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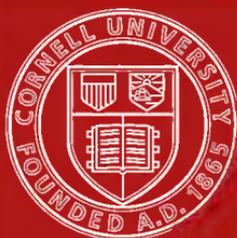
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PROCEEDINGS
OF THE
BREST-LITOVSK PEACE
CONFERENCE

THE PEACE NEGOTIATIONS BETWEEN
RUSSIA AND THE CENTRAL POWERS

21 November, 1917-3 March, 1918



WASHINGTON
GOVERNMENT PRINTING OFFICE
1918

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- 1- Brest-Litovsk Peace Conference. Proceedings.
1918.
- 2- Texts of the Russian "Peace." 1918.
- 3- Texts of the Ukraine "Peace." 1918.
- 4- Texts of the Roumanian "Peace". 1918.
- 5- Texts of the Finland "Peace". 1918.

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PROCEEDINGS OF THE BREST-LITOVSK CONFERENCE.

21 NOVEMBER, 1917—3 MARCH, 1918.

1. INITIATION OF ARMISTICE.

[From the (British) *Daily Review of the Foreign Press*, 23 November, 1917, p. 184.]

The following was circulated (21 November) through the wireless stations of the Russian Government:

By the order of the All-Russian Congress of Workmen's and Soldiers' Delegates, the Council of the People's Commissioners has taken the power into its hands, together with the obligation to offer to all the peoples and their respective Governments an immediate armistice on all fronts, with the purpose of immediately opening pourparlers for the conclusion of a democratic peace.

When the power of the Council is firmly established in all the most important places of the country, the Council of the People's Commissioners will make, without delay, a formal offer of armistice to all the nations involved in the war—to the Allies and also to the nations at war with us.

A draft message to this effect has been sent to all the People's Commissioners for Foreign Affairs, to all the plenipotentiary representatives of the Allied nations in Petrograd.

To you, Citizen Commander-in-Chief, the Council of the People's Commissioners, in fulfilling the resolution of the Congress of the Workmen's and Soldiers' Delegates, orders that, after receiving the present message, you shall approach the commanding authorities of the enemy armies with an offer of a cessation of all hostile activities for the purpose of opening peace pourparlers.

In charging you with the conduct of these preliminary pourparlers, the Council of the People's Commissioners orders you:

1. To keep the Council constantly informed, by direct wire, of all your pourparlers with the enemy armies.

2. To sign the preliminary act only after the approval by the Council of the People's Commissioners.*

(Signed) VLADIMIR ULIANOV-LENIN,
President of the Council of the People's Commissioners.

L. TROTSKY,
Commissioner for Foreign Affairs.

N. KRYLENKO,
Commissioner for the War.

VLADIMIR BONTCH-BRUEVITCH,
Chairman of the Council.

N. GORBUNOV, *Secretary.*

* On 22 November, Lenine dismissed Gen. Dukhonin from the Supreme Command because the latter declared himself unable to institute negotiations according to Lenine's and Trotsky's directions. Ensign Krylenko was appointed in his place. [*Daily Review of the Foreign Press* (British), 24 November, p. 191, and 26 November, p. 199.]

2. NOTE TO THE EMBASSIES AT PETROGRAD.

[From the (British) *Daily Review of the Foreign Press*, 26 November, 1917, p. 199.]

The following note was sent (22 November) to the Foreign Embassies at Petrograd :

Monsieur l'Ambassadeur.

I have the honour to announce that the Congress of Councils of Workmen's, Soldiers', and Peasants' Delegates of All the Russias instituted on 8 November a new Government of the Republic of all the Russias.

Having been appointed Commissary of Foreign Affairs in this Government, I beg to call to the attention of your Excellency the following words, which have been approved by the Congress of the Delegates of the Councils, and contain proposals for a truce and for a democratic peace without annexation and without indemnities, based on the principle of the independence of nations, and of their right to determine the nature of their own development themselves. I have the honour to suggest that you should consider this document in the light of an official proposal for an immediate truce upon all the fronts, and to take immediate steps to set on foot negotiations for peace. The Government, in the name of the Republic of All the Russias, is addressing the same proposal to all the nations and their Governments. Pray accept the assurance of the most perfect respect on the part of the Government of the Councils towards the people of France, which still keeps aloof from peace aspirations, as well as to all other nations who are drained of their blood and exhausted by the prolonged carnage.

(Signed) L. TROTSKY.

PETROGRAD, Nov. 22.

3. MEETING OF 27 NOVEMBER, 1917.

[From the (British) *Daily Review of the Foreign Press*, 1 December, 1917, p. 240.]

A message from Petrograd (Nov. 29) states officially that negotiations with the Germans for an armistice have begun.

Three delegates crossed the German lines on the 5th [Dvinsk] Army's sector on the afternoon of Nov. 27, and the preliminaries were entered upon. The next meeting between Extremist representatives and the German General Staff will take place on December 2. Meanwhile the Extremists' Commander in Chief, Krilenko, has ordered the Armies to cease operations, to remain on guard, and not to fraternize, but to await results. The editor of Pravda says that "without doubt the prohibition of fraternizing refers only to unorganized attempts."

Krilenko returned to Petrograd on Nov. 29 to report to the Extremist "Government."

An earlier message (Nov. 28) states:

The Commander in Chief, in an order to the Army and Navy announces that the envoys nominated by him, consisting of a hussar lieutenant, a military doctor, and a volunteer, have returned with the official answer of the German Commander in Chief consenting to enter into negotiations for an armistice on all fronts.

A companion of Krilenko telegraphs that the German Commander in Chief deputed the Commander of the Northern Army as its plenipotentiary. The latter's answer was received on official Government paper.

4. GERMAN REPLY TO THE OVERTURES OF ENSIGN KRYLENKO.

[From the (British) *Daily Review of the Foreign Press*, 3 December, 1917.]

A message from Petrograd (Nov. 29) states:

An answer has been received from the German Commander-in-Chief on the Russian front respecting the conduct of the peace negotiations launched by Lenin's Commander-in-Chief Krylenko. The answer contained six paragraphs, and is as follows:

1. The German Commander-in-Chief on the Eastern front is ready to enter into negotiations with the Russian Commander-in-Chief.

2. The German Commander-in-Chief is authorized by the German High Command to negotiate an armistice.

3. The Russian Commander-in-Chief must appoint a committee duly authorized in writing and send it to the German Eastern headquarters.

4. The German Commander-in-Chief will likewise appoint a duly authorized committee.

5. The German Commander-in-Chief must be informed of the day and hour appointed in sufficient time to make necessary arrangements to prepare a special train to the place where the Russian committee purpose crossing the German lines.

6. The Germans will arrange direct telegraph communication between the committees and the Russian Higher Command.

(Signed) VON HOFMEISTER,
Lieutenant-General Commanding a Division.

5. AUSTRO-HUNGARIAN REPLY TO THE OVERTURES OF ENSIGN KRYLENKO.

[From the (British) *Daily Review of the Foreign Press*, 4 December, 1917, p. 265.]

A Russian wireless received Dec. 1 states that the Council of the People's Commissioners received the following radiotelegram sent from Vienna on November 30:

To the Government of the Russian Republic:

The circular telegram of November 28 of the Council of the People's Commissioners in which the Russian Government expresses its willingness to commence negotiations concerning the conclusion of

an armistice and of a general treaty of peace has been received by the Government of Austria-Hungary.

The outlines as announced by the Russian Government for the conclusion of an armistice and a treaty of peace to which the Russian Republic is expecting counter-proposals, in the opinion of the Government of Austria-Hungary, form an appropriate basis for entering into these negotiations.

The Government of Austria-Hungary declares itself ready to enter into negotiations concerning an armistice and a general peace as proposed by the Russian Government, and to send representatives for the negotiations which are to begin on December 2.

(Signed) CZERNIN,
Imperial and Royal Minister of Foreign Affairs.

To this telegram the People's Commissioner of Foreign Affairs has replied as follows:

VIENNA.

To the Government of Austria-Hungary.

The Council of the People's Commissioner has received the radiotelegram from the Austro-Hungarian Minister for Foreign Affairs, which announces the readiness of the Austro-Hungarian Government to enter, on December 2, into negotiations for an armistice on the basis of the peace programme of the Russian Revolution; namely, no annexations; no indemnities; a guarantee of the right of nations to determine their destinies. This radiotelegram will be brought immediately to the knowledge of the Russian people and also to the peoples of the Allies and to their Governments.

Delegates of the Council of the People's Commissioner will be sent in accordance with the treaty concluded between the Representatives of the Supreme Commander-in-Chief of the Armies of the Russian Republic and the Representatives of the Commander-in-Chief of the German Armies.

(Signed) TROTSKY,
People's Commissioner for Foreign Affairs.

6. FIRST MEETING OF THE PEACE DELEGATIONS, 2 AND 3 DECEMBER, 1917.

[From the (British) *Daily Review of the Foreign Press*, 6 December, 1917, p. 282.]

The following has been transmitted through the Russian wireless system:

DVINSK, *December 3.*

On Dec. 2, at 11 A. M., the peace delegation of the Councils of the People's Commissioners arrived at Dvinsk. These delegates had been invited, by a specially chosen Committee, acting on behalf of the Extraordinary Congress of the Fifth Army, to be present at this Congress.

The speeches of Comrades Kamenev, Sokolnikov, Bicenکو, Mstislavsky, and of the delegates of the workmen, soldiers, sailors, and peasants, were received with rounds of applause, which developed

into a long ovation. The Congress gave a solemn promise in the name of the Army that it would destroy all the wasp nests of the counter-revolution which are obstacles to the cause of peace, and foremost the nest of Dukhonin, Gotz, Avxentiev, and other traitors to the Revolution who are sitting at Mohilov.

At 2 P. M., escorted for a distance by the Army Congress, the delegates departed in the train at point 514 versts [342 miles] on the North-Western Railway. At 5.30 P. M. the delegates were received in the neutral zone by the German delegates.

In Dvinsk a manifestation took place in honor of one of the regiments, with banners bearing inscriptions: Long live the Council of the People's Commissioners! Control production! Abolish all secrecy! and so on. In the trenches spirits are high.

SKLIANSKY,
*President of the Congress
of the Fifth Army and Army Committee.*

The following news is circulated through the German wireless system (Dec. 4):

On Dec. 1, 1917, a cessation of hostilities was agreed upon with the Russian Army with respect to the front extending from the southern bank of the Pripet and in a southerly direction to a point south of the Lipa. At 10 P. M. on Dec. 2 all hostilities will cease on this sector. Agreement has been reached with respect to movement between the opposing lines, the movement of troops, work upon positions, and the activities of airmen. A period of 48 hours at least has been decided upon as notice which must elapse before hostilities are to recommence. The Russian deputation for the conclusion of an armistice was welcomed on Dec. 2 at 4 o'clock in the afternoon by the Commander in Chief in the East, General Field Marshal Prince Leopold of Bavaria, in a short speech. The negotiations regarding the conclusion of an armistice thereupon commenced, in which, under the chairmanship of the Chief of the General Staff, General Hoffmann, the representative of the German land and sea fighting forces, as well as the plenipotentiaries of the chief army administration of Bulgaria, Austria-Hungary, and Turkey, are participating.

A message from Petrograd (Dec. 4) states that the armistice delegations met at Vilna (behind the German lines) on Dec. 3. It was decided to consider only the question of an armistice and to leave peace discussion to the European Conference.

7. FIRST TELEGRAM FROM KRYLENKO.

[From the *Daily Review of the Foreign Press, Allied Press Supplement*, 30 January, 1918, p. 359, purporting to be a translation from the *Izvestiya* of 28 November, 1917.]

To-day at 11 a. m. the Supreme Commander in Chief sent parlementaires with the following full powers:

In the name of the Russian Republic, and on the authority of the Council of People's Commissioners, I, the People's Commissioner

for Military and Naval Affairs, and Supreme Commander in Chief of the Armies of the Russian Republic, authorize the parlementaires, Lieut. Vladimir Shneur, of the 9th Kiev Hussar Regiment, and the members of the Army Committee of the 5th Army, Army Surgeon Mikhail Sagalovitch, and Volunteer Georgi Meren, to present themselves to the highest Chief of the German Army on the plot where these parlementaires shall be received, with the request that inquiry be made of the Highest Command of the German Army whether they agree to send their plenipotentiaries to open immediate negotiations for establishing a truce on all the fronts of the belligerent countries, in order that peace negotiations may afterwards be entered upon.

In the event of a satisfactory answer on the part of the Highest Command of the German Army, the parlementaires are instructed to fix the time and place for the meeting of the plenipotentiaries of both sides.

N. KRYLENKO,
*People's Commissioner for Military and Naval Affairs
and Supreme Commander in Chief.*

8. SESSION OF 3 DECEMBER, 1917, BREST-LITOVSK.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press, Allied Press Supplement*, 30 January, 1918, p. 360.]

The following report is printed in the *Izvestiya* of Dec. 9:

List of the Members of the Russian Delegation for Truce Negotiations, and of the persons attached to the same.

I.—PLENIPOTENTIARIES.

MEMBERS OF THE ALL-RUSSIAN CENTRAL EXECUTIVE COMMITTEE OF THE COUNCILS
OF PEASANTS', WORKMEN'S, AND SOLDIERS' DEPUTIES.

1. Ioffe, Adolf Abramovitch (President of the Delegation).
2. Kramenev, Lev Borisovitch.
3. Sokolnikov, Grigory Yakovlevitch.
4. Bitsenko, Anastasiya Alexandrovna.
5. Maslovsky, Sergei Dmitrievitch.
6. Olich, Fedor Vladimirovitch (sailor).
7. Belyakov, Nikolai Kuzmitch (soldier).
8. Stashkov, Roman Illarionovitch (peasant).
9. Obukhov, Pavel, Andreévitch (workman).

II.—MEMBERS OF THE WAR-COUNCILUM.

10. Admiral Altvater, Vasily Mikhailovitch (Dean of the Delegation).
11. First-Rank-Captain Dolivo-Dobrovolsky, Boris Iosifovitch.
12. Col. Shishkin, Vladimir Ivanovitch.
13. Col. Stanislavsky, Andrei Vasilevitch.
14. Lieut.-Col. Moroz, Felix Antonovitch.
15. Lieut.-Col. Berends, Konstantin Yulevitch.
16. Lieut.-Col. Sukhov, Vasily Gavrilovitch.
17. Lieut.-Col. Fokke, Ivan Grigoryevitch.
18. Lieut.-Col. Vedin, Karl Yanovitch.

III.—ATTACHED TO THE DELEGATION.

19. Secretary to the Delegation: Karakhan, Lev Mikhailovitch.

Translators.

20. Sokolof, Vladimir Petrovitch.
 21. Lieut. Shchurovsky, Andrei Vladimirovitch.
 22. Shtukholdt.

Lawyers.

23. Gerbersen, Karl Antonovitch.
 24. Ivanov, Vasily Petrovitch.
 25. Artaryan, Ivan Pavlovitch.

Copyist.

26. Voishvillo, Bronislav Iosifovitch.

Orderlies.

27. Ivanov.
 28. Korshunoy.

List of Members of the Delegations of States at War with us.

1. GERMAN.

1. Major General Hoffman, President of the Delegation.
 2. Major Brinkmann, of the General Staff, and
 3. First-Rank-Captain Horn (Consulative Members).
 4. Staff Captain of Cavalry Heu, Translator.
 5. Captain of Cavalry in Reserve von Rosenberg, Secretary.
 6. Lieut. von Bülow, Assistant Secretary.

2. AUSTRO-HUNGARIAN.

7. Lieut. Col. Hermann Pokorny, of the General Staff.
 8. Major Franz von Mirbach, of the General Staff.
 9. Emerich Graf Czaky von Kererzek und Adorjan.
 10. Captain of Cavalry von Berger.

3. BULGARIAN.

11. Col. Gantchev, of the General Staff.
 12. Counsellor Anastasov.

4. TURKISH.

13. General of Cavalry Tsekki Pasha.
 14. Captain of Cavalry von Schmidt, attached to Tsekki Pasha.
 15. Counsellor Edem Bey.

The Supreme Command of the German Armies, in the person of Field Marshal General Paul von Hindenburg, Supreme Commander-in-Chief and Chief of the General Staff of the German Armies, and Admiral Hening von Holzdorf, Chief of the Naval Staff of the German Fleet, empowered Prince Leopold of Bavaria, Field Marshal General of Bavaria and Commander-in-Chief of the Eastern front, to negotiate respecting a truce. The latter entrusted the negotiations to the persons mentioned above.

Our Delegation arrived at Brest-Litovsk Nov. 20 (Dec. 3). Before the opening of the session the Commander-in-Chief of the Eastern front addressed the following speech to the meeting:

Gentlemen: I welcome you as the Plenipotentiary Representatives of the Government of the Russian Republic, delegated here to conclude an armistice. I hope that your common efforts will bring the work to the desired end. The German Supreme Command, in agreement with our Allies, has empowered me to guide the peace negotiations. I have deputed to Major General Hoffmann, Chief of my Staff, to preside over the session in my name. Again I welcome you and hope that you will be comfortable at my headquarters.

To this A. A. Ioffe, President of the Russian Delegation, answered as follows:

Mr. Commander in Chief of the Armies of the Eastern Front: We have come here as the representatives of the peoples of Revolutionary Russia, which is filled with a firm resolve to put an end to the general peace that shall correspond to the just yearnings of the masses of the democracies of all the belligerent countries. In the hope that this task will receive its realization, I have the honor, Mr. Commander in Chief of the Eastern Front, to thank you in the name of our delegation for your welcome!

The speech of the German representative was made in German and translated into Russian; our representative spoke in Russian and his speech was translated in German.

All the negotiations were carried on in this manner.

From the very beginning our delegation officially demanded that accurate protocols of the session should be made, giving notice that they reserved to themselves the right to publish the protocols in full, without any omissions. This was accepted. We kept the protocols in Russian, and the other side kept theirs in German. A special editing committee, consisting of three representatives from us and three from the other side, was instituted and compared both texts of the protocols every day after the session.

The protocols of the session, as confirmed, are given below.

PROTOCOL OF THE SESSION OF NOV. 20 (DEC. 3).

The session began at 4.10 p. m. (2.10 p. m.).

Major-General Hoffmann, in opening the session, expressed the hope that it would lead to the wished-for result.

Credentials were presented and recognized by the Russian representatives. (The credentials of the Turkish and Bulgarian representatives had not yet been received.)

Major-General Hoffmann requested the Russian Delegation to communicate their proposals.

The President of the Russian Delegation, Comrade A. A. Ioffe, made the following declaration:

We lay down as the foundation for the proposals for an armistice the principle of a democratic peace as expressed in the decree of the All-Russian Congress of Councils of Workmen's and Soldiers' Delegates and confirmed by the Extraordinary Congress of Peasant Deputies, with the object of gaining as quickly as possible a general peace without annexations or contributions, the right to national self-determination being guaranteed. With the object of gaining such a general peace we are empowered to discuss terms of a truce on all the fronts with the plenipotentiary representatives of German, Austria-Hungary, Bulgaria, and Turkey here present. We therefore suggest that a proposal to take part in the negotiations should be at once addressed to all the belligerent countries not represented here. We presume that the acceptance of both these points is an indispensable premise for opening an immediate discussion of the terms of an armistice on all the fronts.

Major General Hoffmann, referring to the contents of the declaration just made known, inquired whether the Russian Delegation was empowered to speak in the name of Russia's Allies.

Comrade Ioffe answered that the Russian Government addressed to its Allies a proposal to take part in the negotiations, but up to this time had not received a decisive reply. Nevertheless, he considered it possible to enter upon negotiations that day and repeat the application to Russia's Allies.

General Hoffmann stated that his credentials did not give him the right to enter on negotiations for peace with Russia's absent Allies. As regards the contents of the declaration published, he drew attention to the fact that the Governments of the Central Powers had more than once made peace proposals, which had met with no response. The political principles which, in the opinion of the Central Powers, must be the basis of the future peace were not long ago again put forth in the telegrams of the Ministers Czernin and Kühlmann on the one side and the Russian Government on the other. Personally, as a military man, he did not consider himself competent, nor was he empowered to speak on political questions. The representatives of Austria-Hungary, Bulgaria, and Turkey who were present said the same.

The President of the Russian Delegation stated that they took note of General Hoffmann's explanation. But he considered it necessary to remark that the Russian Delegation regarded the question of the armistice much more broadly, and considered that it must be a foundation of the general peace, for it was in the name of the latter that an armistice was to be concluded.

General Hoffmann gladly took note of this statement, and, on his side, expressed the hope that an armistice would lead directly to peace. This acknowledgment, however, in no way altered the circumstance that on the part of Germany and her allies there were only military men present, whose competence was confined to the discussion of purely military questions regarding the armistice.

Comrade Kamenev, member of the Russian Delegation, remarked that unfortunately in the telegrams of the Minister for Foreign Affairs, Kühlmann, and of Czernin there was nothing to be seen of any actual adhesion to the general peace without annexations or contributions, the right to self-determination being guaranteed, which formed the unwavering peace programme of Russia's Revolutionary Government.

The Russian Delegation, acting on the authority of the revolutionary masses of Russia, gave notice then and there that only such a general peace could be entertained. Only such a peace must be concluded as a result of the armistice of which the terms were then to be discussed. As regards the extent of the Russian Delegation's credentials, the Government of Russia quite recognized that for the time being the center of gravity lay not so much in military negotiations as in the establishment of general bases of the peace which must be concluded as the result of the armistice. For this reason we are intrusted with the establishment of the relation that the countries represented here bear to the bases of a general democratic peace. Only by clearing up this preliminary question can the armistice be given the character which the peoples of Revolutionary Russia wish to see it acquire.

General Hoffmann repeated that the representatives from Germany and her allies have no authority to discuss questions of peace. If that were not so, not only military men would be sitting there on their side.

Germany and her allies started from the point of view that, first of all, military action must be stopped so that the politicians might be given time and opportunity to negotiate concerning peace. In order not to protract these negotiations, the armistice could be restricted to a very short term.

L. B. Kamenev recognized that this Conference must, of course, be distinguished from the Peace Congress. All the same, the Russian Delegation insisted that it was here that a definition must be obtained of the general bases of peace, toward which the way was being paved through the armistice. It expressed its regret for the misunderstanding in consequence of which political representatives did not come to the Conference from the other side. They still hoped to return to the subject of peace conditions at that Conference, namely, at such times as political plenipotentiaries from the other side could be present.

General Hoffmann again laid emphasis on the necessity of concluding then a purely military armistice, which, however, in order to meet the wishes of Russia, might be for a very short term, in order not to postpone the commencement of peace negotiations. Kamenev took note of this, and agreed to the suggestion that the first question respecting a general peace must be considered as exhausted for the time being. He stated that in the Russian Delegation's instructions there was a paragraph according to which all countries taking part in the negotiations for an armistice should assume the obligation of addressing to all belligerent countries not represented there a proposal to take part in the negotiations for an armistice. The Russian Delegation therefore proposed to take part in the negotiations for an armistice. The Russian Delegation therefore proposed to Germany and her allies that they should act toward the belligerent countries unrepresented there as Revolutionary Russia had done when she addressed to Germany and the latter's allies a proposal to enter upon negotiations for an armistice on all the fronts.

General Hoffmann, in accord with the representatives of the three other allied Commanders in Chief, stated that the representatives of the Allied Powers could only take note of this proposal, as their powers did not extend beyond purely military questions.

The Russian Delegation requested an adjournment, after which purely military questions should be discussed.

The sitting was renewed on the same day at 3.50 p. m. (5.50 p. m.).

The President of the Russian Delegation, A. A. Ioffe, proposed that the decree concerning peace accepted at the All-Russian Congress of the Workmen's, Soldiers', and Peasants' Deputies, as also the actual text of the wireless telegram of Czernin, Minister of Foreign Affairs, and Kühlmann, the State Secretary, should be appended to the protocol.

General Hoffmann, in accord with the representatives of the Austro-Hungarian Commander in Chief, explained that they had no objection to this, but as the texts of the wireless telegram would have to be called for from Berlin and Vienna and were not to hand, some delay must ensue.

The President of the Russian Delegation took note of this and pronounced the following statement of the Russian Delegation:

The Russian Delegation, taking their stand on the exact text of the offer made by the Council of People's Commissioners, Nov. 13/26, 1917, and taking into consideration the statement of the plenipotentiaries of Germany, Austria-Hungary, Bulgaria, and Turkey as to their not being authorized to assume an obligation to make a proposal to all the Powers at war with them and not represented at that meeting to enter upon negotiations for an armistice on all the fronts, suggests to the representatives of Germany, Austria-Hungary, Bulgaria,

and Turkey that they should communicate to their own Governments the proposal of the plenipotentiaries of Russia, and for the present, until receipt of an answer, should pass on to the discussion of the terms of an armistice.

General Hoffmann said that he could not make any statement on this point, but could only pass this wish of the Russian Delegation on to his Supreme Command, who could pass it further to the German Government. If this took place, and personally he had no doubt on the subject, then the four Allied Governments would come to an understanding. Delay was, of course, inevitable.

The President of the Russian Delegation stated that he would communicate with Petrograd on this subject, and agreed that for the present a discussion on the terms of an armistice should be entered upon. He proposed to adjourn the sitting till Nov. 21 (Dec. 4), 1917, in order that the Russian Delegation might prepare its draft of the armistice conditions. The Russian Delegation was not in a position to discuss the question that day, as telegraphic communication with Petrograd was not yet established.

General Hoffmann took note of this and asked whether it was not possible, in spite of this, to pass, then and there, to the discussion of armistice conditions. The Russian Delegation declined this proposal on the grounds mentioned. The delegate of Bulgaria proposed that, in order to facilitate further discussion, the fundamental points of the armistice should be enunciated in the form in which Germany and her allies picture them to themselves generally and as a whole. The Russian Delegation accepted this. General Hoffmann informed the Russian allies it ought to be discussed when the conditions of an armistice were being settled.

The sitting was then closed. The following one was fixed for Nov. 21 (Dec. 4) at 11.30 a. m. (9.30 a. m.).

9. SESSION OF 4 DECEMBER, 1917.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press, Allied Press Supplement*, 30 January, 1918, p. 360.]

PROTOCOL OF THE SECOND DAY OF SESSION, NOV. 21 (DEC. 4).

General Hoffmann opened the session at 11.40 a. m. (9.40 a. m.).

He stated that the plenipotentiaries of Germany and her allies there present were prepared to hear the Russian proposals as to the conditions of an armistice. Rear Admiral Altvater read the following conditions for an armistice (published in the *Izvestiya*, No. 235, "The Russian Delegation's Conditions for an Armistice," page 2, column 2):

THE RUSSIAN DELEGATION'S ARMISTICE CONDITIONS.

Proposed at the joint session with the representatives of Germany and the countries in alliance with her at the session of Dec. 4, 1917, new style.

LENGTH OF THE ARMISTICE.

The length of the armistice is fixed at six months.

MANNER OF DISCONTINUING THE ARMISTICE.

In event of an adjournment of the peace negotiations hostilities can be recommenced not earlier than 72 hours after the moment of the adjournment of the negotiations.

THE PORTIONS OF THE FRONT AND THE ARMED FORCES OVER WHICH THE ARMISTICE EXTENDS.

The armistice extends over every portion of the land fronts and over all armed maritime forces of the belligerent Powers at the moment when the armistice shall be concluded. By "armed forces," to which the terms of the armistice extend, must be understood: All land forces that are on the territory of the belligerent States and in the provinces occupied by them, war fleets, and all technical means of fighting.

No organizing military unit and no technical means of fighting can, within the limits of the period of the armistice, be moved across within portions of one front, from one front to another, from the front to the rear, or from the rear to the front. Only the following categories of persons engaged in military service may be moved across: Those discharged from service, sick, wounded, and going on leave; from the rear to the front—those who are cured or are on leave. Troops and technical means of fighting that are being moved at the moment of the conclusion of the armistice may be brought up to a nearer point that is more convenient for quartering or billeting, where, also, they must be left.

LINE OF DEMARCATION.

The line of demarcation is to be taken as the line that runs at an equal distance from the existing main positions of the belligerent countries, except [with regard to]

(a) The Caucasian front, where the line of demarcation is to be defined by a special Russo-Turkish Commission.

(b) The islands of Dago, Esel, Moon, and the rest of the islands of the Sound of Moon, which shall be evacuated by the German troops and shall not be occupied by the armed forces of any of the belligerent Powers.

(c) In the Baltic Sea the line of demarcation shall run from Cape Lüsérort to the southern extremity of the Island of Gothland and on to the territorial waters of Sweden. The maritime forces of both sides that are in the Gulf of Riga and the Sound of Moon must leave the said waters.

(d) In the Black Sea the line of demarcation is to be defined by a special Russo-Turkish Commission.

NOTE.—The details of the line of demarcation on each portion of the land fronts are to be defined by special military commissions.

MARITIME FORCES AND MARITIME TRANSPORT.

Maritime forces and the vessels of merchant transport can not cross the line of demarcation above established, nor go into regions of the sea that the belligerents have to evacuate.

CESSATION OF PARTIAL ARMISTICES AT THE FRONT.

With the signing of this present armistice all partial agreements previously concluded in separate portions of the front become null and void.

General Hoffmann began by expressing his astonishment, from the point of view of the Supreme Command, that on the part of the Russian Delegation conditions are proposed; he mentioned that Germany and her allies on the previous day had listened more than once to the wish of the Russian Delegation that the armistice should pass by direct transition to proposals for a general peace. As this was entirely in accordance with the wish of Germany also and her allies, he had on the previous day proposed that the armistice should be as short termed as possible. He supposed that this armistice could be automatically prolonged, and that the length of notice to be given

before interruption of the armistice might be debated and establish at some future discussion.

L. B. Kamenev stated, in explanation :

In order to avoid any misunderstanding I consider it necessary to establish that before an agreement comes into force respecting the conditions of the lengthy armistice which the Russian Government would have the opportunity of addressing again to its Allies a proposal to take part in the general armistice on all the fronts. In the opinion of the Russian Delegation this cessation of hostilities might be limited to eight or ten days.

General Hoffmann thought this proposal, with the motives assigned, acceptable.

L. B. Kamenev said :

What concerns the Russian Delegation is the establishment of the principles of a lengthy armistice which would give time for peace negotiations, which negotiations would be nearer if it were possible to establish these principles at once. This would facilitate the possibility of the absent belligerent countries joining in the armistice, and in this way the struggle of the peoples of Russia for peace would obtain a wider foundation beneath it.

General Hoffmann confirmed his explanation of the previous day, to the effect that he was not authorized to go into a discussion of peace proposals and peace conditions, and for that reason these deliberations would not attain their object. As an expression of his own personal opinion, he stated that he did not think that the Central Powers were ready to address another request to their enemies with regard to opening peace negotiations.

At the suggestion of the Bulgarian Delegation, an adjournment was proposed at 12.5 p. m. (10.5 a. m.). On the resumption of the session General Hoffmann, on behalf of the delegation of Germany and her allies, again stated distinctly that the question of peace and a general armistice had been thrashed out on the previous day and that the Russian Delegation had taken note of it and had expressed its willingness to enter into negotiations for an armistice between the armies of Russia and the armies of Germany and her allies. It was absolutely impossible to establish conditions for a general armistice without the absent belligerent Powers presenting their counter proposals. It was the Russian Government's business to address itself to its Allies, come to an understanding with them concerning the terms of an armistice and of peace, and after that to propose these conditions to Germany and her allies.

The President of the Russian Delegation, A. A. Ioffe, in the name of the Russian Delegation, took note of this statement of the Delegation of Germany and her allies and suggested passing to the consideration of the separate points of the armistice.

In conformity with this the Conference passed to the consideration of the Russian draft of the armistice conditions.

General Hoffmann, in accordance with the explanations already given by him proposed the establishment of a short term of armistice at 14 days. As it was presupposed that the peace negotiations ought to join on to the armistice uninterruptedly, it would be desirable to recognize an automatic prolongation of the armistice.

A. A. Ioffe, in accordance with the Russian draft, suggested establishing the term of notice for resumption of hostilities at 72 hours.

General Hoffmann considered such a term too short. He directed attention to the fact that a war between coalitions makes an agreement between allies inevitable, and this agreement takes time. As the armistice has for its object the opening of peace negotiations, that could be interrupted only in the event of the negotiations not leading to the desired end. In that case negotiations among allied Governments would be inevitable, and this would demand a great deal of time.

On the suggestion of the Russian Delegation, an adjournment was announced at 12.30 p. m. (10.30 a. m.).

The session was resumed at 1 p. m. (11 a. m.).

The President of the Russian Delegation introduced the following formulation of paragraph 1 of the draft armistice proposals (concerning the term of the armistice):

1. The armistice begins Nov. 27 (Dec. 10) at 2 p. m. (12 noon) and continues to Dec. 25, 1917 (Jan. 7, 1918), at 2 p. m. (12 noon). Either party has the right of renewing hostilities on giving seven days' notice to this effect. If such notice does not ensue, then the armistice is automatically prolonged until such time as one of the parties gives the seven days' notice of the interruption of the armistice.

A. A. Ioffe stated in explanation that the commencement of the armistice on Nov. 27 (Dec. 10) is fixed in anticipation of the agreement coming into force on Nov. 25 (Dec. 5). If otherwise, then the commencement of the armistice must be correspondingly postponed.

General Hoffmann, in order to expedite the negotiations, agreed on a 28-day term for the armistice and laid emphasis on the fact that by so doing he thought to go far toward meeting the wish of the Russian Delegation. He then proposed passing to the consideration of par. 2 of the Russian draft, armistice negotiations.

General Hoffmann objected to the Russian text of the draft, pointing out that it would bind the German forces on the West also to an armistice, and therefore he proposed the following text for par. 2:

The armistice affects all land and air forces of the said countries between the Black Sea and the Baltic and also on the Russo-Turkish fronts of Asia.

General Hoffmann remarked that special agreements would have to be made for the Russo-Turkish fronts in Asia.

Turkey's plenipotentiary proposed that the armistice should simultaneously affect the neutral countries also, *i. e.*, Persia.

General Hoffmann remarked that these conditions only concern the air and land forces, and that special conditions would have to be prepared for the naval forces.

RUSSIAN ACCOUNT, CONTINUED.

[From the (British) *Daily Review of the Foreign Press, Allied Press Supplement*, 6 February, 1918, pp. 393-395.]

Pravda (Dec. 11 and 13) publishes the continuation of the report of the protocol of the session of Dec. 3, the first part of which was given in the *Pravda* of Dec. 22, and the A. P. S. of Jan. 30 (p. 361):

General Hoffmann went through §§ 3-5 of article 3 of the Russian draft and pronounced them unacceptable. These demands imposed a

one-sided obligation on Germany and her Allies as they, in distinction from the Russians, have two main battle fronts. There must be established a possibility of moving the troops that need rest on lines of communication. Such movements had been going on since the beginning of the war, and were still going on. Besides this it was well known that the Russians were moving troops, chiefly to the rear, and perhaps they would have to do so in the future also.

It stood to reason that movements of whole armies were impossible, as, if the desired agreement were not come to, the circumstance that the Russian Army might renew hostilities would always have to be reckoned with.

Finally the acceptance of the Russian text would prevent the removal to good quarters of men who were in the trenches, and, thanks to this, the desire of both sides to shield the troops from the necessity of spending another winter in the trenches would not be attained. The Supreme Command of Germany and her allies, however, would be ready to bind itself not to move across any troops for the purpose of making an attack on the Russian troops. It stood to reason that this obligation must be a mutual one. The General proposed to the representatives of the Powers in alliance with Germany that they should withdraw in order to formulate this point. At 2 p. m. (12 noon) the session was reopened, and the representatives of Germany and her allies put before the Russian Delegation their counterproposals in the following text:

The armistice extends to all land and air forces of the States named on the fronts between the Black and Baltic Seas. The armistice begins simultaneously also on the Russo-Turkish theater of war in Asia.

The Central Powers, Bulgaria, and Turkey bind themselves not to strengthen their forces against Russia during the armistice and not to undertake any movements of troops having for their aim the preparation of an advance on the Russian front between the Black and Baltic Seas, nor on the Russo-Turkish front in Asia. In the same way Russia also binds herself not to undertake any movements of troops during the armistice which might facilitate attacks on the armies of the four Central Powers. The contracting parties reserve to themselves full right of action as regards the question of setting free and quartering portions of their forces.

A. A. Joffe, the President of the Russian Delegation, stated that they took notice of this text, but, as he supposed that it would be more expedient to defer a final settlement of the text of this article until such time as all the remaining articles should have been discussed, he begged that the corresponding text of the German counterproposal might be communicated.

General Hoffmann, in answer to this, put forward the following draft of Germany's and her Allies' Delegation, with the requisite explanations:

ARTICLE 3. The line of demarcation on the European fronts is marked by the front defenses of each party's own positions. No one has the right to cross this line except parlementaires and specially appointed Commissions (Art. 6). In those places where there are gaps in the defenses the line of demarcation is taken to be a straight one between the terminal points of the defenses. The space between the two lines of demarcation is neutral and is not to be trespassed upon. In the same way navigable rivers that divide the positions of the two parties are neutral and navigation upon them is forbidden. On those fronts where the positions are disposed at a great distance from one another

demarcation commissions (Art. 6) must immediately establish lines of demarcation, not to be trespassed upon by either party, and clearly marked.

On the Asiatic theaters of hostilities lines of demarcation must be the subject of agreement between the Commanders in Chief of both parties.

The article expounded above refers exclusively to hostilities on land. As regards the war on the sea, special directions must be worked out.

Until such should be put forward, General Hoffmann considered it necessary to state emphatically that the German Supreme Command must decline the Russian proposal respecting the evacuation of the islands of the Gulf of Riga (Sound of Moon). History did not know of an example of obligations that were not identical being laid upon two contracting parties that had equal rights, as was being done in this case. General Hoffmann stated emphatically that, on his part, he considered the Russian proposal respecting the evacuation of the islands as absolutely beyond discussion.

Turning to the question of the line of demarcation on the sea, General Hoffmann continued:

ARTICLE 4. The armistice only extends to the naval war in so far as this is established by the following paragraphs:

(a) Attacks from the sea or the air on harbors and coasts that belong to, or are occupied by, the adversary are forbidden to both parties.

(b) Naval warfare ceases on the Black Sea. The Russian naval forces may not pass southward across the line Sulina-Trebizond, nor may the naval forces of the four Allied Powers pass northward across the line Mouth of the Sfântu-Gheorghe-Tireboli.

The naval forces of the Entente that are north of the line Sulina-Trebizond are to be detained by Russia.

(c) In the Baltic Sea the armistice is valid only to the east of 15° long. E. of Greenwich. The war vessels of the four Allied Powers must not pass into the district east of the line Cape Spitzshamm-Odensholm-Russarö, nor, outside this district [pass into] the Finnish three-naval-mile zone. Russian war vessels may not leave the above-mentioned districts. Vessels of the Entente that are there are to be detained by Russia.

(d) In the interests of the resumption of mercantile navigation on fixed routes, special agreements may be concluded.

ARTICLE 5. In order to avoid unrest and collisions at the front, any infantry drill must take place in the rear, not nearer than 5 kilometers from the front, and artillery drill not nearer than 15 kilometers.

All the contracting parties bind themselves to take care that exact instructions, prohibiting all their forces from crossing the line of demarcation shall be issued.

Work on the positions behind the front-wire defenses is sanctioned, but only such as can not serve for the preparation for an advance.

Active warfare ceases altogether. The military air forces of both sides must keep outside an air zone, 10 kilometers wide, reckoned from the front lines.

ARTICLE 6. From the commencement of the armistice there is to be established a Commission (representatives of each belligerent State on a given portion of the front), which will see to the fulfillment of all the military conditions of the armistice agreement.

Commissions are to be established at the following points:

- (a) In Brest-Litovsk for the front from the Dniester to the Baltic Sea;
- (b) In Czernowice for the front from Putna to the Dniester;

- (c) In Fokshini for the front from the Black Sea to Putna ;
- (d) In Revel (or in another place proposed by the Russian Delegation) ;
- (e) In Odessa for the Black Sea.

These Commissions are afforded direct and uncensored wires for communication with their own Governments. These wires are set up on own territory to the middle between the lines of demarcation they are carried through by the military authorities.*

ARTICLE 7. All agreements, concluded up to now for separate portions of the front, respecting an armistice or cessation of hostilities, are annulled by the present agreement, and therefore become invalid.

ARTICLE 8. The Russian forces in Macedonia are included in the truce.

The Central Powers are prepared to transport them to Russia.

ARTICLE 9. Central Persia is to be evacuated both by Turkish and by Russian troops.

ARTICLE 10. The contracting parties, directly after the signature of the present armistice, enter on peace negotiations.

ARTICLE 11. Each of the Governments of both contracting parties receives a copy of the given agreement, signed by the plenipotentiary representatives.

At 2.40 (12.40) p. m. the session was closed. The next was fixed for Dec. 5 (Nov. 22).

The unofficial portion of the session began with the pronouncement, by Admiral Altvater in the name of the Russian Delegation, of the following memorandum, putting forward parallel texts:

- (1) Of the German demands;
 - (2) Of the objections of the Russian Delegation to these demands;
- and
- (3) Of the Russian formulation of the corresponding articles.

The memorandum read runs as follows:

GERMAN PROPOSAL.

ARTICLE 1. The armistice is concluded for 14 days with automatic prolongation of the term of the armistice. The party that intends to break off the armistice is bound to give seven days' warning thereof to the other party.

OBJECTIONS OF THE RUSSIAN DELEGATION.

The term of the armistice is too short, and therefore it must be lengthened. The minimum term for the armistice acceptable is 28 days.

RUSSIAN PROPOSAL.

ARTICLE 1. The armistice is concluded for 28 days with automatic prolongation of the term of the armistice. The party that intends to break off the armistice is bound to give seven days' warning thereof to the other party.

GERMAN PROPOSAL.

ARTICLE 2. The armistice extends to all land and air forces of Russia, Germany, Austria-Hungary, Bulgaria, and Turkey, on the front between the Black and Baltic Seas. Simultaneously with this an armistice is established also on the Russo-Turkish theaters of war in Asia. The Central Powers, Bulgaria, and Turkey bind themselves not to strengthen, during the armistice, their forces opposed to Russia, and not to alter the grouping of the larger formations of

* Literal translation of the original, which is here both ungrammatical and unpunctuated.

troops with the object of preparing an advance on the Russian front between the Baltic and Black Seas, or on the Russo-Turkish theaters of war. In the same way Russia, too, binds herself not to make, during the armistice, important regroupings that would facilitate an attack on the armies of the Allied Powers.

As regards changing and quartering troops, the contracting parties preserve full freedom of action.

OBJECTION OF THE RUSSIAN DELEGATION.

The proposed text does not take into consideration that on our front from the Black Sea to the Baltic there are portions occupied by Roumanian troops. The acceptance of the proposed text would come to this, that we should prejudge the question as to Roumania beforehand. A proviso must therefore be made, by a special note, to the effect that this question must be settled separately.

The word "land" must be inserted before "front" for it is up to now not clear whether the front on the Baltic Sea (including the Moon Sound Islands) is reckoned or not.* Therefore the word "land" must be added, as the question of the islands must be kept separate.

The proposed text, "not to strengthen their troops opposed to Russia and not to alter the grouping of the larger formations of troops with the object of preparing an advance on the Russian front between the Baltic and Black Seas," is not clear, and raises a number of questions as follows:

(a) Is it possible, without strengthening the forces, to strengthen the technical means, as, for instance, guns, machine guns, etc.?

(b) What fixes the number of the troops opposed to Russia, and how is it done? Is it the number of them on the front itself, or also those in the immediate rear, and, if so, where is the boundary of this rear?

(c) How can the principle of "not strengthening" and "not grouping" be guaranteed under conditions of free changing and quartering of troops?

(d) What guaranty is there that one portion of our front can not be weakened and another one strengthened at the expense of the former, and how is this guaranty attained?

(e) What guaranty is there that it shall be impossible for the opposing side to bring up [?troops] from the rear, distribute them far enough from the front, and so prepare a formation for an attack?

(f) May we take it that the composition of troops in front of the Russian line remains unchanged, if we grant a numerical change of the fighting forces with the object of personal movements to other portions of the front, not of organized units, but separately, whereby is secretly achieved a strengthening, or concentration, of forces that may be made use of for an attack?

(g) What guarantees the impossibility of bringing up troops and concentrating them in ports in order that a landing expedition may afterwards be quickly carried out?

In view of the fact that, by reason of the text being wanting in clearness, there arise the above-mentioned questions, which must be

* At this point the original text is very much confused.

absolutely, accurately explained, the text of this article must be changed in such a way that these questions drop out.

RUSSIAN PROPOSAL.

ARTICLE 2. The armistice extends to all land and air forces of Russia, Germany, Austria-Hungary, Bulgaria, and Turkey that are on the land front from the Baltic to the Black Sea.

Simultaneously with this is established an armistice also in the Russo-Turkish theaters of the war in Asia.

NOTE.—The conditions of the Armistice on the portion of the said land front occupied by Russian* troops must be settled specially.

The Central Powers, Bulgaria, and Turkey, as also Russia, bind themselves not to change during the armistice the quantities of military units that are on the fronts, their composition or numerical contents, nor to make regroupings of larger military units for the purpose of preparing an attack on the front between the Baltic and the Black Seas or on the Russo-Turkish theaters in Asia, for which purpose:

(a) The number of military units that are in the Army regions at the moment of concluding the armistice must remain unchanged; at the same time the contracting parties are perfectly free to change and quarter the troops in the Army regions, both on the front and the rear, the boundary of the latter being fixed at a distance of 100 versts from the line of demarcation.

(b) The contracting parties bind themselves not to concentrate troops in the ports of the Baltic and Black Seas.

GERMAN PROPOSAL.

ARTICLE 3. Both parties take the front wire defences of their own positions as the line of demarcation on the European front. The lines of demarcation may not be crossed by anyone except parlementaires or specially appointed Commissions (Art. 6). Where there are not uninterrupted positions, the line of demarcation is a straight one between the very foremost point occupied by troops. The space between the two lines is held to be neutral, and trespassing upon it is prohibited. In the same way navigable rivers that divide the positions of the two parties are held to be neutral, and navigation on them is prohibited. On those fronts where the positions are at a decided distance one from another Demarcation Commissions (Art. 6) must settle and mark, as soon as possible, a line of demarcation that is not to be crossed by either party. On the Asiatic theaters of war the line of demarcation is settled by agreement between the Commanders in Chief of the two parties.

OBJECTIONS OF THE RUSSIAN DELEGATION.

In substance the proposed text is acceptable; but it is indispensable that in it should be included an indication that organized intercourse between the troops of both sides are permitted.

RUSSIAN PROPOSAL.

ARTICLE 3. Both parties take the foremost wire defences of their own positions as the line of demarcation on the European front.

* Misprint in the original for "Rumanian."

These lines may be crossed only by parlementaires and specially appointed Commissions (Art. 6), and, besides this, in order to develop and strengthen the friendly relations between the peoples of the contracting parties, organized intercourse between the troops of the two parties is permitted. Where there are no uninterrupted positions, the line of demarcation is a straight one between the very foremost points occupied by troops. The space between the two lines is held to be neutral. Navigable rivers dividing the positions of the two parties are held to be neutral, and navigation on them is prohibited. On those fronts where the positions are at a decided distance from one another, the Demarcation Committee (Art. 6) must settle and mark as soon as possible a line of demarcation that is not to be crossed by either party. In the Asiatic theaters of war the line of demarcation is settled by agreement between the Commanders in Chief of the two parties.

GERMAN PROPOSAL.

ART. 4. The armistice extends over the naval war only in so far as is established below:

(a) Attack by sea or by air on coasts or ports belonging to or held by the adversary will not be made by either party.

(b) Naval war on the Black Sea ceases. Russian naval forces will not cross the line Sulina-Trebizond southward, and the naval forces of the four Allied Powers will not cross the line Mouth of the Sfântu-Gheorghe-Tireboli northward. War vessels of the Entente that are to the north of the line Sulina-Trebizond are to be detained by Russia.

(c) On the Baltic Sea the armistice is valid only to the east of 15 long. E. of Greenwich. War vessels of the four Allied Powers will not sail in the region to the E. of the line Spithamn-Odensholm-Russarö, nor outside this region in the three-mile coast-zone of Finland. Russian war vessels will not leave the region indicated above. War vessels of the Entente that are there must be detained by Russia.

(d) A special agreement may be concluded to start the navigation of merchant vessels on fixed routes.

OBJECTIONS OF THE RUSSIAN DELEGATION.

As regards pars. (a), (b), and (d), there is no objection. As regards par. (c), the Delegation considers in this connection that the proposal amounts to the establishment of such a line of marine demarcation as is, by its very essence, completely one-sided, as it imposes obligations on, and creates difficulties of navigation for, the Russian war vessels only, while it lays no corresponding compensatory impositions on the war vessels of the four Allied Powers. The line of demarcation indicated in the proposal does, in fact, prohibit Russian war vessels visiting the Gulf of Bothnia, that belongs to Russia, while it allows free ingress thither to the vessels of the four Allied Powers. In just the same way the proposal to the Russian vessels to remain in the region bounded by the line of demarcation means, in point of fact, fastening down the Russian vessels to the region of the Eastern portion of the Gulf of Finland, while the vessels of the four Allied Powers are given the right to perfectly free navigation in the whole region of the sea and its gulfs. Further, the proposal made does not say a word about cessation of hostilities in the region of the

Baltic marine war theater, and therefore it gives the right to execute any operations they like, palpably directed against the Russian Fleet, to the vessels of the four Allied Powers, that enjoy the right of free movement over the whole theater, excepting only the Eastern part of the Baltic and the territorial waters of Finland. The indication that the armistice on the Baltic theater of war extends to the meridian of 15° long. E. of Greenwich, taken with the line of demarcation indicated above, is completely unintelligible. For this reason the proposal of the Four Allied Powers is unacceptable both in substance and in form. As regards the proposal that Russia should detain the war vessels of the Entente that are in the Baltic, the question of these vessels must form the subject of a special agreement as to which a proviso must be inserted.

