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for Procedural Law

From Upper Silesia to Luxembourg?

A forgotten chapter in the history of
European legal integration

Michel Erpelding, 3 October 2018



Upper Silesia (in red) after the Versailles Treaty (Wikimedia Commons)





Adolph v. Menzel, *The Rolling Mill*, 1872-1875 (Staatliche Museen zu Berlin/Google Art Project)



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Hans Heinrich XV, prince of Pless (Bundesarchiv)



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Polish minors in Bielschowitz/Bielszowice
(United Nations Archives at Geneva)





Postage stamp issued by the Inter-Allied Commission in Upper Silesia, 1920
(wikimedia commons)





Polish insurgents with improvised armoured car, May 1920
(wikimedia commons)





Source gallica.bnf.fr / Bibliothèque nationale de France

French patrol in Katowice/Kattowitz during the plebiscite of 20 March 1921
(Gallica – Bibliothèque nationale de France)

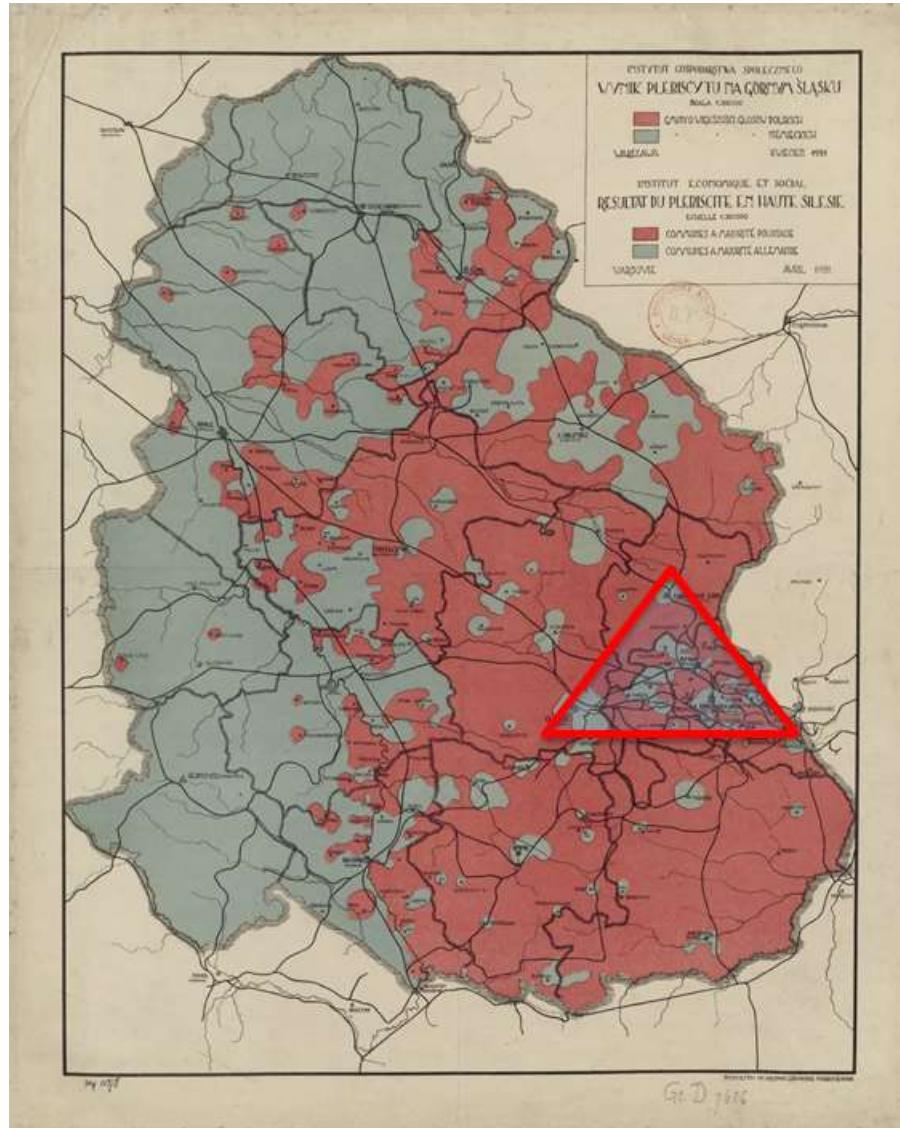


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Results of the Upper Silesian plebiscite (Gallica – Bibliothèque nationale de France)





