 9th 1920.

The tribunals specified in Article 39 of the Treaty of November 9th 1920 would, in the opinion of the High Commissioner, have the unlimited jurisdiction of an international Court, which possesses the right itself to decide whether it is competent to judge any particular case. An international tribunal of this nature could only be set up as between two entirely sovereign States, and this interpretation of the clause could not possibly be accepted, because the meaning of the clause only becomes clear when it is taken in conjunction with the provisions of the Treaty of Versailles. The Treaty of Versailles established a special regime to govern relations between Poland and the Free City of Danzig, and this regime is based upon the latter's obligations. It is these relations — of a unique legal character — which are embodied in Article 39 of the Treaty of November 9th 1920, to the exclusion of such relations as ordinarily exist between two independent States.

Finally we must consider the legal force of the decisions reached under Article 39 of the Convention. For Poland, as a Member of the League of Nations, the legal force of these decisions must be the same as that of the provisions of the Covenant. For the present, I merely draw attention to this question in order to prove that the tribunals established by Article 39 of the Treaty of November 9th 1920 do not apply to Poland in the same way as they apply to the Free City which is placed under the protection of the League of Nations as regards every sphere of its political existence.

It is perfectly clear that, when it becomes a question of taking effective steps to safeguard the legal position created by the Treaty of Versailles, the difference between the legal relation of the League of Nations with the Free City on the one hand, and those of the League of Nations with Poland on the other, cannot be disregarded.

In conclusion, the Polish Delegation has the honour to propose to the Council that it adopt the following resolution —

“Article 39 of the Treaty of November 9th 1920 must be interpreted in close conjunction with Articles 103 and 104 of the Treaty of Versailles.”

CONCLUSION.

The present statement clearly demonstrates, on the one hand, the firm intention of the Polish Government to base its attitude to the Danzig question strictly upon the Treaty of Versailles and the Treaty of November 9th, 1920, and on the other hand, the striking contradiction between the spirit and the letter of these Treaties and the state of affairs at present existing in Danzig.

This state of affairs results directly from the fact that Poland has no executive authority in Customs matters in Danzig, since the Danzig Customs Authorities are not subordinate to the Polish Central Customs Authorities. The same applies to the Port, where the executive power is vested, not in the Harbour Board, but in the Danzig authorities.

The Polish right of establishment has become illusory as a result of police regulations, which allow the expulsion of Polish nationals. This is also true of the right to acquire immovable property — a right of which Polish nationals are almost wholly deprived as a result of the Danzig law to which I have had occasion to refer.

I should like to draw the attention of the President and members of the Council to the rapid development of agricultural and industrial production in Poland, which is giving rise to a daily accelerating increase of both exports and imports. All this traffic has a natural tendency to pass through the mouth of the Vistula, which is Poland's only outlet to the sea. The present position in Danzig does not permit of free communication between Poland and foreign countries.

This situation threatens the importance of the Baltic Sea as an international way of communication. It adds to the difficulty and expense of supplying the industrial nations of the West with raw materials from the immense system composed of Poland and the neighbouring countries in South-East Europe and it hampers the sea-borne export trade of the great industrial nations with Poland.

The Polish Government, therefore, appeals to the high authority of the Council of the League, in the confident hope that the Council, as the trustee of the special regime established at Danzig and the special position of the Free City in its relations with Poland, will endeavour to find a solution of all the points at issue in conformity with the principles embodied in the Treaty of Versailles. The Polish Government will thus be enabled to establish the closest relations with the Free City of Danzig.

Should, however, the Council consider, for any reason, that it cannot settle in their entirety all the disputes between Poland and Danzig, the Polish Government would be obliged to consider the advisability of making its own proposals at a later date.

Annex 531 b.

C. 469. 1923. I.

GENERAL SITUATION IN THE FREE CITY OF DANZIG.

Report by M. Quiñones de León and Resolution adopted by the Council on July 7th, 1923.

The Council has examined the Note from the Polish Minister for Foreign Affairs dated June 20th, 1923, regarding the general character of the differences which have arisen between Poland and Danzig. The Council has also considered the Note from the High Commissioner of the League of Nations at Danzig of June 4th, 1923, concerning the question of the High Commissioner's competence and other cognate questions, as well as the letter from the President of the Senate of the Free City of Danzig, dated July 1st, 1923, containing certain comments on the Note from the Polish Minister for Foreign Affairs. At the meeting held on July 4th, 1923, the Council heard the verbal explanations offered by the High Commissioner and by the Polish and Danzig representatives.

I feel that the Council will agree with me in saying that it is anxious to assure the Polish Government of its solicitude for the development of the relations between the Polish Republic and the Free City of Danzig and that it is extremely desirous that Poland's legitimate aspirations should be realised in their entirety. The Council is, as hitherto, firmly resolved to enforce respect for Poland's rights in regard to the Free City in conformity with the Treaties, and at the same time to maintain the statute of the Free City intact. The economic expansion of Poland is a cause of gratification to all Members of the League of Nations. The Council does not forget that it is a necessity for Poland that she should be able to develop her internal economic life at the same time as her facilities for foreign trade and her free access to the sea through the Free City of Danzig. The Council desires that all questions that have been raised between the Free City and Poland should be regarded from the point of view of the common interests of the two States. The future of Danzig is closely bound up with that of Poland and all antagonism between Danzig and Poland should be removed by mutual endeavours to understand one another and to co-operate in the common task of developing the port of Danzig to the great advantage of both countries. The authorities of the Free City will certainly endeavour to avoid any justified ground for complaint as regards their attitude towards Poland. I hope that this remark will not be regarded as implying any criticism of the attitude hitherto adopted by the Free City, but I think it essential that the Council should make a clear pronouncement in favour of reconciliation between the Free City and Poland. This is the only condition under which Poland's rights can be realised in their entirety and the Free City's interests entirely safeguarded.

Many of the disputes between Poland and the Free City of Danzig have already been settled either by direct agreement between the two Governments or by a decision of the High Commissioner, or, finally, by a decision of the Council of the League. A few disputes, which have not yet been finally settled, are at present under consideration by the High Commissioner, or have been laid before the Council as the result of an appeal by one or the other of the two parties.

The Polish Note of June 20th draws our attention to a general feeling of uneasiness with regard to the settlement of the various disputes pending. To meet this situation I venture to propose that the Council should recommend that Poland and the Free City submit promptly, and in conformity with the procedure specified in the Treaties, any serious grievance to the High Commissioner which they still entertain. The Council will, as hitherto, always be ready to examine without delay the circumstances of any question submitted to it, after it has first been dealt with by the High Commissioner. I might perhaps also suggest that the Secretary-General should inform the High Commissioner that the technical services of the Secretariat are at his disposal and at the disposal of the two parties for assistance at any negotiations which may take place under the auspices of the High Commissioner. Their co-operation in this manner might be particularly advantageous, if the High Commissioner decided to refer certain questions to the Council direct in virtue of Article 39 of the Treaty of November 9th, 1920. In this case he might perhaps propose to the two parties that the negotiations, or certain parts of the negotiations, should take place at Geneva.

The Council could then take a decision at its next session on all the of disputes still pending, and it may be confidently hoped that in the future many occasions of misunderstanding will be avoided and the ground prepared for the intimate and fruitful co-