RUSSIAN PROPOSAL.

ARTICLE 4. As regards an armistice for hostilities on the war theaters of the Baltic and Black Seas the following is established:

(a) The two contracting parties bind themselves not to attack ports or coasts belonging to or occupied by the adversary, either by sea or by air.

(b) Hostilities on the Black Sea cease. Russian marine forces will not cross to the S. of the line Sulina-Trebizond, and the vessels of the four Allied Powers will not cross to the N. of the line Mouth of Sfântu-Gheorghe-Tireboli.

NOTE.—The question of the war vessels of the Entente must be looked into separately.

(c) In the theater of the Baltic Sea and its gulfs as far as 15° long. E. of Greenwich hostilities cease. The line of demarcation is established on the line Salismünde-Zerel-Southern extremity of the Gothland Island-Swedish territorial waters. Russian war vessels may not cross the line of demarkation southwards. The vessels of the four Allied Powers may not cross it northward.

GERMAN PROPOSAL.

ARTICLE 5. In order to avoid misunderstandings and incidents on the front, musketry practice must not be carried out by infantry nearer than five kilometers, and artillery practice not nearer than fifteen kilometers, from the line of the front. Both parties bind themselves to take measures that the troops receive emphatic instructions prohibiting them from crossing the line of demarcation. Work on the positions behind the foremost wire defenses is permitted, but not such as may serve for the preparation of an advance. Mine warfare ceases completely. Aerial fighting forces must keep outside an air zone 10 miles wide from the foremost defenses of either side.

RUSSIAN PROPOSAL.

ARTICLE 5. To avoid accidents and incidents, drilling together with musketry practice must be carried out not nearer than five versts, and artillery practice not nearer than fifteen versts, behind the front.

Both parties bind themselves to take measures that their troops receive emphatic instructions prohibiting armed persons from crossing the lines of demarcation.

With the object of developing and strengthening friendly relations between the peoples of the contracting parties, organized intercourse between the troops is permitted.

Land and mine warfare completely ceases. Aircraft and captive balloons have no right to approach the line of demarcation nearer than ten miles.

GERMAN PROPOSAL.

ARTICLE 6. From the beginning of the armistice—

- (a) In Brest-Litovsk for the front from the Dniester to the Black Sea [*sic*];
- (b) In Fokshani for the front from the Black Sea to Putna;
- (c) In Revel (or another populated place proposed by the Russian Delegation) for the Baltic Sea;
- (d) In Czernowice for the front from Putna to the Dniester;
- (e) In Odessa for the Black Sea.

assemble Commissions, one each (representatives of each State that share a given portion of the front), to whom must be referred all military questions about fulfilling the conditions with the corresponding [*sentence unfinished*].

Uncensored wires with telewriting apparatus, in direct communication with the Governments concerned, are put at the service of these Commissions. These wires, up to the middle space between the lines of demarcation, are laid by direction of the military administration concerned.

OBJECTIONS OF THE RUSSIAN DELEGATION.

There are no objections, only the Russian Delegation proposes as the seat of the Baltic Sea Commission not Revel, but Riga.

GERMAN PROPOSAL.

ARTICLE 7. All agreements concluded up to this time on separate portions of the front for the cessation of hostilities or for an armistice are swallowed up by the present contract and lose their validity.

There are no objections to this.

GERMAN PROPOSAL.

ARTICLE 8. The Russian forces that are in Macedonia are included in the armistice. The Central Powers offer to transport them back to Russia.

OBJECTIONS OF THE RUSSIAN DELEGATION.

In view of the fact that the Russian troops that are in Macedonia and France are under the command of Allied Commanders in Chief concerned, this question must be the subject of a special agreement with the Allies.

RUSSIAN PROPOSAL.

ARTICLE 8. The question of Russian troops that are in Macedonia and France requires preliminary discussion between the Government of Russia and the Powers in alliance with her.

GERMAN PROPOSAL.

ARTICLE 9. Neutral Persia is evacuated by Turkish and Russian forces.

OBJECTION OF THE RUSSIAN DELEGATION.

Not considering it possible to occupy a neutral country with her troops, the Russian Delegation presumes that an agreement must be

made about this, not with Turkey or Germany, but with Persia herself.

RUSSIAN PROPOSAL.

ARTICLE 9. The question of the evacuation of Persia requires a special agreement with Persia.

GERMAN PROPOSAL.

ARTICLE 10. The parties directly concerned in the signature of this Armistice Agreement enter on negotiations for peace.

There are no objections.

GERMAN PROPOSAL.

ARTICLE 11. Each Government of the two parties receives a copy of this Agreement, signed by the plenipotentiary representatives.

There are no objections.

10. SESSION OF 3 DECEMBER.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 13 December, 1917, p. 341.]

The negotiations with Russia are described as follows in a semi-official Berlin telegram via Amsterdam (Dec. 11) :

It appeared on the exchange of credentials with the Russian delegation that had arrived at the Headquarters of the Chief Commander in the East that both cases were solely authorized to begin negotiations for an armistice and not for peace. The Russian delegation proposed a general armistice for all armies and on all fronts. We could not accept this proposal, as Russia's Allies were neither represented nor had the Russian delegates been empowered to speak on their behalf. We therefore agreed to restrict the negotiations to the conclusion of an armistice between the allied armies of the Central Powers and the Russian army. The Russians then expressly emphasized that the object of the armistice should be an immediate entry into negotiations for a general peace between all the belligerents. The allied (Central Powers) plenipotentiaries took cognizance of this statement with satisfaction, but it was impossible immediately to enter upon the discussion of peace questions, as the credentials of neither party sufficed for this purpose.

11. SESSION OF 4 DECEMBER.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 13 December, 1917, p. 341.]

At the second day's meeting the Russian delegates communicated to us their armistice proposals. These conditions were in part quite astonishingly far-reaching in view of their military situation. The Russians demanded, for example, the evacuation of the islands in the Gulf of Riga, without on their part offering to withdraw their

troops at any part of the front. Moreover, they wanted to prescribe that for the entire duration of the armistice of six months contemplated by them we should leave our troops in the trenches on the Eastern front, not even their transference to rest quarters being permitted. To such conditions, of course, we could not agree.

In the future discussion of individual points, however, it appeared that agreement was easily attainable on all questions save one. The sole point for which we found no solution was the question of the islands in the Gulf of Riga, the evacuation of which, of course, admits of no discussion. How easily an understanding in itself was attainable was shown at the point when the Russian delegates declared that they must get further instructions from Petrograd, for thereupon, in the shortest possible time and without encountering any serious difficulties, we reached an agreement respecting the conditions of the ten days' truce, which is now in force. In this short-term agreement we should see a good presage for the future.

GERMAN ACCOUNT, CONTINUED.

[From the (British) *Daily Review of the Foreign Press*, 7 December, 1917, p. 287.]

An official message from Berlin (*via* Amsterdam, Dec. 5) states that the Russian deputation which had come to arrange the terms of an armistice was greeted yesterday afternoon at four o'clock by Prince Leopold of Bavaria, Commander-in-Chief in the East, with a short speech.

Negotiations were then begun for the conclusion of an armistice. Those present, under the presidency of the Chief of the General Staff, General Hoffman, included representatives of the German land and sea forces and of the chief Army Commands of Bulgaria, Austria-Hungary, and Turkey.

An official telegram from Vienna (*via* Amsterdam, Dec. 5) says that the armistice negotiations with Russia were continued yesterday.

A general discussion took place regarding individual points. A joint committee of deliberations was held during the afternoon. The next full sitting has been arranged for to-morrow morning.

12. SESSION OF 5 DECEMBER, 1917.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 7 December, 1917, p. 291.]

The following *communiqué* on the progress of the armistice negotiations between the Bolsheviks and the enemy's military delegates, transmitted through the wireless stations of the Russian Government, was received (Dec. 6):

On Dec. 5, at 10 a. m., the Conference opened in the presence of the representatives of Germany, Austria-Hungary, Turkey, and Bulgaria. Hindenburg and Holendorf have charged with the negotiations the Commander in Chief of the Eastern front, Prince Leopold of Bavaria, who, in his turn, has nominated his chief of staff, General Hoffman. Other delegates have received similar authority from the Highest Commander in Chief. The enemy delegation is exclusively military.

Our delegates opened with a declaration concerning our peace aims, in view of which the armistice has been proposed. The enemy delegates replied that that was a question to be solved by the politicians, that they were soldiers, having powers only to negotiate the conditions for an armistice, and that they could add nothing to the declaration made by Count Czernin and von Kühlmann.

Our delegates, taking due note of this evasive declaration, proposed that they should immediately address to all countries involved in the war—including Germany and her allies, and all States not represented at the conference a proposal to take part in the drawing up of an armistice on all fronts.

The enemy delegates again replied evasively that they did not possess such powers. Our delegation then proposed that they should ask their Government for such authority. This proposal was accepted, but no reply was communicated to the Russian delegation up to 2 p. m. on Dec. 5.

Our representatives submitted a project for an armistice on all fronts elaborated by our military experts. The principal points of this project were:

1. An interdiction against sending over forces from our front to the fronts of our Allies; and
2. The retirement of the German detachments from the islands of the Moon Sound.

The enemy delegation submitted a project for an armistice on the front from the Baltic Sea to the Black Sea. The German proposal is being now examined by our military experts. The negotiations will be continued to-morrow morning.

Our conditions are:

1. The retirement of the German detachments from the Islands of the Moon Sound; and
2. An interdiction against sending over forces from our front to other fronts.

The enemy delegation declared such conditions unacceptable, and expressed the opinion that such demands could be addressed only to a conquered country. On the categorical statement by our plenipotentiaries that they were treating for an armistice on all fronts with a view to the conclusion of a general democratic peace on the basis established by the All-Russian Congress of the Councils, the enemy delegates again evasively replied that they could not consider the question in such a manner, because they were authorized at the present only to negotiate with the Russian delegation, in view of the absence of the Allies of Russia from the conference.

Our delegates again replied that their task consisted in drawing all belligerent countries to the negotiations for the purpose of securing a general peace. Having regard to the evasive replies of the enemy, our delegates, as already stated, have submitted the enemy

conditions for an armistice to our military experts for their criticism from a purely military point of view and in order that they may indicate in what respect modifications are necessary in the interests of our armies and our navy, from the Black Sea to the Baltic.

The first point with regard to the proposed enemy armistice was the duration of the armistice, which was at first indicated as being for a fortnight to begin from Dec. 8.

After discussion, the German delegates expressed their readiness for a prolongation to 28 days, and this term may be automatically prolonged provided there is no refusal, which must be made seven days before the expiration of the armistice, which is to begin on Dec. 10, if our delegations leave Brest to-morrow; but, if they leave later, then the armistice will begin later accordingly. Before the commencement of the official armistice it must be definitely established that hostilities will cease.

From the beginning our delegates have insisted on a true record of all negotiations and of their determination to publish them in their entirety. The minutes and the language of the sessions are, on our side, in Russian, and German for the German side. A special commission has been created, which, after every session, compares both minutes.

We have made the request that the next meeting of the plenipotentiaries shall take place on Russian territory, and that there should be an interval of seven days in the negotiations in order that our delegation may return to Petrograd.

RUSSIAN ACCOUNT, CONTINUED.

[From the (British) *Daily Review of the Foreign Press*, 8 December, 1917, p. 302.]

A Petrograd telegram (Dec. 5) completes the account of the negotiations at Brest-Litovsk for an armistice:

Thus there took part in the negotiations delegates from all the enemy countries. With the exception of Russia, no Allied State was represented at the negotiations. The peoples of the Allies ought to know that the negotiations have begun and that they will be continued independently of the present action of Allied diplomacy. The negotiations, in which the Russian delegation is defining the conditions of a general democratic peace, affect the fate of all peoples including the peoples of the belligerents whose diplomacy is holding aloof from the negotiations. The peoples of the Allies, their Parliaments, and above all their Socialist parties, ought to decide if such conduct by their diplomacy is to their interests. Taking into consideration these interests the Russian Government announces that the principal condition of the armistice is the nondispatch of troops from the Eastern front to the Western front. The armistice can not and must not benefit one militarism against another militarism. The interests of the peoples of the Allies can be successfully defended only if the peoples of the Allies wish to take part in the negotiations and show their desire for an immediate armistice and a democratic peace.

ANOTHER RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, December 11, 1917, p. 325.]

The Bolsheviks announce (December 8) that, according to the agreement signed at Brest-Litovsk on 5 December, military operations from the Baltic to the Black Sea and on the Russo-Turkish front in Asia are suspended from 6 December to 17 December. This includes the German military forces in the Moon Sound islands. Both sides have the right of renewal if three days' warning is given. Flights by aircraft in the enemy's country and also ten versts within their own lines are stopped. During the armistice troops, numbering a division or more, may only be moved if orders therefor had been given prior to 5 December. The next meeting takes place on 12 December, also at Brest-Litovsk.

According to *Pravda* the Bolshevik delegation proposed an armistice for six months. Among other conditions they put forward the evacuation of the Gulf of Riga and Moon Sound by the naval forces of both sides.

The Military Revolutionary Committee proclaims officials in Government Departments and other institutions who strike to be enemies of the people. Their names are to be published in the organs of the Soviets and posted up in public places. The Committee declares "those who foster economic ruin and undermine the supplies of the army and the country are outcasts and have no right to mercy."

The chief Bolshevik delegate, Kamenev, states (9 December) that the official negotiations at Brest-Litovsk were followed by a semiofficial exchange of views, at which the Germans finally agreed not to transfer troops to other fronts.

ANOTHER RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 10 December, 1917, p. 311.]

A message from Petrograd (Dec. 6) states:

The Commissioners announce that their plenipotentiaries at Brest-Litovsk proposed an armistice on all fronts, the prohibition of the transfer of troops from Russian to the Allied fronts, and the evacuation by the Germans of the Moon Sund islands.

The German delegates proposed an armistice from the Baltic to the Black Sea. They rejected the conditions regarding the transfer of troops and the Moon Sund. They declined to discuss the proposed armistice on all fronts, as their mandate was restricted to pourparlers for an armistice with the Russian delegation. They agreed to an armistice for 28 days beginning on December 10, with automatic continuance in the absence of a seven days' notice of its repudiation. Military operations are to be suspended pending the beginning of the official armistice. The Russians proposed that the next meeting of the plenipotentiaries should be on Russian territory.

Another account of the armistice proceedings adds that the next meeting of plenipotentiaries will take place in a week.

The representatives of Germany, Austria-Hungary, Turkey, and Bulgaria attended the conference at Brest-Litovsk, which was of an exclusively military character. General Hoffmann, Chief of the General Staff of Prince Leopold of Bavaria, was Germany's chief representative at the conference. The enemy delegates declined to discuss the objects of peace, declaring that they had only been authorized to treat with the military conditions of the armistice. They also declined the Russian proposal that the members of the conference should immediately invite all belligerents to participate in the formation of conditions for an armistice. It was, however, agreed to telegraph to the respective Governments for instructions in this connection. The German delegates qualified the Russian conditions as absolutely unacceptable. Such proposals could only be made if Germany were beaten. General Hoffmann is described as being very indignant, and as having said to one of the Russian delegates, "If you repeat these conditions we will fight."

13. TROTSKY'S NOTE TO THE ALLIES.

[From the (British) *Daily Review of the Foreign Press*, 10 December, 1917.
p. 311.]

News transmitted through the wireless stations of the Russian Government says:

To-day (Dec. 6) the People's Commissary for Foreign Affairs has sent to all the Allied Embassies and Legations the following note:

The negotiations opened by the delegates of Germany, Austria-Hungary, Turkey, and Bulgaria, on the one side, and the delegates of Russia, on the other side, have been interrupted, on the initiative of our delegation, for a week, with the purpose of providing the opportunity during this period of informing the peoples and Governments of the Allied countries on the existence of such negotiations and on their tendency.

From Russia's side it has been arranged to declare that the proposed armistice has for its object the preparation of a peace on a democratic basis as expressed in the manifesto by the All-Russian Congress of the Councils of the Workmen's and Soldiers' Delegates.

The armistice can be signed only under the conditions that the troops will not be sent from one front to another and that the islands of the Moon Sounds must be cleared by Germans.

Concerning the aims of the war, the enemy delegates evaded a definite reply. Indicating that they had been authorized to negotiate exclusively on the military side of the (proposed?) armistice and not concerning the question of a general armistice, the delegates of the opposite side declined, on the ground that they did not possess powers for deciding a general armistice with the countries whose delegates are not taking part in the conference.

The delegates of the opposite side proposed in their turn an armistice on the front from the Baltic Sea to the Black Sea, the duration of this armistice to be twenty-eight days. At the same time the delegates of the opposite side promised to transmit to their respective Governments the proposals made by the Russian delegation to invite all belligerent countries (that is, all Allied countries except Russia) to take part in the negotiations. Our delegation refused to sign at this stage of the negotiations a formal armistice, and it was decided again to suspend all hostile activities for a week and to interrupt for the same period the negotiations on an armistice.

As a result, a period of over one month will exist between the first decree of Nov. 8 by the Council's authority concerning peace and the moment of the continuation of the peace negotiations on Dec. 12. This period is, even for the present disturbed state of international communication, amply sufficient to afford the Allied Governments the opportunity to define their attitude toward the peace negotiations; that is, their willingness or their refusal to take part in the negotiations for an armistice and peace. In the case of a refusal, they must declare clearly and definitely before all mankind the aims for which the peoples of Europe may have to lose their blood during a fourth year of war.

L. TROTSKY,

People's Commissioner for Foreign Affairs.

14. SESSION OF 5 DECEMBER.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 8 December, 1917, p. 298.]

German wireless states (Dec. 6) :

On Dec. 5 the authorized representatives of the Chief Army Administration of Germany, Austria-Hungary, Turkey, and Bulgaria concluded in writing with the authorized representatives of the Russian Chief Army Administration a suspension of the hostilities for ten days for the whole of the mutual fronts. The beginning is fixed for Dec. 7, at noon. The ten days' period will be utilized in bringing to a conclusion the negotiations for an armistice.

For the purpose of reporting verbally regarding the results, a portion of the members of the Russian deputation has returned home for a few days. The sittings of the Commission continue.

15. SESSION OF 13 DECEMBER.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 15 December, 1917, p. 359.]

A Berlin official telegram via Amsterdam (Dec. 13) says that the Russian Delegation again arrived at Brest-Litovsk on Dec. 12, as prearranged, for the continuation of the armistice negotiations. The next plenary sitting of the plenipotentiaries was to be held this morning.

An official telegram from Vienna says that the negotiations for an armistice on all the Russian fronts were resumed again this morning.

ANOTHER GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 17 December, 1917, p. 367.]

A Berlin telegram via Amsterdam (14 December) officially announces that plenary sittings took place at Brest-Litovsk in the morning and afternoon of 13 December. The details of both armistice proposals were thoroughly discussed. The negotiations are to be continued on 14 December.*

* No account of a session on 14 December has been found.

16. SESSION OF 15 DECEMBER.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 18 December, 1917, p. 380.]

A German wireless (16 December) gives the following account of the armistice concluded with Russia:

The armistice agreement was signed at Brest-Litovsk on 15 December by the plenipotentiary representatives of the Russian Higher Army Administration on the one hand and those of the Higher Army Administration of Germany, Austria-Hungary, Bulgaria, and Turkey on the other hand. The Armistice begins at noon on 17 December and remains in force until 14 January, 1918. Unless seven days notice is given it continues in force automatically. It extends to all the land, air, and naval forces of the common fronts. According to Clause 9 of the Treaty, peace negotiations begin immediately after the signing of the armistice.*

17. RUSSIAN PROCLAMATION OF 15 DECEMBER.

[From the (British) *Daily Review of the Foreign Press*, 18 December, 1917, p. 380.]

A Russian wireless (16 December) gives the following proclamation by the Commander in Chief:

To all Commanders of the North, West, South, and the Caucasus.
 To all Commissioners of the North, West, South, and the Caucasus.
 To all Army Military Revolutionary Committees.
 To the Revolutionary Military Committees at the Headquarters.
 To all at the Front.

In consequence of the signing of the Armistice Treaty, which will begin to operate at 2 o'clock in the morning at 17 December of this year, I propose, until receiving the full text of the Treaty, to cease all military operations (No. 7604).

Signed by the High Commander KRYLENKO.

Confirmed.

Commander BAUEVITCH.

15 DECEMBER, 1917.

18. SESSION OF 22 DECEMBER.

GERMAN ACCOUNT.†

[From the (British) *Daily Review of the Foreign Press*, 25 December, 1917.]

According to a telegram from Vienna via Amsterdam (Dec. 22), the newspapers there learn from well-informed quarters that Count Czernin, the Austro-Hungarian Minister of Foreign Affairs, and his staff arrived at Brest-Litovsk at noon on Thursday last.

Count Czernin was received at the railway station by the Chief of the General Staff of the Supreme Army Command in the East.

* The first session of the peace conference took place on 22 December, 1917, at Brest-Litovsk.

† The *Deutscher Reichsanzeiger* of 24 December, 1917, contains an account practically identical with this.

The first meeting of the Russian plenipotentiaries took place at a dinner and was of a friendly character. The formal peace negotiations will not begin until early next week, as the German, Turkish and Bulgarian delegates only arrived at Brest-Litovsk yesterday and to-day, therefore only informal discussions are taking place.

A telegram from Brest-Litovsk, dated Dec. 22, says:

The German Secretary of State for Foreign Affairs, Baron von Kühlmann, with his suite, arrived there on Friday evening, simultaneously with the Bulgarian delegation. The same evening Baron von Kühlmann met the representatives of the four Central Powers and the Russian delegates. On Dec. 22, at 4 o'clock in the afternoon, peace negotiations were opened at a solemn sitting, attended by the following representatives: For Germany—Baron von Kühlmann, Herr von Rosenberg, Baron von Hoesch, General Hoffmann, and Major Brinckmann; for Austria-Hungary—the Foreign Minister, Count Czernin; Herr von Meroy; Freiherr von Wieser, Minister of Commerce; Count Colleredo; Count Csaky; Lieutenant Field Marshal von Csiscerics; Lieutenant Pokorny; and Major von Glaise; for Bulgaria—M. Popoff, Minister of Justice; M. Kosseff, Secretary to the Minister of Foreign Affairs; M. Stoyaonvitch, Director General of Posts and Telegraphs; Colonel Gantjeff; and Doctor Anastasoff; for Turkey—Nessimy Bey, Minister for Foreign Affairs; Ibrahim Hakki Pasha; Rechad Hikmet Bey, Under Secretary of State for Foreign Affairs; and General Zeki Pasha; for Russia—MM. Joffe, Kameneff, Bizenko, Pokrovsky, Karachan, Lubinski, Weltman, Pavlovitch, Admiral W. M. Altvater, General Samoillo, Colonel Fokke, Colonel Zeplitt, and Captain Lipsky.

In his capacity as Commander in Chief of the Eastern front, Prince Leopold of Bavaria welcomed the representatives of the four Central Powers and Russia in a speech in which, in reference to the favorable and successful results of the armistice negotiations, he expressed the confident hope that the negotiations which had begun might speedily lead to a peace which would bless all peoples. Prince Leopold then invited Hakki Pasha, as senior representative, to open the negotiations. Hakki Pasha thanked Prince Leopold for that honor, welcomed the delegates, and opened the negotiations by expressing his best wishes for a prosperous result. He proposed Baron von Kühlmann as First President of the negotiations, which was unanimously adopted. Baron von Kühlmann said:

It is for the country I represent and for me a great honor to preside according to the decision of the Conference at the first sitting at which the representatives of the four Central Allied Powers meet the delegates of the Russian people for the purpose of terminating the war and reestablishing a state of peace and friendship between Russia and the Powers represented. In view of the situation, there can be no question of preparing in the course of the deliberations, which are now opened, an instrument of peace elaborated in its smallest details. What I have in my mind is fixing the most important principles and conditions on which peaceful and neighborly intercourse, especially in cultural and economic respects, can speedily be reestablished, and deciding

upon the best means to heal the wounds caused by the war. Our negotiations will be guided by a spirit of placable humanity and mutual esteem. They must take into account, on the one hand, what has become historical in order not to lose our footing on the firm ground of facts, but, on the other hand, they must also be inspired by that new great leading motive (*Leitgedanke*), which has brought us here together. I may regard as an auspicious circumstance that our negotiations begin in sight of that festival which for many centuries past has promised peace on earth and good will to men. I enter into these negotiations with the sincere wish that our work may make speedy and prosperous progress.

On the President's proposal the following decisions were arrived at: Questions of precedence will be decided according to the alphabetical list of represented Powers. The plenary sittings will be alternately presided over by the chief representative of each of the five powers. German, Bulgarian, Russian, and Turkish are admitted as languages to be used in debate. Questions which interest only some of the represented Powers can be discussed among the representatives in question in special negotiations. The official reports of the proceedings will be drafted jointly. On the President's invitation, the chief Russian representative, in a long speech, stated the principles of the Russian peace program, which coincided on the whole with the well-known resolutions of the Workmen's and Soldiers' Council and the All-Russian Peasants' League. The representatives of the four allied Central Powers declared their readiness to begin the examination of the Russian program. The result of the examination will be discussed at the next sitting.

19. SESSION OF 22 DECEMBER.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 27 December, 1917, p. 440.]

Pravda (23 December) states:

At four o'clock on Saturday, 22 December, the first public sitting of the delegates was opened by Prince Leopold of Bavaria. Germany was represented by Baron von Kühlmann, Secretary of State for Foreign Affairs, Austria-Hungary by Count Czernin, Turkey by the Grand Vizier, and Bulgaria by M. Popov, Minister of Justice. Baron von Kühlmann proposed that each delegation in its turn should preside.

Our delegation demanded and obtained publicity for the sittings and the right to publish the protocols. The Russian delegation, in conformity with the clearly expressed wish of the Russian revolutionary peoples to arrive as soon as possible at the conclusion of a general democratic peace, considers that the only principles of a peace equally acceptable for all are the principles enunciated in the peace decree which was accepted unanimously by the Congress of Russian Peasants. The Russian delegation proposes to base the peace pourparlers on the six following points:

(1) The union by violence of territories conquered during the war will not be tolerated. The troops in occupied territories shall evacuate them within a brief time.

(2) The entire restoration of the political independence of peoples who have been deprived of their independence during the course of the present war.

(3) The groups of different nationalities which did not enjoy political independence before the war shall have guaranteed to them the right of deciding freely the question of whether they shall belong to one State or another, or shall enjoy national independence by means of a referendum. At the referendum entire liberty to vote shall be given to all inhabitants of the respective territories, including refugee immigrants.

(4) In territories inhabited by different nationalities, the rights of minorities shall be guaranteed, with special rights of national independence regarding culture and administrative autonomy.

(5) No belligerent country shall pay an indemnity. In regard to so-called costs of war, payments already made shall be returned. As for indemnities levied on private persons, special funds shall be constituted by proportional payments from all belligerent countries.

(6) Colonial questions shall be settled in conformity with the first, second, third, and fourth clauses.

The Russian delegation also regards as intolerable any restriction of the liberty of weaker nations by stronger, such as an economic boycott, the subjection of one country to another by means of the imposition of commercial treaties, and separate customs conventions hindering freedom of commerce with a third country.

After this declaration, Baron von Kühlmann stated that the other delegations required an interval to consider their reply. It was accordingly decided that the delegation should adjourn until four o'clock 24 December.*

20. SESSION OF 25 DECEMBER.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 29 December, 1917.†]

A telegram from Brest-Litovsk (dated Dec. 25) *via* Vienna says:

At the sitting of Dec. 22 the Russian Delegation had declared that it started from the standpoint of the clearly expressed will of the peoples of Russia to attain as soon as possible the conclusion of a general and just peace, equally acceptable to all. Appealing to the resolution of the All-Russian Congress of Workmen and Soldiers' Deputies and the All-Russian Peasant Congress, the Russian Delegation pointed out that it considered the continuation of the war merely with the object of annexations a crime.

Starting from these principles, it proposed that the peace negotiations should be based on the following six points:

(1) No forcible union of territories conquered during the war shall be permitted. The troops occupying such territories shall be withdrawn within the shortest period.

(2) The political independence of peoples that have lost their independence during the war shall be restored in its fullest extent.

* The second meeting of the peace conference, which had been fixed for 24 December, was postponed until the following day. [*Daily Review of the Foreign Press* (British), 28 December, p. 446.]

† The *Deutscher Reichsanzeiger* of 27 December, 1917, contains an account practically identical with this.

(3) National groups which before the war were not politically independent shall be guaranteed the possibility of deciding by referendum the question of belonging to one State or another, or enjoying their political independence; this referendum must be arranged in such a manner that complete independence in voting is guaranteed for the entire population of the region in question, including emigrants and refugees.

(4) In regard to territory of mixed nationality, the right of the minority shall be protected by special law giving it independence of natural culture and, if practicable, autonomous administration.

(5) None of the belligerent countries shall be obliged to pay another country any so-called war costs. Contributions already levied are to be paid back. Regarding the indemnification of losses suffered by private persons in consequence of the war, these shall be met out of a special fund, to which the belligerents shall proportionally contribute.

(6) Colonial questions shall be decided in conformity with the principles laid down in points 1 to 4.

Supplementing the foregoing, the Russian Delegation proposed to the contracting parties to brand every kind of covert combating of the freedom of weak nations by strong as not permissible, as, for example, by economic boycott, economic predominance of one country over another on the ground of forced commercial treaties, by special tariff treaties which restrict freedom of trade with a third country, or by a sea blockade which does not pursue a direct war aim, etc.

At the plenary sitting held to-day Count Czernin, who presided, made the following statement in the name of the Delegations of the Quadruple Alliance:

The Delegations of the Allied Powers proceed from the clearly expressed will of their Governments and peoples to reach as soon as possible the conclusion of a general and just peace. The Delegations of the Allies are (in accord with the repeatedly announced standpoint of their Governments) of opinion that the main lines (*Leitsätze*) of the Russian proposals form a discussible basis for such a peace. The Delegations of the Quadruple Alliance are in accord with an immediate general peace without forcible acquisitions of territory and without war indemnities. When the Russian Delegation condemns a war prosecuted only for purposes of conquest, the Delegations of the Allies are in accord with its view. The statesmen of the Allied Governments in their programmes have repeatedly emphasized that the Allies would not prolong the war a day in order to make conquests. The Governments of the Allies have without deviation adhered to this standpoint. They solemnly declare their determination to sign without delay a peace that will end this war on the foregoing basis without exception and with the same just conditions for all the belligerent Powers. It must, however, be expressly pointed out that all the Powers now participating in the war must within a suitable period, without exception and without any reserve, bind themselves to the most precise adherence to conditions binding all nations in the same manner, if the suppositions of the Russian *exposé* are to be fulfilled; for it would not do for the Powers of the Quadruple Alliance negotiating with Russia one-sidedly to tie themselves to these conditions without a guaranty that Russia's Allies will recognize and will carry out these conditions honestly and without reserve also as regards the Quadruple Alliance.

This having been stated beforehand, the following observations must be made regarding the six points which are proposed by the Russian Delegation as a basis for negotiations.

(1) It is not the intention of the Allied Governments to appropriate forcibly territories which are at present occupied. The question of the troops in occupied territories must be settled in the sense of the withdrawal of troops from such and such places.

(2) It is not the intention of the Allies to rob of its independence any of the nations which in the course of this war have lost their political independence.

(3) The question of the State allegiance of national groups which possess no State independence can not, in the opinion of the Quadruple Alliance, be regulated as between States, but is, if required, to be solved by every State with its peoples independently in a constitutional manner.

(4) Likewise, according to the declaration of the statesmen of the Quadruple Alliance, protection of the right of minorities forms an essential component part of the constitutional right of peoples to self-determination. The Allied Governments also grant validity to this principle everywhere in so far as it is practically realizable.

(5) The Allied Powers have frequently emphasized the possibility that not only could both sides renounce indemnification for war costs, but also indemnification for war damage. Accordingly, every belligerent Power would only have to indemnify for the expenditure for its nationals who have become prisoners of war, as well as for damage done in their own territory by illegal acts of force committed against civilian nationals belonging to the enemy. The Russian Government's proposal for the creation of a special fund for this purpose could only be taken into consideration if other belligerent Powers were within a suitable period to join in the peace negotiations.

(6) Regarding this point Germany is the only one of the four allied Powers that disposes of overseas colonies. On this subject the German delegation, in full accord with the Russian proposals, makes the following declaration:

The return of colonial territory, forcibly occupied and captured during the war, is an essential component part of the German demands, which, under no circumstances, can be departed from. The Russian demand for the speedy evacuation of such regions as are occupied by the enemy likewise corresponds with German views. In view of the nature of the German colonial territory, the form proposed by the Delegation on the basis of the principle previously discussed, seems at present impracticable. The fact that the natives of the German colonies, despite the greatest difficulties and the slight prospects of success in the struggle against an enemy many times superior, and disposing of unlimited overseas reinforcements, have, through thick and thin, loyally adhered to their German friends, is proof of their attachment and their resolve under all circumstances to remain with Germany, a proof which in seriousness and in weight far exceeds every possible demonstrations of wishes by voting. The principles for economic intercourse propounded by the Russian Delegation in association with the six points just discussed meets with the unconditional agreement of the Delegations of the Allied Powers, which have always advocated the exclusion of all economic oppression, and which see in the restoration of a regular economic intercourse, which takes fully into account the interests of all concerned, one of the important requisites for consolidating friendly relations between the present belligerents.

Following this declaration, Count Czernin, basing himself on the principles just laid down, said:

We are ready to enter into negotiations with all our enemies; but, in order to avoid unnecessary loss of time, the Allies are ready to enter upon the consideration of those special points the examination of which seems in any case necessary for both the Russian Government and the Allies.

The leader of the Russian Delegation replying, said:

The Delegation notes with satisfaction that the reply of the Delegations of Germany, Austria-Hungary, Bulgaria, and Turkey accepted the principles of a general democratic peace without annexations. The Delegation recognizes the enormous importance of this advance on the road to a general peace. It must, however, observe that the reply contains an important reservation on point three. The Russian Delegation has further noted with satisfaction in the declaration of the four allied Powers on point five the recognition of the principle of no indemnities. It has made a reservation, however, regarding indemnification for the support of war prisoners.

The Russian Delegation further declared that it attached importance to the indemnification from an international fund of private persons who have suffered from acts of war. The Delegation also recognized that the evacuation by the enemy of occupied German colonies corresponds to the principles it has laid down, and it proposes that the question whether the principle of the free expression of the people's will is applicable to colonies should be reserved for a special commission. Finally, the head of the Russian Delegation declared that, despite the differences mentioned, the Delegation is of opinion that the frank statement contained in the reply of the four allied Powers, namely, that no aggressive intentions are entertained, offers a real possibility of an immediate start with the negotiations for a general peace between the belligerent States. The Russian Delegation therefore proposed that negotiations be interrupted for ten days from Dec. 25 until Jan. 4 so that the peoples whose Governments have not yet joined in the negotiations proceeding here for a general peace may have an opportunity of making themselves acquainted with the principles of such a peace as now set forth. After the expiry of this period the negotiations must under all circumstances be continued.

Count Czernin then asked the Russian Delegation to present its answer in writing and proposed an immediate start with the negotiations on those special points which in any case have to be settled between the Russian Government and the Governments of the Allied Powers. The head of the Russian Delegation agreed to Count Czernin's proposal and expressed his readiness immediately to enter upon a discussion of those points which in the event of general peace negotiations would have to form the object of special discussions between Russia and the four Allies. On the proposal of Baron von Kühlmann, it was unanimously decided, with a view to avoiding all loss of time and in regard to the importance of the task to be fulfilled, to begin these negotiations to-morrow morning (Dec. 26).

21. SESSION OF 25 DECEMBER.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 29 December, 1917, p. 455.]

Pravda (Dec. 26) states that with regard to the German reply on the third of the points laid down by the Russian delegation as the basis for peace negotiations, the Russian delegation pointed out that the German reply contained a reservation.

The abolition of annexation is the logical consequence of the general principle of the right of peoples to regulate their own destinies.

This right is recognized in existing constitutions only in a small degree, and consequently to speak of constitutional channels as the sole means to achieve this right is to nullify this principle. It must be said that the Four Allied Powers, while they agree not to apply the right of the strongest in territories occupied during the war, nevertheless do nothing for small nationalities in their own territory. The war can not come to an end without the restoration of independence to small nationalities. The Russian Delegation, as formerly, insists on the rights of these nations being protected in the peace treaty. Historical prescription does not justify one people being subservient to another.

22. SESSION OF 26 DECEMBER.

[From the (British) *Daily Review of the Foreign Press, Enemy Press Supplement*, 10 January, 1918, p. 419.]

Following the agreement made yesterday, deliberations took place to-day between the representatives of Germany and Austria-Hungary on the one side and of Russia on the other, the essential part of which was concerned with the restoration of trade communications (*Verkehr*) between the Powers named. The deliberations will be continued.

23. SESSION OF 27 DECEMBER.

[From the (British) *Daily Review of the Foreign Press, Enemy Press Supplement*, 10 January, 1918, p. 419.]

The deliberations of the Delegations of the Allies with the Representatives of Russia were continued in the course of to-day also. The deliberations have been carried so far forward that a short interruption of the negotiations can be contemplated, in order that the Delegations, some of which have to get into touch with their authorities at home, may have the opportunity to do so.

24. SESSION OF 28 DECEMBER.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 1 January, 1918.*]

A telegram from Brest-Litovsk (*via* Berlin, dated Dec. 28) says:

In the course of to-day's discussion between the delegations of the Allies and Russia, the provisional discussion was terminated of those points which in the event of a general peace would have to be settled between Russia and these Powers. The discussions were conducted in a spirit of conciliatoriness and mutual understanding. On the whole series of important points a basis of agreement was reached. Besides political questions, legal and economic questions were satisfactorily settled under reserve of examination by the home authorities.

* The *Deutscher Reichsanzeiger* of 29 December, 1917, contains an account practically identical with this.

Firstly, an agreement was reached regarding the restoration of the treaty situation (*Vertragszustand*) interrupted by the war. Further, it was agreed that both legally and economically one country should not be treated by another worse than any third country which can not appeal to treaty rights. War laws (*Kriegsgesetze*) are to be abolished and those affected restored to their previous rights or indemnified.

The rules settling war costs and war damage were defined in more detail. An agreement was reached about damage accruing to civilians outside the war area. An agreement in principle was reached regarding the reciprocal liberation and sending home of war prisoners and interned civilians. The same applies to the return by each party of merchant ships.

Finally, provision was made for the speedy resumption of diplomatic and consular relations. In the economic field there was complete agreement about the immediate stoppage of economic war, the restarting of commercial intercourse, and the establishment of an organized exchange of commodities.

Substantial agreement has been reached regarding the basis on which the economic relations of the two countries should be permanently settled.

Regarding the important question of the treatment of occupied territories, the Russians made the following proposal:

In full accord with the public declarations of both contracting parties that they cherish no bellicose plans and that they desire to conclude peace without annexations, Russia will withdraw her troops from all parts of Austria-Hungary, Turkey, and Persia occupied by her, while the Powers of the Quadruple Alliance will withdraw theirs from Poland, Lithuania, Courland, and other regions of Russia. In accordance with the principles of the Russian Governments, which has declared the right of all peoples living in Russia to self-determination, including even separation, the populations in these districts will be given an opportunity within the shortest possible period of deciding entirely and freely the question of their union with one or other empire or of their formation into independent States. In this connection the presence of any troops, apart from the national or local militia, in the territories which are voting is not permissible. Until this question is decided the Government of these regions will remain in the hands of representatives of the local population, elected democratically. The date of evacuation in other circumstances and the commencement of the demobilisation of the army is to be fixed by a special military commission.

Germany then proposed to give the following form to the two first articles of the preliminary treaty which is to be concluded:

(1) Russia and Germany are to declare the state of war at an end. Both nations are resolved to live together in future in peace and friendship. On the condition of complete reciprocity *vis-à-vis* her allies, Germany would be ready, as soon as peace is concluded with Russia and the demobilisation of the Russian Armies has been accomplished, to evacuate her present positions and occupied Russian territory, in so far as no different inferences result from Art. 2.

(2) The Russian Government having, in accordance with its principles, proclaimed for all peoples without exception living within the Russian Empire the right of self-determination, including complete separation, takes cognizance of the decisions expressing the will of the people demanding full State inde-

pendence and separation from the Russian Empire for Poland, Lithuania, Courland, and portions of Esthonia and Livonia. The Russian Government recognizes that in the present circumstances these manifestations must be regarded as the expression of the will of the people and is ready to draw conclusions therefrom. As in those districts to which the foregoing stipulations apply, the question of evacuation is not such as is provided for in Art. 1, a special Commission shall discuss and fix the time and other details in conformity with the Russian idea of the necessary ratification by plebiscite, on broad lines, and without any military pressure whatever, of the already existing proclamations of separation.

The Austrian Delegation made a similar statement.

The Russian Delegation took cognizance of these statements and defined their standpoint as follows:

Our standpoint is that only such a manifestation of will can be regarded as *de facto* the expression of the will of the people as results from a free vote taken in the districts in question with complete absence of foreign troops. We therefore propose, and must insist, that clearer and more precise formulation of this point be made. We, however, consent to a special commission being appointed for the examination of the technical conditions for the realization of such a referendum and also for the fixing of a definite time for evacuation. In view of the course which the negotiations have hitherto taken, it can be stated with satisfaction that as regards the settlement of the most important questions the views of the represented Powers tally on many points, while as regards others their views approach each other, so that also regarding the latter points the hope of arriving at an agreement is well founded.

A further telegram from Brest-Litovsk (via Berlin, dated Dec. 29) says:

To-day's sitting, the third, and last before the adjournment until Jan. 4, was opened by the Bulgarian Minister of Justice, M. Popoff, who, referring to the significance of the peace negotiations as promising a basis for a new era in the development of International Law, said that humanity owed much to the Quadruple Alliance and to the delegation from Russia, which represented the sense of justice of the great Russian people. M. Popoff then asked M. Ioffe, the leader of the Russian delegation, to preside at the meeting.

M. Ioffe, who then took the chair, pointed out that it was resolved at the last plenary session, after the discussion of certain special questions between the representatives of the Quadruple Alliance and Russia, to fix Jan. 1 (new style) for the next full meeting. In accordance with the decisions arrived at during the present deliberations, to-day's sitting will be the last until Jan. 4, 1918.

H. H. Ibrahim Hakki Pasha then asked leave to speak in order to address a few words to the meeting before the interval of six days which was to ensue. He pointed out that the hope he expressed at the opening of the Conference that he would soon see a satisfactory end to their labors had shown itself not to have been too bold. Almost all the difficult questions which have arisen out of three and a half years of war had been discussed and examined. It may be said that the majority of them are to-day on the way toward a practical solution. A very satisfactory result had been obtained during the six days of negotiations. Thanks were due to the Russian delegation for this outcome of the deliberations, during which they have

shown such frankness, fairness, and practical good sense. These Russian gentlemen have proved that they are both good diplomatists and good statesmen. In conclusion, Hakki Pasha wished the members of the Russian delegation a safe return home, and expressed the hope that he would see them safely back again on the day fixed.

The leader of the Russian delegation also expressed the opinion that the negotiations entered upon had made a good beginning and led to the hope that this devastating war would soon come to an end. "In the interval now commencing," concluded M. Ioffe, "we shall all have the feeling that we have at the back of us millions of suffering people who are looking for the termination of the war. Conscious of this responsibility before our peoples, before humanity, and before history, we cherish the hope and inner strength that we shall find a way to general peace. In this hope I declare the sitting closed."

25. RUPTURE OF NEGOTIATIONS.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 5 January, 1918, p. 501.]

Pravda (Jan. 3) announces:

Comrade Joffe, President of the Russian Delegation, sent (Jan. 2) to the Presidents of the German, Austro-Hungarian, Bulgarian, and Turkish Delegations the following telegram:

The Government of the Russian Republic considers it urgent that the peace pourparlers should be ultimately conducted on neutral territory, and proposes that they be transferred to Stockholm.

The Delegation awaits a reply on this subject at Petrograd.

In so far as the proposal of Dec. 25 by the German and Austrian Delegations is concerned, at least in the draft containing the two first articles, The Government of the Russian Republic, as well as the Central Executive Committee of the Soviets, in full agreement with the opinion expressed by our Delegation, considers the proposal to be contrary to the principle of free national self-determination even in the limited formula of the reply of the Quadruple Alliance to the President of the Peace Delegation.

(Signed) JOFFE.

26. RUPTURE OF NEGOTIATIONS.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 8 January, 1918, p. 524.]

An official communique issued from Berlin (5 January) states that the Brest-Litovsk negotiations have been temporarily broken off.

This decision was taken at the Crown Council, for which Hindenburg and Ludendorff came specially to Berlin to-day.

German wireless reports from Brest-Litovsk (4 January):

Owing to the Russian demand for a transfer of the Brest-Litovsk negotiations to Stockholm, the peace negotiations have been temporarily broken off by the Quadruple Powers. The Russian peace

delegates, in spite of the agreement, have not returned to Brest-Litovsk from Petrograd.

A telegram from Brest-Litovsk (via Amsterdam, 7 January) reports that the following joint wireless message has been sent to Comrade Joffe, the President of the Russian peace delegation, by Bahon von Kühlmann, Count Czernin, M. Popoff, and Nassimi Bey, the heads of the respective delegations of the Quadruple Alliance:

In their reply to the proposals of the Russian delegation the delegations of the Central Powers outlined on 25 December at Brest-Litovsk certain guiding principles for the conclusion of an immediate general peace. In order, however, to avoid any one-sided commitment they expressly made the validity of these guiding principles dependent upon the obligation that all the Powers engaged in the war, without exception and without reserve, should within a suitable period bind themselves strictly to observe these conditions, which were equally binding upon all peoples. With the consent of the four allied delegations, the Russian delegation then fixed the term of ten days within which the other belligerents should take cognizance of these principles for the conclusion of an immediate peace as laid down at Brest-Litovsk, and decide as to whether they would join in the peace negotiations or not. The delegations of the Allied Powers now place on record the fact that the ten days' terms agreed upon lapsed on 4 January, and that no declaration regarding participation in these peace negotiations has so far been received from any of the other belligerents.

27. RUSSIANS DECIDE TO RETURN TO BREST-LITOVSK.

[From the (British) *Daily Review of the Foreign Press*, 8 January, 1918, p. 527.]

In reply to a telegram sent to the German representatives offering to meet in Stockholm for the continuation of the peace negotiations, the Russian delegation, *Pravda* (Jan. 6) announces, has received a telegram from the German delegation announcing its arrival at Brest-Litovsk and asking the Russian delegation to come there.

To this telegram the Russian delegation replied as follows:

The transfer of the negotiations to a neutral country is in conformity with the progress achieved in the negotiations. In view, however, of the arrival of your delegation at Brest-Litovsk, our delegation, with M. Trotsky, the People's Commissioner for Foreign Affairs, will leave to-morrow for Brest-Litovsk. We are convinced that the transfer of the negotiations to neutral territory will not complicate the negotiations.

[From the (British) *Daily Review of the Foreign Press*, 9 January, p. 534.]

A telegram from Brest-Litovsk to the Austrian Press says that, in reply to the note sent yesterday to Comrade Joffe by the delegation of the Quadruple Alliance, the Russian delegation telegraphed that owing to the arrival of the delegation of the Quadruple Alliance at Brest-Litovsk on January 5 the Russian delegation would also start

for Brest-Litovsk with M. Trotzky, the Commissary for Foreign Affairs.

A Brest-Litovsk telegram of 7 January to the German Press received via Berlin says that the Russian delegates, including Trotsky, arrived there this morning.

28. RUSSO-PERSIAN POURPARLERS.

[From the (British) *Daily Review of the Foreign Press*, 11 January, 1918, p. 559.]

The Russian wireless circulates the following (5 January):

The Assistant to the Commissary for Foreign Affairs had addressed to the Minister for Persia under date 1 January, 1918, the following letter:

In the name of the Commissary of the People for Foreign Affairs, I have to inform you that by virtue of the treaty concluded by Russia with Germany, Austria-Hungary, Turkey, and Bulgaria at Brest on December 15, in accordance with Article 12 of the Treaty, "the contracting parties immediately after having signed the present armistice treaty agree to enter into peace negotiations and declare themselves ready to withdraw their troops from Persia. In order to elaborate the details of the evacuation, as well as to carry out the principles above indicated, the Russian and Ottoman Commanders in Chief will enter into pourparlers without delay with the Persian Government. In consequence the Council of Commissaries of the people expresses its consent immediately to open up negotiations with Persia for the withdrawal of their troops from Persian territory on condition that the Turkish Government observe the Treaty and is waiting for the Persian Government to take the corresponding steps to this end.

(Signed) POLIVANOFF.

The Assistant to the Commissary for Foreign Affairs.

I have just received from the Charge d'Affaires of Persia in Petrograd the following note:

I hereby believe it my duty to state that the Persian Government, having been informed in due course of the contents of Article 12 of the Armistice Treaty concluded in the town of Brest on 15 December of this year, of which the text is reproduced above, has authorized me to enter into pourparlers for the evacuation of the troops within the Persian boundaries with the competent Russian Authority provided with powers to that effect, and that in accordance with a dispatch received from the Government at Teheran by the Persian Legation at Petrograd similar instructions have at the same time been sent to the Persian Ambassador at Constantinople to enter into negotiations with the Ottoman Government regarding the evacuation of Persian territory by Turkish troops.