Jean Monnet in 1922
(Fondation Jean Monnet pour l'Europe, Lausanne)





3rd meeting of the German-Polish Conference on Upper Silesia,
Geneva, 24 November 1921
(United Nations Archives at Geneva)





The Mixed Commission and its secretariat on 15 July 1937
(*Siedem Groszy*, 16 July 1937/Silesian Digital Library)



Felix Calonder (1863-1952)



(Swiss Confederation)



(United Nations Archives at Geneva)

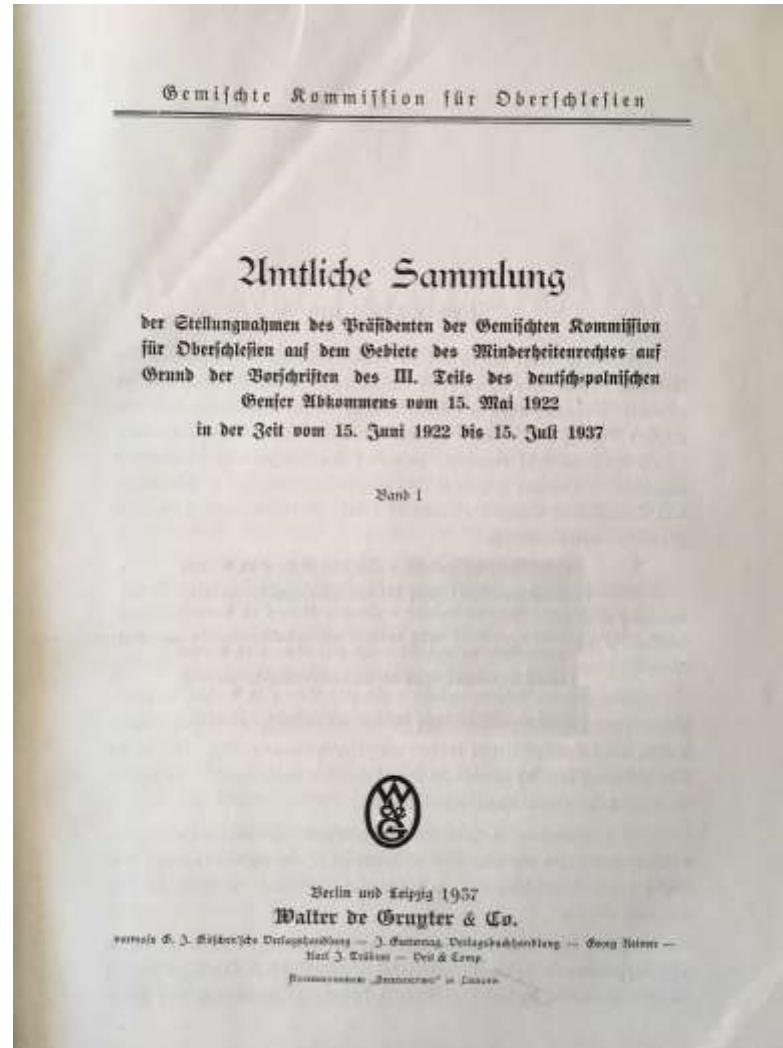


