

## TWENTIETH ANNIVERSARY OF THE "WESTERN REVIEW"

The "Western Review" has been published by the Institute for Western Affairs in Poznań since 1945. It has grown from the great social needs which arose in consequence of return of the Western Territories to the Mother Country. Representatives of various scientific branches have published their articles in the columns of the "Western Review". These papers chiefly concerned historical and up-to-date problems on the regained territories and Polish-German as well as Slavic-Teutonic relations. In the years 1948—1954, "Western Review" was the representative organ of the Polish historical science, involved in studying the questions associated with the western territories and Polish-German mutual dependencies.

Since 1955, the "Western Review" has been increasingly concerned with contemporaneous problems. As the years went on there have been established three main topics regularly discussed in the "Western Review": a) both German states (GDR and GFR); b) Polish-German relations; c) west European integration.

ALFONS KLAFKOWSKI

### PRESENT SIGNIFICANCE OF THE POTSDAM AGREEMENT

I. The Potsdam Agreement has been valid *sine die* since the 2nd of August, 1945, that is from the day of its signing. Its present-day meaning is evident in that the Potsdam Agreement is part of termless international law. None of the signatories has put forward a proposal of its undoing and the agreement has not made any provision for its dissolution.

II. For this reason the Potsdam Agreement is valid, though not carried out by all countries. Nevertheless, encroachment of a treaty cannot be regarded as its denouncement. As all treaties it is an entirety and as such should be observed *in extenso*. Optional choice of enactments to be observed and a breaking or ignoring of other terms of the treaty is out of question. Portioning out of so-called "basic principles" from the original wording of this agreement lacks legal strength.

III. Assertions on an "extinction" of the Potsdam Agreement have no legal justification. If an international treaty is to expire, a special legal procedure is required. No such has been undertaken as regards the Potsdam Agreement. Its present-day significance is evident in that it is constantly being referred to on the legal and diplomatic platform. A practice recognized in political relations likewise contradicts the alleged annulment of this treaty, none of the coparticipants having declared it invalid or having provided grounds for this procedure.

IV. It has been more than once suggested, in respect to the Potsdam Agreement, that the proviso: *rebus sic stantibus* holds true; and on this basis its alleged "historical" significance is emphasized. As yet however no signatory has formally appealed to this clause.

V. For regulating the relationships with enemy states the Potsdam Agreement represents the chief legal ground. Neither the UN nor any other international body is entitled to carry out legal action against the enemy countries of World War II. The world powers are the only ones to deal in these matters.