In communicating the above, the undersigned requests that he be informed as soon as possible of the day and hour when pourparlers on the evacuation of the Russian troops from Persia may commence.

(Signed) M. ASSAD KHAN.

Petrograd.

It is believed necessary:

(1) To elaborate as general plan of evacuation of Persia by Russian troops as soon as possible, and to propose to Turkey, through

the intermediary of the Persian Government direct through the Turkish Legation (delegation?) at Brest-Litovsk to coordinate the plan of evacuation of Turkish troops with that of the Russian troops.

(2) To commence immediately the evacuation of the units which, by their separation from the main body, have no importance from the military point of view, and which have merely served as the instrument of occupation of Persian territory.

(3) To recall from Persia our military mission which was there in the capacity of instructors of the Cossack Brigade.

(4) To appoint immediately with the Russian authorities in Persia commissaries who would explain to the units spread throughout Persia the political condition of Russia and the aim of our new international policy, based upon the rights of each nation, independent of its strength or weakness.

The duties of these commissaries would be to take such measures as would avoid the Persian population becoming the victim of any violent offense on the part of the less conscious elements of the army.

(5) It is necessary to take measures so that the provisioning of the Russian Army, during the time that it still remains in Persia, will weigh as lightly as possible on the masses of the poor population of Persia.

I would request you, without delay, to take the measures which you intend to adopt in the sense indicated. This question demands the greatest speed in the settlement, so that the acts of violence which Tsarism and the bourgeois Governments of Russia have committed against the Persian people may be brought to an end as soon as possible.

(Signed) L. TROTSKY,

Commissary of the People for Foreign Affairs.

29. ARRIVAL OF UKRAINIAN DELEGATION.

[From the (British) *Daily Review of the Foreign Press*, 7 January, 1918, p. 509.]

(German wireless states (3 January):

The Ukrainian delegation has reached Brest-Litovsk in order to take part in the peace negotiations. Secretary of State von Kühlmann, in a telegram, expressed his willingness to treat in Brest-Litovsk with the representatives of Ukraine.

The Ukrainian delegates will present a decree concerning the independence of Ukraine.

According to a telegram from Brest-Litovsk (via Amsterdam, 4 January), the Ukraine peace delegation has arrived at that place. Its members are MM. H. F. Lewitcky, N. M. Ljubinsky, M. N. Polosow, and A. A. Sewrjuk. They all belong to the Rada and are authorized by the Ukraine People's Government to conduct peace negotiations. They state that their Government is preparing to conduct its own international relations. They declare their wish for a speedy democratic peace and say they hope to be able to act together with the Bolshevik representatives at the peace negotiations. Some more members of the Ukraine mission and its president are expected to arrive shortly.

30. SESSION OF 8 JANUARY.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 12 January, 1918, p. 556.]

German wireless states (9 January):

In the afternoon of 8 January a preliminary discussion was held at Brest-Litovsk between the Presidents of the Delegations who have gathered there, in which State Secretary von Kühlmann; the Foreign Minister, Count Czernin; the Minister for Justice, Popow; the National Commissary for Foreign Affairs, Trotsky; the Grand Vizier, Talaat Pasha; and the Ukrainian State Secretary for Commerce and Industry, Wsewolod Holubowytch, participated. After the announcement of the questions on the agenda, a general sitting was decided upon for 9 January, at 11 o'clock in the morning. Discussion afterwards took place between the representatives of the Quadruple Powers and the Ukrainian representatives.

Count Adam Tarnowsky has been appointed Polish delegate to Brest-Litovsk.

A telegram from Brest-Litovsk to the Dutch Press, dated 10 January and received via Berlin, states that at the morning's sitting of the Conference the Russian delegation declared itself ready to continue the peace negotiations at Brest-Litovsk.

The telegram adds:

It is further confirmed that the account of the sitting held on 28 December published by the Wolff Bureau corresponds to the actual facts. The Bolsheviks' protest, which the Petersburg Telegraph Agency reiterates, was not lodged with their delegates at Brest-Litovsk. The statements made there were published *in extenso*. Joffe, the Russian leader, himself declared that the Central Powers' proposal that conditions should be settled by a special Military Commission had his full approval. No more than this was said at Brest-Litovsk.

A similar statement to this has been published by the Vienna Agency.

ANOTHER GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 11 January, 1918, p. 556.]

A telegram from Brest-Litovsk to the German Press (Jan. 9) states that a preliminary discussion took place on Tuesday afternoon between the leaders of the delegations of the Quadruple Powers and Russia.

The meeting was attended by Baron von Kühlmann, Count Czernin, Talaat Pasha, and M. Trotsky. After discussing various questions of procedure, the plenary sitting was fixed for Wednesday morning. Later a conference was held between the representatives of the Quadruple Alliance and the representatives of the Ukrainian Republic.

31. SESSION OF 8 JANUARY.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 11 January, 1918, p. 559.]

According to *Izvestiya* (Jan. 9) the first sitting of the resumed peace negotiations at Brest-Litovsk took place Jan. 8, and the discussion centered around the selection of a place in some neutral country in which to continue the deliberations. An official note on the subject says there is every probability of a satisfactory arrangement being reached.

32. SESSION OF 9 JANUARY.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 14 January, 1918, p. 575.*]

A telegram from Brest-Litovsk to the German Press (Jan. 10) says that this morning (Jan. 9) at eleven o'clock took place a plenary sitting at which all the delegations and the Ukrainian representatives participated. Talaat Pasha opened the sitting and then gave up the chair to Baron von Kühlmann, who made the following declarations:

The formalities which have hitherto held good for these sittings will, I assume, be unanimously regarded as further also holding good. Since changes have taken place in the composition of some of the delegations, it does not appear superfluous at the beginning of our work to make a short survey of the antecedent history and the course of the negotiations up to now. The present Russian Government on Nov. 28 had, by a wireless message, addressed to all, while communicating certain decisions, announced its readiness to enter into peace negotiations with all the belligerents. Thereupon the Imperial Chancellor, in his introductory speech before the plenary assembly of the Reichstag, on Nov. 29, stated:

The Russian Government yesterday dispatched a wireless telegram, signed by M. Trotsky and M. Lenin, to the Governments of all the belligerents, proposing shortly to enter into negotiations for an armistice and a general peace. I do not hesitate to declare that, in the Russian Government's proposals, as we know them so far, a discussable basis for negotiations can be perceived, and I am ready to enter into such as soon as the Russian Government sends plenipotentiaries for the purpose. I hope and desire that these efforts will soon assume definite shape and bring us peace.

The leading statesmen of the other Allies made similar declarations. On Dec. 3 began the negotiations about an armistice, which were concluded on Dec. 15 by the signature of an armistice treaty. According to a stipulation of this treaty in Article 9, "the signatory parties will, immediately following this treaty, enter into peace negotiations." The four allied Powers sent plenipotentiaries to Brest-Litovsk, who began peace negotiations on Dec. 22 with the representatives of the Russian Government. These fell into two sep-

* The *Deutscher Reichsanzeiger* of 11 January, 1918, has an account substantially identical with this.

arate parts, in the discussion about the possibility of a general peace, and in the discussion of those points which in all circumstances would have to be discussed between Quadruple Alliance and the Russian Government.

As was proposed by the Russian delegation, at the sitting on Dec. 25, there ensued ten days' interruption of the negotiations, so that, according to the Russian declaration, peoples whose Governments had not yet joined in the negotiations might have an opportunity to become acquainted with the principles of such peace as that which now had been proposed. After the expiry of this period negotiations were to be renewed, apart from the question whether any, and, if so, how many belligerents had joined the negotiations. This period expired at midnight on Jan. 4. The allied Governments thereupon circulated the following joint decision by wireless after they had learned that from the Entente Governments no appropriate communication had yet been received:

In reply to the proposals of the Russian delegation, the delegations of the Quadruple Alliance had laid down at Brest-Litovsk on Dec. 25 certain guiding lines for the conclusion of an immediate general peace. To avoid binding themselves one-sidedly, they had expressly made the validity of these guiding lines dependent on all the belligerents within a certain definite period, without exception and without reserve, binding themselves to the most exact observance of conditions binding all peoples in the same way. In agreement with the representatives of the Quadruple Alliance, a ten days' period was fixed by the Russian delegation, within which the other belligerents should take cognizance of the principles laid down at Brest-Litovsk for an immediate general peace, and should decide about joining the peace negotiations. The delegations of the allied Powers state that this ten days' period elapsed on Jan. 4, and from no other belligerent has any declaration arrived regarding joining the peace negotiations.

The communication of Dec. 25 of the allied Governments shows that the first essential provision made therein was the unanimous acceptance by all enemy Powers of conditions equally binding all nations, and the nonacceptance of this provision and the lapse of the period would have the consequences indicated in the communication. This document, therefore, became null and void.

The first task of our conference would be to resume negotiations at the point where they were before the Christmas adjournment. The delegation, however, informed him that the Government of the Russian Republic considered it necessary to "conduct further peace negotiations at Stockholm." In a subsequent telegram it again made known its desire to remove the place of the negotiations to a neutral country. I will not here further dilate on the grounds which render it impossible to conduct the negotiations elsewhere than at Brest-Litovsk, and which have been made known before elsewhere to the delegates; but I must state that it is the fixed and unchangeable decision of the four allied Powers that they are not in a position to conduct elsewhere the negotiations over a preliminary peace which were begun here. As I have already informally explained, they were willing from courtesy that the formal final negotiations and the signature of the preliminaries should be conducted at some place to be agreed upon with the Russian delegation, and that the choice of such place should be made the subject of debate. As for the conduct of

the negotiations, the atmosphere in which they take place is extremely important.

It must be mentioned that since the conclusion of the exchange of views before the temporary interruption of the negotiations much has happened which has appeared calculated to create a doubt about the sincere intention of the Russian Government to arrive at the conclusion of a speedy peace with the Powers of the Quadruple Alliance. I may, in this connection, refer to the tone of certain semiofficial declarations by the Russian Government against the Powers of the Quadruple Alliance, especially a declaration by the Petrograd Telegraph Agency, which is regarded abroad as the semiofficial Russian Agency. In order not to make my speech too long, I will for the present abstain from repeating it textually, but will reserve, if necessary, its repetition for the further course of discussion. It reproduced in detail a reply by Joffe, which he was alleged to have made at the sitting of Dec. 28, and which, as the protocol shows, originated purely in the imagination of its author.

This entirely unfounded report had a considerable share in confusing judgment about the course hitherto of the negotiations and endangering their results.

If, nevertheless, I do not fully give up hope that the negotiations may lead to a salutary result, this hope is, in the first place, based on what we know and on what the Russian Delegation has eloquently expressed, namely, the wish of the Russian people for a lasting and assured peace, and also on the experience which we have had during the negotiations of the working methods of the Russian Delegation. So far as can be judged from the negotiations up to the time of the interruption, I consider the difficulties of a material nature not great enough to establish the failure of our work for peace, and therewith, presumably, to justify the resumption of the war in the East, with its unforeseeable consequences.

Count Czernin then said:

I have the following to add to the remarks of my German colleague. The reasons for which we categorically refuse to transfer the negotiations at the present moment to a neutral country are of a twofold character. The first is technical. You and we are here in direct telegraphic communication with our respective Governments. You exchange views daily with Petrograd and Kiev, and we with our capital. We, none of us, can forego this apparatus, except at the cost of interminably prolonging the negotiations and rendering them difficult. Still more important than this reason, however, is the second motive. You, gentlemen, invited us to general peace negotiations. We accepted the invitation, and came to an agreement about the basis for a general peace. On this basis you presented a ten days' ultimatum to your Allies, who have not answered it, and to-day it is no longer a question of negotiations for a general peace, but a separate peace between Russia and the Quadruple Alliance. The transfer of the negotiations to neutral territory would give the Entente the desired opportunity to interfere in a disturbing manner. The Government of England and France, both before and behind the scenes, would make every endeavor to prevent this separate peace. We refuse to give the Western Powers this oppor-

tunity, but we are ready to conduct the formal final negotiations and the signature of a peace treaty at a place to be fixed.

As regards the portion of the negotiations in which agreement between you and us has not yet been attained, we had come to a binding agreement at the last plenary sitting to submit these questions to an ad hoc commission, which was to begin work at once. All four allies are entirely agreed to conduct the negotiations to the end on the basis explained by Baron von Kühlmann and myself, and bindingly agreed upon with you Russian gentlemen. If not, then things will take their necessary course; but the responsibility for the continuation of the war will then fall exclusively on the gentlemen of the Russian Delegation.

Talaat Pasha and the Bulgarian Minister of Justice, M. Popov, adhered in the name of the Turkish and Bulgarian delegations to these declarations, whereupon General Hoffmann made the following statement:

I have here before me a number of wireless messages and appeals signed by representatives of the Russian Government and the Russian Chief Army Command which partly contain abuse of German Army institutions and of the German Chief Army Command and partly appeals of a revolutionary character to our troops. These wireless messages undoubtedly transgressed the spirit of the armistice concluded by both armies. In the name of the German Chief Army Command, I make the strongest protest against the form and contents of these wireless messages and appeals.

Field Marshal von Csicseric, Colonel Gantcheff, and General Izzet Pasha associated themselves with this protest in the name of the respective armies of their countries.

GERMAN WIRELESS ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 14 January, 1918, p. 575.]

On Trotsky's proposal the sitting was interrupted.

German wireless, which gives a similar account of the proceedings, adds the following:

In the sitting which was held in the morning of Jan. 10 the Russian Delegation declared itself prepared to continue the peace negotiations at Brest-Litovsk. It also stated that the representation published by the Wolff Bureau of the proceedings of the sitting of Dec. 26 is in keeping with the actual facts, while the report of the proceedings of this sitting circulated by the Russian Telegraph Agency was, on the part of the Russians, declared to be incorrect.

33. SESSION OF 9 JANUARY.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 19 January, 1918, p. 629.]

The stenographic report of the meeting of the Peace Delegations at Brest-Litovsk on the 10th inst.,* which has just been issued at

* Should be "9th inst."

Petrograd, is largely taken up with a report of a long discussion between Baron von Kühlmann and M. Trotsky on questions of procedure. The German Minister wished for arrangements to be made by which certain economic and legal questions touched upon before the Christmas recess might be taken up and discussed by some members of the delegations independently of and concurrently with the main negotiations which were likely to occupy some time. He thought a lot of preliminary work could thus be got over, and a good deal of time saved. Having set forth his views on this point, Baron von Kühlmann proceeded to propound the procedure he considered should be adopted as regards the political and national questions touched upon at the sitting of Dec. 27. A discussion arose as to whether the national questions to be dealt with in the first place were to include that of Armenia or not, Baron von Kühlmann maintaining that the Armenian question had had little place in the previous discussions, while M. Trotsky maintained that it was not a new question, inasmuch as before the recess there had been pourparlers on the subject with the Turkish delegation. In the course of the discussions which ensued M. Trotsky spoke as follows:

The pourparlers at Brest-Litovsk are being conducted by two parties who have become enemies not through any chance political combination; the negotiations are being carried on by those who are enemies not only on the war basis but also on the basis of the difference between social classes, and this fact has made its imprint on the negotiations. The German Command understood that from the outset, and clung on to Brest-Litovsk as the scene of the pourparlers. It unmasked the big gun of an ultimatum firing even before the Russian Delegation had been able to express its point of view. The idea of the German Command was to isolate the Russian Delegation from the popular masses. The ideals of the Russian Revolution and of its pacific programme were forced to find expression in a space hermetically sealed. Generals and diplomats impervious to those ideas are to form a safety curtain shutting off the fire of the Russian Revolution from the German workers and all Europe. The Russian Delegation knows perfectly well what it is losing by conducting peace pourparlers at Brest-Litovsk, a capital of the German conqueror, but it also knows what greater loss it would suffer in breaking off the pourparlers over the question of locality. The peoples are thirsting for peace, and for this the Russian Delegation can frankly admit that it has submitted to the ultimatum. You are the stronger from the military point of view, but you are forced to hide the motives of your policy from the masses. We are the weaker, but our strength increases in proportion as we unmask your policy, and that is why we are staying.

In another speech, says the report, M. Trotsky put the blunt question:

Do you agree to evacuate Poland, Lithuania, and Courland and to leave the people freedom of decision? Do you renounce the idea of tearing away these territories, of imposing military and customs conventions upon them, and of establishing a Monarchical Government on the strength of the decision of little groups of exploiters?

The Russian report proceeds:

And in spite of the artistic fencing of the representative of German Imperialism, Monsieur von Kühlmann could not conceal the fact that German Imperialism intended to proclaim a resolution of the Barons of Courland and an infinitesimal portion of the Polish bourgeoisie as a resolution of the people which will mean the torturing of the peoples to the quick, and will overwhelm them with future obligations. * * *

The report goes on to declare that if the workers of Europe only get to know how the pourparlers at Brest-Litovsk have proceeded, they will realize that the Russian Delegation at Brest-Litovsk is fighting the battle of the international proletariat against German Imperialism, and concludes:

We hope soon to receive the good news that the German and the International proletariat will proclaim itself the judge of German Imperialism in this case that we are conducting against it.

34. SESSION OF 10 JANUARY.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 14 January, 1918, p. 577.*]

A telegram from Brest-Litovsk to the German Press (Jan. 11)† says that the interrupted plenary sitting was continued at eleven o'clock this afternoon‡ under the presidency of Baron von Kühlmann. The Ukraine Secretary of State of Commerce, M. Bolubowysch, said:

Nations exhausted and tortured by war yearn for peace. In this yearning for peace the representatives of the Great Russian Democracy, without heeding the attacks by Russian society and by the Press, boldly crossed the trenches of the belligerents in order to attain a general peace, not on the battle field by blood and iron, but by friendly agreement between the peoples. After the peace negotiations had begun and the principles of peace had been made known, you rightly proposed a truce of ten days in order to give the States which hitherto had not participated an opportunity of joining negotiations. Our Ukrainian Republic, whose people are always inclined for peace, was the first to answer your appeal.

The Ukrainian People's Republic, its position as a State having been settled by the Central Rada on Nov. 20, 1917, resumes its international existence, which it lost more than 250 years ago, and enters now to the full extent of the rights due to it into international relations. On the basis of the foregoing representation of the facts, the General Secretariat of the Government of the Ukrainian Republic considers it right to adopt an independent attitude toward the present peace negotiations, and it has the honor to hand the following note to the Delegates of the Powers represented here:

The Government of the Ukrainian People's Republic, through its General Secretariat, brings the following hereby to the knowledge of all the belligerent and neutral States:

The Ukrainian People's Republic was proclaimed by the Ukrainian Central Rada on Nov. 20, 1917, and by this act of State the international position of

* The *Deutscher Reichsanzeiger* of 11 January has an account substantially identical with this.

† Jan. 10, according to the *Reichsanzeiger*.

‡ Should be "forenoon," according to the *Reichsanzeiger*.

the Republic was determined. Striving for the creation of a confederation of all the republics which have arisen on the territory of the former Russian Empire, the Ukrainian People's Republic, through its General Secretariat, proceeds to enter into independent relations, pending the time when the formation of a federal Government in Russia shall have been completed and the regulation of the relations between the Ukraine on the one hand and the Government of the future federation on the other shall have been encompassed.

The General Secretariat considers it necessary to inform all States and peoples of the world as to the situation of the Ukrainian People's Republic and as to the peace negotiations which have recently been begun at Brest-Litovsk between the representatives of the Council of the People's Commissaries on the one hand and the Government of the Powers making war against Russia on the other hand. Unshakably abiding by the view that the present war means the most serious evil for all States, and especially for the working classes, and that all belligerent States should renounce eventual intentions of conquest and immediately start peace negotiations, the Ukrainian Central Rada, the parliament of the Ukrainian Republic, found it imperative immediately after the proclamation of the Ukrainian Republic to inaugurate an active policy in the peace question. The Central Rada, therefore, after it had in its turn announced *urbi et orbi* the necessity of the immediate conclusion of peace, considered it imperative to strive for the conclusion of an armistice. For this purpose representatives of the General Secretariat were sent to the Southwestern front and the Rumanian front, which is at present united in a single Ukrainian front under the leadership of the Ukrainian People's Republic. Simultaneously, the Ukrainian Central Rada instructed the General Secretariat to inform the Allied Powers of its doings, which was accordingly done by the General Secretariat. Consequently, when the Council of the People's Commissaries in agreement had taken in hand on all the Russian fronts the question of an armistice the General Secretariat sent its representatives to Brest-Litovsk for the purpose of control and information. In this connection the General Secretariat considers it necessary to point out that the representatives of the Council of the People's Commissaries, regardless of the fact that they had been made acquainted with the arrival of the Ukrainian delegates for the purpose of taking part in the negotiations, did, independently, without any agreement with the Ukrainian People's Republic, arrange a general armistice.

Being aware that the Council of People's Commissaries, in accordance with the last point of the conditions for a general armistice, is beginning peace negotiations at Brest-Litovsk with the Governments of Germany, Austria-Hungary, Turkey, and Bulgaria, the General Secretariat declares, in the name of the Ukrainian People's Republic, firstly, that the entire democracy of the Ukrainian State is striving for the termination of the war and for peace throughout the entire world and a general peace between all the belligerent States; secondly, that the peace which is to be concluded between all the Powers must be democratic, and must assure to every people, even the smallest, full and unlimited self-determination; and, thirdly, that in order to render possible the real expression of the people's will, proper guarantees must be given.

GERMAN ACCOUNT. CONTINUED.

[From the (British) *Daily Review of the Foreign Press*, 15 January, 1918.
p. 585.*]

The following is a continuation of the Ukrainian statement, published in the *Daily Review* (Jan. 14), and follows on to the words,

* The *Deutscher Reichsanzeiger* of 11 January, 1918, has an account substantially identical with this.

“Thirdly, that, in order to render possible the real expression of the peoples’ will, proper guarantees must be given.” It appears that this statement was read on Jan. 10, not on Jan. 11, as stated in the Daily Review (Jan. 14).

Fourthly, any annexation that means annexation by force or the surrender of any portion of territory without the consent of its population is, therefore, inadmissible.

Fifthly, any war indemnities, without regard to the form given them, are, from the standpoint of the interests of the working classes, also inadmissible.

Sixthly, conformably to regulations to be drawn up at the peace congresses, material assistance must be given to small nations and States which, in consequence of the war, have suffered considerable losses or devastations.

Seventhly, the Ukrainian People’s Republic, which at present occupies the Ukrainian front on its own territory and is represented in all international affairs by its Government, whose duty is the protection of the Ukrainian People’s interests and when acts independently, must, like other Powers, be allowed to participate in all peace negotiations, conferences, and congresses.

Eighthly, the powers of the Council of People’s Commissioners does not extend to entire Russia, and therefore, not to the Ukrainian People’s Republic. Any eventual peace resulting from negotiations with the Powers waging war against Russia can, therefore, be binding for the Ukraine only if the terms of this peace are accepted and signed by the Government of the Ukraine People’s Republic.

Ninthly, in the name of entire Russia, only such a Government (and it must be an exclusively federal Government) can conclude peace as would be recognized by all the Republics and regions of Russia possessing a State organism. If, however, such a Government can not be formed in the near future, then this peace can only be concluded by the united representatives of those Republics and regions. Firmly adhering to the principle of a democratic peace, the General Secretariat at the same time is striving for the speediest possible attainment of this general peace and attaches great weight to all attempts which can bring its realization nearer. The General Secretariat therefore considers it imperative to have its representative at the Conference, while at the same time it hopes that a final solution of the peace question will be reached at an international congress to which the Government of the Ukrainian Republic summons all the belligerents to send delegates.

(Signed) WINNITSCHENKO,

President of the Secretariat.

SCHULGIN,

Secretary of State for International Affairs.

Replying to M. Bobubowytch’s statement, Baron von Kühlmann, the President of the Conference, said:

Gentlemen, with great interest we have taken cognizance of the statement of the President of the Ukrainian delegation and of the information he has given us. I propose that the Ukrainian Note be placed on the records of the Congress as an important historical document. The representatives of the Allied Powers welcome the Ukrainian representatives present at Brest-Litovsk in the spirit of their telegram of Dec. 26, 1917. The representatives of the Allied Powers reserve their attitude toward the details of the Ukrainian delegates’ statement.

In this connection Baron von Kühlmann expressed a desire to ask several questions in order to furnish a basis for the decision of the Allied Powers.

The negotiations, he said, had taken place hitherto with representatives from Petrograd regarding the affairs of the entire Russian territory. Therefore the question must be asked of the President of the Delegation from the Petrograd Government whether he and his Delegation intended also in the future diplomatically to represent the affairs of the whole of Russia.

M. Trotsky then made the following statement:

Having taken cognizance of the note of the Secretariat General of the Ukrainian People's Republic published by the Ukrainian Delegation, the Russian Delegation on its part declares that it, in full accord with the fundamental recognition of the right of self-determination of every nation, even to complete severance, sees no obstacle to the participation of the Ukrainian Delegation in the peace negotiations.

A long discussion followed as to the meaning of this statement, which was finally condensed into the question whether the Ukrainian Delegation was a subcommission of the Russian Delegation or whether it must diplomatically be treated as the representation of an independent State. M. Trotsky replied that he regarded the question as settled, inasmuch as the Ukrainian Delegation acted at Brest-Litovsk as an independent body which was recognized by his delegation, and inasmuch as no other party had brought forward any other proposal. The President of the Ukrainian Delegation expressed his thanks. He said he assumed that the independent position which his deputation had to take at the peace negotiations was thus settled, and that the Ukrainian and Russian deputations would form two separate and independent delegations of the same party.

GERMAN ACCOUNT, CONCLUDED.

[From the (British) *Daily Review of the Foreign Press*, 14 January, 1918, p. 577.*]

A later telegram from Brest-Litovsk to the German Press (Jan. 11), continuing the report of the negotiations there, says:

Baron von Kühlmann, with the assent of the meeting, had declared that this preliminary question (that of the separate representation of the Ukraine) would first be discussed between the delegations of the Allies, and that its further discussion would be reserved for the plenary sitting.

M. Trotsky spoke.

He said that he first considered it necessary to remove a misunderstanding which had crept into the negotiations. The Russian delegation confirmed that the official protocol published in the German papers of the sitting of Dec. 27 corresponded, as regards the portion in which the speech of the chairman of the Russian delegation was reproduced, with what had occurred at that sitting. With regard to the real or fictitious telegram of the Petrograd Telegraph Agency, which was entirely unknown to the Russian delegation, to which the German Press and Baron von Kühlmann had referred, the Russian

* The *Deutscher Reichsanzeiger* of 11 January, 1918, has an account substantially identical with this.

delegation must first obtain information on the point. M. Trotsky then expressed regret that a misunderstanding which was in no wise connected with the delegation's work had occurred.

In regard to General Hoffmann's protest, which was supported by the military representatives of three other delegations, against articles in the Press and wireless messages and appeals, he must state that neither the conditions of the armistice nor the character of the peace negotiations limited the freedom of the Press or of speech. After these preliminary remarks M. Trotsky dealt with the declaration made by the chairman of the German and Austro-Hungarian delegations.

Firstly, we confirm that in full accord with our former resolution we desire to continue peace negotiations quite apart from the fact whether the Entente Powers take part or not. We take cognizance of the Statement of the delegations of the Quadruple Alliance that the bases for a general peace formulated in their declaration of Dec. 25 are now null and void, as the Entente countries during the ten-days' period allowed them did not join the peace negotiations. We, on our side, adhere to the principles of a democratic peace proclaimed by us.

As regards the Russian proposal to transfer the further negotiations to neutral soil it is due to the wish to create equally favorable conditions for both sides. Public opinion in Russia, moreover, takes umbrage at the fact that the Russian delegation is conducting negotiations in a fortress occupied by German troops, especially as it is here a question of the fate of living peoples. The Russian delegation can no more recognize the validity of the technical difficulties which the transfer of the negotiations to neutral soil might entail, than it can recognize the fear of Entente intrigues, against which Russia knows how to protect herself. Referring to the hitherto consistently pursued peace policy of the Bolshevik Government and the independence which it had shown, M. Trotsky further remarked that he had absolutely no reason to assume that Entente diplomacy could operate with greater success against the conclusion of peace on neutral soil than in Petrograd. As regarded the fear expressed by the chairman of the Austro-Hungarian delegation that the Governments of England and France might before and behind the scenes endeavor to hinder the conclusion of peace, he considered it necessary to declare that Bolshevik policy managed without *collis*ses, as this weapon of the old diplomacy, together with many other things, had been abolished by the Russian people in the victorious Revolution of Oct. 25. If thus in the Russian delegation's opinion technical and political circumstances did not bind the fate of peace absolutely to Brest-Litovsk, so, too, the Russian delegation could not pass over another argument mentioned by the Imperial Chancellor.

I mean that portion of Count Hertling's statement in which, besides good right and loyal conscience, he also referred to Germany's powerful position (*Machtstellung*). The Russian delegation neither can nor intend to deny that their country, owing to the policy of the classes until recently in power, is weakened, but the world position of a country is not determined by the momentary condition of its technical apparatus, but also by inherent possibilities, as indeed Germany's economic strength should not be judged by the present conditions of its means of supply (*Verpflegungsmittel*). Just as the great reformation of the sixteenth century and the great revolution of the eighteenth century vitalized the creative forces of the German and French peoples, so, too, the creative forces of the Russian people have been awakened and developed by the great revolution in Russia. The Russian Government, however, wrote at the head of its program the word "Peace." The great sympathies of the

Russian people for the peoples of the Allies strengthen it in its desire to attain the speediest peace based on an understanding among the peoples. To remove from the Powers of the Quadruple Alliance the pretext of breaking off peace negotiations on technical grounds the Russian delegation accepts the demand to remain in Brest-Litovsk. It remains at Brest-Litovsk in order not to leave any possibility in the fight for peace unutilized. The Russian delegation, in renouncing the proposal regarding the transfer of negotiations to neutral soil, proposes the continuation of the negotiations.

On the proposal of the President it was then decided to hold a private deliberation between the delegations of Germany and Austria-Hungary on the one hand, and the Russian delegation on the other.

35. SESSION OF 10 JANUARY.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 15 January, 1918, p. 590.]

The following is a complete report of the statement made by the Russian delegation at the resumption of the peace negotiations at Brest-Litovsk on Jan. 11:*

Before dealing with the questions raised by the declaration of the Quadruple Alliance, we deem it necessary to dissipate the misunderstandings which have arisen in regard to the progress of the official pourparlers at the sittings of Dec. 27.

In response to the first and second paragraphs of the Austro-German proposal, the Russian delegation opposed the wording of these two paragraphs dealing with the destiny of the occupied territories, and intimated that the Russian Government could not regard as the will of the people a declaration made by privileged classes in these territories.

We confirm the official protocol of the last sitting as published by the German newspapers reporting a speech by the President of the Russian delegation, which report corresponds with what took place at the sitting of Dec. 27.

With regard to the telegram of the Petrograd Telegraph Agency, of which we find mention in the German newspapers, and which is unknown to us, as also with regard to the statement of Baron von Kühlmann, it is impossible for us, without further information on the subject, to determine which telegram can be referred to as a correction and addition to the protocol of the sittings of Dec. 27. In our opinion, the reference made to this telegram has no reference whatever to any statement by the Russian delegation at Brest-Litovsk, but to the resolution passed by the Central Executive Committees in Petrograd after the report made by our delegation on the progress of the pourparlers, being in perfect accord with the delegation in having resolutely declined the German point of view, by which the will of the people was in reality replaced by the will of a privileged group acting under the control of the authorities administering the occupied territories.

The Russian delegation then proceeded to deal with the essential points of the statements of Baron von Kühlmann and Count Czernin, and declared notably:

In the first place, we confirm, in full accord with our previous resolution, that we propose to continue the peace negotiations regardless of the adhesion,

* This must be Jan. 10, by comparison with the *Reichsanzeiger* account of that session.

or otherwise, of the Entente Governments therein. Taking cognizance of the declaration of the Quadruple Central Powers that the bases for a general peace, as formulated on December 25, have become null and void, the Entente Powers not having adhered thereto in the course of the ten days' suspension of negotiations, we now declare for our part that we shall not cease to defend the democratic principles of peace proclaimed by us without taking into account any delays whatever.

With regard to the question of the transfer of the scene of the conference to a neutral country, the Russian delegation explained that, by this proposal, they sought to place both sides in analogous positions which would favor the normal course of the pourparlers and expedite the conclusion of peace. The delegation said:

We share the view of the President of the German delegation that the atmosphere in which the negotiations are conducted is of the greatest importance. Without seeking to establish to what extent the atmosphere at Brest-Litovsk facilitates in the case of the opposite side the conclusion of peace, we are, however, of the undoubted opinion that for the Russian delegation the stay in the fortress of Brest-Litovsk, at the Headquarters of the enemy Armies under the control of the German authorities, creates all the disadvantages of an artificial isolation which is in no way compensated for by the enjoyment of a direct telegraph wire. This isolation, while creating an atmosphere unfavorable to our labors, is at the same time causing alarm and uneasiness in the public opinion of our country.

The delegation then pointed out that all these considerations acquired the more importance, as precisely during the recent sittings there had arisen profound divergencies of views on the subject of the political future of the Polish, Lithuanian, Lettish, and other peoples. The statement continued:

Therefore, we consider it very undesirable to continue these labors in conditions which might justify the allegation that we are taking part in a settlement of the future of existing peoples, isolated from all sources of information regarding the public opinion of the world and without any guaranty that our opinions and declarations reach the peoples of the Quadruple Alliance. With regard to the fears expressed by Count Czernin that agents of Russia's Allies might engage in intrigues with the object of bringing about the failure of the negotiations, the Russian delegation points out, on the contrary, that the Russian Revolutionary power has sufficiently shown its independence in regard to diplomatic intrigues tending to the oppression of the laboring masses.

The delegation then reviewed the efforts made to effect peace ever since the Russian troops victoriously entered Galicia until the Maximalists assumed power in defiance of the warnings and threats of the Allied Embassies. Says the statement:

We replied, and we continue to reply, by severe repression to all counter-revolutionary intrigues and maneuvers of the Allied diplomatic agents in Russia, seeking to render abortive the cause of peace. We do not believe that Allied diplomacy can operate on neutral territory with greater success than at Petrograd. As to the sincerity of our aspirations for peace we think that in this domain account must be taken of facts in preference to indulgence in psychological conjecture. The sincerity of our aspirations for peace is sufficiently proved by our attitude in regard to the free right to development of Finland, Armenia, and Ukraina. The hostile side has, therefore, only to show

an analogous attitude to the regions occupied by it. We see, then, no political or technical reason for binding the fate of peace to Brest-Litovsk. We can not pass over in silence the argument advanced yesterday by the Chancellor of the Empire, namely, his statement with regard to the powerful position of Germany. The position in the world of a country is defined not only by its present state, by its technical machinery, but by its internal resources, which, once recalled to life, manifest their power sooner or later. Our Government has placed at the head of its program the word "Peace," but it has engaged itself at the same time before its people to sign only a democratic and just peace. The Russian delegation then entered into considerations on the sympathies of the Russian people for the working people of Germany and her Allies, and showed that years of war has not hardened the hearts of the Russian soldiers, who, moved by the sentiment of fraternity, had stretched out their hands to the peoples on the other side of the trenches. "The refusal of the delegations of the Central Powers," they said, "to transfer the conference to a neutral country is only explicable by the desire of their Governments and their powerful annexationist circles, based not on principles tending to the reconciliation of all nations, but on the war map." But war maps disappear while peoples remain. We rejected as tendencious the assertions of the German Press that the refusal to transfer the conference was of the nature of an ultimatum. We thought that there could be no question of an ultimatum, but of a practical agreement arrived at in good faith. We were wrong. An ultimatum was delivered to us—pourparlers at Brest-Litovsk or no pourparlers. This ultimatum is a proof that the elements of the Quadruple Alliance, which pursue a policy of annexation, regard as more favorable to that policy a rupture of pourparlers on technical grounds than a settlement of the political future of Poland, Lithuania, Courland, and Armenia. A rupture of pourparlers on technical grounds would make it more difficult for the working masses of Germany and her Allies to understand the causes of the dispute and would facilitate the efforts of the semiofficial annexationist agitators who are seeking to make the German people believe that behind the open and frank policy of Russia is to be found a British or other manager. In view of these considerations, we think it necessary to declare that we accept the ultimatum handed to us. We remain, therefore, here at Brest-Litovsk so that the slightest possibility of peace may not be left unexhausted. Notwithstanding the extraordinary attitude of delegates of the Quadruple Alliance, we think it our duty to the peoples and armies of all countries to make a fresh effort to establish clearly and distinctly here at the headquarters of the Eastern front whether immediate peace with the Quadruple Alliance is possible without violence to the Poles, Lithuanians, Letts, Esthonians, Armenians, and other nationalities to whom the Russian Revolution assures on its side full right to free development without reservation, without restriction, without *arrière pensée*.

ANOTHER RUSSIAN ACCOUNT.

[From the British) *Daily Review of the Foreign Press*, 16 January, 1918, p. 599.]

The following passage relating to the Note submitted by the Ukrainian Delegation on Jan. 11* to the delegates of the Powers represented at Brest-Litovsk has just been received from Petrograd:

Regarding the fixing of the frontiers of the Ukraine, the Note particularly mentions the Black Sea regions and says that the fron-

* Should be "Jan. 10."

tiers of the country must be determined if the Black Sea was to be discussed with representatives of the Ukrainian Delegation. M. Trotsky in reply said that the question of the Ukrainian frontiers could not be considered as definitely settled because the Ukraine Republic was still in process of formation, and questions regarding frontiers, and especially those of the Black Sea, could not become the cause of conflict between the Russian and Ukrainian Delegations, because in case of a divergency of opinions this question could be settled by a referendum of the populations concerned. To this statement Baron von Kühlmann answered:

I did not wish to discuss here the litigious question of frontiers, but I want to know precisely the character of the relations existing between the two Delegations.

M. Trotsky replied:

I consider that all these questions can be solved successively for each particular case. An agreement will be reached between our delegation and the Ukrainian, and thus no difficulties will arise for the enemy delegations.

BARON VON KÜHLMANN. It is not a question of particular questions, but we must clearly understand the general attitude of the Russian Delegation toward the Ukrainian Delegation, so that we may know how to reply to the highly important declaration made to-day by the Ukrainian Delegation. The question to be decided is: Are we to consider the Ukrainian Delegation as a section of the Russian Delegation or as representing a separate State?

TROTSKY. As the Ukrainian Delegation has acted here as an independent delegation, and as we have recognized its participation without reserve or restrictions, it seems to me that this question no longer exists.

BARON VON KÜHLMANN. I thank the representative of the Russian Delegation for the statement he has just made. This statement will serve as a basis to decide the character of the participation of the Ukrainian Delegation at the Conference.

The President of the Ukraine Delegation, M. Goloubovitch, declared he was satisfied with the explanations of the Russian Delegation, which determined the character of the plenipotentiaries of the Ukrainian Delegation.

In all verbal transactions, he added, "we shall figure as two completely independent representations of the old Empire of Russia."

This question having been settled, M. Trotsky read the declaration telegraphed yesterday accepting the proposal of the Central Empires to continue the negotiations at Brest. M. Trotsky then expressed the hope that his declaration would be brought to the knowledge of the nations, with whom the Russian people wish to live in peace. M. Goloubovitch, having expressed a desire to ask for more complete instructions as to the attitude of the Ukrainian Delegation to the points raised at the meeting, Baron von Kühlmann insisted on the negotiations being continued as rapidly as possible, and, although M. Trotsky's declaration probably necessitated a discussion by the representatives of the Quadruple Alliance, the German Secretary of State said he considered that there was no reason to suspend the sittings while waiting for a reply.

36. RUSSIAN STATEMENT CONCERNING SESSION OF 10 JANUARY.

[From the (British) *Daily Review of the Foreign Press*, 24 January, 1918, p. 643.]

The following messages are transmitted through the wireless stations of the Russian Government:

BREST-LITOVSK, *Jan. 14, 1918.*

The following declarations to be published, sent to foreign countries and by wireless to all. It is a reply to the distortion of the minutes of the meetings of the Conference, especially a misrepresentation of our declarations. In the German newspapers of Jan. 11, received by us to-day, an official statement is published concerning the meeting of Jan. 10.

In the name of the Russian Delegation I protest in the most energetic manner against the tendencious arrangement to which the text of the declaration of the Russian Delegation has been subjected in this statement. It is sufficient to say that in the case of Point 7, which reads: "Our Government has written at the head of its programme the word 'peace' but at the same time it has undertaken the obligation to sign only a just democratic peace." Only the first half of the phrase is cited. This throws a vivid light upon the whole statement which is intended to serve not so much for the information of the German public as to mislead it. In attaching an enormous significance to the conveyance of exact information to the public in all countries regarding the real course of the peace negotiations, the Russian Delegation asks that credence shall be given only to the stenographic minutes as published, without alterations and in their entirety in the Russian Press.

L. TROTSKY,

People's Commissioner for Foreign Affairs.

We beg that all our communications, especially stenograms, should be immediately and in extenso sent to foreign countries by wireless, because we are the only source of unaltered information.

L. KARAHAN.

37. SESSION OF 11 JANUARY, 1918.

[From the (British) *Daily Review of the Foreign Press*, 15 January, 1918, p. 586.]

A Brest-Litovsk telegram to the Dutch Press (12 January) states:

In the spirit of yesterday's resolution a plenary sitting of the German, Austro-Hungarian, and Russian delegations met this afternoon and agreed to form a committee, as was proposed by the Russians, for discussion of political and territorial questions, and another committee of experts, representing the various delegations, for the preliminary discussion of economic and legal questions. The first-named committee has already met.

38. SESSION OF COMMITTEE ON TERRITORIAL QUESTIONS, 11 JANUARY.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 16 January, 1918, p. 599.*]

A telegram from Brest-Litovsk gives the following account of further negotiations:

The Committee of German—Austro-Hungarian and Russian delegates, which was formed at Brest-Litovsk on Jan. 11 for the discussion of territorial questions, held three long sittings on Friday and Saturday, Jan. 11 and 12.

After a brief introductory discussion on formal questions, it was settled that among the first points of the Peace Treaty which is to be concluded the termination of the state of war between the belligerent parties should be announced. Following on this, M. Trotsky refused to declare that the contracting parties were resolved henceforth to live in peace and friendship. M. Trotsky considered this to be a decorative phrase which does not describe the sense of the relations which in the future would exist between the Russian and the German people and the peoples of Austria-Hungary; and he hoped quite other things would influence the relations between the peoples. After a discussion on this point it was decided to return to it later.

In the course of further discussion it was confirmed that an agreement had been obtained as to placing the evacuation of the occupied territory by both parties in principle on the basis of full reciprocity, so that the evacuation of the Russian territories should be linked with the evacuation by Russia of the occupied regions of Austria-Hungary, Turkey, and Persia. At a further stage in the negotiations Persia was struck out in this context, as it is not a belligerent party. M. Trotsky proposed to insert at the end the following sentence: "Russia undertakes to remove as speedily as possible her troops from the occupied territory of neutral Persia"; and added that he had no other ground for this proposed alternation than the desire to emphasize the crying wrong committed by the former Russian Government against a neutral country.

Baron von Kühlmann then said that he was all the more glad to hear this declaration, as the liveliest sympathies were entertained by Germany for the old Persian Kultur and for the Persian nation, and they wished for nothing more than that in the future the Persians, free from oppression, should be able to devote themselves to their national Kultur.

The question as to the date for the evacuation of the occupied districts was then discussed. The German proposal was to the effect that the evacuation should take place after the conclusion of peace when Russia would have demobilised. It was necessary to make the evacuation follow the Russian demobilization, the Germans de-

* The *Deutscher Reichsanzeiger* of 14 January, 1918, has an account substantially identical with this.

clared, because there was the danger that Russia, before demobilizing, might be able to carry out offensive operations owing to changes in the governmental system and intentions at any future time. M. Trotsky then expressed a wish that the evacuation should be carried out simultaneously with the demobilization of both parties, with regard to which a further agreement could be reached. After Baron von Kühlmann had pointed out that according to the Russian proposal the evacuation of the occupied districts would be prolonged until the conclusion of a general peace, the discussion on this point was broken off.

The question was then discussed as to what parts of the occupied territories evacuation should apply. Baron von Kühlmann, speaking on this subject, said :

In accordance with the definition of the word evacuation, it can only extend to those regions which are still parts of the State territory of that Power with which peace is concluded. It does not extend to such regions which on the conclusion of peace no longer form part of this State territory. It would therefore be a matter for investigation as to whether and what portions of the former Russian territory could, on the conclusion of peace, be regarded as belonging to Russian territory. The Russian Government, in accordance with its principles, has proclaimed for all peoples without exception living in Russia the right of self-determination, even going as far as complete separation. We maintain that in the regions now occupied by us, the *de facto* plenipotentiary bodies representing the peoples in question, have exercised the right of self-determination in the sense of separation from Russia, so that in our view these regions can no longer be considered as belonging to the Russian Empire in its former shape.

To this M. Trotsky replied :

We fully maintain our declaration that peoples inhabiting Russian territory have the right of self-determination, without external influence, even to the point of separation. We can not, however, recognise the application of this principle otherwise than in regard to the peoples themselves, and not in regard to certain privileged parts of them. We must reject the view of the President of the German Delegation to the effect that the will of the occupied districts has been expressed by *de facto* plenipotentiary bodies, because these *de facto* plenipotentiary bodies could not appeal to the principles proclaimed by us.

Following on these statements of principle, a long and mainly theoretical debate arose on the question as to under what conditions and at what time a new State arises by the separation of its component parts from an existing State.

Baron von Kühlmann, summing up the point of view of the Central Empires in this question, said :

Our view is that State individuality emerges and is in a position to make legally binding declarations as to the bases of its existence as soon as any representative body suited to represent and to act as a mouthpiece announces, as the expression of the undoubted will of the overwhelming majority of the people in question, a decision to be independent and to exercise the right of self-determination. Our view appears to me to approach considerably nearer the character and fundamental correctness of the right of self-determination

than the view laid down here by the representative of the Russian Delegation, because the latter has not yet told us how a body can arise or be created which in a national entity not yet organized is to organize a vote on a broad basis, which organization forms, in the opinion of the Russian chairman, the prerequisite condition for the emergence of such a legal entity (Rechtspersönlichkeit).

In this connection Baron von Kühlmann referred to the examples of Finland and the Ukraine, which had constituted themselves in the sense of the principles enunciated by Germany and whose independence the Petrograd Government had recognized, although they had not arisen on the principles now represented by it.

As against this, M. Trotsky adhered to his standpoint by making the following remarks respecting the examples cited by the German State Secretary. Regarding Finland, he pointed out that it was not occupied by foreign troops. The will of the Finnish people had expressed itself in a fashion and manner which could and must be designated democratic. Not the slightest objection could be raised on the Russian side to the expressed will of the Finnish people being actually put into practice. Regarding the Ukraine, the process of such democratic self-determination had not yet been carried through there; but as the Ukraine, on the other hand, was not occupied by foreign troops and they (the Russians) were also of opinion that the evacuation of Ukraine territory by Russian troops could not produce difficulties of any kind, especially as this was purely a technical and not a political question, they saw no hindrance of any kind to the self-determination of the Ukraine people leading to the recognition of the independent Ukrainian Republic.

The outcome of the statements of the two sides on this point was summed up by Baron von Kühlmann as follows:

M. Trotsky, proposed the establishment of representative bodies which should be intrusted with the organization and fixing of methods of procedure under which popular votes or popular manifestations, which were for the time being (einstweilen) purely theoretically conceded by us, shall follow on a broader basis, while we take, and must take, the standpoint that in the absence of other representative bodies the existing bodies, which have become historical, are the presumptive expression of the people's will, especially in the vital question of a nation's will to be a nation.

In the subsequent debate on the character and significance of the popular representative bodies operating in occupied territories Baron von Kühlmann and Count Czernin said that their impression was that in the December negotiations the Russian Delegation was inclined to recognize the popular representative bodies in the occupied territories as de facto representative bodies and to presume that their decisions as such expressed the will of the peoples concerned.

At that time an understanding was reached that in such a provisional solution of the question of what was the desire of the peoples concerned respecting their political attachment a big step might be made toward the common goal.

M. Joffe, who had taken the lead on the Russian side in the earlier discussions, replied that he had always accentuated the necessity of carrying out the popular vote with no occupying troops, but he did not desire to deny having declared in conversation that in one or

two parts of Russia the existing organs might play a certain rôle in establishing the necessary popular vote.

M. Trotsky hereupon remarked that expressions of will by such Diets, of course, possessed great political importance, and he did not want to exclude from expression of their will that part of the country's population represented in these Diets.

Again summing up, Baron von Kühlmann said it would seem from M. Trotsky's statements that the latter was ready to recognize the existing organs if these parts of the country were not militarily occupied. He would then also attribute to them competency to carry out the referendum demanded by him.

M. Trotsky hereupon declared that the utterances of Diets, municipal bodies, and such like organs might be regarded as expressions of will of a certain influential part of the population, but such expressions only constituted a ground for the assumption that the people in question was not satisfied with its political position.

The conclusion followed that a referendum must be taken, for which, however, the preliminary condition was the creation of a body which could guarantee a free vote of the population.

In the further course of the discussion M. Trotsky asserted that there was a contradiction between the declaration made by the representatives of the Central Powers on Dec. 25 and the formulation of points 1 and 2 on Dec. 27, which, indeed, was shown clearly in the comments of the German Press.

Baron von Kühlmann, in reply, said that both documents were emanations of the same spirit and the same policy as was announced by the Chancellor in his programme speech in the Reichstag. This speech, in effect, already contained the Allies' declaration of Dec. 25, and thus also indicated that German policy intended to direct its relations toward Poland, Lithuania, and Courland, with due consideration for the people's right of self-determination.