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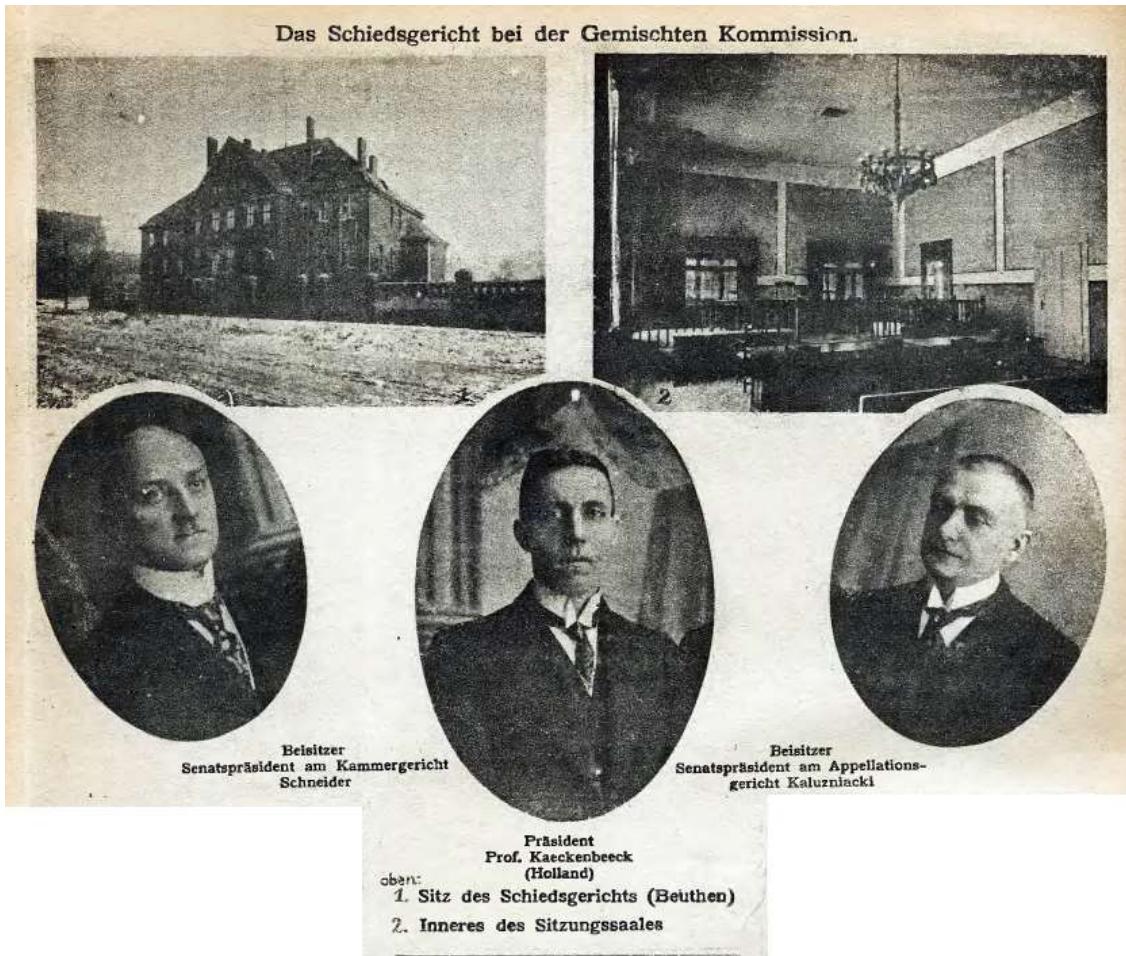
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Vol. 1 of President Calonder's Opinions
(Walter de Gruyter, 1937)





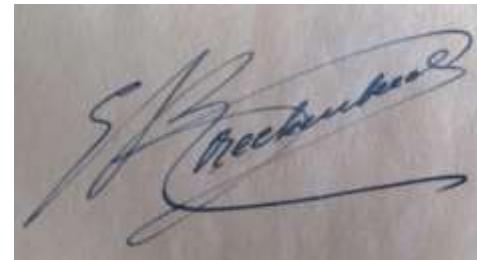
The Arbitral Tribunal in 1924 :
 Schneider (D), Kaeckenbeeck (B), Kałużniacki (PL)
(Oberschlesien im Bild, 14 March 1924/Silesian Digital Library)



Georges Kaeckenbeeck (1892-1973)



(The Hague Academy of International Law)



(United Nations Archives at Geneva)

