

N° 3125.

POLOGNE ET
UNION DES RÉPUBLIQUES
SOVIÉTISTES SOCIALISTES

Convention de conciliation. Signée
à Moscou, le 23 novembre 1932.

POLAND
AND UNION OF SOVIET
SOCIALIST REPUBLICS

Convention of Conciliation. Signed
at Moscow, November 23, 1932.

¹ TRADUCTION. — TRANSLATION.

No. 3125. — CONVENTION OF CONCILIATION BETWEEN THE POLISH
REPUBLIC AND THE UNION OF SOVIET SOCIALIST REPUBLICS.
SIGNED AT MOSCOW, NOVEMBER 23, 1932.

In accordance with the provisions of Article 5 of the Pact of Non-Aggression between the Polish Republic and the Union of Soviet Socialist Republics, signed at Moscow on July 25, 1932,

THE PRESIDENT OF THE POLISH REPUBLIC, of the one part, and
THE CENTRAL EXECUTIVE COMMITTEE OF THE UNION OF SOVIET SOCIALIST REPUBLICS, of the other part,

Have decided to conclude a Conciliation Convention, and have appointed as their Plenipotentiaries for that purpose :

THE PRESIDENT OF THE POLISH REPUBLIC :

Stanisław PATEK, Envoy Extraordinary and Minister Plenipotentiary of the Polish Republic at Moscow ;

THE CENTRAL EXECUTIVE COMMITTEE OF THE UNION OF SOVIET SOCIALIST REPUBLICS :

Maxim LITVINOV, Member of the Central Executive Committee of the Union of Soviet Socialist Republics, People's Commissar for Foreign Affairs,

Who, having exchanged their full powers, found in good and due form, have agreed upon the following provisions :

Article 1.

The Contracting Parties reciprocally undertake to submit to a Conciliation Commission for conciliation, in accordance with the provisions of the present Convention, any possible differences which may arise between the Polish Republic and the Union of Soviet Socialist Republics with regard to any events subsequent to the coming into force of the present Convention which it may not have been possible to settle within a reasonable time by diplomacy.

The provisions of the present Convention shall not apply to territorial questions.

The procedure laid down in the Polish-Soviet Agreement of August 3, 1925, for the settlement of frontier disputes shall remain in force. Should they not have been settled amicably by the means laid down in the above-mentioned Agreement, either Contracting Party may refer them to the Conciliation Commission provided for in the present Article.

Article 2.

The Conciliation Commission provided for in Article 1 shall consist of four members, of whom each Contracting Party shall appoint two from among its nationals for each session of the Commission.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

Either Contracting Party may call in experts appointed by itself, who may sit on the Commission in an advisory capacity. Each Contracting Party may also, if both Parties on the Commission consent, ask that persons whose evidence may appear to it to be useful should be heard.

The Chair of the Commission shall be taken by one of the representatives of the Party in whose territory the session is not taking place.

Article 3.

It shall be the duty of the Conciliation Commission to clear up the questions at issue which have been submitted to it, to collect all necessary information for that purpose, to endeavour to conciliate the Parties, and, in order to settle the dispute, to make such proposals as it may consider equitable, which it shall recommend to the two Contracting Parties to accept through the diplomatic channel.

Should the Conciliation Commission, during a session, fail to agree on a proposal for the settlement of the dispute submitted to it, and should the Contracting Parties fail to reach an agreement through the diplomatic channel within a reasonable time, either Contracting Party may request that the dispute be again submitted for consideration by a Conciliation Commission.

Article 4.

On a proposal from one of the Contracting Parties, communicated to the other through the diplomatic channel, the Conciliation Commission shall meet within a time-limit to be fixed by mutual agreement between the two Parties.

The Commission shall meet at latest within one month of the receipt of the above-mentioned proposal.

As a general rule, the Commission shall not meet more than once a year, save in exceptional cases, when the Commission must be convened at the request of one of the Parties.

Unless the Contracting Parties decide otherwise, the Commission shall sit alternately at Warsaw and Moscow. The place of the first session shall be decided by casting of lots.

Article 5.

Not less than fifteen days before the meeting of the Conciliation Commission, each Contracting Party shall communicate to the other, through the diplomatic channel, a list of the questions which it desires to have examined at that session.

Article 6.

Unless the Contracting Parties decide otherwise, the Conciliation Commission shall itself determine the order of its procedure, always observing the principles laid down in the present Convention.

Article 7.

All the members must be present for the proceedings of the Conciliation Commission to be valid.

Should one of the members of the Commission be unable to attend, the Party concerned shall appoint a substitute for him within thirty days after it has been found that he will be unable to take part in the session.

Article 8.

The Contracting Parties undertake to assist the Conciliation Commission in carrying out the work entrusted to it, and more particularly to supply it, to the fullest possible extent, with all necessary documents and information.

Article 9.

The Conciliation Commission shall draw up a report concerning the questions at issue which have been submitted to it. This report should be submitted to the Contracting Parties before the end of the session during which these questions have been examined, unless the Parties decide, by mutual agreement, to extend that time-limit.

The report shall contain proposals for the settlement of every question at issue submitted for the consideration of the Commission, provided that such proposals have been accepted by all the members of the Commission.

Should the Commission not have been able to agree to joint proposals, the report shall contain the proposals of both Parties.

Article 10.

The report of the Conciliation Commission must be signed by all its members. It shall be communicated at once to the Contracting Parties.

Article 11.

Each Contracting Party undertakes to inform the other, within a time-limit which shall in no case exceed three months, whether it accepts the joint proposals of the Commission as contained in its report.

Article 12.

The reports of the Conciliation Commission may only be published, completely or in part, if both Contracting Parties agree.

Article 13.

The emoluments of members of the Conciliation Commission and of the experts and other persons summoned by one of the Contracting Parties shall be paid by the Party in question. Other expenses arising out of the working of the Commission shall be paid in equal shares by the two Contracting Parties.

Article 14.

While the conciliation procedure is in progress, the Contracting Parties reciprocally undertake to refrain from any steps calculated to have a prejudicial effect on the carrying out of the proposals of the Conciliation Commission.

Article 15.

The present Convention shall constitute an integral part of the Pact of Non-Aggression between the Polish Republic and the Union of Soviet Socialist Republics, signed at Moscow on July 25, 1932, and shall be ratified at the same time as the above-mentioned Pact.

It shall come into force at the same time as the said Pact, and shall remain in force for the same period.

In faith whereof the above-named Plenipotentiaries have signed the present Convention and have thereto affixed their seals.

Done at Moscow, in two copies, each in both Polish and Russian, November 23, 1932.

St. PATEK.

LITVINOV.