In further remarks, Baron von Kühlmann took up the standpoint that the parts of Russia striving for severance after declarations of the will of the organs already existing were, even now, justified in making such agreements as they held to be good and useful for their future. Should such agreements contain dispositions relative to intended frontier rectifications it was not clear why these territories should not be just as free to do what they pleased in these questions as in others.

M. Trotsky thought he could not but see in this conception an undermining of the principle of self-determination, and raised the question why these organs of the peoples in question had not been invited to the Brest-Litovsk negotiations if they ought to have the right of disposal even over portions of territory. Such participation of representatives of these peoples in the negotiations was naturally not thought of, because these nations were regarded, not as subjects, but as objects of the negotiations.

In reply, Baron von Kühlmann said:

The previous speaker has complained that we have here no representatives of the nations under discussion. If by that he wished to express the opinion that in his view these national individualities have now been created, and can, in the exercise of the right of self-determination, undertake foreign relations,

I, on my part, am ready fully to recognize this admission of the Russian Delegation and discuss the idea whether, and in what form it would be possible for representatives of the nations in question to take part in our negotiations.

Count Czernin also expressed his readiness to enter into further discussion as to inviting representatives of the regions under discussion, but he wished to know how they would be selected if the Russians did not acknowledge that the representative bodies in existence in these regions were entitled to speak in the name of the nations which they represented.

Hereupon M. Trotsky, having regard to these extraordinarily important declarations of the representatives of the Central Powers, moved the adjournment of the sitting in order to enable the Russian Delegation to hold a consultation and to get into touch with their Government.

39. SESSION OF COMMITTEE ON TERRITORIAL QUESTIONS, 11 JANUARY.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 22 January, 1918, p. 650.]

The Petrograd account of the negotiations of Jan. 12, now to hand, reports the discussion which followed on lines generally in accordance with the German account printed in the *Daily Review* (Jan. 16, p. 599), but the more detailed report given of the debate on the evacuation of Persia has some interest. In the course of the debate on the evacuation of occupied territories, M. Trotsky asked permission to make an alteration in the proposed agreement on this point, which includes the sentence:

Russia withdraws her troops from the territories occupied by them in Austria-Hungary, Turkey, and Persia. The Persian Chargé d'Affaires in Petrograd had objected to Persia being thus coupled, as she was not the Ally of any of them, and he (M. Trotsky) consequently proposed to eliminate the word Persia and substitute for it the words: "Russia pledges herself within the shortest possible time to withdraw her troops from neutral Persia."

Baron von Kühlmann, taking note of this, said:

An immediate definition of our respective points of view is probably not necessary. I do not doubt that the misgivings of the Persian Ambassador (*sic*) regarding the wording proposed by the Russian delegation are based on some foundation. Nevertheless, as I have said, it would be difficult to express oneself immediately on so vast a question. We will express our point of view if the Russian proposal is communicated to us in writing.

M. TROTSKY. I would only add that our only object in suggesting the change is to emphasize the crying injustice done by our former Government to a neutral country.

BARON VON KÜHLMANN. I welcome this declaration the more inasmuch as the greatest sympathy is entertained by the Central Powers for the Persian people as the representative of an ancient civilization, and we hope that it may be able

to promote its national civilization without being subjected to oppression from its neighbors.

[NOTE.—The following passage does not appear in the German report at all.]

M. TROTSKY. We, on our part, will supplement such a declaration if it is made on behalf of Turkey.

BARON VON KÜHLMANN. I am not empowered to speak in the name of Turkey. I will, however, mention the matter to our Turkish allies, and I can already promise that if the President of the Russian Delegation will ask his British friends also to evacuate Persia, then not a single Turkish soldier will long remain on Persian soil.

M. TROTSKY. I can not enter into obligations with a country which is not taking part in the pourparlers, and if the question were given a wider basis, then it would be necessary to put it forward in connection with some other neutral countries—Belgium, for example.

Baron von Kühlmann objected to this digression, and the delegations then proceeded to discuss the question of evacuation of the occupied territories from the points of view of neutrality and time. While the Russians considered that evacuation and demobilization should take place simultaneously on both sides, the Austrian and German delegations said they could not consent to this for two reasons, firstly, because while a conclusion of peace between the countries represented would mean the end of the war for Russia, the Central Powers would still have to fight on; and, secondly, they would have no security against changes in Russia which might alter the situation to their detriment. M. Trotsky said:

We quite understand the ideas expressed by the President of the German Delegation regarding possible changes. We on our side anticipated them also in the natural order of things, but we reckon that any changes resulting from the ordeal of the war will conduce not to an exacerbation of the relations between peoples, but, on the contrary, to an ever-growing elimination of the danger of fresh conflicts. We are, therefore, of the view that that consideration should in no way be an obstacle to the simultaneity of evacuation and demobilization.

Again, no decision is recorded, and on the motion of Baron von Kühlmann the discussion of the extent of the occupied territories to be evacuated and demobilisation.

Again, no decision is recorded, and on the motion of Baron von Kühlmann the discussion of the extent of the occupied territories to be evacuated was taken up.

[NOTE.—The Russian account here closely follows the German account already published of the speech of Baron von Kühlmann on the point, but a much longer account is given of the speech of M. Trotsky.]

The President of the Russian Delegation, replying to Baron von Kühlmann said:

We must categorically reject the interpretation given to the view of the President of the German Delegation regarding the votes of what he called really plenipotentiary organs. These "really plenipotentiary organs" could not correspond to the principles proclaimed by us, for these principles had a purely

democratic basis constructed by the will of the peoples affected. At the same time we consider that the will of the people can only be expressed freely and without restraint on condition that the foreign troops are first evacuated from the occupied territories. We understand by foreign troops and troops of occupation the German and Austro-Hungarian troops, and similarly the Russian troops after the withdrawal of the German and Austro-Hungarian armies. The occupied territory does not correspond to the real boundaries of the regions inhabited by the peoples affected, but we, as we have often laid down, are ready to give the same right of self-determination to the inhabitants of the provinces adjoining the occupied provinces on condition that the corresponding institutions, upon the character of which an understanding must be reached, shall guarantee that the line indicating the whole of the territory of the peoples who are freely to determine their own fate shall go beyond the limits of occupation.

[NOTE.—Owing to the fact, it is pointed out from Petrograd, that Baron von Kühlmann spoke in German, the Russian stenographic report now becomes very confused, and it differs from the German account, the Russian account continuing, as follows:]

After further discussion, Baron von Kühlmann, speaking in German, observes:

I have said that the limited boundaries of the occupation of Lithuania or Courland should not be confounded with the ethnographical limits of Russian territory; that they should be provisionally fixed by bodies with sufficient powers to determine subsequently the free national frontiers; and that this question should be solved by means of a referendum. For the moment I do not wish to discuss the question just touched upon by the previous speaker, because that would lead us outside the limits of the matter which I wished to present for discussion. At the present moment we find ourselves engaged in a discussion on the fundamental question of all our debates, especially what preliminary steps are indispensable for the declaration of a people wishing to separate itself in carrying out its right of self-determination. The President of the Russian Delegation made his declaration, at least, with the implication that the source of the right of self-determination was found in the will of the Russian people. This declaration was made without any indication of conditions or any terms whatsoever, and it created for this reason such a judiciary position that it can by no means be said that its consequences will be limited exclusively to the internal relations of the Russian State. On the contrary, this question without doubt affects in a very important degree questions of international relations.

RUSSIAN ACCOUNT, CONTINUED.

[From the (British) *Daily Review of the Foreign Press*, 23 January, 1918, p. 663.]

A further section of the Russian stenographic report of the sitting of the peace delegations at Brest-Litovsk on Jan. 11/12 is telegraphed by the Petrograd Telegraph Agency under date Jan. 21. The following is a continuation of Baron von Kühlmann's speech, part of which was printed in the *Daily Review* (Jan. 22). It should again be noted that, as the Petrograd Agency points out, the text

of Baron von Kühlmann's speech, which was delivered in German, is in many places obscure.

Baron von Kühlmann continued:

According to the most substantial views, to the right of self-determination there also belongs, without doubt, the possibility of defining in a certain degree the people's international relations, for this right appears automatically at the moment when the people springs into being as a separate entity. From the moment when the new State has expressed its will to enter into international relations with States situated outside the borders of the Russian State, new and grave international questions arise. We have already witnessed such cases. For example, we have heard the proclamation of independence made by Finland. Finland immediately communicated to the foreign States her decision to enter into international relations, and has already obtained to a wide extent an acknowledgment of her independence.

Yesterday, thanks to the significant declaration of the Ukrainian delegation, a similar question, but of much greater importance and gravity, arose before our intimate circle. By a thorough analysis of the difference in the conceptions of the Chairman of the Russian delegation and those of the Allied (Central) Powers, it is evident that there is no agreement as to the exact moment when a new people's independent legal condition and full power of action appear. Our opinion amounts to this: That the national individuality of a people carries with it the right to declare its necessary legal constitution, and that the principles of its individual existence should be accepted as soon as this constitution is declared by some representative institution adopted by the masses of the people, and really capable by reason of its origin to appear as representing the expression of the will of an overwhelming majority of the people and demonstrating its free character by its leaning toward justice.

It seems to me that our conception approaches considerably nearer the character and excessive gravity of the right of free disposal than the conception set forth, albeit in general terms, by the representative of the Russian delegation, for although he declared to us that such an explanation should in his view be made on a democratic basis, nevertheless he did not tell us what should be the manner of the formation or the nature of the composition of the body which will be obliged to undertake in the midst of peoples not yet organized, but tending toward individuality, the organization of an inquiry on the most extensive basis, destined, according to the Russian representative, to be the preliminary to the formation of such a legal entity.

In my view this is one of the most important of the preliminary fundamental questions, for the questions placed in the forefront by the Chairman of the Russian delegation, as to how much the presence of armed forces in the voting may influence the result of the polls, appears to be a question which can only be discussed as supplementary to that of the presence of troops. If the Chairman of the Russian delegation wishes it, I shall suggest the opening of a discussion of this question: When, in the opinion of the Chairman of the Russian delegation, such a people makes its appearance, what are, according to him, the means by which such a people, which has recently made its appearance, can set forth in a form which he allows to be satisfactory its desire for its independence in general and its separation in particular?

M. Trotsky replied:

Morally, the Chairman of the German delegation is perfectly right, and I note the divergence of opinions when he spoke of what should be the reply to

the question: At what juncture precisely do new nationalities and new States appear in the international arena?

BARON VON KÜHLMANN. You refer to the legal form of the State.

M. TROTSKY. In any case, I can not agree—and this is the view of our Government—that anybody affected by the occupation of the territory in question, and which regards itself as the appointed organ of the people concerned, while using as its support the claims of foreign troops which are in solid occupation, can be concerned, or that it ought to be so recognized. In any case, especially where a State is created by the people and not artificially formed by the superior authority of such or such powerful empire, if the body which claims to represent the will of the people has always the means of exercising control, then the will of that body can only be considered as the expression of personal policy. Control should consist in an inquiry put to the whole population convoked to exercise the right of free self-determination. Such an inquiry is called a referendum.

As to the provinces which interest us, it is just in them that are to be found bodies incomparably more competent than those of which the Chairman of the German delegation spoke—competent by reason of their support from the mass of the people, whom they encourage to express themselves just before they depend on their support. Thus we arrive at the theory that each body is historically evolved which first expressed itself in the name of the people; this theory is the principle, or rather the right of free self-determination. And now, at a time when a decisive significance attaches to bodies historically evolved, the right of self-determination has not been asserted at all, and can not be asserted. As regards Finland, it is here that we have the most favourable example for the purpose of illustrating our idea. Finland was not occupied by foreign troops. The will of the people, expressed through democratic channels, formulated itself immediately.

As to the Ukraine, there this democratic self-determination is not yet complete. But as in the Ukraine there are no foreign troops, and neither we nor the Ukrainians doubt that the Russian troops will withdraw themselves from Ukrainian territory and set no obstacle in the way of the self-determination of the Ukraine, and as this is purely a technical and not a political question, accordingly we find absolutely no reason why the self-determination of the Ukrainian people should not become a declaration of the independence of the Ukrainian Republic. The scheme elaborated by the President of the German delegation excludes in practice, in the present state of the masses of the people, the possibility of a solution to this question. A solution can not be reached in practice, because the will of this or that Landtag may come into conflict with the opposite will of other sections of the population which have a proper and organised means of social and political expression.

RUSSIAN ACCOUNT—CONTINUED.

[From the (British) *Daily Review of the Foreign Press*, 25 January, 1918, p. 683.]

A further section of the Russian stenographic report of the sitting of the peace delegations at Brest-Litovsk, on the 11th inst., is telegraphed by the Petrograd Telegraph Agency, under the date Jan. 22. The following is the continuation of Trotsky's speech, part of

which was printed in the *Daily Review* (Jan. 23, p. 664). The German version is given in the *Daily Review* (Jan. 16, pp. 599-601).

M. Trotsky continued:

* * * And we shall not find any other means of settling a conflict between the wills of an entire people. Let us take as a single example the question of Riga. The former municipality there was replaced by a new one, and as a result the whole question of the will of the people of Riga depended upon which of the two representations we should have to consider as being the most faithful interpretation of the will of the urban population; and if it is remembered that all the provinces of Russia were undergoing at the moment of occupation a process of complete democratization it is, because from the point of view of the President of the German Delegation, the destiny of these territories would depend on the date and moment of the invasion of the provinces by the occupying troops and on the political régime they found in these provinces. Such a solution of the question would ruin the future relations of the State, no matter how stable that State may be.

We are of opinion that in order that the will of the people in the new provinces may be expressed without respect of persons it is indispensable to create an organ of revision which would represent the State and its social and political organizations and groups with sufficient fullness and that the immediate problem would be to institute referenda of the peoples in order that they should decide their own destinies.

KÜHLMANN. Regarding the last point which the speaker had brought up, I must ask who would be responsible for the creation of this organ and from whom it would receive its commands and its authority for the creation of such organs? Who would give the creator of these organs the right to impose a referendum on these people? In the opinion of the last speaker, it is a perfect ideal; but it is quite possible that it will correspond neither with the desire nor the disposition of these peoples.

TROTSKY. I am taking part with much interest in the debates on these questions, which, thanks to the kindly forethought of the President of the German Delegation, are reaching ever-increasing proportions. As regards the legal difficulties brought forward by the President of the German Delegation, it may be pointed out, if we pursue this example, that none of the Diets have received from anyone the right to settle the political fate of their provinces, and if one or other of the Diets expressed its wishes regarding the existence of an independent State, that would constitute an infraction of an absolutely revolutionary character. I say that not as an objection to such infringements of law. As regards the Russian Delegation, that is understood. The question for us is simply this: In what form and by whom can legal continuity be interrupted in the interest of the peoples concerned? We take into account the fact that these social organizations, which represent large masses of people, have a right much greater than a revolutionary right to interrupt the continuity of a State and to take the initiative in a referendum of the people, in the name of the classes on which they rely. If it is shown that the people reject the referendum, then the people will always have the power by their votes of conferring their plenary powers on a suitable Diet. I do not know, however, a single instance in history where it has seemed good to the people, or where they have ever claimed, that the right of voting or a referendum imposed from outside has not been in accordance with their ideals. If this danger threatened us, therefore, I think the matter could be settled to our mutual advantage without any difficulty whatsoever.

KÜHLMANN. Judging from the tone of his remarks, the President of the Russian Delegation does not appear to wish that the scope of our negotiations should be extended.

TROTSKY. On the contrary.

KÜHLMANN. In view of the exclusive importance of these questions which we are debating and the great responsibility which is imposed on us in their solution, I admit it is necessary to discuss them thoroughly from the theoretical point of view. In answer to my questions whence these authorities obtained their power to grant the peoples such and such a form of government, the President of the Russian Delegation replied that even a revolution should not impose its will on others. I think that the President shares my opinion that a revolution bases its justice on force. The object of our negotiations, however, is to pass from the region of force into the region of understanding.

TROTSKY. I am absolutely in agreement, and my entire argument is based on that. In other words, I suppose that, if one or other of the provinces was formed, not on the definite will of the people, which had time to evidence itself, but on a will imposed from an outside source, or even on a hereditary and out-of-date organization, then there will always remain for that people the right of appeal and revolution. But just on that account I find that the problem of the negotiations consists in freeing a people from the extremely difficult task of restoring its lost rights by revolutionary means. To (?for) that reason we propose to create such organs as will give to the people themselves the responsibility of choosing the form of self-determination which they desire.

KÜHLMANN. The reason why I referred to the source from which these new organizations and institutions might be founded is that I affirm that, in the cases where representative and historical organs are wanting, the present representatives must be accepted temporarily as representation of the people. I must deny as totally without foundation all reproaches that these organs are formed by an external influence, or that their decisions are influenced by external pressure.

Baron von Kühlmann proceeded to propose the establishment of representative organs, the details and forms of which would have to be settled, and dealt with the bases of a wider referendum for the expression of the will of the peoples, who were still, though theoretically, a part of the Russian people.

Our standpoint is now, and must continue to be, that failing other representative organs, the existing organs and those which have arisen in the process of historical development must be presumed to express the will of the people, especially as regards the vital question of the nation's desire to maintain its individuality.

M. Trotsky said:

In order to avoid possible misunderstandings, to which my attention has been drawn by my colleague, M. Kamenev, and others, I think it is absolutely necessary to repeat exactly what our position is. Owing to the fact that the peoples to which we refer belong to the Russian Empire, we desire to make no suggestion which might in the smallest degree limit or prevent freedom of action on the part of the peoples themselves. The question for us is entirely a matter of securing that the free expression of the peoples in the future shall be really a free and unhindered expression. At the same time I am obliged to draw the attention of the Commission to the fact that differences of opinion exist, not only regarding the constitution but also the powers of these provisional organs. For example, the President of the German Delegation agrees

with us as to the possibility of there being no organs endowed with full powers for the expression of the peoples' will on a particular territory. He finds it absolutely necessary, in view of the absence of such organs, to accept the competency for the time being of the existing organs as regards other purposes than those for which they were established. But he immediately proceeds to enlarge this competency to an extent which is not called for by the circumstances of the case. Instead of proposing to acknowledge these organs as qualified to cooperate with the other organs which serve to express the popular will, he acknowledges their declarations as being in themselves adequate expressions of the people's will. For our part, as regards the provisional institutions which we shall find it indispensable to create, we propose—as accords naturally with their position—to look upon their task as serving solely toward a more complete expression of the popular will. With reference to the protests against the assertion that the ideas or, if you like, the will of the "Landtag" would be subjected to external pressure, I conceive it necessary to point out the essential fact of the situation, which is incontestable, namely, that these organs represent very scanty populations, and that they voice their opinions at a moment when foreign troops are in occupation of the territory for which they speak; that, to our view, contains the whole gist of the matter.

BARON VON KÜHLMANN. I should like to point out that before the pourparlers were interrupted the Russian Delegation was disposed to acquiesce in our contention that the existing organs of popular representation ought to be accepted as representative bodies entitled to express the will of the people. This was one of the things which enabled me to take an optimistic view as to the final issue of the negotiations. Our point of view has been made sufficiently clear by what I have said.

RUSSIAN ACCOUNT CONCLUDED.

[From the (British) *Daily Review of the Foreign Press*, 26 January, 1918, p. 696.]

The following message is a continuation of the Russian stenographic report of the sitting of the peace delegates at Brest-Litovsk on the 11th inst. It follows on the long report printed in the *Daily Review* (Jan. 25), which concluded with a statement by Baron von Kühlmann.

Baron von Kühlmann continued:

I would hail it as a distinct result of our debates on this question if the President of the Russian delegation would take the same point of view as it seemed the delegation was ready to take.

If, in spite of my hopes and desires, that does not take place, I should be very grateful if the President of the Russian delegation would make known to us his exact proposals and tell us who is to form these temporary administrative organs, and in what relation they must stand to the already existing representative bodies. Does the President desire to give a reply immediately, or later? I have begged the Russian delegation briefly to explain why it is unwilling to take up the point of view, which it adopted before the Christmas interruption, and in clear terms asked it to consent to recognize the existing administrative organs as a convenient instrument for the expression of the will of the people who, in the opinion of the Russian delegation, ought to ap-

point these provisional administrative organs to the existing organs, and what are the precise problems of the new organs?

TROTSKY. As regards the Christmas interruption of the negotiations, which has been twice called here an interruption which had a political significance, that is an entirely unfounded statement. I think that my old friend, M. Joffe, will be able to give a better reply, and he will do it immediately. I ought to say, for my part, that the delegation returned home to Petrograd before the Christmas interval with two proposals, in which could be perceived the extent of the divergence of views between us and the delegation of the other side—a divergence of views which still exists.

M. JOFFE. I desire to supplement what has been said by the President of the Russian Delegation in my capacity as its previous President. It is my duty to testify that the records of our sittings before Christmas show that the Russian Delegation demonstrated beyond any question the inadmissibility of the taking of a vote in the occupied territories while actually invaded by foreign troops, and that it declared the impossibility of regarding a vote so taken as an acceptable expression of the will of the people. Taking up this standpoint we insist that the two formulas bring out strongly the divergence of our views on the matter.

BARON VON KÜHLMANN. What M. Joffe has just told us does not altogether meet my objections. What he has said is perfectly correct, but I have an impression that, although the fact was not actually recorded in the protocol, the gentlemen of the Russian Delegation were disposed to recognize the provisional organs as organs that could be held qualified to express the will of the people.

COUNT CZERNIN. I should like to add to what my German colleague has said that, although the fact was certainly not recorded in the proresolution, we did understand in the course of our private conversations that such a temporary solution might help to carry matters a step forward.

M. JOFFE. Naturally, I can not be responsible for the German and Austro-Hungarian delegation, but I would emphasize once more that both in the informal conversations and during the official discussions none of us ever gave the slightest reason for the supposition that the proposals contained in Nos. 1 and 2 of the Austro-German draft could be accepted in any form by the Russian Government.

BARON VON KÜHLMANN. That clearly appears to be the impression made on Count Czernin, and I would ask the President of the Russian Delegation to give a reply to the questions which I have put, or, if he pleases, to postpone it until later.

M. TROTSKY. Before replying to this question I would like to say a few words: For us all the declarations of a Landtag are of the greatest political importance. We do not exclude the common will of the people from this party, which is represented by the Landtag, and, even if there had been no occupation, such a Landtag would have declared that it demanded for Lithuania or Courland an independent existence. We have deemed it sufficient to put the question of a referendum on the order of the day. In this matter we are all united, independently of the Christmas interruption. As to the questions put here, they are not without their importance, but they have more of a technical and subordinate significance, and we will give our written reply as soon as we have formulated it. It seemed, however, to us to be absolutely necessary to have a preliminary discussion of the guiding principles governing the creation of such a provisional organ.

BARON VON KÜHLMANN. I have nothing to object to in that. I would merely like to assure myself that I have properly understood the preceding speaker.

As I understand him, he suggests, with regard to Courland and Lithuania, that, if the occupation had not taken place, he for his part would have agreed to recognize the existing organs as provisional organs which could have full power to hold the next public elections, which he calls the referendum. I would be glad if that could be stated perfectly clearly so as to avoid all misunderstanding.

M. TROTSKY. As regards the general question of the future fate of a people, forming part of a present State, it is necessary that, from the midst of this people, an authoritative expression of opinion as to its destiny should be made.

Similar demands may take different forms. In one case it may be a rebellion, as in India and Ireland; in another, it may take the form of declarations by a Landtag or by municipalities and Zemstva, and we should regard the voice of the Landtag as an expression of opinion on the part of a certain influential party of the people just as if such declarations were made in the same country, let us say, by representative bodies of peasants, by unions of workmen or professional men, or by political parties. All that would enable us to understand that there existed among a certain people a feeling of discontent with its position. The only possible deduction would be that an inquiry would have to be instituted by the authorities as to the definite opinion of the people themselves, and, for that purpose, it would be absolutely necessary to establish such a provisional organ which, in the conditions given, would effectively assure a free vote of the people interested.

BARON VON KÜHLMAN. I think it is now necessary to adjourn the sitting, and I propose, in order not to lose time, to continue it to-day after dinner at 5.30. That means that we will meet again at 5.30 p. m.

The sitting was adjourned at 1.15.

[From the (British) *Daily Review of the Foreign Press*, 21 January, 1918, p. 643.]

The following purports to be a Russian wireless message regarding the above session:

BREST-LITOVSK, *Jan. 12.*

The meeting to-day, during the further discussion of the Russian Delegation's point of view regarding the manner of the self-determination of the population in the Russian regions occupied by the Germans, showed clearly still greater divergence upon this question of both sides. The solutions of the contested questions as proposed by the Russian Delegation caused a sharp protest by General Hoffmann, who even said that the suggested solutions could be accepted only by a defeated side. The meeting ended with the proposal to ask the approval of the Governments concerned in the newly created situation.

The date of the continuation of the negotiations was not fixed.

(Signed) SAMOILO.

40. SESSION OF COMMITTEE ON TERRITORIAL QUESTIONS, 12 JANUARY.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 16 January, 1918, p. 600.*]

At the sitting on Jan. 12 (the following day) Baron von Kühlmann, after summarizing the result of the previous deliberations, finally remarked:

We expressed the view that the peoples dwelling on the western frontier of the former Russian Empire had already expressed their will in a manner that was adequate and was for us authoritative. On the suggestion of the Chairman of the Russian Delegation we also declared it an idea quite open to discussion whether and under what conditions these new States might participate in the peace negotiations. We have not yet, however, been clearly informed by the Russian Delegation whether in their view these States already exist as independent legal entities, and therefore whether, to use an expression employed by the Russian Delegation, they can participate as subjects at the discussion or whether until further notice they are to be regarded merely as objects of statesmanship. I should be grateful if the Russian Delegation would answer this question in a manner excluding all doubt.

Without entering upon the question under discussion, M. Trotsky hereupon asked the Delegates to hear M. Kameneff. The latter said that the Russian Delegation had come convinced that to avoid all misunderstandings it was necessary to make certain changes in the methods of procedure employed hitherto.

It proposed that both parties should put in writing their views unfolded during the discussion. In connection with this proposal the Russian Delegation reiterated its inability to recognize, as expressing the will of the people in the occupied districts, declarations made by one or other social group or by institutions in so far as these declarations were made under foreign occupation and emanated from organs whose rights did not rest on popular election and which could only maintain their life by keeping within limits which did not bring them into conflict with the plans of the military occupation authorities.

The delegation further made the following declaration:

As during occupation nowhere, either in Poland, Lithuania, or Courland, could there be constituted, or could there exist, any democratically elected organs which could lay claims, with any right whatever, to be considered as expressing the will of large circles of the population as regards the substance of any declaration dealing with any effort to attain complete State independence, the Russian delegation declares:

(1) From the fact that the occupied territories belong to the former Russian Empire the Russian Government draws no conclusions which would impose any constitutional obligation on the population of these regions in relation to the Russian Government. The old frontiers of the former Russian Empire, frontiers

* The *Deutscher Reichsanzeiger* of 14 January, 1918, has an account substantially identical with this.

formed by acts of violence and crime against peoples, especially against the Polish people, have, together with Tsarism, vanished. The new frontiers of the Fraternal League of the Peoples of the Russian Republic and of the peoples which desire to remain outside its borders, must be formed by free resolutions of the peoples concerned.

(2) The main task of the present negotiations for the Russian Government does not consist therefore in defending in any way whatever a further forcible retention of the territories mentioned within the borders of the Russian Empire but in safeguarding real freedom of self-determination as to the internal State organization and the international position of such territories. The Russian Republic will feel itself secure against being dragged into any territorial disputes and conflicts only when it is convinced that the line which separates it from its neighbors has been formed by the free will of the peoples themselves, not by violence from above which could only suppress that will for a short time.

(3) Our task thus understood presupposes a previous understanding on the part of Germany and Austria on the one hand and Russia on the other, of four main points relative to the extent of territory over which any population will be called upon to exercise the right of self-determination; relative to the general political prerequisites governing the solution of the question of the political destinies of the territories and nations concerned; relative to the transitional régime that shall exist until the moment of the final political constitution of these territories; relative to the nature and form in which the population of these territories will be required to make their will known. The aggregate of replies to these questions is formed by the paragraphs of the Peace Treaty which are to replace Paragraph 2 of the German proposal of Dec. 28, 1917.

The Russian delegation on its part proposes the following solution of these questions:

(1) The right to territory and self-determination belongs to nations, not to those parts thereof that are occupied, as is provided by Paragraph 2 of the German Treaty of Dec. 28. Accordingly, the Russian Government, on its own initiative, grants the right of simultaneous self-determination also to those parts of nations which are outside the occupied regions. Russia binds herself not to compel these territories, either directly or indirectly, to accept this or any other State organization nor to restrict their independence through tariff or military conventions that might be concluded prior to the final constitution of these regions on the basis of their right to self-determination.

The Governments of Germany and Austria-Hungary, on their part, categorically confirm the absence of any claims whatever, either to the annexation of the territories of the former Russian Empire now occupied by the armies of Germany and Austria-Hungary, or so-called frontier rectifications at the cost of these regions. They further undertake not to compel these regions to accept this or that State form, nor to restrict their independence by any tariff or military conventions which might be concluded before the constitution of these regions on the basis of the political right of self-determination of the nations inhabiting them. The solution of the question regarding the fate of regions which are determining their own lot must take place under conditions of full political freedom and in the absence of external pressure. The voting must therefore take place after the withdrawal of foreign armies and the return of the fugitives and of the population removed since the beginning of the war. The date for the withdrawal of the armies will be determined by a special commission in accordance with the situation as regards transport and food supply. After the termination of the world war the protection of law and

order in regions undergoing the process of self-determination devolves on the national armies and local militia.

Fugitives and those removed by the occupation authorities since the beginning of the war will be given full freedom and the material possibility of returning. Regarding (3), from the moment of the signature of peace until the final political constitution of the territories named their internal administration and the direction of their local affairs, finances, etc., passes into the hands of the temporary organ formed by understanding between political parties which have proved their vitality in the midst of their people before and during the war. The main task of these temporary organs consists, simultaneously with the maintenance of the normal course of social and economic life, in the organization of a plebiscite.

(4) The final solution of the question of the State position of the territories in question and the form of their State organization will follow by a general referendum. With a view to expediting the work of the Peace Conference, the Russian Delegation considers it extraordinarily important to receive from the German and Austro-Hungarian Delegations a complete and exact reply to all those questions which are raised in this declaration. As regards other questions, they might be so treated that they were answered in conjunction with the exact reply to these points.

General Hoffmann then spoke. He said:

I must first protest against the tone of these proposals. The Russian Delegation talks to us as if it stood victorious in our countries and could dictate conditions to us. I would like to point out that the facts are just the reverse; that the victorious German Army stands in your territory. I would like, then, to state that the Russian Delegation demands for the occupied territories the application of a right of self-determination of peoples in a manner and to an extent which its Government does not apply to its own country. Its Government is founded purely on power and, indeed, on power which ruthlessly suppressed by force all who think otherwise. Everyone with different views is simply, as a counter-revolutionary and bourgeois, declared an outlaw. I will only substantiate this my view by two examples. During the night of Dec. 30 the First White Russian Congress at Minsk, which desired to put into force the self-determination right of the White Russian people, was broken up by Maximalists with bayonet and machine gun.

When the Ukrainians claimed their right of self-determination, the Petrograd Government sent an ultimatum and endeavored to carry through their will by force of arms. As far as I can make out from wireless messages here before me, civil war is still in progress. Thus do the Maximalists apply the self-determination right of peoples in practice. The German Supreme Army Command must, therefore, decline to interfere in the settlement of the occupied territories. As far as we are concerned, the peoples of the occupied territories have already clearly and unmistakably expressed the wish for severance from Russia. Among the most important decisions of the population, I should like to point out the following: On Sept. 21, 1917, the Courland Diet (*Landesversammlung*), which described itself expressly as representing the entire population of Courland, requested the protection of the German Empire. On Dec. 11, 1917, the Lithuanian *Landesrat*, which is recognized by Lithuanians at home and abroad as the sole authorized representative of the Lithuanian people, proclaimed its desire for severance from all constitutional connections which have hitherto existed with other peoples. On Dec. 27 the Municipal Council of

Riga made a similar request of the German Empire. This request was supported by the Riga Chamber of Commerce, the Great Guilds, representatives of the rural population, and seventy societies.

Finally, in December, 1917, representatives of the Orders of Knighthood, the rural, urban, and ecclesiastical communities on the islands of Oesel, Dagö, and Moon, in various declarations, severed themselves from their previous connections. For technical administrative reasons, too, the Supreme German Army Command must refuse to evacuate Courland, Lithuania, Riga, and the islands in the Riga Gulf. None of these regions has administrative organs, legal or judicial organs, railways, telegraphs, or posts. All is in German possession, under German management. They are also unable within measurable time, owing to lack of the appropriate organs, to establish their own militia or soldiery.

Baron von Kühlmann said:

I would like to point out that it is impossible for us to take up any attitude whatever regarding the Russian written declaration just read. I must reserve a further statement of our position on all points. But, speaking personally, I should like to say that the *modus procedendi* proposed by the Russian Delegation, namely, that the Delegations should each present declarations in writing, will be conducive neither to the accelerations in writing, will be conducive neither to the acceleration of the negotiations, nor, if the documents resemble those presented to-day, will it contribute in the least to placing in an especially rosy light the prospects of the negotiations which we are now conducting.

Personally I am of opinion that it would have been better to continue in the manner commenced yesterday until the whole material had been dealt with, and, after the conclusion of the oral discussion, lay down in writing the result of such discussion, if necessary. As, however, the Russian Delegation, by its proposal of to-day, thinks otherwise, I propose to adjourn for the purpose of consulting our allies.

M. Trotsky said:

Of course, it is not our object to put difficulties in the way of progress by raising technical points. If the other party maintains that the time has not come to present a written statement, then our proposals of to-day would come up for discussion and we would reserve the right to return, in the course of the further negotiations, to our declaration as such, or to single points thereof, without in any way desiring to force similar treatment of the matter on the other party.

Baron von Kühlmann replied:

I can not accept that proposal. It would be highly undesirable to have written and worked out propositions on one side with no corresponding formulation from the other side. I must, therefore, adhere to my opinion that before taking up any attitude on the new situation a fresh consultation with our allies is necessary.

The sitting was thereupon adjourned. The date of the next sitting has not yet been fixed.

41. SESSION OF COMMITTEE ON TERRITORIAL QUESTIONS, 12 JANUARY.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 21 January, 1918, p. 639.]

The following Russian declaration was issued from Brest-Litovsk via Petrograd on Jan. 16:

At the time of our meeting on Jan. 2 with the Ukrainian Delegation we declared that we should regard it as inadmissible that any conference whatever, either official or private, should take place without the knowledge of the Ukrainian Delegation, and we stated that we would keep them informed of the progress of the pourparlers with the opposite parties. M. Golubovitsch, the Secretary General, got into communication with his Government at Kiev and said he had no doubt that he would be able to make the same declaration as regards ourselves. Eight days have passed, and up to the present we have not received any such declaration as regards ourselves. On the other hand, in spite of our request to be informed of the subject of the pourparlers which took place between the Ukrainians and the Austro-Germans before our arrival, and which appear to have continued to the present time, we have received no reply on the subject. On Jan. 15, during the pourparlers at the morning meeting on the question of occupied territories, Baron von Kühlmann stated, among other things, that the question of territorial limits had been discussed by the Ukrainians and that this discussion would have an influence on the negotiations. Seeing that the Ukrainian Delegation entered, without our knowledge, into diplomatic pourparlers, we to-day sent the following letter to the Delegation through the President of our Delegation, Comrade Trotsky:

To-day, in the course of our negotiations, the President of the German Delegation informed us that with regard to the question of occupied territories, the Ukrainians had entered into pourparlers as to the limits of these territories, and that these pourparlers might have an influence on the whole question. We affirm once more that the delegation of the Secretariat-General, in spite of the very definite understanding between us, and notwithstanding that the present state of things requires that we should put forth our united strength against the common enemy, is acting in opposition to every revolutionary principle, which forbids any secret understanding with imperialists, and that it continues to conduct behind our back its pourparlers with the Austro-German Delegation, refusing, notwithstanding our formal demand and its own promises, to give us any account of the proceedings. Being of opinion that the vital interests of the mass of Russian workmen and peasants and those of the Ukraine are at stake, we have decided to repudiate publicly all responsibility for these pourparlers. We again address ourselves directly to the Ukraine Central Executive Committee at Kharkov, and request them to take all necessary measures to safeguard the interests of the Ukrainian Republic and people, and to protect the Delegation and the Secretariat-General against secret and perfidious machinations. We are aware that the Central Executive Committee at this moment possesses more right to speak for the Ukrainian Republic than

the Rada at Kiev. If hitherto we have not protested against your participation in the pourparlers it is because we hoped that face to face with the common enemy you would be able to base your conduct on the elementary principles of democracy. From the moment that your policy was based on secret understandings and betrayed democratic interests, we found it necessary to reveal our real authority, which in no way gives you the right to speak in the name of the independent republic.

Speaking on behalf of the Russian Delegation at the Conference, M. Kameneff read the following declaration:

The discussion has revealed differences of opinion which may have the greatest importance. As analysis of the details, during the adjournment, shows that if we wish to avoid an unnecessary misunderstanding and difficulties we must change our method of work. We have, therefore, the honor to make the following communication to you which will clearly define our relations, and will determine the future course of the negotiations. The fate of the occupied territories having been discussed during two sittings, the Russian Delegation considers it necessary that both parties should put in a written résumé of the opinions expressed during the discussions so that the Government and public opinion may have a clear idea of the views of both parties. To expedite matters the Russian Delegation declares with regard to Article II, of the German proposal of Dec. 28, that it can not consider decisions arrived at by any public institutions in occupied territories as being a real expression of the will of the populations of these territories, being decisions taken in time of occupation by foreign troops—by bodies not elected by the people. The Delegation points out that since the occupation no democratic body, which would pretend to represent the will of the people, has been formed either in Poland, Lithuania, or Courland.

All that has so far been said has had reference solely to the formal side of the question, notably whether these bodies should be recognized or not as representing public opinion. As regards the substance of the declaration as to the desire for the complete independence of the territories referred to in Article II, of the German proposals, the Delegation declares that the Russian Government does not make any assumption from the fact of the territories at present occupied having previously belonged to the Russian Empire, or make any assumption which might impose on the peoples of these territories any obligation toward the Russian Republic.

The old boundaries of the Russian Empire, boundaries which were created by violence and as the result of crimes committed against the peoples brought into subjection, especially in the case of Poland, disappeared at the same time as Tsarism. The new boundaries, based on the fraternal union of the Russian Republic, and the peoples who wish to be united with it, must be created by the free decision of these peoples. Consequently, the fundamental aim of the Russian Government in these pourparlers consists not in the desire to retain by force the above-mentioned peoples within the boundaries of the Russian State, but in the desire really to obtain for these peoples freedom to decide for themselves their interior political organization, as well as their international relations. The Russian Republic will feel itself truly guaranteed against any attempts to initiate new territorial conflicts when it is sure that the line separating the Republic from its neighbors has been freely fixed by the will of the people and not by violence, which could only stifle this will for a time.

The aim to be achieved presupposes a preliminary understanding between Austria-Hungary, Germany, and Russia, based upon the following four fundamental points:

1. As regards the proportion of territory over which the people will be free to exercise the right of self-determination.

2. As regards the political procedure by which the governmental conditions of the territories and of the corresponding nations will be fixed.

3. As regards the temporary change of Government which will have to be made pending the construction of permanent Governments for the territories affected.

4. As regards the means by which the peoples of these territories will be called upon to express their will.

Altogether, the reply to these questions will represent the articles in the peace treaty which will take the place of Article II of the German proposal of Dec. 28, 1917. For its part, the Russian Delegation indicates the following solutions for the above questions:

1. With regard to the right of self-determination of the nations and not only the portions which find themselves in occupied territories affected by Article II of the German proposal of Dec. 28, the Russian Government, by its own initiative, gives an opportunity to the portions of the nations in unoccupied territories to profit by the right of self-determination. Russia binds herself not to compel, either directly or indirectly, these territories to adopt any particular form of government, nor to interfere with their independence by customs, conventions, or war treaties prior to the constitution of these territories on the basis of the political self-determination of their inhabitants. The Austro-Hungarian and German Governments, for their part, categorically affirm the absence of any pretensions on their side toward the inclusion in their Empires of the territories previously in the possession of the Russian Empire and now occupied by Austro-Hungarian and German troops, or toward a so-called rectification of the frontiers of these territories. Similarly, they bind themselves not to compel these countries, either directly or indirectly, to adopt any particular form of government, nor to interfere with their independence by customs, conventions, or war treaties prior to the construction of these countries on the basis of the free political self-determination of their inhabitants.

2. The decision of the question of the future fate of these territories should be reached under conditions of full political liberty without any external pressure. Consequently, the election should take place after the evacuation of the foreign troops and after the return of the inhabitants who had gone away during the war. The date of the complete evacuation of the troops should be fixed by a Special Commission in accordance with the transport situation and the other conditions of the world war. The preservation of order and of the rights of these territories is a matter for the national troops and the local militia. Complete liberty and material means should be placed at the disposal of refugees deported since the commencement of hostilities by the military authorities. From the moment of the signing of peace until the definitive constitution of the said territories, the conduct of local affairs should be placed in the hands of temporary bodies created by the consent of the political parties, which shall have proved their vitality amongst the people as before the war. The initial task of these temporary bodies should consist in the restitution of normal social and economic life, and, above all, in the organization of a referendum of the population. The final decision as to the form of government of the said territories, and the form of their interior arrangement should be arrived at by means of a referendum of the people.

The message ends at this point and is clearly incomplete.

RUSSIAN ACCOUNT, CONTINUED.

[From the (British) *Daily Review of the Foreign Press*, 22 January, 1918, p. 652.]

Russian wireless gives the following conclusion of Kameneff's declaration read at Brest on Jan. 12* (see *Daily Review*, Jan. 21):

With the view of speeding up the work of the Peace Conference, the Russian considers it very important that it should receive from the Delegations of Germany and Austria-Hungary an absolutely definite reply on all the questions raised in the present declaration. In regard to other and secondary questions—these can be elaborated coincidentally with the solution of the more fundamental questions.

According to a telegram from Petrograd (Jan. 18), replying to M. Kameneff's declaration, General Hoffmann said:

I am obliged, first of all, to protest against the tone of these declarations. The Russian Delegation spoke like a conqueror who had invaded our country. I should like to draw attention to the facts, which are exactly contrary to that. The victorious German troops are on Russian soil. Then I should like to point out that the Russian Delegation demands the avowal of the right of peoples under a form and under conditions which are not admitted in their own country. Its Government is founded exclusively upon violence, which suppresses every opinion but its own. Everybody whose views differ is simply denounced as counter-revolutionary or bourgeois, and, therefore, outside the law. I should like to illustrate my opinion by two examples only. On the night of Oct. 30-31 the first Bielo-Russian Congress took place at Minsk, which wished to insist upon the right of self-determination of the Bielo-Russian people. It was dissolved by the Bolsheviks by means of bayonets and machine guns. When the Ukrainians claimed their right freely to settle their own Government, Petrograd opposed them by the issue of an ultimatum, and endeavored to impose its will by the force of its army.

That is how the principle of the right of self-determination appears in practice under the Bolshevik Government. The German High Command finds it necessary to prevent anyone from interfering with the affairs of the occupied territories. It is clear to us that the people of the occupied territories have already declared their desire for separation from Russia in precise terms, which leave no doubt whatever. As the most important of the decisions of these peoples, I should like to point out the following: On Sept. 21, 1917, the Assembly of the people of Courland, which was decidedly representative of the whole people, asked for the protection of the German Empire. On Dec. 11, 1917, the Lithuanian Council, which is recognized by Lithuanians at home and abroad as the only legalized organ of the Lithuanian people, proclaimed its desire for a complete rupture of all the ties which existed at the moment between Lithuania and other States. On Dec. 24 the Communal Council of Riga expressed the same desire to the German Empire, and with this resolution the Mercantile Syndicate of Riga, a great guild representing the rural population as well as sixty associations in Riga, associated themselves. Finally, the nobility of the rural, village, and ecclesiastical communities of the islands of Oesel, Dago, and Moon have all renounced in numerous declarations the bonds which existed up to the present between themselves and Russia. Further, for technical, geographical, and administrative reasons the German Military Command is forced to refuse the evacuation of Courland, Lithuania, Riga, and the islands of the Gulf of Riga.

* (British) *Daily Review* gives date as January 16; should evidently be January 12.

All these territories are without administrative organs, and they possess neither tribunals nor legal bodies. They have no railways, posts, or telegraphs. All these things belong to Germany and are being provided for. These peoples are unable to create in the near future their own troops and militia, for the want of public bodies who have the power to organize them.

After General Hoffmann, Baron von Kühlmann spoke and said:

I must point out that an immediate detailed reply to all the points raised in the declaration which has been read is impossible. I reserve to myself the right to reply later, but I should like to formulate my personal opinion that the method indicated by the Russian Delegation, particularly the proposal that the two sides should exchange written documents, will not accelerate the pourparlers, especially if those documents resemble the declaration which has been made. I am of opinion that it would be better to continue in the form begun yesterday, so long as all the material which has to be discussed is not ready. After oral discussion we shall be able to fix in writing the results of our oral pourparlers. But, as the Russian Delegation has taken up a different point of view, I propose to interrupt the sitting in order to give us an opportunity to discuss the question that has been raised with our allies.

M. Trotsky said:

It is easy to understand that the Russian Delegation has no desire to encumber the technical side of the pourparlers. If the enemy side thinks that the time has not come to discuss exact formulas, our declaration will be a proposal to be discussed, and we shall have retained our right in the course of future discussion to return to our declaration, entirely or partially, without wishing to impose on the enemy side a similar method of discussing the question.

Baron von Kühlmann replied:

I regard such a proposal as undesirable. As our pourparlers are published, written pourparlers are not desirable. I maintain my point of view, that is to say, that before I reply to your declaration it is necessary for us to consult with our allies.

The sitting then terminated.

42. PLENARY SESSION OF 12 JANUARY.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 15 January, 1918, p. 585.*]

A message from Brest-Livovsk to the Dutch Press (Jan. 13) states that on Jan. 12 at the opening of the plenary sitting, at half-past eleven in the morning, the President, Count Czernin, made the following declaration:

In the plenary sitting on Jan. 10 the Secretary of State for the Ukrainian Republic handed the delegates of the four Allied Powers a note from the Secretariat-General of the Ukrainian Republic, dated Dec. 11/24 and numbered 726. This note contained, under clause 7, a declaration that the "Ukrainian People's Republic, represented by the Secretariat-General, acts independently in matters

* The *Deutscher Reichsanzeiger* of 14 January, 1918, has an account substantially identical with this.

of International Law, and desires, like other Powers, to participate in all the peace negotiations, conferences, and congresses." In reply, I have the honor, in the name of the delegations of the four Allied Powers, to declare the following: "We recognize the Ukrainian delegation as an independent delegation of plenipotentiaries representing the independent Ukrainian Republic. The formal recognition of the Ukrainian Republic as an independent State by the four Allied Powers is reserved for the peace treaty."

In connection with the question just dealt with in the declaration of the delegations of the Quadruple Alliance, I consider it necessary for the purpose of information as well as the removal of possible misunderstandings, to make the following statement: Such conflicts as have occurred between the Russian Government and the General Secretariat, the facts concerning which are more or less known to all present, had and have no connection with the question of the self-determination of the Ukrainian nation. They arose through the Ukrainian contradictions of the policy of the Soviets and People's Commissioners and the General-Secretariat's contradictions which are expressed both on Ukrainian territory and outside its frontiers. As regards the self-determination of the Ukraine, which is actually in force in the form of the People's Republic, this can give no scope for a conflict of opinion between two brother Republics. Considering the fact that there are no troops of occupation in the Ukraine, that the political life there is carried on freely, that there are neither medieval organs there which desire to represent the country nor mock Ministries appointed from above on the ground of power and position which act within the limits ceded them from above, considering that everywhere in the territory of the Ukraine freely elected Soviets are in existence, that in the election of all organs of self-government the principle of a general, equal, direct, and secret suffrage is applied, there is, and can be, no doubt that the process of self-determination of the Ukraine within the geographical limits and political forms corresponding to the will of the Ukrainian State will find its consummation. In view of the foregoing, which is in accord with the declaration made during the sitting of Jan. 10, the Russian delegation sees no hindrance of any sort to the independent participation of the delegation of the General Secretariat in the peace negotiations.

The Ukraine Secretary of State, M. Bobubowysch, then declared that he took cognizance of the declaration of the four Allied Powers and on that ground his delegation would participate in the peace conditions.

General Hoffmann, the German military delegate, remarked that he had seen from the reply that the President of the Petrograd delegation to his (Hoffmann's) protest that Herr Trotsky had not understood why the wireless announcements sent out at his instructions had transgressed the spirit of the armistice. At the head of the armistice treaty, General Hoffmann said, stood the words: "To bring about lasting peace."

Russian propaganda transgressed against this intention because it did not strive after lasting peace, but wished to carry revolution and civil war into the countries of the Central Powers.

In his reply, the President of the Russian delegation pointed out that the entire German Press was admitted to Russia, even papers which corresponded with the views of Russian reactionary circles and which were opposed to the standpoint of the Government of the People's Commissioners. Complete equality, therefore, was obtained in this matter which had nothing to do with the armistice treaty.

General Hoffmann, replying, said his protest was not directed against the Russia Press, but against the official Government statements and the official propaganda activity which bore the signature of the Commander in Chief, Ensign Krylenko. The German Commander in Chief, in the East, and the German Foreign Secretary, carried on no analogous propaganda.