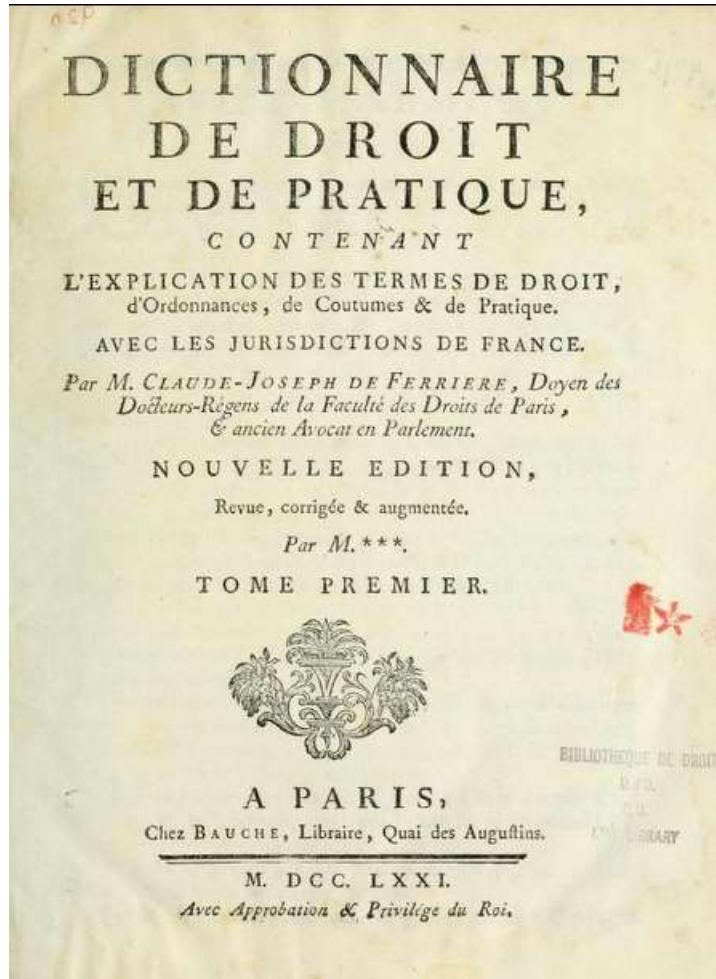


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EVOQUER UNE DEMANDE, c'est la faire renvoyer par devant un Juge supérieur, en conséquence de ce qu'elle est connexe & dépendante d'une autre.

Evoquer signifie, de la part d'un Juge, attirer à toi la connaissance d'une affaire. Sur quoi nous remarquerons qu'il est défendu à tous Judges d'évoquer des instances pendantes devant les Judges inférieurs, sous prétexte d'appel ou connexité, si ce n'est pour les juger définitivement à l'Audience.

Cependant Messieurs des Requêtes de l'Hôtel ou du Palais ne laissent pas d'évoquer sans juger définitivement.

EVOCATION signifie en général un Jugement qui tire une affaire d'un Tribunal, pour la faire juger dans un autre.

Definition of 'evocation' in Ferrière's Law Dictionary (1771),
(Archive.org/University of Ottawa)



Schiedsgericht für Oberschlesien
Trybunał
Rozjemczy dla Górnego Śląska

Amtliche Sammlung

von Entscheidungen des Schiedsgerichts für Oberschlesien, veröffentlicht gemäß der Bestimmung des Art. 592 des Genfer Übereinkommens vom 15. Mai 1922

Band I. Nr. 1/2

Zbiór urzędowy

orzeczeń Trybunału Rozjemczego dla Górnego Śląska ogłoszony wedle postanowienia art. 592 Konwencji Genewskiej z dnia 15 maja 1922 r

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Berlin und Leipzig 1929

Walter de Gruyter & Co.

vormals G. J. Göschensche Verlagsbuchhandlung - J. Guttentag, Verlagsbuchhandlung - Georg Reimer - Karl J. Trübner - Veit & Comp.

**Vol. 1 of the Arbitral Tribunal's published decisions,
(Walter de Gruyter, 1929)**



Under the 1922 Geneva Convention on Upper Silesia between Germany and Poland, individual petitions had been presented, with eminently satisfactory results. Up to 1937, when the Convention had ceased to exist, the encroachments of the nazi regime in Silesia had been stopped by the exercise of that right. The right of petition had also been

Maurice L. Perlzweig of the World Jewish Congress
before the United Nations Commission on Human Rights,
17 June 1949
(Official Document System of the United Nations)





Villa Vauban, seat of the Court of the ECSC, 1952-1958.
(Photothèque de la Ville de Luxembourg)





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Thank you!