M. Trotsky replied that the terms of the armistice treaty contained and could contain no restrictions on the expression of opinion on the part of citizens of the Russian Republic observed, concerning the remarks of the President of the Russian delegation that noninterference in Russian conditions was a fixed principle of the German Government which, however, naturally demanded complete reciprocity.

M. Trotsky replied that the parties belonging to the Russian Government would recognize it as a step forward if the German Government freely and frankly expressed its views relative to the internal conditions of Russia in so far as they regarded this as necessary.

The sitting was thereupon closed.

43. PLENARY SESSION OF 12 JANUARY.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 18 January, 1918, p. 621.]

According to a message from Petrograd (Jan. 15), in the course of the negotiations at Brest-Litovsk on Jan. 12, M. Trotsky, in reply to General Hoffmann's protest against the circulation of Russian propaganda in Germany, after pointing out that German newspapers had free access into Russia, whatever their views, added:

Nevertheless, we do not find it possible to demand a curtailment of even that part of the German press which supports the views of General Hoffmann. There is no doubt that the support which our reactionary circles are receiving by certain declarations by German official circles is doing much to continue civil war in our country, at the head of which are adherents of the old régime. Nevertheless, we do not find it possible to connect this question with the conditions of the armistice or with the peace negotiations. I may also remark that, as General Hoffmann represents here, not only the Government of Berlin but, as far as I know, also of Dresden and Munich, we also represent not only Petrograd and Moscow but other towns.

General Hoffmann answered:

I would like to correct the last sentence of the previous speaker. I represent no Government; I represent the German Army. As to the other points of the statement just made by the President of the Russian Delegation, I must again affirm that I have not been understood by him. I am not speaking of the Press, because, without doubt, neither we nor the Russian Delegation can have an influence on what the Press says. My protest is directed against the official Government statements and the declarations bearing the signature of the Commander in Chief of the German front or of Secretary of State Baron von Kühlmann.

M. Trotsky replied :

I must regret that I am unable, as General Hoffmann has said, to understand his point of view. This is to be explained, in my opinion, by the profound difference between our points of view—a difference, I am obliged to admit, which has been recognized during the war by the German judicial authorities, and a record of this fact may be found in the proceedings of the Courts at Leipzig and Stuttgart. In any case, I must clearly state that neither the stipulations of the armistice nor anything else can affect liberty of opinion, propaganda, or citizens of the Russian Republic.

44. SESSION OF 14 JANUARY.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 19 January, 1918, p. 629.]

According to German wireless (Jan. 16), on Jan. 14, at 5 o'clock in the afternoon, the German-Austro-Hungarian and Russian Commission for the discussion of territorial questions held its fourth sitting in Brest-Litovsk.

Secretary of State von Kühlmann announced that the Allied Governments had come to the conclusion to reply verbally in formulated form to the formulated proposals of the Russian Delegation.

He must once more point out, however, that he considered the method of procedure which the delegations have adopted on both sides, of drawing up formulated documents, was productive of extraordinary loss of time and that it leads to very little progress in the matter of the subjects treated. If one really wished to reach a peaceful settlement, it would be advisable in future to talk matters over and then intrust their draft on paper to the care of one man only from each side. These two men must be considered to constitute an editorial committee and they must endeavor to find out to what extent they could draw up a common conception and, should this not be possible, they should come to an understanding between themselves in the ascertaining and setting down in writing of the respective points on which they differed. On the material thus obtained the reply of the Central Powers could be read out.

The text of the reply of the Central Powers is as follows :

The proposals of the Russian Delegation, which have been communicated to the German and Austro-Hungarian Delegation with regard to the development of matters in the regions of Russia occupied by the Central Powers, diverge to such a degree from the views of the Allied Powers that in their present form they must be characterized as unacceptable. Without being desirous of going into further detail as to the outward form of these proposals, it can not remain unnoticed that they do not possess the character of an attitude of compromise for which the Central Powers have striven, but rather represent a one-sided

Russian demand which excludes the just basis of the opposite party being taken into consideration. In spite of that, the Austro-Hungarian and German Delegations are prepared once again to give clearly formulated expression to their opinions upon pending questions, this time in a formulated manner, and also to try to find out if the compromise striven for by them offers any prospect of realization. One portion of the territories occupied by the Central Powers is dealt with in Article No. 1 of the German draft. This matter has been deliberated upon and therefore requires no further discussion.

The question according to which [message defective] State life should be granted was a purely temporary organization and had four stages.

1. The period of time between the conclusion of peace with Russia and the termination of Russian demobilization.

2. The period of time between a Russian and a general peace.

3. The period of time for the transition stage of the new peoples.

4. And, finally, the definitive stage which the new States required for the complete installation of their State organization.

It must be repeatedly pointed out that for the Central Powers—as distinct from the case of Russia—the conclusion of peace with Russia has by no means any connection with a general peace, and that the Central Powers are compelled to continue the war against other enemies. On the other hand, the Russian Government declares once again to the allied delegations that it is of the opinion that the existing Constitutional organizations of the newly created States may be considered for the present as fully competent to express the will of wide circles of the people.

Of great importance for the question of [message defective] of the individuality of a State is the decision come to by the Supreme Court of Law, and given in Washington in the year 1808, in which it was stated: "That the sovereign rights of the United States of North America must be recognized as having fully and completely existed from the day of the announcement of its independence, that is to say, as from the Fourth of July, 1776, quite independent of its recognition on the part of England in the treaty of the year 1782 * * * (Droit international codifié, page 160)." The delegations take note of the declaration "that the Russian Government, from the fact that the occupied regions having belonged to the former Russian Imperial Empire, does not draw any conclusions which would impose any political obligation upon the peoples of these territories in relation to the Russian Republic, and that the old frontiers of the former Russian Empire—frontiers which were established by means of acts of force and crime against such peoples, especially against the Polish people—have disappeared together with Tsardom." And it also takes note that, "therefore, the principal task before the Russian Government in the negotiations now in progress does not consist in any way whatsoever in defending the forceful keeping of said territories within the borders of the Russian Empire, but in guaranteeing real freedom in the right of self-determination in relation to their internal State régime and the international position of the said territories."

In this connection it might be asked from what system of law does the present Russian Government deduce its right and duty of assuring the real freedom of self-determination of these territories to the uttermost—that is to say, even under certain circumstances, to the continuation of the war. If the fact that the occupied territories belonged to the former Russian Imperial Empire by no means imposes any duty upon the population of these territories toward the Russian Republic, then it is not obvious without further explanation on what the Russian Republic intends to base its rights and duties as regards that population. If, however, one takes the stand, as the Russian Delegation

has done, that the Russian Republic has such a right, then, indeed, the extent of the territory, the political provisions for the exercise of the right of self-determination, the transitory régime, and the form of expression of the will of the people are the four points on which an endeavor to reach an adjustment must be made.

1. The assertion that the right of self-determination is an attribute of nations and not of parts of nations is not our conception of the right of self-determination. Parts of nations can justly conclude independence and separation. It is by no means as a standard for the fixing of the boundaries of such portions. Courland, Lithuania, and Poland also constitute national units from an historical point of view. Germany and Austria-Hungary have no intention of incorporating the territories now occupied by them into their respective countries. They do not intend to compel the territories in dispute to accept this or that form of State, but they reserve for themselves and for the peoples of the occupied territories a free hand for the conclusion of treaties of every kind.

2. As to the declarations in this respect, they pass over the fundamental difference which the constituted Delegations are repeatedly pointing out. The withdrawal of the armies is impossible so long as the world war lasts; however, in the event of military conditions permitting, one may endeavor to bring about a reduction of the occupying troops to such a number as is absolutely necessary for the maintenance of order and the technical requirements of the country. The setting up of a national gendarmerie may be striven for. As regards the return to their homes of the refugees and those persons evacuated during the course of the war, a benevolent examination of the matter may take place from time to time. This question could—as it is not of outstanding political importance—be intrusted to a Special Commission.

3. The Russian proposal is not sufficiently clear in its details, and necessitates further argument that with the progressive approach of a general peace, the chosen representatives of the people of the country will cooperate to an ever-increasing extent in administrative tasks.

4. The allied Delegations are prepared to agree in principle that a people's vote on broad lines be sanctioned on the basis of citizenship. The setting up of a referendum appears to be impracticable. In the opinion of the allied Delegations, it would suffice if a vote, on a wide basis, were taken from an elected and supplemented representative body. It may also be pointed out that the setting up of States within the former Russian Imperial Empire recognized by the Government of the People's Commissioners, such, for instance, as the Ukraine and Finland, were brought about not in the way of a referendum, but by means of resolutions by a national assembly elected on a wide basis.

Inspired by the desire to endeavor to come to an understanding with the Russian Government, the Governments of Germany and Austria-Hungary have made these far-reaching proposals, and at the same time add thereto that they represent the most extreme limits within which they still hope to come to a peaceful understanding. During the development of these fundamental principles they have been permitted, as in duty bound, by the intention of not allowing any weakening of their defensive capacity so long as the wretched war continues, and also by the intention that certain peoples on territory adjacent to their own shall finally and independently be placed in a position to decide their own future, without thereby falling into a state of extreme need, misery, and desperation.

An understanding between Russia and the Central Powers on these difficult questions, however, is only possible if Russia also shows an earnest desire to reach an understanding, and if she will endeavor, instead of attempting to advance one-sided dictatorial aims, to see the question from the point of view

of the opposite side, and to find out a way such as can alone lead to a peaceful result.

Only under the conditions that such intentions are shown can the Delegations of the allied Powers still hope for a peaceful adjustment of the conflict.

M. Trotsky then spoke.

GERMAN ACCOUNT, CONTINUED.

[From the (British) *Daily Review of the Foreign Press*, 21 January, 1918, p. 637.]

According to German wireless (Jan. 18), in the speech of M. Trotsky made in Brest-Litovsk on Jan. 14; during the sitting of the German, Austro-Hungarian, and Russian Commission for the discussion of territorial questions, he declared that he hoped that the reply read from the Central Powers had at any rate set aside doubts regarding the formal difficulties which had arisen in the minds of the Russian Delegation by reason of the speech made by General Hoffmann during the former sitting.

The Russian Delegation was of the opinion that, in the present instance, negotiations would be carried on with one party, which would be embodied through the German Government.

The Secretary of State had pointed out that all points of these negotiations rested exclusively on the political will of the German Government. So long as this conception was not officially refuted by anyone, the Russian Delegation would regard this as a formal declaration. When General Hoffmann pointed out that the Russian Government bases its position on power, and that it made use of force against all those whose opinions differed from its own, and that it stigmatises them as counter-revolutionaries and bourgeois, it must be noticed that the Russian Government was based upon power. Throughout the whole of history no other kind of Government had been known. So long as society consists of struggling classes, the power of Government will be based upon strength, and these Governments will maintain their dominion by force. He must, however, protest most categorically against the assertion that his Government outlaws everyone who differs from it. That which the Governments of other countries objected to in the doings of the Russian Government was the way in which it made use of its power and in which it did not allow itself to be deterred. When the Rumanian Government had endeavored to make use of forceful measures on Russian territory against revolutionary soldiers and workmen, he and his friends proposed from Brest-Litovsk to the Petrograd Government that the Roumanian Ambassador and all his staff, as well as the Roumanian military mission, should be arrested, and the reply was received that such a course had already been taken.

M. Trotsky added:

As regards the two instances which General Hoffmann has adduced, they by no means represent our policy on national questions. We have had sent to us the result of investigations regarding the White Russian Congress. This Congress was composed of representatives of White Russian agrarians, and it had made an attempt to take possession of all those points of support which must be the property of the White Russian people, and, if it met with resistance, such resistance originated with the soldiers, amongst whom were represented Great Russians, White Russians, and Little Russians. I have already referred to it in my formal declaration that those conflicts which arose between ourselves and the Ukraine, and which, to my regret, are not yet completely overcome, have in no way restricted the right of the Ukrainian people to self-determination, and they have not prevented us from recognizing the independence of the Ukrainian Republic.

M. Trotsky then spoke of the destiny of the occupied territories, and said that from the declarations already made by the German representatives, he concluded that the decision as to the destiny of these territories ought to be reached irrespective of the question whether their peoples were already controlling their own destiny.

He would, however, like to express the opinion that the views uttered could only tend to strengthen the views of the Russian Delegation concerning the very subordinate rôle played by legal philosophy in deciding the destiny of peoples. It applies equally to the legal philosophy of the American Supreme Court of Justice. Anyone who has carefully read the history of the decisions of that Supreme Court of Justice knows that it has frequently modified the interpretation of its legal philosophy according to the necessity or otherwise for the extension of United States territory. He believed that in respect to this question, it would be of greater interest not to make a comparison with the decision of the American Supreme Court of Justice, but rather with the views and claims of those English jurists who had founded their right (?formed their laws), and deducted from them the right to keep the American colonies in their hands. As to the form of procedure the Russian delegation considers it necessary to give and maintain prominence to precisely those points which form the subject of differences of opinions as only by so doing can their adjustment be arrived at.

The leader of the German Delegation asked from what source the Russian Delegation had been led to take an interest in the destiny of the occupied territories, as the Delegation had declared that the fact that these territories had formerly belonged to Russia entailed no political obligation on their part as regards Russia, but his right to take an interest in the destiny of those territories had not been deduced by the Secretary of State, from the naked fact of their occupation but from the principles of the right of self-determination of peoples which he had indeed interpreted in a rather limited manner.

This principle was no less valid for the Russian Delegation, and sufficient ground for its interest in the destiny of those peoples was shown by the fact that it had not hindered their departure from the territory of the former Imperial Russian Empire.

M. Trotsky closed with the observation that the Russian Delegation reserved to itself the right to make a more precise statement regarding the nature of the declarations which had already been read out to-day.

Secretary of State von Kühlmann then spoke as follows:

As regards the speech of General Hoffmann, may I, on behalf of myself and of General Hoffmann, reserve the right to return to this question? The political competence of the German Empire has been correctly characterized by the previous speaker with the precise knowledge of international conditions which he possesses. The Imperial Chancellor, the sole responsible Imperial Minister, has imparted instruction with regard to the whole field of foreign policy; moreover, it goes without saying by the close relations with which I am bound to General Hoffmann, that between our respective conceptions, no divergence does exist. The fundamental difference between our conceptions and that of the Russian delegation's that, contrary to it, we wish to see arise in those regions, without break or violent transition, an orderly State, and that we decline, out of (reiner Liebedienerei) the theory of creating a vacuum and allowing the establishment of a State within this vacuum in a no more clearly defined manner than has so far been demonstrated.

M. Trotsky's depreciatory estimate as to the decision of the American Supreme Court of Justice surprises me. To nie the history of the founding of that great Republic, and the decision of its Supreme Court of Justice regarding the point of such history, is, however, not without importance for the forming of an opinion in the controversies pending between us. Moreover, I am pleased to note from the closing remarks made by the previous speaker that he and his Delegation now intend to enter upon the real discussion and the clearing up of conceptions which separated us. To this end my efforts have been directed from the very first hour of our labors, and I was of opinion that the statement of the various points of view as set down in writing on both sides before the Christmas interval offered a basis for discussion and sufficient formulation. I now propose that in future we observe the method of working as proposed by the Russian Delegations, so that we may really enter upon a detailed discussion of the four points given in our reply. I hope that in a few days we shall have progressed so far with full clearness and in complete responsibility of feeling as to be able to say whether the difficulties can be overcome or whether the attempt made here must be abandoned.

M. Trotsky then declared that in his opinion they could now pass on to the discussion of the two answers which had been put forward.

He must, however, once more emphasize the fact that he could by no means agree with the view of the German President on the question of the withdrawal of the troops; that in the event of the army of occupation withdrawing it would leave a vacuum. The peoples who inhabit Poland, Lithuania, and Courland would by no means find themselves in a difficult political situation if the army of occupation left them to their own devices. In so far as technical difficulties were concerned, such as not having their own railways, post, etc., an agreement on such questions could always be arrived at even without the

control of any army of occupation. But Secretary of State von Kühlmann had pointed out that besides technical grounds questions of security, which had been brought forward, played a very important rôle in the regions referred to.

Herr von Kühlmann then moved that discussion in a business-like manner of the four points proposed by the Russian Delegation.

After Herr Trotsky had agreed to this proposal the sitting was brought to a close, and the next sitting was fixed for 11 a. m. on the following day.

According to the version given by the *Rheinische Westfälische Zeitung* of the last paragraphs, Baron von Kühlmann pointed out that besides technical reasons, reasons connected with the safety of the regions concerned also played a very important rôle, and he then proposed that the delegates should begin the discussion of the four points proposed by the Russian Delegation themselves.

M. Trotsky having concurred in this proposal, the next sitting was fixed for the following morning.

45. SESSION OF COMMITTEE ON TERRITORIAL QUESTIONS, 15 JANUARY.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 21 January, 1918, p. 637.*]

A telegram from Brest-Litovsk, dated Jan. 16, says that two further sittings of the Austro-German and Russian Commission for the regulation of territorial and political questions were held on Jan. 15, at which the four Russian proposals were discussed.

M. Trotsky at first suggested allowing representatives of the occupied regions to participate in the negotiations. Baron von Kühlmann again expressed his readiness to allow such participation, but only on condition that the Russian Delegation should regard their appearance as indicating at least a presumptive recognition by the Russian Government of the position as States of the regions in question.

M. Trotsky said he could not recognize these representatives as being fitted to express the will of the entire population of those regions. The most essential condition of his proposal thereby naturally fell to the ground.

Baron von Kühlmann then pointed out—

It had not been possible to reconcile the divergent views regarding the importance which should be attached to the decisions of the representative bodies existing in the occupied regions, but that this need not necessarily lead to a breakdown of the negotiations, because the Central Powers' delegations from the first had taken up the standpoint of holding out a prospect of a confirmatory demonstration of

* The *Deutscher Reichsanzeiger* of 17 January, 1918, has an account substantially identical with this.

the popular will on a broad basis. Should an agreement be reached on the conditions of this popular demonstration on a broad basis, the diversity of opinion as to whether it should be regarded as of a constitutory or merely confirmatory nature would not, in his opinion, justify a breakdown of the negotiations with its far-reaching consequence.

Whilst admitting that a continuation of the debate in the domain hitherto dealt with, at any rate in its present stage, was useless, M. Trotsky said the main point was that of guaranteeing the independence and freedom of expressions of will of the peoples concerned and to safeguard the significance of such expressions of will it was necessary that they should have not only a confirmatory but a constitutory character.

In the discussion of Baron von Kühlmann's proposal to fix a period after the conclusion of peace with Russia (at the latest a year after a general peace was concluded) for taking a decisive vote in the occupied territories he said there were not sufficient reasons for binding the fate of the regions. M. Trotsky immediately opened the question of evacuating the occupied territories. He said there were not sufficient reasons for binding the fate of the regions in question with the course of the war.

GERMAN ACCOUNT, CONTINUED.

[From the (British) *Daily Review of the Foreign Press*, 22 January, p. 651.*]

German wireless (Jan. 20) gives an account of the proceedings of the Committee on Jan. 15, agreeing with that printed in the *Daily Review* (Jan. 21), but continuing Trotsky's speech and the subsequent debates from the point at which that account ended.

He (Trotsky) was, however, of opinion, without wishing to name provisionally a fixed term, that the question of regulating the fate of the now occupied districts must be determined in connection with the conclusion of peace on the Eastern front.

State Secretary von Kühlmann, in opposition to this, referred to the fact that a great readiness had been shown to meet the Russian view in so far as the Allies had declared themselves ready to evacuate districts in accordance with Article 1 without reference to the progress of the general war.

A further approach on the part of the Allies on this last point he did not consider impossible in case agreement was come to on other points. Since, however, there was a possibility or a probability of the renewal of the conflict on the East front owing to the continuation of the war on other fronts, and in any case the risk was much greater than would exist after the conclusion of a general peace, he must pronounce it impossible to entertain the idea of the evacuation of the districts mentioned in Article 2 of the German—Austro-Hungarian proposed draft at any period fixed without reference to

* The *Deutscher Reichsanzeiger* of 17 January, 1918, has an account substantially identical with this.

the conclusion of a general peace. Such securities as were provided for in Article 1 could not be given up on the part of the Allies so long as the general war lasted.

Herr Trotsky replied that in determining the future existence of the people in question, he would see the best security against the renewal of the war on the East front.

State Secretary von Kühlmann said that the Parties were at one in the wish to put an end as soon as possible to the adverse conditions created by the war. He repeated, however, that on the grounds already stated it would be impracticable to weaken military securities prematurely.

After a rejoinder on the part of the Russian Delegation, the sitting was adjourned until the afternoon at 5 p. m.

46. SESSION OF COMMITTEE ON TERRITORIAL QUESTIONS, 15 JANUARY.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 26 January, 1918, p. 696.]

The following is the official Russian Account of the session of the German, Austro-Hungarian, and Russian Delegations in the Territorial Commission at Brest-Litovsk on Jan. 15. The German version is given in the *Daily Review* (Jan. 21 and Jan. 22).

The President, Baron von Kühlmann, opened the sitting at 11.25. He said:

We shall continue the pourparlers, particularly, as was arranged yesterday, on the four points which were formulated yesterday. I should like to propose a change in the order of the discussion on these points and to postpone the question of territories to the last, for the following reasons: I think that the question of territories will be the least disputed of all. Moreover, there has been a certain exchange of opinions between the delegations which, perhaps, will not be without influence on the solution of the question of territories. Thus I propose to pass to the discussion of the second point regarding the preliminary political conditions which will serve as a basis for deciding the destiny of these peoples and these territories. I request the President of the Russian Delegation to express in detail his point of view on the questions indicated by the second point.

M. Trotsky thereupon rose and said:

Before expressing my opinion on the question of the new order of the discussion which has been proposed I must return to a proposal made by the other side. The German and Austro-Hungarian delegations at a recent session proposed to include the collaboration in the peace pourparlers of certain representatives of these occupied territories, which, according to these delegates, are already in the ranks of State organizations, having sufficiently demonstrated their wish for an independent State existence. We could not give our reply immediately because we wished first to ascertain what criterion was regarded by the other side as decisive for defining the legality or illegality of the bodies which claim to express the will of the people. As I said yesterday, the replies to our questions appear to be essentially contradictory and indicate the hand-

ing over to the occupying Power of the full and unlimited right based exclusively on physical force, to decide arbitrarily the destiny of the occupied territories and to dispose of such and such bodies without taking into account the moment of their appearance, their social basis, and what is their real political weight. If, however, the Governments of the other side continue, at least in the peace pourparlers, to characterize these bodies as the free representatives of the will of peoples which have already freely decided their own destiny, we consider it desirable in the highest degree to invite these bodies to collaborate with us. The representation of these bodies might base its rights and claims, disputed by us, on the claims made by corresponding territories in face of all the world. In this way might be eliminated, if not the contradiction, at least its most striking expression, which consists in the defence of the right of certain bodies protected by the Austro-Hungarian and German Governments to express the will of the people at the very time when these quasi-sovereign bodies remain powerless under the régime of occupation.

We are ready to accept the proposal twice repeated by the other side to invite here representatives of such bodies, to the declarations of which the German and Austro-Hungarian Delegations refer. Baron von Kühlmann has remarked that I have made our consent to the participation in the pourparlers of representatives of these nations conditional on the fact that their presence here would imply the recognition on the part of the Russia Delegation of the State existence of these peoples. I call attention to the fact that the President of the Russian Delegation indicated at previous pourparlers that the Russian Delegation would consent to regard an expression of opinion by a Landtag as an expression of the will of certain influential groups among the population. The admission of these representatives in itself excludes anything which does not require prolonged explanation. These representatives will come here as public criers of these peoples. We must then come to an understanding on the point whether these peoples are firm units or whether their representatives will come here as private individuals. In the latter case they have nothing to do at the pourparlers.

If these preliminary conditions are accepted by the President of the Russian Delegation, then I consent immediately to begin pourparlers with our representatives on the question whether the Russian Delegation desires to admit representatives of these territories, and, if so, in what form. We can not decide or regard as decided a question which is for the moment the principal subject of our diversities of opinion. If we have declared that the opinion of the Landtag appears as the opinion, namely, that although these groups are very influential, thanks to their economic position, they embrace, according to the German Press, only from 3 to 7 per cent of the population, the will of the people must everywhere be expressed by the people and not by economically privileged groups. That would be a complete abnegation of the principles which are the essence of our program if, directly or indirectly, we should have a pretext to tell the masses in Poland and Lithuania and the Letts that we were ready to admit the representation of the upper and privileged classes of their country and their peoples. If the President of the German Delegation does not find it possible to create a provisional regulation for the admission of these representatives, the proposal made by me falls to the ground of itself. We have seen that it has no connection with the admission we have already made of the power of these bodies. I do not dispute the declaration. I say that we do not regard it as connected with this question.

The message is incomplete.

RUSSIAN ACCOUNT, CONTINUED.

[From the (British) *Daily Review of the Foreign Press*, 28 January, 1918, p. 706.]

The following is a continuation of the Russian official account of the session of the German, Austro-Hungarian, and Russian delegates at Brest-Litovsk on Jan. 15, following on that printed in the *Daily Review* (Jan. 21).

Baron von Kühlmann said:

I can not immediately indicate this passage in the protocol, but I remember quite well that this standpoint was expressed very clearly and exactly. I will read afterwards the passage indicated. It seems to me that we are beginning to turn in a vicious circle in the course of these pourparlers. The last speaker complained of the absence of the representatives of these peoples. If he meant by that that these units have been created and that they are capable of expressing their right of self-determination, for my part I willingly consent to that absolute condition and I accept this proposal of the Russian delegation. As I have just said, I am under the impression that we are turning in a vicious circle. My point of view has been explained many times by myself, and I have indicated that the representative bodies speak in the name of insufficiently large classes of the population, but that there does not yet exist a similar representative body which, according to their opinion, could fulfill these functions. This dispute is to a certain extent a historic one. In any case, I think that during the forthcoming discussions we shall not approach our solution. For my part, the forthcoming discussions have no other problem than that of clearly explaining the point of view of the two parties and endeavoring to unite them. If, after all, the subject is discussed, it will be clear on what points an understanding is possible and what points divide the parties. If the discussion reaches such a position, the parties will have fulfilled their duty and it will remain for the deciding authorities in the State to draw such conclusions as seem necessary.

The admission of new delegations for the groups cited in the declaration is joined with conditions which are not acceptable to the Russian delegation. From the remarks of the preceding speaker, I have received the impression that in various cases he was not sufficiently informed regarding the composition of the bodies concerned. If he is of opinion that similar information as to the composition of these representative organs would help him in certain conditions to accept our position toward the said representative bodies, I, for my part, would agree to supply the Russian delegation with information as to their composition and explain the mandates which they hold. If the Russian delegation is inclined not to accept under any circumstances their presumptive character, then the supply of information would be pure loss of time and it would be better to give up the idea. In any case it would be necessary, as already said, to confine myself to merely noting the fact in future discussions that such contradictions can not lead to a conciliatory point of view. If an agreement should be arrived at as to whether the expression of the popular will should be regarded as a constitutional question or be regarded as of a binding character, there would be no justification for a rupture of the negotiations, with all its far-reaching consequences. I would accordingly propose to pass to the discussion of the question as to the formulation of what is to be

regarded as indispensable for the expression of the will of a people on a broad basis.

The first Russian proposal enunciated at the discussion held before the Christmas adjournment claimed that, in accord with the principles of the Russian Government, which proclaimed the right of all peoples inhabiting Russia, without exception, to dispose freely of themselves, including the separation of such territories, the latter will have the opportunity, within a fixed and not distant period, of freely deciding the question of their incorporation in such or such State or else of founding an independent State. Our task now consists in deliberating as to the interval which ought to be fixed. In my opinion the opportunity for their decision should last until, indeed, goes without saying, and the interval should last until the time when one may feel assured that before the end of the term it will be possible to eliminate the results and factors incident to the war, and which, in Russian opinion, are capable of stifling the perfectly free expression of opinion by these peoples. What has to be done is to find a term after the conclusion of a general peace which will be sufficiently short to avoid delay and, at the same time, sufficient to bring about the circumstances indicated by me as indispensable. That is what we should have discussed, and we should have decided, for example, that the interval fixed by the Russian demand should commence at the moment of the conclusion of peace with Russia and finish with the expiry of a year after the conclusion of a general peace. Perhaps the President of the Russian delegation would give his views regarding these ideas and also regarding my concrete proposal.

(A telegraph section is missing here, and it is assumed that what follows is a reply of M. Trotsky.)

Taking it for granted that the peoples interested have the right to the free expression of their will, then, for the practical solution of the question, it would be a matter of indifference what organ of such or such Government was presumably recognized at a certain previous date. Now, at bottom, the matter is simply how to assure this freedom of expression of the popular will. One of the most important factors connected with this expression of free will is the question of evacuating troops from the territories concerned.

The President of the German delegation, in order to supply a concrete subject for debate, proposed the evacuation of the territories from the moment of the conclusion of peace with Russia until a year after the conclusion of a general peace.

BARON VON KÜHLMANN. I said it would be necessary to discuss in advance the period during which the expression of the popular will should quickly declare itself. At the following discussions we should debate the conditions necessary for securing this expression of the popular will. Excuse me for interrupting you; I only wished to make the point clear.

TROTSKY. I am much obliged for the explanation; indeed, I am at a loss to understand how such a misunderstanding arose in my mind. Possibly it was caused by our deep conviction that a general vote would be impossible without a preliminary evacuation of the territories concerned.

In any case I suppose that in order to settle the destiny of the territories the question as to which originated with the events on the Western front, neither party has sufficient grounds for confounding them formally and inseparably with the course of the whole war. Russia, by relinquishing the war will, in the event of peace being concluded, have established, both for herself and for the whole of Germany, pacific relations on this front. Naturally that

does not, unfortunately, exclude the continuation of the war on the other fronts, but seeing that Germany's position in regard to her other enemies will not, in any case, be aggravated by the conclusion of peace with Russia, the populations of the occupied territories find it difficult to understand why its relations must pass under so harsh a form—a form dependent on the occupation, the form of a transitory regime—with all the consequences entailed by a continuation of the universal war. By such a presentment of the question their very existence would be called in question for an unlimited period, for at the present moment, however sympathetic a view we may take, we have no grounds for calculating with any precision the moment of the conclusion of universal peace, and, in view of the absence of my previous indication of a time limit, we concluded that the question of the settlement of the destiny of the occupied territories was to be settled in coordination with the conclusion of peace on the Western front and the subsequent liquidation of all the results of the war which have weighed on the occupied territories. Should it be accepted as a principle that those territories, independently of the form of their future existence, are not to be involved in the future progress of the universal war, except so far as that is indispensable for the liquidation of the results of the war on the Western front, then a time limit might be fixed by combinations of all the circumstances having a technical connection with the question.

Baron von Kühlmann, speaking in German, said:

I can not agree with the last speaker in his exposition. We have already indicated in the course of the discussions on the proposals formulated in Art. I our view that, in accordance with the opinions of our military specialists, our consent to the evacuation of territories, independent of the future progress of the universal war, must be considered as a great concession. That was the sole point of variance in the discussion of Art. I, and that variance was due to the Russian Delegation having expressed the desire that the proposed evacuation of the proposed territories should be carried out according to a precise plan simultaneously with the Russian demobilization. I do not deny the possibility of a rapprochement in our respective points of view on this question if we reach an understanding on other points. The preceding speaker contended that after the conclusion of peace with Russia the continuation of the war on the other fronts can in no way influence the course of events on the Western (? i. e., Russian) front.

(The message ends here.)

47. SESSION OF 15 JANUARY, AFTERNOON.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 22 January, 1918, p. 651.*]

In the afternoon the sitting was opened at 5 o'clock by State Secretary von Kühlmann with the following statement:

Gentlemen, we have this morning finished the discussion as to the period of evacuation, and we must acknowledge with regret that on the Russian side, in spite of the fact that the grounds advanced by us were of a completely logical

* The *Deutscher Reichsanzeiger* of 17 January, 1918, has an account substantially identical with this.

nature, no inclination has been shown to accede in any way to our representations. We wish now to pass over to the second point awaiting discussion, which refers to the general political arrangements under which the exercise of the right of self-determination is to take place. The chief point in considering this complex question is how far freedom of voting to the assembly with which the final decision will rest will be influenced by the presence of troops in the districts concerned. The Allied Delegations are influenced by an entirely sincere intention to secure for the voting absolutely complete freedom, such as is compatible with the circumstances. This is, however, in the nature of things, also a military question. The range within which the discussion can take place is regulated by military necessities beyond which we are not able to pass. The two points of view from which the matter can be discussed are the following: A certain number of armed and disciplined forces is necessary for maintaining public order. Part of the present militarily organized forces are necessary to keep in operation the economic life and industry of the country. The promise will be given on our own part in binding form that these organized forces will not interest themselves politically in any way in the districts in question, and that they will exercise no political pressure. Holding these views, we assert unreservedly that the presence of these forces can not be in any way injurious to freedom of voting.

The Chairman of the Russian Delegation then spoke again on the question of the evacuation of occupied districts. In response to a request made to him by State Secretary von Kühlmann that he should address himself to the point—that is, to the question of the conditions under which voting could take place, so that by both sides it might be looked upon as a valid expression of popular will uninfluenced by military pressure—Herr Trotsky said that he must first have complete clearness concerning the evacuation question, which until now he had not obtained.

State Secretary von Kühlmann answered that he had been under the impression that in the morning the discussion of the question as to the period of the evacuation had been sufficiently cleared up.

If that was not the case, he would not object if the Chairman of the Russian Delegation wished to discuss the point further. He could give no guarantee that within the period in which it would be desired that the vote should be taken, military considerations would make it possible fully to evacuate the districts. It was clear to everyone that even in the formulation of a national gendarmerie, to which the Allies were thoroughly willing to assent for the public safety in these wide and insecure districts, could not be carried through within the time in which the vote would be taken, and that they could not give up entirely military security for the maintenance of order. The minimum programme of the Allies had been drawn up with the most careful consideration of the military necessities, and subject to the recognition of this the Allies were ready to enter upon the discussion of details. The question was, that, whether according to the view of the Chairman of the Russian Delegation a vote or choice of representatives was impossible within the limits set forth by the Allies; that was, whether by the presence of the few organized forces already referred to the voting could be regarded as subject to military pressure or not.

Herr Trotsky replied that he could not now answer this question in a way that would be of practical, political assistance in the negotiations.

He could only insist that this question of the evacuation of the territory was closely connected with the freedom of voting. He must at present limit himself to stating that the presence of organized forces in the districts in question would, according to the Russian view, severely injure the significance of the voting. He added that in close connection with the question which they had been discussing was that of the return of refugees and of those who had been removed from the occupied districts. According to his view, the voting could only take place when these refugees and persons who had been removed had returned home, or the majority of them. The formula presented in the documents handed in by the Austro-Hungarian and German Delegates appeared to him to be too limited.

State Secretary von Kühlmann admitted without question that the refugees would be justified in returning to their homes.

It would, however, be the task of the Administration to establish whether exceptions were to be made to this general rule, and if so, what they should be. He requested the former speaker with a view to facilitating the consideration of the matter to give him access to the material in the possession of the Russian Government.

This Herr Trotsky declared himself willing to do. The sitting thereupon closed.

48. SESSION OF 15 JANUARY, AFTERNOON.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 29 January, p. 723.]

The following is the official Russian account of the session of the German, Austro-Hungarian, and Russian delegates at Brest-Litovsk, commencing at a quarter past five on the afternoon of Jan. 15. The session was opened by Baron von Kühlmann, who spoke as follows:

Gentlemen: We now continue the *pourparlers* interrupted before lunch to-day. We to-day discussed the question of a time limit, and, to our regret, we have been obliged to note that, in spite of the persuasive force of our explanations, had not been obtained. We will now pass to the discussion of point two; that is, a discussion of the questions regarding the common preliminary political conditions which ought to serve as a basis for a resolution. The decisive point in considering a solution of the said questions will certainly be in what measure the presence of troops occupying these territories might influence the free vote or ballot of the deciding body. This question will be the kernel for the discussion of all the questions which are submitted for our consideration. The similar features of the standpoint shared by all the Allied Delegations are known to you. The Allied Delegations are actuated by the very sincere desire to build up for the vote or ballot conditions of perfect political liberty within as wide limits as circumstances will permit.

The whole question is in its essential parts also a military affair. The limits within which we can discuss this question are created by circumstances and combinations of a military character which we can not exceed. The following points of view may be taken as setting the bounds for its discussion: The exact number

of armed and disciplined troops necessary for the maintenance of public order; the organised forces which are for the moment militarily indispensable for maintaining the existence of the economic enterprises of the country. On our side, a promise will be given, couched in obligatory terms, that the presence of these organisations in the said territories will involve no interference in the political life of the country and the troops will have no right to exert pressure on its politics. On the other hand, we resolutely maintain the standpoint that their presence can in no way impair the liberty of the ballot. If the Russian delegates consent to debate the question with my proposals as a basis, I beg them to enunciate their standpoint and their proposals, in order to determine if there is any means of attaining approximation of convergence in our respective suggestions.

M. Trotsky then replied as follows:

Before to-day's adjournment we explained the root of the differences which separate us. In this, at the first glance, practical question, the President of the German Delegation set up as a fundamental criterion for a solution of this question the criterion of military guarantees. This principle has, naturally, its claims, but it does not carry the debate any further on to other ground. Above all, it is necessary to make things clear from the beginning, because in recognizing the principle of the free self-determination of peoples, one may well say: "Although I should have certain military advantages in exploring the territories of these peoples, nevertheless, in view of the fact that I have acknowledged their right to an independent existence I renounce all such advantages." That is one position. One other is possible—that formulated to-day by the President of the German Delegation.

The military advantages of a given position are to be the supreme criterion, and discussion is only held to be possible within these limits. In that way the question is given an appearance which is purely deceptive. Certain explanations are indispensable in order to put the position of the German Delegation in its proper light. Thus, before the adjournment, the President of the German Delegation suggested as an example or a debatable proposal that the territories in question might attain a full and definite expression of independence not later than a year after the termination of the war. I understood that this would more or less coincide with, or would be preceded by, the evacuation of these territories by foreign troops. On this ground a certain misunderstanding arose, which has not yet been finally explained. Does the President of the German Delegation mean that at the moment of the final constitution of the new peoples the evacuation of their territories by foreign troops will have been definitely completed? If that is his identical standpoint, then it seems to me the question before us will find a very simple solution. If we accept, of course, conditionally, the time limit proposed by the president—that is, exactly a year after the termination of the world war—we imagine that only a few months would elapse before the operation of the evacuation of the territories was accomplished. And the vote which is to determine the final form of sovereignty of the new peoples would be taken under those conditions. I beg the President of the German Delegation to give an explanation on these points, in order to simplify the ensuing debates.

[The official communication here states that at this point there is a number of sentences much mutilated.]

BARON VON KÜHLMANN. You have misunderstood what I have just said. If this morning I proposed as a time limit a year after the conclusion of a universal peace, it was to be understood that the occupying Powers would be obliged to

carry out the vote in these territories subject to the observance of the conditions which I before indicated. A time after the conclusion of a universal peace was chosen in consideration of the fact that after a universal peace the circumstances will be favourable for the conditions of voting which have been accepted by us. These conditions which, from my point of view, should be laid down for the vote, I have already explained.

The conditions which, in my view, should be established for the vote have been set forth clearly and with sufficient fullness, and I do not think it necessary to go into details. They represent the maximum to which we can consent. Subject to the given circumstances and within the limits indicated, I could find it possible to discuss the question, but discussions which exceeded those limits may attain political results which are not practicable.

M. TROTSKY. Whether a practical result is attained or not, we must, above all, endeavour to make the position clear. Even after the recent friendly explanation of the President of the German Delegation, it is not clear what the final term for the evacuation of the foreign troops from the new territories would be.

BARON VON KÜHLMANN. The whole time we are not debating the question of the definite evacuation of the troops, but pourparlers for the creation of such conditions for the taking of the vote as would enable it to be announced, by our mutual consent, as an effective vote. I wish, most emphatically, to limit the field of the discussion in this direction. We are discussing the question of conditions under which a vote could be taken, which, in the opinion of both sides, would be an obligatory character, and would not be considered as having been taken under the pressure of armed force. I think that that is absolutely clear. We have indicated the number of organised armed forces which would be compatible with such a free vote without any pressure. It is on this that I would ask you to deliberate, if such is your good pleasure.

Above all, I should like to put forward for discussion the question of public order. We consent, in conformity with the proposals made yesterday by the Austrian Delegation, to begin the organisation of a gendarmerie from among the national forces. But for anyone with experience of such a question it is clear that during the time limit which we desire, and during which, if to-day you accept our conditions, we should be obliged to take the vote, it would be impossible to entrust to such a gendarmerie formed from national forces the maintenance of order on such a large scale and in territories so vast and so devoid of security. I should like to put the question as to what number of organised armed forces would be necessary, in the opinion of the President of the Russian Delegation, to maintain order in these territories at the time of the ballot, and at the same time would be compatible with the liberty of the vote.

MR. TROTSKY. I would remind the President that he is not only the President of the present assembly, but that he is also the representative of the opposing party, and that to arrive at an agreement it is absolutely indispensable to agree as to the order of the discussions and their form. I should find it difficult to give a direct reply to the last question put by the German President, if in order to explain all parts of questions which interest us we had not the right to put in the forefront all indispensable considerations and to receive necessary information. In the space of a few minutes the President of the German Delegation has proposed, firstly, to discuss only the conditions of the freedom of the ballot, and at the same time, without waiting for my reply, proposed to pass on to the conditions for the maintenance of order and the policing of the country. I am convinced that if the part of the discussions that has already taken place were brought to the knowledge of the peoples interested and submitted to the

public opinion of the world, without further explanations, it might cause the most serious misunderstanding, and it is for that reason, in strict connection with the question of State politics and the order of the day, and with the question of the proposals of a free vote, that I have touched on the question of the conditions and time limit for the definite evacuation of the troops, for not only rational decisions are possible. For example, if I put forward a practical alternative—that the withdrawal of the troops should take place within two years after the conclusion of a universal peace, and the deciding vote within one year—that would be a possibility.

Another possibility is that evacuation may be carried out in two years and the decisive vote within a year and three months. Faced with such an alternative, I would vote for the second. Naturally, the German President is entitled to decline to reply to this question.

Baron VON KÜHLMANN. I can find no ground for the presumption that I desire unreasonably to limit the subject of discussion. I am as interested as the President of the Russian Delegation in having full light thrown on the questions under discussion from all sides and to the very bottom. I was under the impression that the question of a time limit had already been sufficiently elucidated at this morning's sitting as far as was possible in the course of a debate. In any case, I can not take the responsibility of guaranteeing that, in the course of any time limit of practical importance for the solution of the question of the vote, military combinations will make the total evacuation of the troops from those territories possible. Such a deduction might have been made by the President of the Russian Delegation from my proposal regarding a certain limit, "a lapse of a year after the conclusion of general peace is indicated," and from our strictly minimum program for the activity of the organized forces in those territories. That minimum program has been elaborated with careful coordination of the military circumstances, and we agree to follow that program and to discuss it in detail. It seems to me that from the fact of a country putting forward a minimum program it logically follows that it is not in a position to deal with proposals from the other side which go too far. I must return to the previous proposal to proceed to the discussion of the amount of organized forces indispensable for the maintenance of order without in any way imposing this proposal on the Russian President.

M. TROTSKY. Yes; I think that it will conduce to clearness if we again spend some time on the question recently put forward in the proposal formulated by the Austrian and German Delegations: "The evacuation of the troops is impossible during the general war, but it will be possible to aspire to a reduction of their number indispensable for the maintenance of order and of the productive equipment indispensable to the country."

It is indispensable to introduce in the terms of the peace treaties guarantees against the fettering of the lives of these peoples with a period of uncertainty as regards the continuation of the common war. In this we foresee the greatest danger from the maintenance of a state of war which can not guarantee to the territories recently convoked for self-determined pacific relations of a normal character any more than to the neighboring countries. I venture to say, however, that the inhabitants of these territories, as well as the inhabitants of the colonies already mentioned, have the right to live in their country without being forced to suffer from universal war more than is necessitated by inevitable and indisputable causes.

Baron VON KÜHLMANN. I think, gentlemen, that we must interrupt the sitting and continue our speech at 5 this afternoon.

The sitting ended at 2 o'clock.

49. PRIVATE MEETING WITH UKRAINIANS, 16 JANUARY.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 21 January, 1918, p. 639.*]

German wireless states (Jan. 18) :

During the forenoon of Jan. 16 there assembled in Brest-Litovsk for private discussions amongst themselves the delegations of the four allied Powers. Secretary of State von Kühlmann, during the course of a prolonged speech, reviewed the state of the negotiations which had taken place with the Russian representatives during the past few days for the adjustment of political and territorial questions. The leaders of the allied delegations unanimously expressed their thanks and their complete approval to the Secretary of State.

As a consequence of the indisposition of the Foreign Minister, Count Czernin, a private meeting with the Ukrainian Delegates took place at his residence on Jan. 16 during the afternoon. During a discussion lasting one and a half hours and in which the German delegates participated, this led to the settlement in principles of questions concerning the future political relations between the Central Powers and the Ukraine, thereby a decisive step forward having been made.

The resumption of these discussions was arranged to take place on Jan. 17, when economic questions will be discussed. After the anticipated early conclusion of a private preparatory exchange of ideas, discussions of greater detail will be initiated.

50. SESSION OF 16 JANUARY.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 21 January, 1918, p. 643.]

The following purports to be a wireless message from the Russian Government :

To All—

Peace Negotiations, Brest-Litovsk, Jan. 16, 1918.

A discussion took place to-day of the clauses of the two proposals formulated by the Russians and the Austro-Germans. The chief object of this discussion was to determine what conditions must be recognized with regard to the self-determination of the peoples of Poland, Lithuania, and Courland.

Kühlman expressed himself in the sense that the German Government is ready to take upon itself the obligation to organize upon an extensive scale a consultation of the people not later than a year after the conclusion of a general peace.

During the debate which followed as a result of this reply, Trotsky endeavored to elicit a clear statement as to whether the consultation, even a

* The *Deutscher Reichsanzeiger* of 17 January, 1918, has an account substantially identical with this.

year after the conclusion of a general peace, would be preceded by the evacuation of the army in occupation.

Kühlman, after several attempts to evade a direct answer, was forced to declare, now and openly, that the German Government could not undertake any obligation with regard to the recalling of the army in occupation.

This is regarded as the most important declaration at to-day's meeting.

The stenogram will be sent to-morrow.

KARAHAN.

51. SESSION OF 17 JANUARY.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 22 January, 1918, p. 652.]

German wireless states (Jan. 20):

In Brest-Litovsk, on Jan. 17, the discussions which had been suspended between the German and Austro-Hungarian Delegations, on the one hand, and the Ukrainian Delegation on the other, and which have led to initial results on political questions, were resumed as confidential discussions.

Count Czernin calls special attention to the general principle, valid for the Brest negotiations which was recognized by the Ukrainian Delegation namely, that the intervention of one party in the internal affairs of the other party was quite out of the question. On the other hand, accord existed between both parties as to the realization of lasting friendly conditions assuring peace to both parties on the basis of the mutual discussion of the various political and cultural questions interesting them both. In this regard, Count Czernin, by way of example, referred to the assuring of the destiny of that Polish Minority which may belong to the future Ukrainian State. His statements were greeted with the expressed approval of the Ukrainian Delegation which made known that it was prepared to enter upon further negotiations on this basis. During the subsequent discussion concerning the adjustment of mutual economic intercourse, no differences existed on the fundamental conceptions of the parties such as might prevent the realization of agreement. The discussions went so far as to extend to concrete questions as to an exchange of commodities. The course of the negotiations and the results thus far achieved justify the hope of a satisfactory conclusion being reached. Further discussion of these questions has been intrusted to a special commission which is to complete its labors with the greatest possible speed.

52. MEETING OF TURKISH AND UKRAINIAN DELEGATES, 17 JANUARY.

GERMAN ACCOUNT.

[Translation from the *Deutscher Reichsanzeiger*, 29 January, 1918.]

The Turkish delegates at Brest-Litovsk held a private conference with the Ukrainians on 17 January. After the ancient, traditional

relations were recalled, which form a bond between the two countries, and after it was determined that the two parties were assembled not as enemies but as old friends, a discussion of the questions to be taken up in the treaty of peace with the Ukrainians was begun. As the Milli telegraphic agency reports, it was agreed that when the political relations between Russia and the Ukraine have been restored it will be possible to conclude a treaty with the Ukraine as soon as the treaty of peace shall have been put into final form and the Allies of Turkey express their approval. It was furthermore agreed that it is of vital importance for Turkey to know the political boundaries of the Ukraine, since a discussion of the questions relative to the Black Sea is only possible after the settlement of this point. The Ottoman delegation declared that an immediate answer to these questions is not necessary, and that the Ukrainians should study them thoroughly and deliberate upon them, in order to determine whether further questions on the same subject might occur to them.

The first delegate of the Ukraine answered in the name of his delegation that while the Ukraine was still an integral part of the Russian Empire, it had faced Turkey many times on the battle field, but that these struggles called forth no enmity against Turkey; rather did they arouse in the Ukrainians admiration for the valor and virtues of the Turks. The Ukraine, he added, considers the present moment of especial importance, since it represents the laying of the corner stone for the relations between the two countries and is opportune for creating concord between them and guaranteeing bonds of sincere friendship. The legal position of the Ukraine in its relations to Russia has not been fully determined. The boundaries between the Ukraine, on the one hand, and Germany and Austria-Hungary, on the other hand, can be decided upon at Brest-Litovsk. The boundaries between Russia and the Ukraine, however, have been settled to some extent, but not definitely. As for the naval forces in the Black Sea, although at present they are the sole property of the Ukraine, it is impossible to predict into whose hands they will pass. The Turkish delegates thanked the speaker for the friendly sentiments which he had expressed toward the Turks and emphasized the necessity of formulating certain points and reservations. On the western boundary of the Ukraine Turkey has no immediate interests, although it would be necessary for the latter to have exact information as to the eastern and southern boundaries of the former, so that Turkey might know who its neighbor on the Black Sea is. Furthermore, they requested information on this point and expressed satisfaction with the explanation that the Black Sea fleet was now under the control of the Ukraine. The delegates then decided that the Persian question did not belong to the Ukrainian sphere of influence. With regard to the Dardanelle question the Ukrainian delegation emphasized the fact that this was a matter which interests Turkey exclusively, and that they could, therefore, make no definite statement with reference to it. The question would have to be studied by the Government of the Ukraine.

At this point the Black Sea question and the question of free passage through the Black Sea were discussed. It was emphasized that new questions would probably arise. With regard to the Ukrainians, these questions would have to form a criterion for the

friendship and sympathies existing between the two countries. The Turkish delegates declared that the right of free passage for merchant ships would be respected in times of peace, but that in case of war Turkey would be compelled to use such means of defense which would be considered adequate for the protection of the Turkish capital. They added that, whereas it had been agreed to consider the evacuation of Turkish territory occupied by Russia during the war as a condition *sine qua non* of peace, it would be of great importance for the Turkish delegates to be informed of the relations existing between the Ukraine and the Caucasus. The Ukrainian representatives answered that these relations were of a friendly and sincere nature, but that the Ukrainians had no interest in the future organization of this territory and did not know in what manner and with whose assistance the Caucasus would regulate its future relations and how it would condition its internal life.

53. MEETING OF TURKISH AND UKRAINIAN DELEGATES, 17 JANUARY.

TURKISH ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 29 January, 1918, p. 724.]

A Constantinople telegram (Jan. 26) states:

The Turkish delegates at Brest-Litovsk had a private meeting on Jan. 17 with the Ukrainian Delegation, questions of special interest to the Turks and Ukrainians to be laid down in the peace treaty being discussed. It was pointed out that Turkey attaches great importance to the demarcation of the Ukrainian political frontiers, as only then could the questions relating to the Black Sea be discussed. The first Ukrainian delegate replying pointed out that the juridical position of Ukraine toward Russia had not yet been settled. He said that the frontiers between Ukraine and Germany and Austria-Hungary could be fixed at Brest-Litovsk; the frontiers between Russia and Ukraine, although fixed to a certain degree, had not been definitely laid down. Regarding the naval forces in the Black Sea, the Ukrainian delegate declared that it was impossible definitely to say to whom they would belong in the future, though at present the Ukraine was their sole owner. The Ukrainians further stated that the Persian question did not belong to the Ukrainian sphere of influence, and added emphatically that the question of the Dardanelles was one which solely interested Turkey. The final settlement regarding the Dardanelles and the Black Sea should, they said, be left to later discussion between the respective Governments. The Turkish delegates admitted the right to a free passage through the Dardanelles for merchant shipping in peace time, and stated that they considered the evacuation of Turkish territory occupied by the Russians a condition *sine qua non* of peace. In reply, the Ukrainians declared that their relations to the Caucasus would be friendly and sincere, but that they were not interested in the future organization of that territory.

54. SESSION OF 18 JANUARY.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 23 January, 1918, p. 664.*]

The deliberations of the commission for the regulation of political and territorial questions, which were interrupted for two days owing to Count Czernin's indisposition, were continued at Brest-Litovsk on Jan. 18. Baron von Kühlmann reiterated that, in principle, the Central Empires agreed with the idea of the repatriation of people who had emigrated during the war and that the practical execution of this repatriation could best be left to the commission, which would be charged with the exchange of civilian prisoners. On Baron von Kühlmann's question, whether the Russian Government was able to furnish the emigrants in question with proofs that before emigration they had lived in the districts in question, Trotsky replied that these fugitives and evacuated persons, who were at present in Berlin, had been formed into unions (*Landsmannschaften*), so that their central organs would doubtless be able to furnish such proofs.

This point being satisfactorily settled, the commission then discussed the future state formation of the occupied territories which were granted the right of self-determination by Russia. The German delegation held that a referendum would not correspond to the state of development of the population of these territories, and that it would be more suitable to supplement the representative bodies of the territories in question by elections on broad lines and to extend them in such a manner that they could really be regarded as representing the entire population. In reply to this suggestion Trotsky remarked that the Russian delegation adhered to its proposal that only a referendum should decide the future state formation of these countries.

In reply the German Secretary of State again pointed to the endeavor of the Central Empires to grant broad classes of the population in these regions an ever-increasing influence on policy.

What must unconditionally be secured was the maintenance of order during the transitional period. What must be prevented was extension of the Revolution to these regions, which had already sufficiently been afflicted by the war.

Further discussion on this question was thereupon postponed and the commission proceeded to discuss the extent of the territories falling under Article 2 of the German Austro-Hungarian draft. At the President's invitation General Hoffman produced a map of the territory between the Baltic and Brest-Litovsk. On his remarking that no regard would be paid in this map to territories lying south of Brest-Litovsk, as the negotiations with the Ukrainian delegation with regard to them were pending, M. Trotsky made the following counter Declaration:

As I have already twice remarked, namely, on the occasion of the recognition of the Ukrainian delegation, the progress of the right of self-determination of the Ukrainian people has not yet got so far that the question of the delimitation of the frontier between us and

* The *Deutscher Reichsanzeiger* of 21 January, 1917, has an account substantially identical with this.

the new Republic could already be regarded as carried out. I remarked on that occasion that this will produce no difficulties in the negotiations, as, according to our principles, the frontiers are defined by the will of the broad masses of populations interested therein. It would require an agreement between us and the Ukrainian delegation in each separate case, and this naturally refers also in full extent to the regions south of Brest-Litovsk.

In connection with this Count Czernin referred to the territories occupied by Austro-Hungarian troops and asked for information whether the negotiations concerning these territories were to be conducted with the Petrograd Government or with the Ukrainian delegation as the latter desired.

M. Trotsky replied that a one-sided and independent treatment of this question could not be granted to the Ukrainian Delegation, whereupon Count Czernin reserved further discussion of this question till an agreement on this point had been reached between the Russian and the Ukrainian delegations, which agreement is expected shortly.

In the course of the morning's deliberations Baron von Kühlmann asked for a statement regarding the relations between the Caucasus and the Petrograd Government.

M. Trotsky replied:

The Caucasus Army is under the command of superior officers who are absolutely devoted to the Council of People's Commissioners. This was confirmed two weeks ago at the general congress of delegates on the Caucasian front.

In a further question Baron von Kühlmann referred to the Aaland Islands, saying that the Aaland question was of the greatest importance to Germany, which was one of the signatories to the old agreement.

Above all, the question would have to be solved whether the Aaland problem would be dealt with now, as before, by the Petrograd Government, or whether the Finnish Republic (now recognized by several Powers) would have to be internationally regarded as entitled to represent the Aaland Islands in questions concerning them.

After a statement by M. Trotsky that the proclamation of the independence of Finland had hitherto brought no change regarding the question of the Aaland Islands, Baron von Kühlmann pointed out that individual German claims arose out of the Aaland agreement, the signing of which was the result of a purely historical event, namely, the Crimean war, and that Germany would demand recognition of such claims in the Peace Treaty.

By this recognition Russia would abandon nothing of what she possessed before the war unless the assertion were made that the fortification of the islands during the war—which was contrary to the treaty—and the attempt of the Tsar's Government, as disclosed by the present Government, to give these fortifications a lasting right, had created a new right in this respect. In the interests living on the Baltic shores it was Germany's desire that at the reframing of the provisions of such an agreement the nations living on the Baltic shores, especially Sweden—which, owing to her geographical position, was greatly interested in this question—would be requested to give their advice and signature. It was true that Sweden was not represented at the present negotiations, but he had good reason to suppose that the wishes of the Swedish people lay in this direction.

M. Trotsky reserved his reply to these suggestions till later.

At the conclusion of the afternoon sitting M. Trotsky stated that he was obliged to go to Petrograd for about a week for internal political reasons. As, moreover, the Commission had dealt in detail with the points on the agenda, he proposed to adjourn the deliberations of the Political Commission to Jan. 29.

On his departure the leadership of the Russian Delegation would devolve on M. Joffe. The representatives of the Central Powers took cognizance of this declaration and expressed the hope that the return of M. Trotsky would lead to a complete agreement.

The Economic Commission, which to-day held a confidential meeting, has fixed its first official sitting for 11 o'clock on Saturday.

55. AFTERNOON SESSION OF 18 JANUARY.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 29 January, 1918, p. 724.]

A dispatch from Brest-Litovsk (via Petrograd, Jan. 26) states that the afternoon session of the German, Austro-Hungarian, and Russian Delegations for the discussion of political questions was opened at half-past five in the afternoon of Jan. 18.

The session was opened by Baron von Kühlmann, who said: "Gentlemen, we will now continue the session of the special commission, which was interrupted this morning."

M. Trotsky said:

The territorial claims presented by the German and Austro-Hungarian Delegations this morning complete in a certain sense the fundamental political pourparlers. The position of the other side on the question of territorial policy shows itself to us in concrete form as follows: Germany and Austria-Hungary are detaching from the possessions of the old Russian Empire territory exceeding 150,000 square kilometers, with frontiers comprising the ancient kingdom of Poland and Lithuania and considerable tracts inhabited by Ukrainians and Bielo-Russians. They are also cutting off territory inhabited by the Letts, dividing them into 36 parts, and the islands inhabited by the Esthonians from the continental part of Esthonia. The régime of military occupation will be maintained by Germany and Austria-Hungary not only after the conclusion of peace with Russia but after the conclusion of a general peace, and the Powers named refuse to give explanations of any sort not only on the subject of the date for the evacuation of the occupied countries, but they also refuse in general to give any pledges regarding the question of the evacuation of the countries mentioned by their troops. The internal life of these countries will flow compatible with their interests. In these conditions vague guarantees regarding the rights of the Poles, Lithuanians, or Letts will only be absolutely illusory. In fact, the affair is reduced to the fact that the German and Austro-Hungarian Governments will take into their hands the disposal of the fate of the peoples mentioned. We consider it a political duty to establish this fact openly in the phase which these pourparlers have now reached. After all the work that has been done I do not consider it urgent to submit a matter which is criticized in

principle. The conditions mentioned prove that the point of view of Germany and Austria-Hungary is quite different from the principles recognized on Dec. 25 and that a real and stable peace of nations is only possible by the realization of the right of nations to decide freely their own destiny. In view of the work accomplished in the sense mentioned by the political commission, I propose the interruption of the work of our political commission in order to give the institutions directing the Russian Republic an opportunity to deliver their judgment on the peace conditions proposed to our Republic.

In my opinion this interruption should last for eight or nine days. Speaking for myself, I should endeavor to fix the next meeting of this Commission for Jan. 29, at 11 a. m.

In view of the fact that a section of public opinion in Germany reproaches the Russian Delegation with prolonging the pourparlers, I consider it urgent to declare here that clearness would undoubtedly have been reached quicker if the conditions of the opposite side had not, from the outset, been determined by a standpoint absolutely foreign to the principle of free determination of peoples, and by the conditions depending on the right of possession by war, and intended according to the words of the President of the German Delegation to protect the territories referred to from the revolutionary invasion. I have the honor to inform the President and the members of the two delegations that I am compelled, owing to my political duties, to leave for Petrograd, and during my absence the presidency of the Russian Delegation and all the corresponding powers will pass to Comrade Joffe.

Baron von Kühlmann said:

There is no need for me to emphasize that I can not associate myself with the explanations given now of our intentions at the end of the labors of our special commission by the president of the Russian Delegation and the criticism concerning the actions of the commission. What appears to be the greatest result is the fact that a considerable section of Ukrainians, in spite of intrigues, have entered the negotiations, as was stated this morning. At this moment an exchange of views with the Ukrainians is proceeding on the subject of nationality.

56. SESSION OF 19 JANUARY.

GERMAN ACCOUNT.

[Translation from the *Deutscher Reichsanzeiger*, 21 January, 1918.]

The German-Austro-Hungarian Economic Commissions held conferences today with the Russian and Ukrainian Economic Commission, which proceeded satisfactorily. The confidential political discussions with the Ukrainian delegation were continued.

57. PROGRESS OF NEGOTIATIONS WITH UKRAINE.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 23 January, 1918, p. 663.*]

A German telegram from Brest-Litovsk to Amsterdam (Jan. 21) states that the negotiations which have been in progress between the

* The *Deutscher Reichsanzeiger* of 17 January, 1918, has an account substantially identical with this.

Delegations of the Central Powers and those of the Ukrainian People's Republic have resulted in an agreement on the principles of a treaty of peace.

The state of war is to be declared terminated. The resolution of both parties to live henceforth in peace is to be ratified. The troops of both parties are to be withdrawn at the conclusion of peace. Both parties agree that arrangements shall be made in the treaty of peace for the immediate resumption of lawful economic intercourse. Diplomatic and Consular relations are to be resumed as speedily as possible.

The telegram proceeds to say that the Determination of the main lines of the negotiations has reached a point at which the delegations are obliged to get into touch with the "responsible quarters at home."

A portion of the authorized representatives therefore have now to make a verbal report on the subject to these quarters in order to get their assent to the results achieved. All the delegations agree that the necessary adjournment of the negotiations shall be as brief as possible. They have promised to return to Brest-Litovsk immediately, and are resolved then to conclude and sign the treaty of peace within the limits of the authorization given them.

The telegram concludes:

For the first time in this world-shaking war the realization of the principles for the reestablishment of peace have been successfully accomplished.

58. SESSION OF 19 JANUARY.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press* 29 January, 1918, p. 725.]

Russian wireless sends out the following:

The following is officially issued:

To All:

BREST-LITOVSK, Jan. 27.

[Shorthand Report of the Session of the Economic Commission, Saturday, Jan. 19, 1918.]

The Session opens at 11.15.

JOFFE. Before our last adjournment we received from the German-Austro-Hungarian Delegation a project relating to the establishment of future peaceful relations. That project is set forth in sixteen articles. The first of these articles deals with the occupied territories and ought to be laid before the Political Commission. As regards the other articles, these relate to legal and juridical, economical, and commercial matters. As there exist at present two Commissions for these subjects, one for deliberation on legal and juridical questions and the other to consider economical and commercial questions, it will be necessary to make a separation so that those parts of the project which

belong to the one Commission or the other may be referred to them respectively. Articles 4, 5, 6, 7, and 8 relate to economical and commercial questions.

With regard to this project in its entirety, it was declared on our part that we reserve to ourselves the right to correct, alter, or make counter proposals. A similar right has been reserved to themselves by the German-Austro-Hungarian Delegation.

We propose now to pass to the deliberations on the economical and commercial questions.

KERNER. I would like first of all to correct a mistake. Those projects which were submitted here before the Christmas adjournment are not Austro-Hungarian proposals; they are German proposals. It is true that the representatives of the Austro-Hungarian Delegation agreed to these proposals, but they were subjected to a further examination during the period of the adjournment, and we came to the conclusion that certain alterations ought to be made. Yesterday at a private consultation with several representatives of the Russian Delegation we proposed first to pass to the deliberation upon our old commercial treaty and try to settle what part of it could still remain in force. There we could find a firm ground for further negotiations and for making arrangements to meet the time of transition. You all know that we would be most pleased to retain as much as possible the arrangements of our old Treaty. It is our deep conviction that a more close examination of this Treaty, which was in force before the war, will show that a whole series of its provisions could be maintained provisionally, and it may be permanently. Therefore we think that it would be expedient to start first of all with the examinations of each article of the Treaty in its order. Here our purpose will be to create a solid ground for economic relations advantageous for both parties. A final determination of the new commercial relations can hardly be effected during the present negotiations. Some things will necessarily have to be left over. But the way will become more clear as we proceed. I would, therefore, like to put this question to the Russian Delegation. Do they agree that we shall first of all start with the examination of our old Treaty in order to find out what we can retain of its provisions? Here I would like to point out how the mistake to which I have referred arose. The Chairman of the Russian Delegation called the project, which was submitted before the Christmas adjournment, an Austro-German project. But since the adjournment a change has taken place in the composition of our Delegation, and of the old body only the composition of our (?) hammer is present now. I consider it my duty to remind you how this project has arisen.

[The message here is defective, and another speaker appears to join in.]

We, therefore, again make the proposal that the scheme already submitted be taken into consideration, and that the clauses which relate to commercial and economic relations between the negotiating parties be deliberated upon.

KERNER. I should like to be allowed to return to my proposal. It may be that I was not previously understood, seeing that I did not in any sense intend to express the view that it is necessary to include in the peace treaty a commercial treaty as well. On the contrary, I have clearly pointed out that further negotiations will be necessary later on for the completion of the final treaty, but I am of opinion that for the period of transition it would be more solid foundation than is provided by the material presented by the clauses lying before. I think that this would be the quickest way of giving our negotiations a practical effect which will lead to speedier results with regard to our labors.

JOFFE. I can in no sense agree with this. On the contrary, if we do not consider it necessary to conclude immediately a commercial treaty, it seems to me

quite futile to pass to the consideration of the clauses of a detailed and concrete treaty. In my opinion it is, first of all, necessary to fix the basic principles—which involves a very considerable and unnecessary loss of time. I do not think that we ought to fetter our freedom of action with clauses which are in the project which is laid before us, but I am of opinion that we must establish general principles, and the best way to accomplish this is to bring in definite and concrete proposals, such as we have already for our part submitted.

KERNER. I can not wholly agree with the point of view expressed by the last speaker that it is more practical to start working on general principles than to pass to details. My experience in a number of similar deliberations has taught me quite the contrary; but, in order not to delay the course of our labors and in order to meet the contrary views held by the other side, we agree to pass now to the consideration of the general principles contained in the project, with the view to seeing later to what extent we can maintain in force this or that clause of the old commercial treaty. As soon as an agreement is arrived at in this way with regard to our method of working I would suggest that we pass to the consideration of clause 4 of our proposal, and I ask the gentlemen forming the Russian Delegation to express their views on this suggestion.

JOFFE. Clause 4 of the proposal referred to is in substance a judicial as well as a commercial clause. In its wording, as it was laid before us, it is provided that citizens and ships of the contracting parties are to be treated not worse than those of any States with which no treaty has been concluded. In our opinion these are words which convey very little, and as our chief point of view is that all men within the borders of a free State must be equal, we would propose that this clause should be formulated in the following manner: Citizens of either one of the contracting countries who live permanently or temporarily within the borders of the territory of the other party shall enjoy equal rights with the native inhabitants with regard to participating in the political and social life, and particularly rights for the protection of their economic interests and for participation in all labor movements. They must also be placed in a position of equality with the native inhabitants with regard to rights affecting industry and commerce, professional occupations, the protection of labor, and social insurance, and must not be taxed otherwise or more heavily than the native inhabitants; that is to say, contrary to the proposal which was made before the adjournment, according to which citizens of each of the contracting parties within the borders of other States are regarded as persons with whom no treaty whatever exists, we propose by our project to give them all equal rights with the native inhabitants.

KERNER. It is very difficult forthwith to make an estimate of project which is merely read through and to appreciate at once all the consequences which it would involve. I should, therefore, like to adjourn the detailed and formal examination of this proposal to one of the next sittings. I desire to only mention the impression which I received by reading this project, and to say that it relates to entirely different questions than those which were dealt with in Clause 4. It relates in a sense to the clauses of the old treaty but takes into considerations, not the difficulties connected with certain inconveniences arising out of the point that less advantageous relations are permitted to other countries; it rather relates, on the contrary, to the rights of the representatives of the other side in their own country. So far as these proposals are covered by the proposals of the former project we shall, after a more detailed examination of it, in all probability agree with it. I should like, however, to call your attention to the fact that, if I have rightly understood what was said, this proposal passes beyond the limits of Clauses 4 and 5.

59. SESSIONS OF 20 AND 21 JANUARY.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 24 January, 1918.
p. 673.]

A telegram from Brest-Litovsk, dated 21 January, says:

The German Commission for Economic Affairs yesterday continued the discussion with the Russian representatives. To-day the preliminary work for the further deliberations of the Economic Commission was referred to a subcommission, which began its work this afternoon. The first official deliberations of the German-Russian Law Commission also took place yesterday and to-day, the following proposals being treated in detail and formulated: The ending of the state of war, the restoration of diplomatic and consular relations, the settlement of the indemnification question, and the restoration of State treaties. The restoration of private law is now being dealt with.

60. SESSIONS OF 20 AND 21 JANUARY.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 25 January, 1918.
p. 684.]

Russian wireless (23 January) sends out the following wireless message from Brest-Litovsk, apparently referring to the sitting of the Economic Commission on 20 January, referred to in the *Daily Review* (24 January).

To-day a session of the Economic Commission took place.

The Austro-Germans proposed to us that instead of a discussion upon the principles of the next commercial treaty, the treaty of 1904 should be discussed paragraph by paragraph, and that by means of this form of procedure it should be agreed which of the paragraphs of the old treaty could be introduced into the new treaty.

We refused the proposal.

The Commission then began the discussion of the principles of the new commercial treaty.

Our and the Austro-German proposals are being sent to you by messenger.

(Signed) KARAHAN.

61. A CHARGE OF FALSIFICATION.

[From the (British) *Daily Review of the Foreign Press*, 25 January, 1918.
p. 684.]

Russian wireless (22 January) sends the following:

BREST-LITOVSK, 22 January, 1918.

To all.

To-day we have sent the following message:

To: The Secretary of State, von Kühlmann, President of the German Peace Delegation, at the Home Office in Berlin; and

To: Minister Count Czernin, President of the Austro-Hungarian Peace Delegation, at the Foreign Office in Vienna.

In the official statements regarding the last plenary sitting of the Peace Conference as published by the newspapers of the Central Powers the declarations have been omitted made by the People's Commissary, Trotsky, concerning the fact that after the fortnight's negotiations the Central Powers insist in all decisive questions upon demands which are in violent contradiction to the principles which have been recognized by the declaration on 25 December. The Russian Delegation has already once protested against the intentional abbreviations of the minutes in the Press of the Central Powers. The comments published by the German newspapers clearly demonstrate that the keeping back of important declarations is entirely misleading public opinion. We consider it our duty once more to protest energetically against such proceedings and to publish our protest in the Russian as well as in the foreign Press.

(Signed) A. JOFFE,

President of the Russian Delegations.

January 23.

62. ADJOURNMENT OF NEGOTIATIONS.

[From the (British) *Daily Review of the Foreign Press*, 25 January, 1918, p. 684.]

A telegram from Sofia to the Dutch Press (23 January) states that following on the adjournment of the peace pourparlers at Brest-Litovsk, the Bulgarian delegates, M. Popoff, Minister of Justice, and M. Stoyanovitch, arrived this afternoon in Sofia to make their report to the Government and to receive further instructions. M. Kosseff, Minister Plenipotentiary and Secretary to the Minister of Foreign Affairs, another member of the Bulgarian Delegation, arrived in Sofia yesterday.*

63. RUSSIAN ARRAIGNMENT OF CENTRAL POWERS.

[From the (British) *Daily Review of the Foreign Press*, 25 January, 1918, p. 687.]

The wireless service of the Russian Government (23 January) sends out the following:

I.

To all; to foreign countries:

The statesmen of Austria are appeasing their restless workmen by the affirmation that the Central Empires are not trying to annex, but are striving to reach a democratic peace. Such communications can only create in Russia very great astonishment.

The conditions of peace as proposed at Brest-Litovsk are nothing less than a demand for a most monstrous annexation. They are a demand for the annexation of Poland, Lithuania, Courland, Riga,

* The negotiations were resumed on 30 January.

parts of Livonia, Moon Sound and the islands—the Gibraltar of the Baltic Sea—with the purpose of the complete economic and political suffocation of Russia.

To have such a programme and to talk at the same time of democratic peace surpasses even the limits permitted to diplomacy.

At the Brest-Litovsk negotiations the part of the Austrian representative was limited to the humble approval of all [? the statement of] General Hoffmann and the Secretary of State, Kühlmann. But this does not prevent the Austrian Socialist patriots from telling fables to the Austrian workmen regarding the services rendered by Count Czernin in the endeavour to obtain peace. Happily the Austrian workmen, like the workmen of other countries, are losing their faith in the fables of the Socialist patriots.

II.

To all:

The peoples of Germany and Austria-Hungary are being deceived. It is difficult to realise what a game the Governments of the Central Empires are playing with their own peoples. The annexationists have been sufficiently powerful to impose their will upon the evasive diplomatists of the Hertling-Kühlmann school. But the Government in carrying out the will of the annexationists no longer dares to show the people their own programme.

Kühlmann declared that the Central Empires can not remove their armies from the occupied regions until the conclusion of a general peace. From this statement the whole world, and foremost of all the German people, naturally inferred that Germany and Austria-Hungary have agreed to evacuate Poland, Lithuania, Courland, Riga, and the Islands after the conclusion of a general peace.

But this is not the case. The Austro-German Delegation refused to offer any guarantees concerning the withdrawal of armies from the occupied territory. Their object is a monstrous annexation.

This was clearly ascertained at Brest-Litovsk, and the whole world, with the exception of the peoples of Germany and Austria-Hungary, is now aware of it. From these peoples the most important part of the negotiations is being kept secret. The German Government does not dare to communicate to its peoples the demands which it submitted to Russia at Brest-Litovsk. The people of Germany and Austria-Hungary are being deceived by their own Governments before the whole world.

64. SESSION OF 30 JANUARY.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 2 February, 1918, p. 765.*]

A telegram from Brest-Litovsk to the Dutch Press, dated Jan. 30, says:

A plenary sitting of the delegates was opened this morning under the Presidency of the Turkish Grand Vizier, Talaat Pasha, who

* The *Deutscher Reichsanzeiger* of 31 January, 1918, has an account substantially identical with this.

stated that since the last meeting certain changes in the composition of some of the delegations had occurred, and he requested the Chairmen of the Delegations in question to inform the plenary session of these changes.

Baron von Kühlmann announced that the Bavarian Government, by virtue of its treaty rights and after agreement with the German Emperor and the Imperial Chancellor, had appointed part in the negotiations. M. Trotsky then stated that the Russian Delegation had undergone two changes, one being purely personal, namely, that M. Karelin, the People's Commissary for State Properties, would henceforth take part in the deliberations, while the other change was of a legal and political character, namely, the incorporation of two members of the Ukrainian People's Republic in the Russian Delegation, which fact had already been notified in writing.

Three Ukrainian members had been appointed, one of whom, M. Satomsky, People's Commissary and Secretary of State for Education, had remained in Petrograd and entered the Government there. The two others, namely, the President of the Executive Committee, M. Medwedew, and the Secretary of State for Military Affairs, M. Schachray, were at Brest-Litovsk and formed a part of the Russian Delegation. This fact, which was of the greatest importance for the further course of the negotiations, reflected the development of the situation in the Ukraine as a result of recent events. As the opposition has an interest in being accurately informed about the situation in the Ukraine, M. Trotsky considered it necessary to give a further short explanation. The Ukrainian Council of Soldiers, Peasants, and Workmen's deputies engaged throughout the Ukraine in a determined battle against the Kieff Rada, in which the Ukrainian Council's party had been victorious at many points. That party is in complete agreement with the Petrograd Council of People's Commissaries. The whole Donetz coal field, the entire mining region of Ekaterinoslav, and the Governments of Charkoff and Poltava were in the hands of the Ukrainian Soviet. In other parts of the Ukraine the power of the Soviet was increasing, while the influence of the Kieff Rada was steadily declining. On the day of Mr. Trotsky's departure from Petrograd a telegram was received from Kieff to the effect that the Kieff Secretariat-General had resigned. How the crisis had been solved by the Kieff Government and what influence it would exercise on the delegation of Herr Halubowicz was not yet known, but it was clear from the foregoing that a peace concluded with the delegation of the Kieff Secretariat under the present circumstances could in no way be regarded as a peace concluded with the Ukraine Republic.

In his speech to the Main Committee of the Reichstag, Baron von Kühlmann had made out that the Russian Delegation had recognized the Ukrainian Delegation so long as it could assume that the latter would play the rôle of auxiliary, but that now, when the Russian Delegation had realised its mistake, it had refused recognition. This was too subjective a representation of what occurred. At the very first sitting at which the question of a Ukrainian Delegation was broached, M. Trotsky had declared that the process of development of the right of self-determination of the Ukraine was still proceeding. Now, when the All-Russian Congress of the Councils of Workmen, Soldiers', and Peasants' Delegates was meeting in Petrograd,

where the Ukrainian Soviets were also represented, and when a federal basis for the Russian Republic had been unanimously created, the inclusion of representatives of the Ukrainian People's Secretariat in the Russian Delegation at Brest-Litovsk entirely corresponded to the conditions obtaining in the Russian Republic. If the delegation of Herr Holubowijez had, as before, the mandate of the Kieff Secretariat, then no objection was raised to its further participation in the peace negotiations. In any case, however, only such an agreement made with the Ukraine could be recognised as secured the formal endorsement by the Government of the Federal Republic of Russia. The representative of the Ukrainian People's Republic, M. Lewytskij, who had remained behind in Brest-Litovsk, then made the following statement:

Before the departure of our representatives it was agreed among the members of the delegation that until the return of the entire delegation the one or two members who remained behind here would not act in political questions. The attitude of our delegation towards the statement made here by the representative of the Council of the People's Commissioners, as well as towards the question of the inclusion of representatives of the town of Kharukoff in the Russian Delegation, is therefore reserved until the return of our delegation.

Baron von Kühlmann declared that he undertook in the name of the Allies to postpone the discussion of M. Trotsky's statements until the arrival of the delegation of the Kieff Rada. He desired to state that the President of the Russian Delegation on his part had not hinted by even a word that, besides the Delegation headed by Herr Holubowijez, other bodies existed which claimed to speak on behalf of the Ukraine. The position, in brief, appeared to him to be that the existence of a free Ukrainian People's Republic was not questioned by any side, but that two rival bodies asserted the right internationally to represent the free Ukrainian People's Republic. The Allied Delegations would thoroughly examine this important question.

M. Trotsky replied that he had, in fact, not mentioned that besides the Rada there existed on Ukrainian territory a second body which claimed to represent the Ukrainian people. There was no reason for the Russian Delegation to fix its attitude on this question so long as the Councils of the Ukrainian Workmen, Soldiers', and Peasants' Deputies had not decided whether they desired to send their own representatives to the peace negotiations. The question as to which of the two delegations had a right to speak finally on the wishes of the Ukrainian Republic would have to be decided according to the result of the struggle between the two organizations.

Count Czernin declared that he associated himself with the view expressed by Baron von Kühlmann, that the discussion of the attitude which the Ukrainian Delegation had to take at the peace negotiations should be postponed until the arrival of the Kiev Delegation. As, however, he would regard it as regrettable to waste time, he would like to propose that meanwhile the Commission for territorial questions should resume its work.

M. Trotsky associated himself with this desire, but said that it was necessary to revert to one matter which played a rôle at the beginning of the last negotiation period. The telegram alleged to have been issued by the Petrograd Telegraph Agency on the declaration made

by M. Joffe in the first-session period was that on that occasion brought up for discussion, it being indicated that this dispatch represented the facts in an untruthful manner. He (M. Trotsky) had thereupon declared that German and Austro-Hungarian official report on M. Joffe's interrogatory statement was correct, whilst the alleged report of the Petrograd Telegraph Agency did not correspond to the acts. He had now had an inquiry made into this matter in Petrograd which showed that Petrograd Telegraph Agency had not dispatched such a telegram. How this misunderstanding or falsification had arisen he was unable to say, and he left it to interested quarters to establish this. At this point Talaat Pasha closed the sitting with a proposal to resume the deliberations in committee.

65. SESSION OF 30 JANUARY.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 2 February, 1918, p. 766.]

A Petrograd message (Jan. 31) states:

The plenary meeting for discussing the pourparlers of peace was resumed yesterday. In the Russian Delegation were M. Trotsky, Commissioner for Foreign Affairs; MM. Joffe, Bitzenko, and Karelin as representatives of the Central Executive Committee of the Council of Workmen's, Soldiers', and Peasants' Delegates. The delegate Madwedieff represented the Ukrainian Central Executive Committee, and General Szachraj, Ukrainian Military Affairs; General Samoljo, Captains Lipski and Grinberget, Admiral Altvater—all for military councillors—Radek, expert in general and Polish Affairs, Bobinski, also Polish expert Teriain, expert for Armenia, and Stuczza and Mickiewicz, experts for Lettish and Lithuanian Affairs, respectively, arrived shortly. Taking part in the German Delegation is the Bavarian Minister, Podewils, whose presence is due to the attitude of opposition taken by the Bavarian Press toward the policy of Berlin.

M. Trotsky having announced the arrival of the Delegation of the Council of the Ukrainian people of Kharkoff, the German Delegation decided to reserve their attitude toward it until after the arrival of the representatives of the Kieff Secretariat. M. Trotsky then stated that the alleged telegram of the Petrograd Agency of Jan. 16, which attributed statements to the Russian Delegations which they had never made at Brest-Litovsk, had never been sent by the Agency. The charge of falsification, therefore, brought by the German Press against those who had sent the telegram to Stockholm or Berlin. The German Delegation made no comment on this statement.

Baron von Kühlmann next proposed resumption of the work of the Political Commission which had to deal with territorial questions. M. Tschernine and Baron von Kühlmann offered no opposition.

66. SESSION OF 31 JANUARY.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 4 February, 1918.
p. 776.*]

A telegram from Brest-Litovsk (Jan. 30)† says:

Under the Presidency of Count Czernin a meeting was held to-day of the German, Austro-Hungarian, and Russian Commissions for the settlement of political and territorial questions.

Before passing to the discussion of the Agenda M. Trotsky made a declaration in which he pointed out that the German papers he had just received contained an alleged telegram of the Petrograd Telegraph Agency which, if it were believed, would have the worst effect on the course of the negotiations. It quoted a concluding passage of the speech he delivered before the Third Congress of Workers', Soldiers', and Peasants' deputies in Petrograd.

He did, in fact, make a report on the course of the peace negotiations at Brest-Litovsk, and expressed his personal standpoint and the standpoint of the Delegation and his Government. According to the telegram, he was alleged to have said that the Russian Delegation would not conclude a separate peace. This was an invention, and gave an exactly opposite idea of what he had said. The Presidents of the Austro-Hungarian and German Delegations said they would make an inquiry as to the origin of the report in question.

The discussion of the Agenda was then entered upon. Count Czernin pointed out that the commission had thus far discussed the question of the regions which were occupied by the Imperial German troops. He now proposed to attain definite certainty regarding the region occupied by the Austro-Hungarian troops. Before entering upon details, he felt it necessary to observe that the gentlemen of the Ukrainian Delegation took the standpoint that they alone and independently had to discuss and decide this question. He therefore requested the President of the Russian Delegation to explain his standpoint on the question of competence (*Zuständigkeitsfrage*).

M. Trotsky replied that he most emphatically protested in the name of the Delegation and the Russian Government against the Delegation of the Kiev Rada taking the standpoint that it could independently solve territorial questions. His point of view had received further support to-day by the participation as members of the Russian Delegation (*im Verbands Russischen Delegation*) of two representatives of the Executive Committee of the Ukrainian Republic. As regards the material aspect, he considered on the ground of various reports, especially a telegram which he had just received, that the question of participation by the Delegation of the Kiev Rada was to be regarded more as a question of the past than of the present and future.

* The *Deutscher Reichsanzeiger* of 1 February, 1918, has an account substantially identical with this.

† Jan. 31, according to the *Reichsanzeiger*.

Count Czernin then said:

I believe that a definite contradiction in these views exists between the gentlemen of the Ukrainian and Petrograd Delegations. The gentlemen of the Russian Delegation will certainly consider that I am right in saying it is necessary to clear up this question.

I would therefore propose that we hold a plenary sitting as soon as possible, when an agreement is reached on this question which is primarily to be decided between the Governments of Petrograd and Kiev. I would only like for my information to request one statement. When, as I recall, the question of frontier delimitation and competency between Petrograd and Kiev was discussed in the first sittings, I understood that it was a question of a frontier that would separate the Ukraine and that part of Russia administered from Petrograd. I had, however, not understood that the Ukraine's frontiers regarding Poland must be the subject of special deliberations with Petrograd. The question which I venture to put, therefore, is whether the standpoint of the President of the Russian Delegation may be summed up thus: That the Ukraine can not alone decide on the affairs of an independent Ukrainian State, and especially on its frontiers.

M. Trotsky replied that it was self-evident that if the Ukraine existed and would continue to exist in the form of an independent Republic entirely free from Russia, it would be able, after the delimitation had taken place, independently to solve all questions of its state existence and thus also territorial questions, but that the Ukrainian Government, whose representatives were included in the Russian Delegation, took the standpoint that the Ukraine formed part of the Federal Republic of Russia. This decision should therefore be taken on the basis of the resolve to build up a Russian Republic on a Federal basis.

At Baron von Kühlmann's request, M. Trotsky communicated the contents of a telegram he had received, according to which the greater part of the Kiev garrison had gone over to the Ukrainian Soviet Government, and the further existence of the Rada could only be of quite short duration. On the President's suggestion, it was then resolved further to discuss the competency of the Ukrainian Delegation for territorial questions in a plenary sitting to be held to-morrow in the presence of the Ukrainian representative.

Finally, M. Trotsky said that he had learned from the Press that Baron von Kühlmann has sent a letter to the Polish Premier in which he said that he would suggest the inclusion of a representative of the Polish Ministry in the peace negotiations. M. Trotsky desired to know whether this question would be broached at one of the next sittings.

Baron von Kühlmann referred to his repeated statements on this question, which, he declared, was connected with the question of the recognition of the State individuality of the occupied regions by the Russian Delegation, and he expressed the hope that it would shortly be possible to place the question on the Agenda.

Count Czernin added that he, too, would most warmly welcome the despatch of Polish representatives under the certain conditions.

The sitting then closed.

67. SESSION OF 31 JANUARY.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 12 February, 1918, p. 842.]

The Russian wireless (9 February) sends out the following:

To All:

The following is a transcript of the shorthand notes of the session of the Russian, German, and Austro-Hungarian Delegations on 31 January, 1918:

CZERNIN. I open the session. (? At the sitting on) 14 January the President of the Russian Delegation replied to General Hoffmann. He said: I must point out that General Hoffmann was entirely right when he said that our Government is based upon might. In the whole of history there can not be found any other basis of government, because the States are composed of classes struggling against each other. If the Secretary of State is desirous of saying that he does not agree with our ideas as they have been materialized in the institutions of the Russian Republic, then I have nothing to which I need reply.

VON KÜHLMANN. I will not discuss to-day the principles upon which the Russian Government is founded, so far as it is represented by the Council of the People's Commissaries, and I will also not reply to the questions raised as to the Right v. Might philosophy of Hegel, but I think it is necessary to read to you the minutes, because I have found in those minutes various affirmations and restrictions which were indicated by the President of the Russian Delegation as to the manner in which the Russian Government is basing itself upon force, and also upon something else.

TROTSKY. I may point out that the citation as made public here is not in strict accord with that which was made by the Secretary of State before the Reichstag Committee. With the object of supporting his affirmation he found it necessary to add to the word "might" the words "exclusively upon might."

I have explained that our authority is based upon force, but not exclusively upon force. I do not think that the Secretary of State will deny that the German Government rests upon force, but I do not think that he would assert that it rests exclusively upon force. I have nothing more to say.

VON KÜHLMANN.—Similarly, as I do not believe that commentaries upon our minutes can accelerate our negotiations, I also have nothing more to say.

TROTSKY.—In the newspapers of to-day, or rather in the newspapers received by us to-day, there is a report which it is believed might have a bad effect upon our further negotiations. In this report the Petrograd Agency says that at the end of my speech at the third All-Russian Congress of the Councils of Workmen's, Soldiers' and Peasants' Deputies I reported upon the peace negotiations here. It is quite true that I did this, but in this report it is said that I declared that the Russian Delegation would not conclude a separate peace. Such a statement is an invention and the direct opposite of what I really did say. By a small opposition group in this Congress I was requested to promise that our Delegation would not sign a separate peace. I replied (I have not the shorthand minutes with me, but I am sure of the exact meaning of the words which I used): "We have done on our side all in our power to induce all the belligerent countries to take part in the peace negotiations. If now the negotiations proceed to a separate peace, the responsibility will be entirely with those Governments which decline to participate in the peace

negotiations." If I had given such a promise as is reported not to sign a separate peace, it would have meant that I had promised that the Russian people would continue the war whilst the British, American, and other Imperialists desired it. That would have meant that we were continuing to follow the false policy of the last Governments. I have categorically refused to give such a promise. We have come to Brest-Litovsk with the object of struggling for an honest democratic peace, and we shall sign such a peace when our conscience tells us that it is open to us in a form that is consistent with our point of view and in harmony with the interests of our peoples and of other peoples.

CZERNIN.—If false and incomplete information is published in the Austrian and German Press it is in no case with the approval of the Austria and German Governments. If this information has appeared in the Austrian Press, I am ready to make the necessary inquiries so as to ascertain by whom the falsification has been made if there has been falsification.

VON KÜHLMANN. I think that after the interesting explanation of the President of the Russian Delegation the Delegations of the Allied Powers would be pleased if they could have before them the authentic text of this speech which the Commissary for Foreign Affairs delivered at Petrograd. It is not possible to say now how the erroneous report may have come about, but I also on my side shall make inquiries.

TRORSKY. I have said nothing about falsification, because in this matter a misunderstanding is possible. As in the case of the first message, which also created a misunderstanding, I did not raise the question until inquiries made it necessary for me to do so. It seems to me quite natural and in our mutual interests that the negotiations should not be more difficult by the spreading of false information, which causes confusion and hinders our work. If the President of the German Delegation is now proposing that speeches of plenipotentiaries engaged in these negotiations which they have made before responsible institutions in their own countries should be added to the records of this Congress, I should certainly agree that there should be no exception as regards my speeches.

CZERNIN. I am also of the opinion of the Russian Delegation that it is unnecessary to complicate our negotiations by taking account of all the inventions of journalists. I, on my part, shall try to discover the source of the information which has been spoken of. Now, I think we can return to our Order of to-day. Until the present the Commission which is called the Territorial Commission has studied the question of those regions under German occupation.

I have made the proposal with the full approval of my neighbor on my right that to-day there should be a clear understanding concerning the regions which are in Austro-Hungarian occupation. The regions occupied by the Austro-Hungarian troops are marked on this map with a yellow line. But before we begin the detailed discussion of this subject I should like to clear up the question as to who has the requisite competence to negotiate in regard to it. The President of the Russian Delegation is aware that the representatives of the Ukraine assert that they alone are competent to discuss and settle this matter. I beg the President of the Russian Delegation to express to us his view and give us a chance of considering it.

TRORSKY. I protest emphatically in the name of our Delegation and our Government against the theory that the Delegation of the Kiev Rada has the right to solve territorial questions alone. I may remind you that at the session at which I, in the name of our Delegation, declared in the presence of the representatives of the Kiev Rada that on all territorial questions an agreement is

necessary between our Delegation and the Delegation of the Kiev Rada, the representatives of the Kiev Rada did not make any objection. I do not know when or at what session the representatives of the Kiev Rada claimed the right to solve the territorial questions independently. At the present time the position which we have taken up is much strengthened by the participation in our Delegation of two representatives of the All-Ukrainian Central Executive Committee. Such is the formal side of the question. Concerning its real side, I am of opinion, in view of our latest information, and particularly after the last message of all received by me, that the question of the participation of the Kiev Rada in the character of an independent Delegation must be regarded as a question of the past, and that their right can not now or in future be recognized.

CZERNIN. I am of opinion that the views on these questions are widely different as between the representatives of the Petrograd Government and those of the Ukraine. I think that the representatives of the Petrograd Government will agree when I say that this question needs to be cleared up. I propose to call as soon as possible a plenary session, at which we could discuss this question, which is regarded differently at Petrograd and at Kiev. So as to be the better able to understand it, I beg an explanation. So far as I remember, at the first sessions when the territorial questions were discussed between Petrograd and Kiev, I understood that conflicts could arise only on the settlement of the question as to which region should be under the Petrograd and which under the Kiev administration. But I never believed that the frontier between Poland and Ukraine could create friction between Petrograd and Kiev. I never believed that the Russian territory, in respect to which the Petrograd Government had claims, could reach so far. What I ask is: If the point of view of the President of the Russian Delegation is one of principle, can it then be said that the Ukraine has no right at all to speak for the regions of the independent Ukraine, or that for the discussion of all territorial questions it needs a preliminary agreement with Petrograd?

TROTSKY. I recall that the President of the Austro-Hungarian Delegation asked me at an earlier session if I could indicate where the disputable and where the indisputable frontiers of Ukraine could be found. I replied that until the frontiers between the Ukrainian Republic and the Russian Republic are established by agreement of both sides, all the territorial questions as between the Russian Republic and the Ukrainian Republic on the one side and the Central Powers on the other can be solved only by a common agreement. Certainly if Ukraine had existed in the past and should exist in the future as an independent Republic, in no way bound with the Russian Republic, then, after the establishment of the frontiers, it, like every other State, would solve independently all questions affecting it, including the territorial questions. But the Ukrainian Government, which is represented on our Delegation, and which will state its views at the next plenary session, when this question will be strictly discussed, has the view that Ukraine is a part of the Federal Russian Republic, in accordance with the decisions of the last All-Russian Congress of the Councils of Workmen's, Soldiers', and Peasants' deputies. A common solution of territorial questions is necessary, not only because that is an arrangement which would accord with the real situation but also because it would be in harmony with the rights of the newly created Russian Republic. If in the past an agreement was necessary between our Delegation and the Ukrainian Delegation, then at the present such agreement is much more obligatory, since it is imposed by the Federal Constitution of the Russian Republic.

CZERNIN. I thank the President of the Russian Delegation for his explanation, and I believe that this question is now in such a position that it becomes im-

possible to solve it without the participation of the Ukrainian Delegates. I reserve to myself the right to repeat this proposal.

VON KÜHLMANN. The President of the Russian Delegation has spoken about a telegram to which he attaches great importance. Certainly it would be of great interest to our Delegation if he could communicate to us the exact text of this telegram.

TROTSKY. The statement of this telegram is that the greater part of the Kiev garrison has passed over to the side of the Ukrainian Council and that the existence of the Rada is now likely to be of very short duration.

CZERNIN. I propose to have a plenary session to-morrow at half past five o'clock, when we can discuss the territorial questions which are in dispute between the representatives of Petrograd and of Kiev. Does anyone wish to make any remark on this subject? I consider my proposal accepted, and I close this session.

TROTSKY. I have learned from newspapers that the Secretary of State has promised in a letter to the President of the Polish Kukarzhevsky Ministry that he intends to raise the question of the participation of the representatives of this Ministry in the peace negotiations. Is it to be understood that this question will be raised at one of the next sessions?

VON KÜHLMANN. We shall put this question forward for discussion when we consider it opportune. My attitude in regard to the principle has been already explained at past sessions.

TROTSKY. I have no desire to embarrass the Secretary of State in his choice of the opportune moment. I only wish to obviate the possibility of any misunderstanding or the supposition that we are making difficulties by desiring to put this question upon the Order of the Day as soon as possible. We are very much interested that this question should be considered as soon as possible, because our real views are entirely different from those attributed to us in the message that I have named.

VON KÜHLMANN. Divergencies of principle are clearly shown in the records of our discussions, as the Commissary for Foreign Affairs has himself admitted. If there were a clear understanding of the views of the Russian Delegation concerning the political position of these regions it would be a big step forward to the solution, so much desired, of this question. I hope it will be possible to bring this matter up for discussion at the earliest possible time.

TROTSKY. Up to the present I have said nothing as to a change in our point of view. I have said merely that our point of view has undergone a change only in the manner in which it is explained by the Secretary of State.

CZERNIN. I on my part say that I should see with much pleasure the invitation extended to the above-named Polish representatives, so that they might take part in the negotiations under the present conditions. I close the session.

The next plenary session will be to-morrow at half past five o'clock.

(Signed) A. KARAHAN.

68. PLENARY SESSION OF 1 FEBRUARY.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 5 February, 1918, p. 788.*]

According to a Vienna telegram of Feb. 1 to the Dutch Press, M. Radoslavoff, the Bulgarian Premier, has arrived at Brest-Litovsk.

* The *Deutscher Reichsanzeiger* of 4 February, 1918, has an account practically identical with this.

A Brest-Litovsk telegram of Feb. 2 says :

A plenary sitting took place yesterday afternoon at which all Delegations participated, including the Delegation from the Ukrainian Rada. The purpose of the sitting was definitely to clear up the position of the Governments represented at Brest-Litovsk toward the Ukrainian Central Rada. The Bulgarian Colonel Gantchev, who presided, announced that the Minister of Justice, M. Popov, would be superseded by the Premier, M. Radoslavov, as leader of the Bulgarian Delegation.

M. Sewrjul then announced that he had assumed the leadership of the Ukrainian Delegation in place of M. Bolubowicz. Dealing with the agenda, M. Sewrjul first referred to the manifesto of the Ukrainian Central Rada of Nov. 7 (Old Style), which was read at the plenary sitting at Brest-Litovsk on Jan. 10, 1918, proclaiming the Ukrainian people's republic and defining its international position, which, he said, was at that time recognized by the Council of People's Commissioners as well as by the representatives of the four Allied Powers. The recognition of the Ukraine as an independent State by the Government of the People's Commissioners was shown, he declared, by M. Trotsky's statements in the sittings of Jan. 10 and Jan. 14.

M. Sewrjul continued : In reply to a question from Baron von Kühlmann, who asked whether the President of the Russian Delegation regarded the Ukrainian Delegation as part of the Russian Delegation or whether the Ukrainian Delegation was to be regarded as representing an independent State, M. Trotsky on the occasion said :

As the Ukrainian Delegation has acted as a completely independent delegation, and as we have proposed to recognize their participation in the negotiations without expressing restrictions of any kind, and as, furthermore, no one has proposed to make the Ukrainian Delegation part of the Russian Delegation it appears to me that this question settles itself.

In the spirit of this declaration all the parties to the Conference regarded the Ukrainian Delegation as the Delegation of an independent State throughout the entire course of the negotiations up to the last adjournment. Since the adjournment M. Trotsky, referring to some telegram that reached him, according to which, as was alleged, the majority of the Kiev garrison had risen against the Ukrainian Central Rada, now attempts to deny the Ukrainian Delegation its position and rights, appealing in this respect to the existence of an executive committee at Kharkov which has hitherto not been mentioned. The Ukrainian Delegation considers it necessary to state that M. Trotsky's speech in the course of this sitting is in complete contradiction to all his previous declarations, and for this reason feels itself obliged to make the following statement :

We fully agree with M. Trotsky that changes have occurred in the State life of the Ukraine. These, however, are of quite a different nature from those to which M. Trotsky referred. The nature of such changes is connected with the Fourth Universal (message of the) Central Rada of Jan. 24, which says : "Henceforward the Ukrainian People's Republic forms an independent and free sovereign State of the Ukrainian people, dependent on no one." On this point, M. Sewrjul proceeded, he must remark that the Government of the Ukrainian People's Republic had endeavored to create a league of all the Re-

publics which had arisen on the territory of the Russian Empire and to form a common Federal Government in Russia. As, however, up to the issue of the Fourth Universal, despite all the attempts of the Ukrainian Government, such a common Federal organ had not materialized and it was clear from the present situation that such an organ could not be materialized, the Ukrainian Central Rada must let the formation of a Federal Government drop. It had by its Fourth Universal proclaimed the Ukraine to be an entirely independent State, dependent on no one. The Ukrainian Rada had in the same Universal declared that it desired to live in peace and friendship with all the bordering States, but that none of these must interfere in the life of the independent Ukrainian Republic. Consequently, the Fourth Universal had clearly defined the international legal position of the Ukrainian People's Republic and its policy toward its neighbors.

As regards the arguments brought forward by M. Trotsky, these lacked all significance. His representation that the executive committee at Kharkov better represented the interests of the working classes than the Ukrainian People's Republic might easily be disproved. It related, however, to the domain of internal relations which did not fall under international control. M. Trotsky's argument that the Ukrainian Delegation had no title because it was not recognized by the Executive Committee at Kharkov was still less convincing. According to this argument the Russian Delegation, in the first place, must lay down its own powers, as neither Moldavia, the Crimean Tartars, the Don Cossacks, the Caucasian tribes, nor Siberia were represented in it, and, moreover, those sections had not recognized the government of the Council of the People's Commissioners.

In so exalted an assembly as the Peace Conference, the means adopted by M. Trotsky to combat the State rights of the Ukrainian Central Rada, on the ground of some telegram from Petrograd, appeared clearly unpermissible. The Ukrainian Delegation might with quite as much justice appeal to a wireless message which, in the second half of January (new style) announced that some regiments in Petrograd had risen against the Government of the People's Commissioners in defense of the Constituent Assembly and that fighting had occurred in the streets there, resulting in an issue unfavorable to the existing Government. Following M. Trotsky's example, the Ukrainian Delegation might on the basis of this telegram have demanded that the Delegation representing the Council of People's Commissioners should no longer be recognized. This, however, he did not do, regarding such an incident as a Russian question. In order now to avoid fresh wrong interpretations from any side whatever and to avoid for the future declarations of the Russian Delegation which were in contradiction with one another, the Ukrainian Delegation proposed a formal recognition of the Ukrainian Republic, as an entirely independent State, dependent on no one, in order finally to establish both its international position as well as the Delegation's title.

Thereupon, at M. Trotsky's request, M. Miedwiedleff, representing the Ukraine Executive Committee and member of the Russian Delegation, said that the Kiev Rada had only spoken at Brest-Litovsk hitherto in the name of the Ukrainian People's Republic.

The Ukrainian Soviets had not been represented. From the very beginning the Ukrainian Executive Committee had not regarded the Kiev Rada as entitled to speak in the name of the Ukrainian people. The Kiev Rada negotiated behind the back of the Ukrainian people secretly, behind closed doors, and apart from the Russian Delegation. The news of that had shaken the foundation of the power of the

Kiev Rada. It was true that the Ukrainian people desired a speedy peace, but in conjunction with the entire Russian Federal Republic. As regarded the present peace negotiations, the Executive Committee of the Ukrainian Republic stood entirely for the principles of democratic peace put forward by the Russian Revolution and approved by the Ukrainian Soviets, namely, peace without annexation or indemnities and the right of peoples to self-determination of their destinies. As regarded occupied territories, the Executive Committee fully shared the Russian Delegation's standpoint represented there, and declared that the Ukrainian people refused to recognize any agreements or treaties with the Kiev Rada, and that their realization was out of question unless they were recognized and approved by the Delegation of the Russian Federal Republic.

Referring to this, Mr. Trotsky stated that it was in no wise disputed that he had at that time declared that the conflicts existing between the Kiev Rada and the Petrograd Government could have no influence on his recognizing the Ukraine as an independent State.

Recognition of independence or dependence (*Selbständigkeit oder Abhängigkeit*) of a State, however, must not be confused with recognition of one or other Government. At the moment when the question of the recognition of the Delegation of the Kiev Rada was discussed the process of self-determination in the Ukraine was far from having assumed definite forms, and this was best expressed by the facts that representatives of the Quadruple Alliance had refused immediate recognition of Ukrainian independence and had reserved their attitude toward this question as far as the peace treaty was concerned. To what degree the international legal position of the Ukraine was still in being was proved by the fact that they had to-day learned from the President of the Ukrainian Delegation an extraordinarily important change in the conception and principles of the Kiev Rada regarding the international legal position of the Ukraine. The Kiev Rada declined to join the Federal Russian Republic, and this afternoon the Russian State had been recognized as a Federal Republic at the Third Soviet Congress, at which the Ukrainian people had been represented.

Among the quotations from his (Trotsky's) utterances to which the President of the Kiev Rada had referred, one quotation was missing which was of decisive importance for the solution of this question. He (Trotsky), without encountering any protest on the part of the Delegation of the Kiev Rada, had pointed out at that time that it was precisely owing to the fact that the situation in the Ukraine was still obscure, especially regarding its frontiers, that a preliminary agreement between both the Delegations represented there (Brest) about all contested questions was necessary. That declaration had also its negative aspect, namely, that any agreement arrived at between the Kiev Rada and the Central Powers which, owing to the still unsettled demarcation between the two States, raised opposition on the part of the Russian Delegation would thereby lose its validity and become null and void. The legal decision, of course, did not refer to internal events in the Ukraine. But it was precisely owing to the lack of a legal settlement (*Abgeschlossenheit*) of all questions of interest there that all these contrarities must be regarded from their material aspect. It was only in this respect that he pointed to the news of the fighting between the two organizations which were

struggling for power in the Ukraine. The Central Powers were interested in defining their relations to the Ukraine from the material standpoint in order to avoid taking fictitious for positive quantities.

For this reason he considered it necessary to point out that many quarters overvalued the tendencies striving for secession in to-day's revolutionary Russia. In the border regions of the former Russian Empire the separatist idea was advocated by those very groups and classes which under the old régime were obstinate supporters of centralism. In this separation no prolonged historical tendency was perceptible; it formed merely a transient weapon of defense in the hands of those groups who feared the results for themselves of revolutionary power in Russia. The firmer the power of the Soviets was established throughout the entire country, the more did the propertied classes transfer their separatist tendencies to the border regions. If these classes were to get the upper hand in present Russia they would again immediately become advocates of centralization. The representatives of the Central Powers could not, of course, here assume the rôle of arbiter in regard to the present situation in Russia and the Ukraine. He stood by the standpoint of his Government which he had formulated at the beginning. So long as the Delegation of the Kiev Rada retained its plenipotentiary powers he did not protest against its independent participation in the negotiations. But now that representatives of the Ukrainian Executive Committee had joined the Russian Delegation he must repeat with redoubled emphasis that no agreements with the Kiev Rada could be recognized unless they were also recognized by the Russian Delegation.

Hereupon a member of the Ukrainian Delegation, M. Lubyński, said:

In view of the declarations of the chairman of the Kharkov Executive Committee, M. Miedwiediev, and the declarations of M. Trotsky, I consider it necessary to make the following statement: The members of the Ukrainian Peace Delegation have always upheld the principle that the representatives at Brest of those States which are striving to conclude peace are not to pronounce upon the internal affairs of their adversaries, and that internal conflicts and events within the States are in nowise to be brought to the cognizance of the opposing party during the official negotiations. We should repeatedly have the opportunity resolutely to oppose utterances of M. Trotsky's which over and over again wrongly represented the relations of the various peoples of what was formerly Russia and the new States which have arisen in her territory, but owing to the above-mentioned standpoint we refrained from publicly discussing this question because we did not desire by our declarations to minimize the authority of the Russian Delegation. But since the Fourth Universal of the Central Rada has proclaimed the independence of our Republic and since our Republic has also been recognized by friendly and other Powers, these questions have ceased to be internal questions for us and our mission, for which we are responsible to our people, now obliges us resolutely to protest against the false assertion made by M. Trotsky during our absence. While we still maintain our previously mentioned fundamental standpoint, we can not forego the right to express our views regarding the internal conditions of Russia, not only to justify ourselves *vis à vis* those present here, but also *vis à vis* the public opinion of the peoples represented here whose views we value no less than M. Trotsky's.

Russia, a country inhabited by so many different peoples, who have their individual political tasks and who have grown under the most varying historical conditions, in 1917 experienced a Revolution which is still in progress and is moving on lines of national and social achievements. In the course of that year various Governments stood at the Head of the Rada. The year began under the reign of an Emperor and ended, after passing through epochs of Cadet and Social-Cadet Government, with precisely similar shooting in the streets of Petrograd and with strenuous preparations of the Bolsheviks' Government to abolish the Constituent Assembly, which was convoked on the only acceptable principles. Only in one respect has there been a thorough solidarity between all these various Governments—in their capitalistic endeavors and in their greed by desire to strangle renescent peoples and get everything into their powerful hands.

The Bolshevik Government, conformable with the ideas of its parties, has no sympathy with the federative ideals which animate the leaders of the nonruling States, but, remembering its predecessors on the thrones which were overturned not only by the joint efforts of the Socialists but also by the national revolution, the Bolshevik Government only proclaimed the principle of the right of the self-determination of peoples in order the more resolutely to combat this principle in its practical application. The Bolsheviks' loud declarations about the complete liberty of the peoples of Russia are only coarse demagogic expedients (Mittel). The Bolshevik Government which broke up the Constituent Assembly and which is supported on the bayonets of the Mercenaries of the Red Guard will never resolve to apply in Russia itself the most just principles of the right of self-determination.

It knows very well that not only numerous republics—the Ukraine, the Don region, the Caucasus, and others—will not recognize it as their Government, but also that the Russian people itself will deny it this right. It is only from fear of the development of a national revolution that the Bolsheviks, with their born demagogism, set up, both in Russia itself and here at the Peace Conference the principle of the right of self-determination. To combat its practical realization they fall back not only on Red Guard Troops and of mercenaries, but they proceed to still worse and more inadmissible means—they suppress newspapers, break up political meetings, arrest and shoot politicians, and finally go so far by depicting things in an entirely false and biased manner as to undermine the authority of the Government of one or other young republic. Well-known Socialists and old revolutionists were accused by them as if they were bourgeois counter-revolutionists. The Bolshevik Government declares a holy war of the republic by demanding the expulsion of the bourgeois Governments with which the professedly Socialist Government of Bolsheviks, even after the ending of this fratricidal war, will undertake no negotiations. Thus, instead of the principle of the right of self-determination, the Bolshevik Government carried out the principles of anarchy and destruction to create everything anew and adheres to the old French proverb: *Calomniez toujours, il en restera quelque chose.*

The struggle of the Petrograd Government against the Government and the Ukrainian Republic, and its manifest insincerity on the occasion of the recognition of the title of our Delegation even earlier evoked a not unfounded suspicion on our part. We were convinced that M. Trotsky would very soon try to abjure the entirely clear and unequivocal words with which he recognized our Delegation as plenipotentiary and representative of our Republic. Our expectation was realized. on the day we left for Kiev to get our final instructions a fresh Delegation arrived here via Petrograd and Dvinsk at the incitement

and with the benevolent cooperation of the Bolshheviks, its object being to undermine our authority in the eyes of the Labor masses of Europe.

In order more exactly to establish and define the rights and character of this Delegation we must go more closely into this point. The Ukrainian people, united by common ideals and common national aspirations, which incline to quiet and orderly forms of State life, zealously devoted itself from the first moment to the long-expected possibility of State construction. Ukrainian workmen and peasants, with the support of Ukraine intelligence emanating from their ranks, not only were able to organize themselves but have also drawn with them all the non-Ukrainian peoples living on Ukrainian soil. As a result of this labor, which had been prepared for by the long years of endeavor of Ukrainian politicians and as the product of Ukrainian revolutionary creative power, the Ukrainian Rada has come into being, composed of representatives of Ukrainian soldiers, peasants, and workmen. The Ukrainian Rada, by its "universals," has shown the Ukrainian people its way. The Ukrainian Rada, which chose as first Ukrainian Government the General Secretariat, in June last, thereby formed the first Government in Russia which was solely composed of Socialists.

The Ukrainian people thus, step by step, by its own labor created its own State, and the Petrograd Government has no cause, no ground, whatsoever for interference in its internal affairs. In reality the facts are that already under the Tsar's régime soldiers of non-Ukrainian origin were sent by preference to the Ukraine and adjoining fronts, and it has not been possible during the revolution to free the Ukraine from these foreign elements. While Ukrainian soldiers sent their front Congress delegates to Kiev from all war theaters and all fronts, and all rallied round the Ukrainian military Rada which forms part of the Kiev Central Rada, non-Ukrainian soldiers in some towns of the Ukraine established their soldiers' councils, which have no influence on the life of the surrounding districts, although frequently, it is true, representatives of the workers in the towns concerned also participate in these Soviets. Desiring on one or another pretext to interfere in the internal life of the Ukrainians, the Petrograd Bolsheviks began to demand from the Ukrainian Government that the entire authority of Government in the Ukraine should be transferred to these soldiers' councils without any regard to the demands of the Bolsheviks at the Peace Conference that foreign troops should be removed from occupied regions. The Ukrainian Government of course could not comply with this demand. A second ground for interference with the internal life of the Republic was furnished by the demand of the Petrograd Bolsheviks and that a new election of the Central Rada should be held. Apart from the fact that such a demand constitutes an open violation of the right of self-determination because the rules regarding representation in the Rada give electors the right at all times to recall their representatives in the Rada and replace them by others.

The elections for the Constituent Assembly for all Russia which occurred at the end of last November led all over the Ukraine to the brilliant victory of the Ukrainian Central Rada and of the parties organized therein. Over 75 per cent of the Ukrainian candidates were elected, while about 15 per cent of other parties represented in the Central Rada were elected and of the Bolsheviks less than 10 per cent.

For instance, in the Government of Kiev, on the ground of our electoral lists, twenty of our twenty-two candidates were elected; the Government of Podolia, eighteen out of nineteen; in Volhynia nine out of ten; in Poltava fourteen out of seventeen, etc. I assume that suffices. Those are the masses which the Ukrainian Central Rada represent, and in whose name we come here to speak

The Petrograd Government has now resolved to resort to its last expedient. With the silent consent of the Central Rada, it convoked the Ukrainian Congress of peasants and soldiers for Dec. 3 in Kiev. Over 2,000 delegates attended the Congress, and against the hopes of the conveners began their sittings with a big ovation for the Kiev Central Rada and its President, Professor Gruszewskim, and by an overwhelming majority expressed full confidence in the Central Rada. After this event a small group of Bolsheviks, about eighty men, fled from the Congress and went to Kharkov, and has declared itself a new Government of the Ukrainian People's Republic. The People's commissioners have sent thither unorganized bands of Red Guards to plunder the population of the Government of Kharkov and to protect the Kharkov Government from the residents of the Government of Kharkov. It was in this way that the Kharkov Government arose, and those are the powers upon which it rests. No doubt is possible not only that it is not called to represent the Ukrainian Republic, but that it can hardly be regarded as representing the town of Kharkov. I should not regard it as necessary to reply to other remarks of M. Trotsky, which were uttered verbally or may be read between the lines. Our future, our history, our descendants, and broad masses of working people on both sides of the front will themselves decide which of us is right and which is guilty, which is Socialist and which counter-revolutionist, which creates and which destroys what has been created.

Hereupon Count Czernin made the following declaration on behalf of the Delegations:

In the name of the Delegations of the four Allied Powers, I have the honor to make the following statement with reference to the declaration of the Ukrainian Delegations. As is known, the President of the Ukrainian Delegation, States Secretary Holubowicz, stated in the plenary sitting of Jan. 10, 1918, that the Ukrainian People's Republic, basing itself on the Ukrainian Central Rada's third "universal" of Nov. 20, 1917, "resumes its international existence" and assumes "in their full extent the rights in respect of international relations which appertain to it in this domain." Having regard to this fact, the Government of the Ukrainian People's Republic considers it right to assume an independent position at the present peace negotiations. In the plenary sitting of Jan. 12, 1918, I, on behalf of the four Allied Powers, made the following declaration: We recognize the Ukrainian Delegation as an independent Delegation and as the plenipotentiary representative of the independent Ukrainian People's Republic." In view of the altered attitude which the President of the Russian Delegation took up, the plenary sitting of Jan. 30, according to which only such an agreement with Ukraine could be recognized and put in force which was formally indorsed by the Government of the Federal Republic of Russia, the Delegations of the four Allied Powers make the following declaration respecting the standpoint of the Delegation of the Kieff People's Ministerial Council just set forth. We have no reason to withdraw or restrict the recognition of the Ukrainian Delegation as an independent Delegation and as a plenipotentiary representative of the Ukrainian People's Republic, which was expressed in the plenary sitting of Jan. 12, 1918. We find ourselves rather induced even now to recognize the Ukrainian People's Republic as an independent, free, and sovereign State, which is in a position to make independent international agreements.

M. Trotsky briefly remarked he had not altered his conception of the character of the Ukrainian State which he had hitherto held. He must point out that it

would be difficult for the Allied Powers to state the geographical frontiers of the Republic just recognized by them. At the peace negotiations, however, the frontiers of a State were not a matter of unconcern.

The sitting then closed.

69. PLENARY SESSION OF 1 FEBRUARY.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 14 February, 1918, p. 869.]

Russian wireless (Feb. 12) sends out the following fragment of a report on the proceedings at Brest-Litovsk on Feb. 1, preceding the part printed in yesterday's *Review*:

SEWELJUL. * * that several regiments at Petrograd have revolted against the authority of the Council of the People's Commissioners in favor of the Constituent Assembly, that the battle ended unfavorably to the actual Government. On the basis of such a telegram, we could, like M. Trotsky, demand the non-recognition of the Delegation of the Council of the people's Commissioners, but we are doing no such thing, because that is a question for Russia, and not for the Ukraine, and, true to the principle of nonintervention, we have no concern with such questions. Regarding the telegram itself, like other telegrams which M. Trotsky might present to us, we do not consider it unnecessary to take such questions into consideration. With the object of avoiding a variety of comments and declarations by the Russian Delegation, I declare, in the name of the Governments of the four allied Powers, that we recognize the Ukrainian People's Republic as an independent State. We recognize, formally, the Ukrainian Republic as an independent State, and we thus define also its international position and recognize the powers of the Delegation as a mandate of a legal Government.

MEPVEDREV. Honored Assembly, the great Russian Revolution has cast away, by the domination of a rational Revolution, the oppression of the landlords and capitalists; it has given land to the peasants, and has placed the working men at the head of affairs. The Third Congress of the Councils has established the Great Russian Federal Republic of Workmen and Peasants, a free union of free people, a republic of the Councils of Workmen's, Peasants', and Soldiers' Deputies. Here, at Brest-Litovsk, the Delegation of the Kiev Rada has spoken in the name of the Ukrainian People's Republic. The Ukrainian Councils—the only authority recognized by the working classes of our country—have had no representation here. The Ukrainian Executive Committee, the sovereign body of the Ukrainian people, has never recognized the right of the Kiev Rada to speak in the name of the Ukrainian people. Recognizing its weakness and also its isolation from the working classes of our country, the Kiev Delegation began its negotiations secretly, without the knowledge of the Ukrainian people, and separately from the Russian Delegation. When the news of such procedure reached the Ukrainian people, a violent protest was raised by the working classes, and it definitely dissipated the authority of the

Kiev Rada. The Ukrainian people is striving toward a speedy peace, but it will conclude this peace together with the All-Russian Federal Republic, in a fraternal union of all the working classes. Those who believe that the Ukraine was tied to Russia only by the ties of Tsarism are profoundly wrong; these ties have been cast aside, but economic and cultural common interests remain, and have been strengthened by free agreement.

We consider it our duty to warn the peoples of Germany and Austria-Hungary that the attempts to found a peace upon the opposition of the Ukraine to Russia will be in vain, the Kiev Rada is on the wrong track, and its policy must be regarded by every statesman as an unreal policy * * * these who desire not merely temporary successes, but a solid peace, must try to conclude a general peace with all the peoples of the Federal Republic. We who are the plenipotentiaries of the Ukrainian Executive Committee—the People's Secretariat—and who have been sent here to meet the Russian peace delegation, we declare that the People's Secretariat is striving to create such conditions that the whole of the Ukrainian people, living in the Ukraine, Galicia, Bukovina, and Hungary, may exist independently of political frontiers, as an entity. The political future of the whole of the Ukrainian people must also be settled by the free voting of the whole nation. We know the position taken up on this question by the Government of Austria-Hungary, which does not permit the discussion of the All-Ukrainian question at the peace negotiations. But we express our profound conviction that further democratic development will give to the Ukrainian people unity and freedom in fraternal harmony with all peoples. Concerning the present peace negotiations, the people's Secretariat of the Ukrainian Republic, in defending the principles of democratic peace as proclaimed by the Russian Revolution and accepted by the Ukrainian Councils, demands a peace without annexations and indemnities and the right of self-determination of nations. Concerning the occupied regions, we agree entirely with the Russian Delegation that the peoples concerned must have the right to decide their own future by means of a referendum. With this object, all foreign troops must be withdrawn. In conclusion, we once more categorically declare that no agreement with the Kiev Rada will be recognized by the Ukrainian people, and will not be carried into effect unless it has the approval of the All-Russian Federal Delegations, of which we form a part.

·TROTSKY. It is beyond doubt, as the Russian Delegation has repeatedly declared, that the conflicts between it and the Kiev Rada in no case limit the recognition of the independence of the Ukrainian Republic. It is necessary to avoid confusing the independence of a State with the recognition or nonrecognition of its Government. Nobody here will doubt the independence of the Russian Republic, but all are aware that many States have not recognized the Council of the People's Commissioners as its Government. Finland is recognized by many States as an independent Republic, but the latest information is that the Government which obtained the recognition of Finland's independence has been deposed by a Government of the workmen and peasants of Finland. Finland's Government, immediately after its recognition, expressed its willingness to take part in the peace negotiations. We do not see any objection to such participation, but, if we are properly informed, the attitude of the four Allied Powers is different, because Finland's Government at the present has not the same recognized international rights as has the Republic of Finland.

[Message ends.]

RUSSIAN ACCOUNT, CONTINUED.

[From the (British) *Daily Review of the Foreign Press*, 13 February, 1918, p. 858.]

Russian wireless sends out the following report of the debate at Brest on Feb. 1 (see *Daily Review*, Feb. 5) :

TROTSKY. At the moment when the question of the recognition of the Delegation of the Kiev Secretariat came before us in a practical form the procedure with regard to the self-determination of the Ukrainian Republic had not so far taken final * * * of the Rada pointed out that, owing to the indefiniteness of the position of the Ukrainian Republic, especially in regard to its frontiers, an agreement between both parties was necessary on all questions of dispute. This declaration, of course, involved also the reverse possibility—a negative consequence—namely, that any agreement between the Delegation of the Kiev Rada and the Central Powers which, owing to the frontiers of these two States being undefined, calls for objections on the part of the Russian Delegation becomes invalid and inoperative.

All references to internal happenings in Ukrainia can not, of course, have any judicial significance. This we are ready to recognize, but, owing to the absence of a definite and regularized juridical position in regard to all questions in which we are interested, we must regard every question in dispute from the material point of view. For this reason alone have I taken the liberty to refer to the problems which have actually arisen in Ukrainia as a result of the struggle between two organizations, each of which claims to represent the power of the State. The question which is now laying before us is an historical one. The Central Empires, as States, are interested in defining their relations with Ukrainia in a substantive manner, and they are also concerned in not accepting alleged quantities as actual facts

It is for this reason that I must point out that in some circles there may perhaps be a tendency to overestimate the forces and importance of the separatist tendencies in present-day revolutionary Russia. In various regions of Russia the periphractic separatist tendencies at the present moment appear amongst those classes, groups, or spheres which before the Revolution were the most persistent and even the most relentless partisans of centralization. No lasting historic tendency can be found in this separatism; separatism is only a temporary tool for self-defense among certain classes which regard their existence as menaced by the power of the Revolution. In the same measure as the authority of the Soviets becomes established throughout the whole of the country, so the landed proprietors carry their separatist tendencies farther and farther to the borders. A fact of great importance for the elucidation of this question is that the most ardent separatism is at present being manifested by the landowners and the leaders of the Cossacks, that is, by those groups which in the past were supporters of rigid centralization, and if we were for one moment to admit the victory of these groups in present-day Russia, it is clear to every real thinking politician that they would again become the apostles of centralization. I say, therefore, that those governments which desire to reckon with real and not with fictitious quantities must of necessity, in order to define their relations with the Russian Republic, come to one conclusion or another, not on the basis of juridical formulas which they endeavor artificially to deduce from the declarations made here during the negotiations, but from actual facts as they are happening in present-day Russia. I, of course, do not consider that the representatives of the Quadruple Alliance are

entitled to assume the rôle of an arbitrary judge in regard to the internal relations of Russia and Ukrainia. I have had in mind merely the giving of a scrupulous report to them as to how matters stand at present, and I remain as before, of the same opinion as I expressed in the name of our government when this question first arose, and as long as the Kiev Rada retains its mandate we do not object to its independent participation in the negotiations, but now, when the Ukrainian Executive Committee has become a composite part of our Delegation, we repeat with redoubled emphasis that only such agreements with the Ukrainian Rada will be valid as have been recognized by us.

The CHAIRMAN. The representative of the Ukrainian Republic, M. Lubinski, will now address you.

M. LUBINSKI. After the declaration made by the representative of the Khar'kov Executive Committee, M. Medvediev, and the declaration made by the Chairman of the Russian Delegation, M. Trotsky, it is necessary that I should make the following remarks: Gentlemen, the members of the Ukrainian Peace Delegation have always held the view that the representatives assembled at Brest-Litovsk, who are striving for peace amongst nations, can not during their deliberations touch upon questions relating to the internal affairs of their adversaries, and that facts regarding the internal struggles and dissensions of one party must in no case, during the official sittings, be brought to the notice of its adversary. We have often had occasion to make energetic protests against the declarations of M. Trotsky, who has wrongfully disclosed the fact of mutual relations between the peoples residing within the borders of the former Russian Empire, and between the States which have arisen within this territory, but true to the principle, which I have mentioned above, we have honorably abstained from official utterances, as we did not care, by our remarks, to lessen the authority of the Russian Delegation. Now, however, after the declaration contained in the Fourth Universal of the Ukrainian Central Rada of the full independence of our Republic by friendly, and even enemy, States, the question ceases to be one of internal life, and our responsibility to our nation compels us to pronounce an energetic protest against the calumnies made in our absence by M. Trotsky.

We therefore, while maintaining the same position of principle as heretofore, can not abstain from disclosing also our point of view of the internal situation in Russia and in Ukrainia, in order to justify ourselves, not only before those present here, but also before the nations which are represented here, whose opinions for us are not less precious than the opinion of M. Trotsky. In 1917, Russia was a State inhabited by many peoples having the most varied political ideas, by peoples speaking different languages, who have lived under various historical conditions, and have even now survived the present Revolution which is fighting for social as well as national problems, and have created (in the course of the year?) several Governments.

This year of 1917 began under the scepter of an Emperor, and having passed through the stages of Government by the Cadets, and Socialists and Cadets, ended by shooting in the streets of Petrograd and the hurried preparations of the Bolshevik Government to break up the Constituent Assembly, which was convoked on a basis alone acceptable to the democracy. These various Governments have remained completely solid in one respect, and that is in regard to their plans for centralization, and in their greedy desire to torment to death regenerated nations and to cover them all with their mighty hand. The Government of the Bolsheviks, in full accordance with the program of that party, wholly dissents from the ideals of a federation which are inspiring the leaders of nonsovereign peoples. The Government of the Bolsheviks,

disregarding the fate of predecessors in power, which were thrown down by the common efforts, not only of a social but also of a national Revolution, have proclaimed the principle of self-determination of peoples only for the purpose of the more energetically fighting against this principle being applied practically. The noisy declarations of the Bolsheviks regarding the complete freedom of the peoples of Russia are simply a mean demagogic trick. The Government of the Bolsheviks, having broken up the Constituent Assembly, a Government whose power rests on the bayonets of hired Red Guards, will never elect to apply in Russia the very just principle of self-determination, because they know only too well that not only the Republics of Ukraina, the Don, the Caucasus, Siberia, and others do not regard them as their Government, but that also the Russian people themselves will gradually refuse them this right; and only because they are afraid of the development of a National Revolution, they declare here at the Peace Conference and within Russia, with a spirit of demagogu peculiar to themselves, the right of self-determination of the peoples, but they are struggling against the realization of this principle and are recouring, not only to hired bands of Red Guards, but also to meaner and less admissible means.

They disperse assemblies, they arrest and shoot politically active personalities, and finally they resort to quite foundless and false calumnies, endeavoring to break confidence in the authority of the new Governments of the young Republics. They accuse known Socialists and old revolutionaries with having bourgeoisie and counter-revolutionary ideas. Besides this, the Bolshevik Government declares a holy war against the Republic and demands the dispersion of the Bourgeoisie Governments, with which it pretends to be unable to conduct negotiations, not even on the question of the cessation of the fratricidal war. In this way the Government of the Bolsheviks introduced to Russian life, instead of the principle of self-determination, the principle of anarchy and devastation, as they know that it is easier to destroy than to construct, and have in mind the French saying, "Calumniate, calumniate, but something will remain."

The struggle of the Petrograd Government with the Government of the Ukrainian People's Republic and the visible insincerity of the recognition of the full rights of our Delegation had already awakened our not foundless suspicions. We were quite sure that M. Trotsky would very soon endeavor to renounce his quite clear and not ambiguous recognition of our Delegation as plenipotentiary representatives of our Republic.

Our suspicions were justified. On the very day of our departure for Kiev, for the purpose of receiving final instructions, a new Delegation, convoked by the Bolsheviks and kindly assisted by them, arrived via Petrograd and Dvinsk, with the intention of breaking our authority in the eyes of the laboring classes in Europe. In order to give a complete explanation of the character and the rights of this Delegation we would like to treat this matter fully.

The Ukrainian People, united by common national problems and national ideals and inclined toward tranquil and well-ordered forms of political life, commenced the long-awaited reconstruction of their State at the very beginning of the Revolution. The Ukrainian peasants, soldiers, and workers, with the assistance of the deeply democratic intellectuals from amongst them, were able not only to organize themselves unaided, but all the democratic organizations, composed of representatives of the Ukrainian peasants, soldiers, and workers, became accustomed to this work of reconstruction.

The Central Rada, by issuing their Universals, has shown the political way to the Ukrainian people. The Ukrainian Central Rada, being elected as long

as June last, the first Ukrainian Government—the Ukrainian General Secretariat—was the first Government in Russia composed exclusively of Socialists. In this way the Ukrainian people, step by step, has created its Government with its own forces, and therefore the Petrograd Government had no right and no ground to interfere in our internal life. But as the matters stood in the time of the Tsar's Government, there were sent to the Ukrainian territory and to the fronts bordering on the Ukraine soldiers the majority of which were not of Ukrainian origin, and during the revolution it was not possible to get rid of this alien element in the Ukraine. At the time when the Ukrainian soldiers sent from all parts of Russia and from all fronts their delegates to the Central Ukrainian Assembly and organized themselves around the Central Ukrainian Military Rada in Kiev, which is a part of the Ukrainian Central Rada, the soldiers of non-Ukrainian origin formed in several towns of the Ukraine their local Soviets of Soldiers' Deputies, which had no influence whatever on the life of the country, although it is true that representatives of the workers of these towns are also members of these Soviets. The Petrograd Bolsheviks, anxious under any pretext to interfere with the internal life of the Ukrainian People's Republic, put forward a demand to the Ukrainian Government to transfer the whole power in the Ukraine to these Soviets of the soldiers, without any regard to their demands which they made at the Conference that all foreign troops ought to be withdrawn from foreign territories, in order not to hinder the appliance of the principle of self-determination. As a matter of course, the Ukrainian Government could not give satisfaction to this demand. A second attempt to intervene in the internal life of our Republic was made by the Bolsheviks of Petrograd in the request that the Ukrainian Central Rada should be reelected. We will pass by the fact that such a request is not only open to disregard of the principle of self-determination, but it is not practicable because representation in the Central Rada is organized in such a manner that the electors can at any moment recall their representative and replace him by another. The elections to the Constituent Assembly at the end of November proved all over the Ukrainian territories to be a splendid victory for the Ukrainian Central Rada and for the parties cooperating with it. The Ukrainian lists secured 75 per cent of the total number of deputies; other parties which have their representatives in the Central Rada secured about 15 per cent, but the Bolsheviks received less than 10 per cent of the deputies.

Then the Petrograd Government decided to use the last and final means. Going back a little for the moment, I shall add some other examples. In the province of Kiev our lists won 20 seats out of 22, in the province of Podolia 18 of 19, in the province of Volhynia, 9 out of 10, in the province of Poltava 14 out of 17, and so on. I think that proves the highly representative character of the Ukrainian Central Rada. We are speaking here in the name of these peoples.

I have stated already that the Bolsheviks had decided to use their final means. They called to-day at Kiev, on Dec. 3, with the silent agreement of the Central Rada, a Congress of representatives of peasants, soldiers, and workmen of all parts of Ukraine. To this Congress more than 2,000 delegates arrived. Disappointing the expectations of the initiators of the Congress, they began their work with a stony ovation in the honor of the President of the Ukrainian Central Rada, Grushevsky, and expressed with a crushing majority of votes their approbation of the activities of the Rada. After this event, a small group of Bolsheviks, about 80 persons strong, fled from this Congress to Kharkov, and there they declared themselves as being the new

Government of the Ukrainian People's Republic. The People's Commissaries sent to them unorganized mobs of the Red Guards with the object of robbing the population of the province of Kharkov and of guarding the Kharkov Government against the inhabitants of the province of Kharkov. This is the manner in which the Kharkov Government was created, and these are the forces upon which it is based. There can be no doubt that it does not represent the Ukrainian People's Republic, but it can be doubted if it represents even Kharkov.

To the other observations of M. Trotsky, which were made openly or merely suggested, I regard it unnecessary to reply. Our future, our history, our children, and the large masses of the working classes, which are now on the one or the other side of the front, will decide themselves who of us is right and who is wrong, who is a Socialist, and who a counter revolutionary, who is creating, and who is destroying what has been created.

PRESIDENT. Has the President of the Russian Delegation anything to declare?

TROTSKY. I can only thank the President that he, in harmony with the dignity of this assembly, has not opposed in any way the free speaking of the preceding orator, nor has he intervened in the exact translation except to make some improvements in expression.

THE PRESIDENT. Until now all the speakers here have had full freedom of speech, and certainly the President could not make an exception for the preceding speaker.

TROTSKY. I fully agree.

CHERNIN. In the name of the Delegation of the four Allied Powers, I have the honor to reply as follows to the declaration of the Ukrainian Delegation:

As announced, the President of the Ukrainian Delegation, Secretary of State Golubovich, declared in the plenary session on Jan. 23 that the Ukrainian People's Republic, in basing itself upon the decision of the Ukrainian Central Rada of Nov. 20, 1917, is renewing its international existence, and enters fully into the international intercourse in these regions, with all the rights belonging to it. In connection with that decision, the Government of the Ukrainian People's Republic decided to take up an independent position at the present peace negotiations. In reply to that I declared at the plenary session of Jan. 25 in the name of the four allied Powers as follows: We recognize the Ukrainian Delegation as being an independent Delegation which possesses the powers to represent the independent Ukrainian Republic. But in view of the fact that the President of the Russian Delegation has changed his attitude to this question at the session of Jan. 30, 1918, in proclaiming that only such agreements with Ukraine ^{as}*, on the contrary, we consider ourselves as bound to recognize immediately the Ukrainian people's Republic as an independent free sovereign State, which is able to enter into international agreements independently.

TROTSKY. I must remark once more that the suggestions of our changed attitude are not true. I have already twice read the passage in my declaration upon this subject. This passage does not admit any commentary. In any case, and independently from the position taken up until now by the four allied Powers toward Ukraine, it must be clear that the interested Powers themselves are not able to tell even the geographic frontiers of the new Republic which they have recognized at this moment. But in view of the fact that in the peace negotiations the question of frontiers is not a matter of indifference, the objection which I have made retains all its force.

VON KÜHLMANN. I should like to ask the President of the Russian Delegation if the declaration which was read by the Ukrainian member of the Russian Delegation is an official declaration of the Russian Delegation?

TROTSKY. So far as this declaration concerns the peace negotiations, and so far as it expresses its full agreement with our declarations, we certainly accept full responsibility for it. I think the declaration can be discussed here only within these limitations.

The session is closed.

(Signed) L. KARAHAN.

70. SESSION OF COMMITTEE ON TERRITORIAL QUESTIONS, 3 FEBRUARY.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 6 February, 1918, p. 799.*]

According to a Brest-Litovsk telegram (Feb. 3), The German, Austro-Hungarian, and Russian Commissions held a further sitting on the morning of that day for the settlement of territorial and political questions.

The discussions began with a declaration by Baron von Kühlmann regarding the invitation or admission of the Western Border States to the negotiations. He said that on this subject the previous standpoint of the Central Powers remained quite unchanged. M. Trotsky replied:

The question of the admission to the negotiations of a deputation of the Polish Government as the Government of an independent State arose when the Russian Delegation broached this subject for the purpose of directing attention to the fact that the German and Austro-Hungarian Delegations had, while recognizing the independence of the Polish State, not suggested the admission of Polish representatives to the negotiations. The opposite side, it is true, declared then that it would submit this question to benevolent examination. We for our part recognize the independence of the Polish State to its full extent, but we can not close our eyes to the fact that its independence is only make-believe so long as Poland is under the régime of occupation. Just because we recognize the independence of the Polish people and State we can not, without impugning the independence of the Polish State, regard as representatives of the Polish people representatives appointed by the will of the occupying authorities.

M. Trotsky added that he could only recognize as authorized to participate in these negotiations a deputation of the Polish State based on the broad masses. He might point out that the Russian Delegation, in not recognizing M. Kucharewski's Government as a plenipotentiary Government of the Polish people, by no means meant that it did not recognize the independence of the State or the people.

In reply, Baron von Kühlmann, after referring to the declarations which the representatives of the Central Powers had made on this subject at the sittings of the Commission on Jan. 11 and Jan. 15, said he did not know why the chairman of the Russian Delegation excepted Poland to-day from the Western Border Peoples.

* The *Deutscher Reichsanzeiger* of 4 February, 1918, has an account practically identical with this.

The affairs of Poland, Lithuania, and Courland had hitherto been discussed together. He believed, however, that he could perceive a certain advance in the fact that M. Trotsky recognized the independence of the Polish State to its full extent. If the chairman of the Russian Delegation would also recognize the independence of the other Western Border Peoples of Russia, the negotiations would thereby make a considerable step forward.

In reply to a previous observation of M. Trotsky that the governments of the Central Powers had not yet recognized the new Finnish Government, Baron von Kühlmann said that he had not yet been adequately informed regarding the events in Finland, but he had received from a trustworthy Finnish source numerous complaints that the Russian Army had interfered in domestic conflicts there, and that the frequently expressed wish that the Russian troops should be withdrawn from Finnish territory had not been answered satisfactorily by the Russian Government. His attitude, therefore, to the situation created by the events in Finland must remain in suspense.

Count Czernin pointed out that M. Trotsky had made a quite correct distinction between the States and their Governments.

M. Trotsky recognizes only the independence of the Polish State, but is unwilling to recognize the right of the existing Government there to represent this State. I note with satisfaction that M. Trotsky, by his declarations to-day, at least recognizes the existence and independence of the Polish State and that a path appears to be thus opened for a *rapprochement* of views on both sides. On the other hand, I can not admit that the question whether the present Polish Government is entitled to represent the Polish State should be submitted to the arbitration of a third Government.

M. Trotsky then observed that as regarded the Finnish question, the Petrograd Government had recognized Finland's independence during the war, so that at that time portions of the troops who had taken part in the war were still on Finnish soil.

When the Finnish Senate requested the Petrograd Government to recognize Finland's independence, it expressed the idea itself that the troops should be withdrawn at the latest after the conclusion of the war, if it were not possible for military reasons to withdraw them earlier. A Commission was formed with a view to reaching an agreement on the subject. When the Revolution of the working classes began in Finland, the Finnish Social-Democracy expressed the wish to the Russian troops that they would not intervene in any conflicts that might arise. A telegram voicing this wish was sent by the Social Democrats themselves to the Finnish Government. It was not impossible that collisions might have taken place between detachments of the Russian troops and portions of the Finnish Citizen Army, but he denied that these collisions could have any effect on the course of the internal conflicts in Finland.

Regarding the admission of Polish representatives, M. Trotsky continued, the question was again addressed to the Russian Delegation whether it recognized Poland's independence or not. It was clear that this question contained an ambiguity. He recognized to the full the unrestricted right of the Polish people to an independent existence, but he could not close his eyes to the fact that this Polish State was now occupied by foreign troops, and that

the so-called Polish Government could only move within the limits imposed on it from above. If the Polish State were a State it must have geographical frontiers; if the Polish Kingdom were a kingdom it must have a king. If the State had neither frontiers nor a king, then it was no State, no kingdom. It was a question here of conditions that had not yet reached their final shape. To the observations of the Chairman of the Austro-Hungarian Delegation he had to reply that his Government in nowise wanted to act as arbiter in this question, and only proposed a way for testing and justifying the Polish Government.

In reply, Baron von Kühlmann* said:

I should point out that the Delegations of the negotiating Powers have not come here to indulge in intellectual combat, but to try whether and how far it is possible to attain agreement. It is difficult for a representative of a foreign State to determine to what extent the Government existing in another State has the right to exist. It would, in my opinion, be fruitless to continue the discussion of this topic. The Polish State is in the development stage, and its development is not yet concluded. Poland, therefore, as M. Trotsky quite rightly remarked, has no established frontiers yet, but neither has the Russian Republic, which is still undergoing development, yet established frontiers. This, however, does not prevent the Powers of the Germanic Alliance from negotiating with the present Russian Government without entering into an examination of its credentials. M. Trotsky appears to reproach the Central Powers because they have *not* recognized the new Finnish Government. I must say that nothing is known to me about any intention not to recognize it. That the Central Powers, moreover, are ready to negotiate with Governments which they regard as fairly radical is sufficiently evident from the fact of the Brest negotiations.

Baron von Kühlmann added that the second declaration of the President of the Russian Delegation had again shown how difficult it was, without the text of such far-reaching declarations before one, to form a sure judgment on what had been said.

As a contradiction in the statements of so schooled a dialectician as M. Trotsky appeared to be out of the question, there was clearly a misunderstanding on his part. He had received the impression from M. Trotsky's first declaration that the speaker had in it unreservedly and fully recognized the independence of the Polish State. Now, however, M. Trotsky had said in his second declaration that Poland, without fixed frontiers and without a king, was neither a State nor a kingdom. It was, to be sure, difficult to recognize the independence of a State which was no State at all. He must, however, point out that one got entirely lost in the clouds when one forsook the foundations of sound juridical construction.

Finally Baron von Kühlmann announced that he was obliged by imperative duties to leave Brest for a short time. He suggested that the time which would be lost by his absence, as far as the Political Commission was concerned, might be utilized by direct negotiations between the other Allied Delegations represented at Brest and the Russian Delegation, as well as by work on the part of the Law and Trade Commission.

The sitting thereupon closed.

* The text ascribes this utterance to Czernin, but "Baron von Kühlmann added" at the beginning of the next section. Internal evidence suggests Kühlmann.

71. SESSION OF COMMITTEE ON TERRITORIAL QUESTIONS, 3 FEBRUARY.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 9 February, 1918, p. 823.]

Russian wireless sends out the following fragment of a report of the proceedings at Brest-Litovsk on Feb. 3. The report covers the speeches of Trotsky and Von Kühlmann printed in the first column of page 709, of the *Daily Review* (Feb. 6).

TROTSKY. * as founded. I think it necessary to establish firstly the following facts: Neither the German nor the Austro-Hungarian delegations proposed, on their own initiative, to invite to the negotiations the representatives of the Polish Rada (i. e., Regency Council) as the representative body of an independent Polish State. This question arose only after the Russian Delegation had indicated to the opposite side that their attitude was one of complete contradiction. While in their statement the German and Austro-Hungarian Governments did recognize the sovereign rights of the Polish State, they did not raise the question of the participation of its Government in these negotiations when the destiny of Poland was under discussion. In reply to our declaration the opposite side remarked that if we should submit such a proposal to them it would be favorably received. It is of great importance for us to insist upon the fact that the German and Austro-Hungarian Delegations began the negotiations without having in their possession a preliminary decision on the part of their Governments concerning the participation of the Polish Rada in the negotiations. Such a preliminary decision would have been obligatory for them if they had considered the Polish Ministry as the Government of an independent Poland.

In opposition to such an attitude we, in spite of all the affirmations of the opposite side completely and without reservation recognize the independence of the Polish people and of its State. But we can not shut our eyes to the fact that this independence remains unreal so long as Poland is under the régime of military occupation. Because we do recognize the independence of the Polish people and of its State, and because we have not in view any attempt on this independence, we can not regard as plenipotentiary representatives of the Polish people those persons who have been designated for this office by the Governments which have occupied Poland. We could, presumptively, recognize the unquestioned right of independent participation in the negotiations only in the case of such a provisional Government of Poland which had received the sanction of authoritative and legal bodies of the Polish people. Taking into consideration that the Polish people have a rich political experience, and that its social and national tendencies have been able to find their expression in powerful and durable political parties, we express our belief that it would be possible immediately to create a provisional representation of independent Poland for the participation in the peace negotiations by a free agreement of the Polish political parties which have the support of the masses of the people, particularly of the working classes. We, on our side, are ready to recognize completely, without any restrictions, such representation. So far as the Polish Rada, created by the Governments of the Central Empires, expresses its will to take part in the peace negotiations, we have no objection. The delegations of the Central Empires are seemingly in favor of such a desire and previously declared to us that the Polish Ministry does possess the right of Government

so far as permitted by the corresponding German and Austro-Hungarian authorities.

We believe that the government of the Central Empires could also impose the same limitations for the participation of the Polish Ministry at the present negotiations, and that such an arrangement would be only in accordance with the real situation. I shall only recall here that when the question of the participation of the Delegation of the Ukrainian Rada arose we did not demand from the opposite side that it should recognize Ukraine and its Government before the signature of the peace treaty. We believe it to be necessary that in view of the indefiniteness of all our relations these relations should be cleared up in the course of the negotiations. We, on our side, could only agree to this form of participation by the Polish Rada in these negotiations, because such a position would afford to it the opportunity for declaring openly, in facing the whole of the Polish people, its attitude to such questions as the evacuation of Polish territories by foreign troops and the alteration of the frontiers against the interest of the independent Polish people. The declarations and demands of the Kuharszewsky Ministry would receive a more complete and more just estimation, because we have also in our Delegation representatives of the laboring masses of Poland.

In concluding these remarks I shall once more draw your attention to the logical misunderstanding which often occurs in our negotiations, that our attitude to the one or the other of the Governments depends entirely upon our attitude to the people or to the State. If we do not consider the Kuharszewsky Ministry, by reason of information in our possession, to be the plenipotentiary Government of the Polish people, then that does not mean that we do not recognize the independence of the Polish State and the Polish people. I do not know so far if the German Government has had the time to recognize the new Government of Finland, but nevertheless I think that the bare fact of the existence of a new Government in Finland can not alter a further recognition of the independence of Finland's Republic.

VON KÜHLMANN. In connection with the explanation as given by the President of the Russian Delegation, it will be of certain utility to return once more to these questions which have already occurred several times. So far as I remember, I explained them in a previous discussion on Jan. 11. The preceding speaker complains that until now there have been present no representatives of the various nationalities. If he means that, in his opinion, these peoples have already become entities, and that they can use their rights of self-determination in external questions, then I, from my side, if these premises are unconditionally recognized by the Russian Delegation, am always ready to discuss whether or not these peoples ought to take part in the peace negotiations, and, if so, then in what form. The question was again discussed on Jan. 15, and then the President of the Russian Delegation remarked that the Austrian and German Delegations, at one of the preceding sessions, had expressed the desire to invite the representatives of these regions who are personally known to them, and, namely, of these regions which, in the opinion of these Delegations, have already completed their State formation, because they have in a sufficient degree shown their desire for an independent State life. We could not reply to these questions immediately because we considered it necessary to know the conditions by which we should decide whether these peoples have a sufficient right to take part in the peace negotiations.

The proposals and discussions upon these questions, which we submitted in writing, had for their object the provision of materials for their solution. As I remarked yesterday, these replies which we have heard impressed us as being contradictory. Either the occupation authorities have been given the

right and power to determine the destiny of these regions in accordance with their plenipotentiaries, or they have been instructed to make use of the decisions of the local bodies which have been created on a social basis which is not in accordance with the real political importance of these classes. It was also said that the occupation authorities are creating entirely arbitrary frontiers. So far as I can understand, the government of the opposite side is of the opinion that, at least within the limits of the peace negotiations, these bodies are the expressions of the will of these peoples which have already used their right for self-determination.

With the object of knowing the conditions under which we could recognize them, we should consider it very useful if the representatives of these bodies could be invited to these peace negotiations. They would then have the opportunity, here before us, of demonstrating their right to represent their peoples before the whole world. And if even by such an arrangement the inconsistency would not be abolished, the outstanding points of difference would certainly disappear, amongst which the following: That the German and Austro-Hungarian Governments, in recognizing the right of certain bodies to express the desire of the people, are, at the same time, isolating these sovereign bodies, by the régime of occupation, from participation in the peace negotiations, where the destiny of these regions will be decided.

[Message ends.]

RUSSIAN ACCOUNT, CONTINUED.

[From the (British) *Daily Review of the Foreign Press*, 11 February, 1918.
p. 833.]

The following is a continuation of the Russian version of the proceedings at Brest-Litovsk on Feb. 3, part of which was printed in the *Daily Review* (Feb. 8).

It opens with Kühlmann's speech, broken off in the last message:

The presence of these Delegations will also involve the recognition by the Russian Delegation of the presumptive State existence of these nations. I draw your attention to the fact that the President of the Russian Delegation, in the course of previous negotiations, declared that he considered the expression of will be the Landtags as the expression of some definitive, influential groups of the population. In my opinion, there is no great divergence between this point of view, as previously expressed, and the recognition of their presumptive character as was now indicated to me. But, in the nature of things, admission of these representatives excludes such recognition, and no further explanation is necessary. Either these representatives will come here as an expression of the will of these peoples, and then an agreement must be reached between us that these peoples have been already constituted as nations, or they will come here as private individuals, and in the capacity will have nothing to do here. If these premises are agreed to by the President of the Russian Delegation then I shall immediately begin pourparlers with our Allies, so as to know if they are willing to agree with the desire as expressed by the Russian Delegation, and, if so, then under what conditions the representatives of these regions can participate. I believe that the publication of these minutes will be sufficient for explaining these views, as they appeared in the preceding negotiations. I do not quite understand why to-day the President of the Russian Delegation

especially made a distinction with regard to the Poles among the peoples of the occupied regions.

Up to now we have discussed the question of Poland, Lithuania, and Courland as one. I see in this a big step forward, because the President of the Russian Delegations has himself recognized the existence of a Polish State. But, on the other hand, if I have properly understood him (and it is very difficult without having the original at hand), I can not realize why he does not recognize the Polish Ministry as the plenipotentiary Government of the Polish State. Without consulting the Allied Government I can not immediately express myself in a definite manner concerning the question whether it would be desirable that the Polish representatives should participate independently in the negotiations, because other questions may arise for discussion where it may appear necessary that the representatives of other regions should also take part in defense of their interests. If the President of the Russian Delegation could recognize the political existence of these State formations, then in my opinion, we could make an appreciable advance in our slow and difficult method of negotiating. As I have promised, I shall consult the representatives of the Allied Governments with regard to these questions.

Concerning the question of the recognition of the new Finnish Government, I have not so far received sufficiently exact information as regards the situation in Finland. But I have received complaints from very influential circles of Finland that the Russian army has taken part in the internal struggle there, and that all requests for the withdrawal of Russian troops from Finland have received no satisfactory reply from the Russian side. Our attitude in regard to the situation in Finland as it is at the present must remain for the time being an open question.

I shall give my reply to the explanation of the President of the Russian Delegation in a few words. I can in no sense associate myself with the distinction which the President of the Russian Delegation is very clearly and justly making between State and people on the one side and Government on the other side. In the present case he recognizes the Polish State but refuses to recognize the plenipotency of the Polish Government. I do not remember that in the preceding discussions on the recognition of the Polish State these limitations had been expressed with the same force. But if that has taken place now, then I welcome it, because it necessarily means the fusion of both points of view. But I can not admit that the question as to whether the Polish State has or has not full powers should be left to the decision of the Russian Delegation. I am of the opinion that in regard to this question no international negotiations could take place under such conditions, because every representative might express doubts as to whether he is entitled to take part in the negotiations. As regards the substance of the question, I can only repeat what I have already had the honor to declare—if the Russian Delegation agrees to participation in the peace negotiations of the present Polish Government, then I should only welcome such a decision.

I must make some remarks on the question which arises here, as a supplementary question to the Polish question, namely, the question of Finland. Unknown persons or institutions have made complaints to the Secretary of State that we are not withdrawing our troops from Finland. It is necessary to recall that the recognition of Finland's independence was made by us * * * when detachments of our troops, which have taken part in this war were still on Finnish territory. The Finnish Diet, when it addressed us with the request to recognize the independence of Finland, itself demanded that the troops should be withdrawn before the conclusion of peace. We entirely agreed with this proposal * * *

RUSSIAN ACCOUNT, CONTINUED.

[From the (British) *Daily Review of the Foreign Press*, 15 February, 1918, p. 879.]

Russian wireless (Feb. 13) sends out the following:

Continuation of the session of the Russian and Austro-German Delegations on Feb. 3.

It was said that if the Polish Government is recognized as a Sovereign Government, then it has the right to take part in these negotiations, or that if such recognition is irregular, then it has no right to be here.

TROTSKY. I should say that if the Polish State is an independent State, then it must have its geographical frontiers, and if it is a kingdom, then it must have its king. But if it has neither frontiers nor king, then it is not a State, and it is not a kingdom. Nevertheless, I am of the opinion that we have to reckon here not with unformulated and unestablished relations, and that we must not create out of juridical formulas obstacles to the solution of questions of real importance. At the present time all diplomatic and juridical niceties generally—in State treaties especially—are not of much value. The political aspect of the question must give us the solution, and juridical technicalities have merely to help us in its expression. In my opinion this is a perfectly correct and exact estimate of the situation, especially after the Secretary of State has given us, with much freedom and sagacity, a juridical justification for the Ukrainian Rada. I think that he could find in his experience and from out of his juridical knowledge all the necessary formulas for securing the participation in the negotiations of any Government which he had the desire to recognize, without submitting to us at this stage an ultimatum which can only be answered when the whole question has been solved. These remarks concern those arguments which we have had the honor to listen to from the President of the Austro-German Delegations. We have no desire to act as arbitrators on this question. We have proposed the simplest way for the control of these mandates. Our proposal was that the leading political parties of Poland should be consulted. If an arbitrator is then found to be necessary, then as such he can act only in conjunction with the whole of the Powers. Certainly we do not base ourselves upon the inconsistent consideration as to the duration of any Government, as the President of the Austro-Hungarian Delegation has supposed. We believe and we hope, by the grace of God, that all Governments here represented will last for a long time, but in the present case we have to recognize a new Government. Professor * * says very truly that no syllogism will solve this question; it will rather be solved by its political nature. If we had not to finish our discussion (I fear we began too late today), I should ask M. Babinsky, the representative of our Commissariat for Nationalities, to express his views.

CZERNIN. I should like to make a brief statement. The President of the Russian Delegation has said that we should not create obstacles. We are not here for the sake of mere discussion, but with the sincere desire to arrive at agreement so far as that is possible. I state emphatically that the President of the Russian Delegation is wasting words in vain. He defends himself against reproaches, and insists upon the difference between State and Government. It is true that these denominations are different. But I state again that it is quite impossible for the representatives of a foreign State to know if harmony exists between a State and its Government, and if any particular Government has the right to further existence. If we were to continue these discussions

we should again hear of right and might, and so on. My view is that such discussions do not form the purpose of our negotiations. The Polish State is a State in course of formation, which has become independent through the Central Powers. Its formation has not yet been completed, a fact which finds its expression in different ways. M. Trotsky has himself, quite correctly, indicated that when he spoke of the undefined Polish frontiers. But the Russian Republic is also a new State, and so far as I am aware its frontiers also are not at present defined. But this fact does not prevent our being engaged in peace negotiations with the present Russian Government. If the President of the Russian Delegation reproaches us for not recognizing the new Finnish Government then I must point out that for all they know we may be preparing for such recognition. The present negotiations prove that we are ready to enter into negotiations with Governments which we consider quite radical.

KÜHLMANN. The second declaration of the President of the Russian Delegation once more proves that it is impossible to appreciate every point without having the text of such important declarations before us. The astuteness of such an opponent as the President of the Russian Delegation creates contradictions, or at least misunderstandings. I was of the opinion that he desired to recognize the Polish State without any limitations, and I had already prepared an agreement, in conjunction with the President of the Austro-Hungarian Delegation. To our surprise, at the second Session, M. Trotsky declared that Poland, being without frontiers and without a King, is neither a State nor a Kingdom. I think that even such a competent Professor as Nimever, whose opinion we all hold in esteem, could find no objections to our proposals. It is said that a too skillful construction of phrases is a danger to diplomacy. If this be so it may safely be said that such nicety of language is not less a danger for our negotiations. As regards Finland, I reserve for myself complete freedom, as I have already stated. I may say that so far as I am aware no proposal for the recognition of the so-called new Government of Finland has reached me in an official form. I regret that it is too late to-day to hear any explanation by a member of the Russian Delegation, but for that we shall have an opportunity at the next session. If there is no objection I propose that the present session be closed, as it is so late.

TROTSKY. I should like the date of the next session to be agreed upon

I can not take part in the sessions of February 4, 5, and 6. On February 7 I am ready to attend a session at any time. I propose 11 o'clock on February 7. The time which we have at our disposal can be employed in discussions between the different States, between you and us and the representatives of our Allies. I also hope that the Economic Commission will have progressed sufficiently with its work as to have a clear conception of all that has to be accomplished. If nobody wishes to speak I declare the session closed.

72. SESSION OF 7 FEBRUARY.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 12 February, 1918, p. 844.*]

A Brest-Litovsk telegram of Feb. 8; states;

Baron von Kühlmann and Count Czernin returned to Brest-Litovsk last night. The German, Austro-Hungarian, and Russian Commis-

* The *Deutscher Reichsanzeiger* of 9 February has an account substantially identical with this.

sions for the regulation of political and territorial questions held another joint sitting this morning.

Baron von Kühlmann first reverted to the question of the origin of certain alleged falsified telegrams of the Petrograd Telegraph Agency. He said that, as the presumption might be drawn from the statements of the President of the Russian Delegation that the falsification had been committed in Germany, he had made a special point of inquiring into the matter as far as had been possible.

By far the most important false report referred to the Brest-Litovsk sitting of Jan. 27. He had had it established that this report was circulated by the Ritzau Bureau in Copenhagen. The original telegram in Ritzau's possession was dispatched from Petrograd and bore the signature "Vestnik," like all other telegrams from the Petrograd Telegraph Agency. He must therefore leave it to the President of the Russian Delegation to make further inquiries regarding the responsibility for the dispatch of the telegram from Petrograd. A further report which had likewise created a political sensation, and which was designated incorrect by the People's Commissioner for Foreign Affairs, related to the speech of M. Trotsky at the third Congress of the Workmen's and Soldiers' Council. The most important sentence in the report ran:

The Imperialists falsely assert that we desire to conduct separate negotiations:

while a subsequent sentence stated:

The Russian Delegation will not renounce its demands, and will conclude no separate peace.

These communications were in French, and were received as an announcement of the Petrograd Telegraph Agency on the evening of Jan. 29. It was confirmed from Stockholm that the French text transmitted to the Berlin semiofficial news agency had in fact arrived in Stockholm as a telegram from the Petrograd Telegraph Agency. If there were falsification, therefore, this must have occurred between Petrograd and Stockholm. The Berlin semiofficial agency and the German Press had acted entirely *bona fide* in the matter. It appeared to Baron von Kühlmann to be in the interests of Russian policy that it should be cleared up on the Russian side who were the authors of these politically important falsifications and where they occurred.

M. Trotsky replied that, regarding the first telegram, he had had all the original dispatches of the Petrograd Telegraph Agency laid before him, but that the telegram concerned was not found among them.

Regarding the second, he had been hindered by recent frequent interruptions of telegraphic communication with Petrograd, but as soon as he could he would try to clear up these two misgivings or falsifications.

Passing to the actual agenda on which stood the continuation of the discussion of the question of participation of the Polish representatives at the peace negotiations, M. Trotsky protested against what he thought was a very well organized campaign in the German and Austro-Hungarian Press aiming at accusing the Russian Delegation of protracting the peace negotiations. Against that he said he had to point out that the great importance of the conditions made known

by the other side necessitated a pause for their examination by the Russian Government. In any case, he must state that the responsibility for the protraction of the negotiations did not fall on the Russian Delegation. It was the President of the German Delegation himself who had desired a theoretical discussion of the various questions.

Baron von Kühlmann, replying, said the German Press had been able to form its own opinion from the published reports of the proceedings, and if that judgment did not please the Russian Delegation the Russian Press was entirely free to champion those views which it considered right.

He must, in any case, most emphatically repudiate any supposition that the Presidents of the Allied Delegations favored the protraction of negotiations. It was decidedly necessary to consider the questions discussed also in their theoretical aspect. If an agreement on theoretical points were reached, then a satisfactory solution to the joint tasks would have been very nearly attained. M. Trotsky had rightly indicated that the importance of the proposals of the other side had made a thorough study appear necessary to him. He thought he understood from M. Trotsky that it would correspond with his wishes if the results of the negotiations so far attained were summed up in one of the next sittings.

Count Czernin hereupon stated that the Austro-Hungarian Press had also expressed its opinion on the Bolsheviks' attitude, free of Government influences. M. Trotsky remarked that he must frankly admit that during the revolution his Government had suppressed an entire series of newspapers, not because they had criticized the People's Commissioner for Foreign Affairs, but because they had incited to deeds of violence. On the other hand, no preventive censorship existed in Russia as in other States.

Baron von Kühlmann pointed out that there was no preventive censorship in Germany either, and that criticism on foreign policy and its directors, as could not have escaped one so thoroughly acquainted with German papers as M. Trotsky, did not usually lead to the suppression of German papers.

Count Czernin then stated that the Austro-Hungarian censorship authorities were not in a position to influence the positive utterances of the Press.

They could only work negatively and hinder in a limited measure the Press utterances which they considered harmful. So far as he knew, no newspaper had been suppressed in Austria-Hungary for a long time.

M. Bodinski, the Russian Delegation's expert for Polish affairs, then read a statement in Russian, which his colleague, M. Radek, repeated in German.

Both delegates, who described themselves as the sole appointed representatives of the Polish people, demanded the immediate removal of the present Government organs in Poland and criticized the independence of Poland as hitherto developed. They further declared in their statement that up to now revolutionary Russia alone had defended the true interests of Poland's freedom, and both appealed to the Poles fighting in the German and Austro-Hungarian Armies. Baron von Kühlmann asked M. Trotsky whether the document just read was to be regarded as an official communication of the

Russian Delegation. M. Trotsky replied that the views stated were naturally only admissible within those limits which the Russian Delegation had fixed at the beginning of the present negotiations, that within such limits the views were to be regarded as an official declaration, and that in so far as they exceeded those limits they were only to be considered as information.

Baron von Kühlmann, in reply, said that the statement just read appeared to him to be wholly addressed to the gallery, and that it was quite incomprehensible to him how M. Trotsky could have had an idea that the progress of the negotiations would be served by such purely "agitational" speeches.

He personally emphatically refused to receive any declarations from the side of the Russian Delegation which did not from the outset represent the official declarations of the entire Delegation. He feared the patience of the Presidents of the allied Delegation would be put to a very hard test by occurrences like the speeches of the members of the Russian Delegation just listened to, and a doubt must now arise, not only on the part of the German Press, whether an intention really existed on the part of the Russian Delegation to bring the negotiations to a successful conclusion. General Hoffmann said:

I protest against M. Bodinski and M. Radek presuming to speak in the name of any persons belonging to the German Army. I must most energetically protest against such attempts against the soldiers of Polish nationality in the German Army, who have fought with honor for their Fatherland and the German Empire in all theaters of war.

M. Trotsky replied that as against the well-known expressions of will to which the opposing party appealed he considered the views and judgments of the Poles represented in his Delegation as extraordinarily important for the determination of the attitude of his Delegation on this question.

Baron von Kühlmann hereupon closed the sitting with the remark that in accordance with the wishes of the Russian Delegation the results of the work done up to the present should be summed up for discussion at the next sitting.

73. SESSION OF 9 FEBRUARY—CENTRAL POWERS AND UKRAINE.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 12 February, 1918, p. 840.]

A semi-official telegram from Berlin to Copenhagen (Feb. 9) states:

This morning (Feb. 9) at 2 a. m. peace was signed between the Quadruple Alliance and the Ukrainian Rada.

A telegram from Brest-Litovsk to Amsterdam (Feb. 9) states that at 2 o'clock this morning (Feb. 9) peace was signed between the four Central Powers and the Ukrainian Popular Republic.

A telegram from Brest-Litovsk (Feb. 10) via Berlin says:

It was possible to announce at the beginning of the last pause in the negotiations that a basis for the conclusion of peace between the Quadruple Alliance and the Ukrainian People's Republic had been found. After the return of the Delegation to Brest-Litovsk negotiations on this basis were continued. Thanks to the energetic and untiring work of all the commissions, and thanks to the spirit of conciliation which inspired all parties, an agreement on all points was established in the course of yesterday, so that the final drafting of the treaties and their signatures could be carried out. Owing to technical difficulties connected with the framing of five treaty texts, it was not possible to hold the formal final sitting and affix signatures until the early morning hours of Feb. 9.

Baron von Kühlmann, as president, opened the sitting shortly before two in the morning with the following speech:

Gentlemen, none of you will be able to close his eyes to the historical significance of this hour at which representatives of the four allied Powers are met in this hall with representatives of the Ukrainian People's Republic to sign the first peace to be attained in this world war. That this peace is signed with a young State which has emerged from the storms of the great war gives special satisfaction to the representatives of the allied Delegations. May this peace be the first of a series of blessed conclusions of peace, blessed both for the allied Powers and for the Ukrainian People's Republic, for the future of which we all cherish the best wishes.

The president of the Ukrainian delegation replied:

We state with joy that from this day peace begins between the Quadruple Alliance and the Ukraine. It is true that we came here in the hope that we should be able to achieve a general peace and make an end to the fratricidal war. The political position, however, is such that not all the Powers are met together here to sign a general peace treaty. Inspired with the most ardent love of our people and recognizing that this long war has exhausted the cultural and national powers of our people, we must now direct all our strength to do our part to bring about a new era and a new birth. We are firmly persuaded that we conclude this peace in the interest of our great democratic masses, and that this peace will contribute to a general termination of the great war. We gladly state here that the long and hard labor performed at Brest-Litovsk has been crowned with success, and that we have attained a democratic peace that is honorable for both parties. From to-day the Ukrainian People's Republic is born to a new life; it enters as an independent State into the circle of nations, and ends the war on its front. It will see to it that all the Powers which in it lie will rise to new life and flourish.

Baron von Kühlmann then invited the plenipotentiary representatives to proceed to sign the peace treaty. At one minute before two Baron von Kühlmann, as the first signatory, signed the copy of the peace treaty prepared for Germany, and by 2.20 all the signatures were appended.

74. SESSION OF 9 FEBRUARY.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 16 February, 1918, p. 887.*]

Berlin telegrams (Feb. 14) give an account of events at the two last sittings of the conference at Brest-Litovsk for the regulation of political and territorial questions, which were closed by M. Trotsky's declaration of Russia's determination not to enter into a treaty of peace, but to disband the army.

At the opening of the sitting on Feb. 9, Baron von Kühlmann summed up the result of the previous discussions and said that very thorough debates had not effected a considerable rapprochement between the opposing standpoints.

He had not personally the impression that further discussion on the basis hitherto taken up by the two parties promised a more favorable result than had hitherto been attained, and the unlimited extension of the negotiations, which offered no prospect of success, could not be contemplated.

Count Czernin also said that, however long these essentially theoretical discussions were prolonged, they offered little prospect of agreement.

He would like to raise the question, however, whether such an accord from the standpoint of the conclusion of peace was really unconditionally necessary. It appeared to him from the discussion that it was not at all certain that an agreement could not be reached regarding these alterations themselves. He therefore proposed to leave the question open as to how the projected alterations were to be comprehended, and, without touching on this question, to establish whether the form of these alterations would actually place hindrances in the way of the conclusion of peace or not.

M. Trotsky replied that from the Russian standpoint the application which the opposing party wished to give to the principle of the people's right of self-determination was equivalent to a rejection of this principle.

In consequence, he admitted that the discussion on the basis of this principle had been helpless. The new Western frontiers proposed for Russia must be condemned from the standpoint of view of strategic considerations. Fresh difficulties had now arisen, however, through the attitude of the Quadruplice toward Ukraine. The Ukrainian People's Republic had been recognized by the Quadruplice. The representatives of the Quadruplice had even, he understood, signed a peace treaty with the plenipotentiaries of the Kiev Rada whereby, it was alleged, the delimitation of Ukrainian territory was also dealt with. The speaker protested at length against this action of the Powers of the Quadruplice, remarking, *inter alia*, that this manner of procedure must evolve a doubt whether the Central Powers desired to reach an understanding with the Govern-

* The *Deutscher Reichsanzeiger* of 15 February has an account substantially identical with this.

ment of Federal Russia. He therefore declared that the treaty alleged to have been signed with the Kiev Rada could have no validity whatever for the Ukrainian people and the Government of all Russia.

In reply to M. Trotsky, Baron von Kühlmann proposed to intrust the question of delimitation to a subcommission which should report to the Commission next day.

The message here ends, and is apparently defective. Some further details can be inferred from the message printed immediately below.

GERMAN ACCOUNT—CONTINUED.

[Translation from the *Deutscher Reichsanzeiger*, 15 February, 1918.]

With reference to the remarks of M. Trotsky that the line proposed as the western Russian boundary would have to be submitted to the discussion of experts, the Secretary of State, Herr von Kühlmann, made the proposal to submit the boundary question to a subcommission to be formed at the end of the present session, which should report the results of its deliberations at the meeting of the political commission on the next day. It appears, Herr von Kühlmann added, from the importance and basic significance of the question to be discussed by the subcommission, that its report will be of great importance in the development of further negotiations. He said that he wished to devote a few words to the general principles which should govern the determination of the boundary, because in the subcommission the discussion would be centered primarily on technical questions.

In suggesting a line to the Russian delegates the Allies were prompted by considerations of nationality. An attempt was being made, he said, to agree on boundaries for Poland, Courland, and Lithuania which would be in accord with the historical lines of demarkations and ethnographic conditions. To certain remarks of the previous speaker, M. Trotsky, to the effect that in tracing this boundary the allied Central Powers had been impelled by sinister motives against Russia, the Secretary of State answered that he need remind M. Trotsky only of the firm basis on which the German policy toward Russia rested, a policy which had always aimed to cultivate good and friendly relations with the great eastern neighbor until the moment when, by virtue of events with which the Russian delegation was quite as familiar as the German, or more so, the German people were forced into a struggle with Russia. Toward newly organized Russia, too, he asserted, Germany will always endeavor to preserve friendly and neighborly relations, and will refrain from meddling in its internal affairs as soon as the war shall have come to a satisfactory conclusion. In reply to the statements of the Commissioner of the People on the attitude of the Central Powers toward the Ukrainian People's Republic, Herr von Kühlmann stated that the Quadruple Alliance reserved the right to use its own judgment as to which states it might see fit to recognize. He said that the Powers of the Quadruple Alliance had in fact concluded a peace treaty on

this very day with the representatives of the Central Powers, and a discussion of the political relations of the Ukraine was not pertinent to the present deliberations.

With regard to the future destinies of the peoples of the occupied frontier territory, he referred to statements made on that subject by the delegates of the Central Powers in the course of the present deliberations and to pertinent utterances of German and Austro-Hungarian statesmen before their popular representations. In spite of the theory represented and maintained by the Central Powers, according to which the right of self-determination has already been exercised in these territories, the allied Powers, he said, are prepared by means of systematic development of the there existing bodies of representation to offer the possibility of a vote on the subject which will be based on the broader principles of popular representation. The time and manner of such a vote would be determined in agreement with the representative bodies of the countries in question.

The Minister of Foreign Affairs, Count Czernin, declared that the relations of the Ukraine to the Petrograd government are of no concern to the Quadruple Alliance. The conclusion of peace with the Ukraine on the part of the Alliance can not be considered an unfriendly act, since the latter concluded with the Ukraine a covenant of peace and not of alliance. As far as the Quadruple Alliance is concerned, the Ukraine is therefore a neutral and not an allied state. If peace should be effected by the Alliance with Russia, too, the latter would similarly become a neutral state. The relations between the Quadruple Alliance and Russia would be identical with those existing between the former and the Ukraine. There would only be a difference in the respective relations, if the Quadruple Alliance should fail to arrive at a peace with the Council of the People's Commissioners, for in that case the Alliance would have to consider Ukrainian territory as neutral, but the territory under the jurisdiction of the Council of the People's Commissioners as hostile, at least for the present. With regard to the question of the future of the territory now occupied by the Austro-Hungarian troops, Count Czernin referred to his explanation in the last session of the Austro-Hungarian delegates to which he had at present nothing to add.

To a question of Trotsky on the boundary south of Brest-Litovsk, which was discussed with the Ukrainians, the Secretary of State von Kühlmann replied that in determining it, too, an attempt had been made to compromise between the ethnographic distribution of peoples and the historically developed boundary lines. After Count Czernin had remarked that he could see no reason why the Russian delegation should not be informed of the nature of the line south of Brest-Litovsk, M. Trotsky agreed to the formation of a military commission for examining the boundary line.

The Secretary of State, von Kühlmann, emphasized the necessity of clearing up these matters before the meeting of the next day. It is highly important, he said, to arrive at definite decisions. Inspired by the wish to hasten the proceedings, he suggested a new version which might form the second article of the Treaty of Peace, to wit:

Russia recognizes the following territorial changes which shall go into effect with the ratification of the present Treaty of Peace. The territory between the frontiers of Germany and Austria-Hungary and a line which runs . . . shall no

longer be subject to the territorial sovereignty of Russia. No obligations toward Russia shall be incumbent upon it as a result of its former dependence on the Russian Empire. The future of this territory shall in this respect be henceforth decided by the inhabitants thereof, in conjunction with agreements which Germany or Austria-Hungary will make with them.

In this connection M. von Kühlmann also remarked that the Quadruple Alliance considers the contents of Article 1 of the first proposal a condition *sine qua non* to a conclusion of peace. He said that the evacuation of certain territories on the part of the Central Powers had been agreed to by the latter on the condition that the territory of their allies should be evacuated at the same time. It had at that time been stipulated that the obligation of the Central Powers with regard to evacuation would go into effect simultaneously with the completion of Russian demobilization. M. von Kühlmann said that he did not hesitate to declare that the Central Powers would be ready to make concessions with regard to this period, but that a conclusion of peace without the guaranty of evacuation of allied territory on the part of the troops of the Petrograd government was out of the question. As a result of information given to him some time ago by the People's Commissioner for Foreign Affairs, he said that he was certain that the Russian troops in the occupied Turkish Territory, which he had especially in mind, are under the jurisdiction of the Petrograd government. With reference to the Aland question, which had frequently been touched upon, he stated that the Treaty of Peace would have to guarantee to Germany as a minimum those contractual rights which it enjoyed at the outbreak of the war. Finally he called attention to the earnest wishes of the Swedish people, who, for geographical as well as ethnographical reasons, have a vital interest in these islands.

M. Trotsky answered that Russia would withdraw its troops from Turkey just as it was now doing in Persia. He said that this matter would, of course, receive clear definite expression in a treaty which will be made with Turkey. With regard to the Aland question, he remarked that he did not understand the reference of the Secretary of State to German minimum rights.

The Secretary of State, von Kühlmann, replied that by the word minimum he wished to characterize a German demand. The corresponding minimum, he said, would be the measure to which he had already referred several times, namely, the neutralization in the broader sense of the word of the islands of the territory adjacent to the Baltic Sea. To put the matter still more precisely, he said, the former statement is a demand the latter a suggestion.

75. SESSION OF 9 FEBRUARY.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 18 February, 1918, p. 900.]

The following account of the final stages of discussion at Brest on Feb. 9, the Wolff version of which was printed in the *Daily Review* (Feb. 16):

KÜHLMANN. I opened this session of the Commission which has been agreed upon. The representatives of the Allied Delegations are of the opinion that we have reached the point at which it is necessary to give an account of the negotiations. As we all know, these negotiations have been of a political character. The views of both sides have been explained, before the Christmas postponement, in provisional formulas. The substance of these formulas has since been carefully examined at our debates. During these debates it became possible to state both points of view in greater detail. I shall beg you to-day, when we have to summarize briefly, all that has been done, to forego any repetition of the discussions. I regret to say that up to the present we have not succeeded in bringing together to any great extent the two points of view, in spite of all the debates. My task to-day is to summarize matters, and I shall not indicate which party or which side is to be blamed for the negotiations not having been successfully concluded. I am personally of opinion that any further discussions on either side are in the same position, and can not give us more favorable results than those which have already been secured. It is beyond doubt that we can not proceed with interminable discussions which have no promise of success. But, faithful to my principles, during all the negotiations, I still hope that a free discussion of principles will bring us nearer to our goal, but I shall dispel all doubts and I say that the circumstances at the moment are of such a character that we must reach a decision promptly. And if I am again putting before you the political question in its full complexity, I desire to say that I hope the discussions will take place with the sincere wish to find a way for arriving at an agreement. In putting these questions again before you, I only wish to tell you that I desire to see them all connected up, the one with the other. The commissions have already discussed all the details, and an agreement upon the whole question should not present many difficulties. So far as the economic questions are concerned, the preparatory work of the commissions has not at present sufficiently progressed, but, nevertheless, I hope that in regard to these questions, during the short time which remains at our disposal, we shall reach some satisfactory agreement—satisfactory to both sides.

CZERNIN. For a week we have been discussing whether we shall consider the territorial changes which have to be made in connection with the war as regards the self-determination of nations or not. Further discussions of the same character will certainly bring us no nearer to a settlement. But I would ask you whether such deliberations would not be calculated to bring us nearer to peace? The question now is not as to how these territorial changes are to be designated, changes which must take place, and we need not associate these questions with the conclusion of peace itself. I think that the past discussions have shown the different points of view qualifying the territorial changes which must take place, but they have not indicated that an agreement in these matters is impossible. The Secretary of State von Kühlmann on Dec. 28 clearly stated what changes must take place. They concern Courland and Lithuania, parts of Livonia and Esthonia, and also Poland. Let us put aside the question as to how these proposed changes must be regarded. Let us try and clear up the point as to whether these disputed questions would form an obstacle to the conclusion of peace.

TRÓTSKY. We also considered it necessary, after the last interval (I am speaking of the postponement occasioned by us, and not of the postponement occasioned by the Austro-German Delegations), to sum up all our preceding work. The peace negotiations began with our declaration of Dec. 23 and the declaration of Dec. 25, by which the Quadruple Alliance replied to our declaration. These two declarations formulated the object of the negotiations as being based upon the principle of self-determination of peoples. During

a short interval, which could be measured by hours, it appeared that this principle, accepted by both sides, would serve as a means for the solution of these national and territorial questions as arising out of the war. But after an exchange of views on Dec. 27, it became clear that the appeal to this principle was of a character calculated only to complicate all other questions. The points of view of one side, namely, our side, as applied by the other side were a direct negation of the very principle itself. Afterwards all the discussions took an entirely academic character, without any prospect of a practical settlement, because the opposite side was striving, with the aid of complicated logical manœuvres, to draw from the principle of self-determination what, in their opinion, was in accordance with the true situation as disclosed by the military maps.

The question concerning the occupied regions, which was the principal theme of all the discussions, was reduced, after a number of sessions, to the question of the evacuation of these regions by the troops in occupation. To this principal question, in consequence of the nature of the discussion, it was only possible to reach a certain amount of clarity, and this only after great difficulty. Until the end of the war, so far as Germany was concerned, and so far as we understood it—and we honestly tried to understand it—was as follows: Until the end of the war, so far as Germany was concerned and so far as Austria-Hungary was concerned, there could be no question of the evacuation of occupied territory on any front, owing to military considerations. Our Delegation later understood that the opposite side now had the intention of evacuating these occupied regions on the conclusion of a general peace, when the above-mentioned strategical considerations would have been put on one side. This conclusion, however, also appeared to be wrong. The German and Austro-Hungarian Delegations have refused categorically to make a declaration which could force them to withdraw their troops from the occupied regions, with the exception of the small belt of territory which they proposed to return to Russia. The situation only then became clear. This clarity became, if possible, greater when General Hoffmann, in the name of both Delegations, proposed to us the frontier line which would in future separate Russia from its western neighbors, namely, from Germany and Austria-Hungary, because the separated regions were to be occupied by their troops for an indefinite period, unrestricted by any treaty.

We have already realized during the past discussions that if we were to trace the new frontier of Russia in accordance with the principle of self-determination, then we should have the best guarantee, under present conditions, against military aggression, because all the peoples on both sides of this frontier would be interested in maintaining it. The German conditions and the policy which dictates them, entirely exclude any such kind of guarantees for peaceful relations between Russia on the one side and Germany and Austria-Hungary on the other. The new frontier proposed by the other side is dictated by military and strategical considerations, and from this point of view must be estimated not only the separation from Russia of Poland and Lithuania, but even the separation of the Lettish countries. If such had been the desire of the peoples of those regions, then no danger would arise for the safety of the Russian Republic. Friendly relations with these States, which had freely formed for themselves an independent existence, would follow as a natural consequence of their origin and of their conditions. In such circumstances questions concerning the strategical character of the new frontiers would have for us no important significance. But these new frontiers which the opposite side propose appear to us in a very different light. Germany and Austria-Hungary, while maintaining their troops in the occupied regions, are

linking these regions to their States by railways and by other means, and for us the new frontier must thus be considered not as a frontier with Poland, Lithuania, and Courland, and so on, but as a frontier with Germany and Austria-Hungary. Both these States are seeking military expansion, as is clearly shown by their attitude toward the occupied regions. A new question arises for us, therefore, as to what these independent States mean for the Russian Republic in the future. The dependence of these peoples upon these two States will place very near to Russia the new frontier within their territories proposed by Germany and Austria-Hungary. What are really the military conceptions of the other side when they ask for such a frontier? For the purpose of examining this new question from the point of view of the leading military institutions of the Republic, I shall ask for the views of our military advisers. We have here to meet a fresh difficulty.

We have heard nothing of that part of the new frontier which is to run to the south from Brest-Litovsk. The opposite side was of the opinion that this part of the frontier had to be established in discussion with the Delegation of the Kiev Rada. We have decided that, irrespective of the unestablished political state of Ukraina, there can be no question of a one-sided tracing of the frontier, based upon an agreement with the Rada alone; we declared that the consent of the Delegation of the Council of the People's Commissaries was also necessary. Subsequently the political situation of Ukraina was defined by its entrance into the Federal Russian Republic. The Delegation of the Central Powers, in spite of their declaration that they would examine the international position of the Ukraine after the conclusion of peace, has hurriedly recognized the independence of Ukraina, and, to wit, at the very moment when Ukraina entered the Russian Federation. After this date events took place which should have had a decisive influence upon these separate negotiations of the other side with the Kiev Rada. The latter fell under the blow of the Ukrainian Council. The fate of the Rada, inviolable in itself, was accelerated by the fact that the Rada, in its struggle for authority, make attempts, with the help of the Central Powers, to draw the Ukrainian people away from the Russian Federal Republic. We officially informed the opposite side that the Ukrainian Rada was deposed, but, nevertheless, the negotiations with a nonexistent Government have been continued. We proposed to the Austro-Hungarian Delegation, in a private conversation, it is true, but formally, nevertheless, that they should send their representative to Ukraina with the object of seeing for himself that the Ukrainian Rada no longer existed, and that the negotiations with its Delegation could not have any practical value. We understood that, so far as the Delegations of the Central Powers needed confirmation of facts, they would postpone the signature of the Peace Treaty until the return of their representative from Ukraina. We have been informed that the signature to the Peace Treaty could not be postponed any longer. Whilst negotiating with the Government of the Federal Russian Republic the Governments of the Central Empires not only, in spite of their former declaration, hurried to recognize the independence of the Ukrainian Republic on Feb. 1, at the very moment when it declared itself to be a part of the Russian Federation, but is signing a treaty with a Government which, as we have categorically declared to the opposite side, does not exist any longer.

Such conduct is creating doubts if there is any sincerity of purpose on the side of the Central Powers for the establishment of peaceful relations with the Russian Federation. We are striving for peace now as in the beginning of the negotiations. The whole conduct of the opposite side, as far as this question is concerned, is creating the impression that the Central Powers were striving to [message defective] for the representatives of the Russian Republic. Only

such a peace treaty will be binding for the Russian Federal Republic and its countries as will be signed by our Delegation.

Concerning the question of frontiers, it can be discussed only as a whole, and only in such a way can we reach practical results. We ask the opposite side to complete on our map the frontier line which was submitted to us by General Hoffmann.

KÜHLMANN. If I am not replying to the detailed explanation of the preceding speaker, it is, as I have already stated to-day, with the purpose of according every controversy. Accordingly I shall not reply to the historical review of our negotiations. They have become public; they can be studied and compared. The preceding speaker examined for a long time the question of frontiers. I should not like to start the discussion of this question until I am sure that the proposal which I shall make to the opposite side will be accepted. The preceding speaker has already indicated that the discussion of this frontier is necessitating the participation of military advisers. I shall propose that the question of frontiers should be first submitted to a military subcommission composed of one diplomatic representative and two military specialists—one for the Navy and one for the Army—from each side. I shall not participate personally in this subcommission. I shall send to it one of my diplomatic collaborators. This subcommission could be formed at the present session, and must prepare for our next session, to-morrow, a report concerning the result of its discussions. From the importance and difficulties of all these questions which the subcommission has to clear up it is obvious that the decisions of the subcommission will have a decisive influence upon our further negotiations.

Our policy as regards the newly created States will always be directed toward the maintenance of friendly relations and nonintervention in their internal life as soon as this war is satisfactorily ended.

[From this point the message continues that given in the DAILY REVIEW (Feb. 16).]

That is all that I have to say concerning the frontiers. I hope that by the discussion in the subcommission we shall have a report that will be beyond dispute for our session of to-morrow.

Concerning the explanation of the People's Commissary for Foreign Affairs of the relations between the Central Powers and the Ukraine, I have only to declare that information which has reached us—and the tendency of which is beyond doubt to us—is in direct opposition to the real facts, and we find it unnecessary to take it into consideration. The point of view of the Central Powers has been repeatedly stated here, and we are of the opinion that all further explanation is unnecessary.

The Central Powers have concluded to-day a peace with the representatives of the Central Rada, which they have recognized. The consequences for the Central Powers are obvious. At the present time, when the circumstances are such as we see them, we can not expect a practical result from our negotiations. The opinions concerning the rights of the Ukrainian State and of its representatives, the reciprocal relations of it and of the Petrograd Government, they all are questions which do not concern us whilst we are concluding peace with Ukraine.

This is no hostile act against Russia. We have concluded with Ukraine no alliance, but only a peace treaty. Ukraine has not become to us an ally, but only a neutral State. If we could arrive at a peace with Russia, Russia would also become a neutral State. In such a case our relations to Russia would be the same as they are now to the Ukraine. There will be a difference, if we are unable to come to an agreement with the Government of the People's Commissaries, because then, while we shall have to consider the Ukraine as a neutral

country, those regions which submit themselves to the authority of the Councils of the People's Commissaries we shall have to consider as regions against which we are in a state of war. We are willing to avoid that by a conclusion of peace with Russia.

If we had ignored the Rada, as M. Trotsky wished, that would have meant that we should have had to intervene in the internal life of Russia. And we will not do it. If we had not recognized the Ukraine, we had, in fact, recognized the Council of the People's Commissaries as the only authority for the whole of the territories which composed the old Russian Empire. But we know that many countries are not willing to recognise the authority of the Council of the People's Commissaries. We are not arbiters in questions which concern only Russia herself. Our attitude is nonintervention. We do not demand that the President of the Russian Delegation should renounce his claim for the authority of the Council for the whole of former Russia. We shall avoid the difficulties if we sign an eventual treaty concerning these regions which are under the authority of the Council of the People's Commissaries. How many regions such-treaty would concern we can not tell at the present. We know that such treaty could be concluded without knowledge for which regions exactly it would be valid. But nevertheless the situation which would be created would be more disagreeable for us than for the Government of the Russian Republic. Nevertheless, we agreed to do it for the sake of peace. Concerning the question of the President of the Russian Delegation upon the fate of the occupied regions, I refer him for a reply to my declaration, which was made in public before the last session of the Austrian Delegation, which perhaps is known by the gentleman, and to which I have nothing to add, because my point of view has not changed.

A considerable portion of message here missing; the following section is taken from the conclusion of the W. T. B. wire, which was not to hand on Feb. 16:

As regards the future lot of the peoples in the occupied border territories, despite the conception adhered to by the Central Powers, according to which the right of peoples to self-determination had already been exercised in these regions, the Allied Governments were ready, by a systematic extension of the existing representative bodies, to provide for the possibility of an expression of national will on the part of these States on the broadest possible popular basis. The determination of the time and form of this expression of the will of the peoples concerned would, however, have to be fixed in accordance with the existing representative bodies in those territories.

I can not give a categorical reply as asked for by the President of the Russian Delegation, but I gladly agree that a communication on this subject should be made to the Sub-Commission.

CZERNIN. I agree completely with the preceding speaker, namely, that this question needs to be discussed by the Allies, and that I do not see any reasonable objection why a reply could not be given to this question afterwards.

TROTSKY. It has been said that there are not, and can not be, any reasonable objections to a statement concerning the frontiers projected for this part of Russia, which, thanks to the energy and decision of the Ukrainian workmen, is now under the authority of the Ukrainian Councils. It seems to me that there can be no objection to the creation of a military technical Sub-Commission which will have to examine the question of frontiers if the project is submitted to that Commission.

KÜHLMANN. I should be very much obliged to the President of the Russian Delegation if he would give his views upon the details of the creation of the

Sub-Commission as proposed by me. Then we could decide who shall take part in this Sub-Commission at this session.

TROTSKY. Before I give you a detailed reply I must have a consultation with my Delegation. It will require but little time.

KÜHLMANN. I expect to have the reply to-day, because, as I have already said, we need this preparatory work complete for our session of to-morrow. The representatives of the Sub-Commission could then have a day at their disposal for their labors. Our proposal has been known a long time. All the questions concerned have been discussed in detail, and I firmly believe that all arguments have been already used, and that now we have to bring them to a conclusion with a view to making a decision concerning our peace negotiations. I have already stated our proposal, which could in a certain degree replace the second clause of the projected peace treaty. This formula is as follows:

Russia must agree to the following territorial changes, which will enter into force after the ratification of the peace treaty. The regions between the frontiers of Germany and Austria-Hungary and the indicated line will not be in the future a dependency of Russia. As a result of their former adhesion to the Russian Empire, no obligation will result to them toward Russia. The further destiny of these regions will be settled in agreement with the peoples concerned, namely, on the basis of those agreements which have been concluded between them and Germany and Austria-Hungary.

In handing over this formula to the President of the Russian Delegation, I state that an essential part of our proposal is in clause 1, which we have already sufficiently discussed, and during these discussions no insurmountable obstacles have appeared for the conclusion of peace. I will give my point of view in a few words. It is as follows:

The evacuation of certain regions was promised by us under the condition that at the same time the evacuation of regions taken from our allies will be carried out. At that time we considered as the nearest date when the evacuation by us was to begin, the date of the complete demobilization of the Russian Army. I state that concerning this date we are ready to compromise, and I must repeat what I have already stated. I declare that we can not accept a peace treaty, in which it is not diplomatically promised to evacuate the Provinces taken from our allies. In accordance with the explanation given by the People's Commissary for Foreign Affairs, I think there is no ground for doubt that the troops which are in occupation, of Turkish provinces, and of which I think, in the first place, are under the authority of the Petrograd Government, I shall touch here also the second clause, which has been discussed by us many times, namely, the question concerning the future of the Aaland Islands. I must point out that the peace treaty must give us at least the same rights as we had before the beginning of the war, I shall also recall to you the most passionate wish of the Swedish people to reunite with these Islands, where they have, besides geographical and ethnographical considerations, the most vital interests.

TROTSKY. Concerning the evacuation of the Turkish provinces, we find in our principles sufficiently weighty considerations for our declarations that the evacuation of the Armenian territories could not be considered simply as an exchange for the evacuation of the one of the other portions of the occupied Russian territories. As we are withdrawing our troops from Persia, we shall also withdraw them—we have already begun it—from Armenia. It is beyond doubt that we shall state that clearly in our peace treaty with Turkey, if our negotiations should advance so far. Concerning the Aaland Islands, I must say that I did not understand of what minimum of rights the Secretary of State was speaking. If he had in view the obligation of Russia not to fortify these islands, then, independently of the very essence of the question, the arguments of the Secretary of State appeared to me as being not entirely correct, so far as the rights of Germany created, and so far as Germany has not

renounced, these rights. Perhaps the information in possession of the Secretary of State will help us to clear up this question from other points of view. As is known, we have in our possession documents which prove that, in 1907, Von Schoen, for Germany, and Gibastoff, for the Tsarist Russia, signed a treaty which can not be published, in which Von Schoen declared that Germany would not consider it as a breach of the Treaty of Paris if Russia fortified the Aaland Islands. Before this question can be discussed, my opinion is that it should be prepared, from a technical point of view, by the Military Commission.

KÜHLMANN. In remaining faithful to the statement at the beginning of this session, I will not discuss the importance of the document which the preceding speaker refers to. I shall again, once more, express my opinion in a few words, that the peace treaty must return us all those rights which we possessed before the war. As far as these islands are concerned, it is a demand of principle. If in the opinion of the President of the Russian Commission we did not possess any rights before the war, then such a demand must appear to him as one which can be easily agreed upon. I used the word "minimum" with the object of expressing exactly that our demand is, for us, a demand of principle. If somebody asked me of what I was thinking in using the word "maximum," then I should reply, as I have suggested several times previously, that it means the neutralization of these islands by the consent of the peoples on the borders of the Baltic Sea.

For the further discussion we need some preparatory work done by the Sub-Commission. I regret that the Sub-Commission has been unable to finish its work for our meeting of to-day. All other matters have been finished. I have to state that I am expecting this evening from the Russian side, the creating of a Sub-Commission for the discussion of the frontiers. In any case, I propose to have our next session at 6 p. m. We shall discuss the report of the Sub-Commission. I shall not waste time, and I here give notice that I, from my side, shall send to this Sub-Commission, if it is created, von Rosenburg and General * * *. As also a naval specialist will take part, I shall send * * * von * * *

I declare the session closed.

L. KARAHAN.

76. SESSION OF 10 FEBRUARY.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 18 February, 1918, p. 903.*]

The W. T. B. wires give the following conclusion:

On February 10 the Sub-Committee mentioned above held two sittings under the chairmanship of the Austrian Sectional President, Dr. Gratz, when the respective military experts were the principal speakers. The Russian delegates attempted to demonstrate the strategical disadvantages to which Russia would be exposed by the proposed new frontier line, whilst the Germans denied this conten-

* The *Deutscher Reichsanzeiger* of 15 February, 1918, has an account substantially identical with this.

tion, adding that it was not a matter of the Russo-German frontier, but of the frontier between Russia and the new border States. Agreement, however, could not be reached on this point.

At a plenary sitting held on the same day M. Trotsky, replying to Baron von Kühlmann, denied any knowledge of an alleged order by the Russian Supreme Command urging Russian soldiers to incite German troops against their Generals and officers.

Dr. Gratz having reported that an agreement could not be reached in the sub-committee over which he had presided, Baron von Kühlmann asked M. Trotsky whether he had any communication to make which might contribute to a satisfactory solution.

M. Trotsky, replying, said his Delegation considered that the decisive hour had arrived. After a bitter attack on Imperialism, M. Trotsky declared that Russia would no longer participate in the war, as she was unwilling to shed the blood of her soldiers in the interests of one party against another. Russia, therefore, had decided to withdraw her army and people from the war. She had notified all peoples and their Governments of her decision, and had ordered the complete demobilization of all the Russian Armies now confronting the armies of Germany, Austria-Hungary, Bulgaria, and Turkey. His Government, however, refused to sanction the conditions of Germany and Austria-Hungary. Russia had abandoned the war, but she was obliged to forego the signing of a peace treaty.

Then follows the declaration of the ending of the state of war, and the demobilization order, which have already been published.

To this statement of M. Trotsky, Baron von Kühlmann rejoined that, if he analyzed the present position correctly, he found that the Quadruple Alliance was still at war with the Russian Government. Warlike operations were suspended for the time being by the armistice treaty, but on the lapse of this treaty these would automatically revive. If his memory did not deceive him, the real purpose of the armistice was the conclusion of peace. If, therefore, peace were not concluded, and the essential object of the armistice should thus vanish, Baron von Kühlmann concluded that warlike operations would revive again after the termination of the prescribed period. The fact that one of the two contracting parties had demobilized its armies would in nowise alter this, either in fact or in law. The existence of the customary international relations between States, and of legal and commercial relations, was the mark of a state of peace. He therefore requested M. Trotsky to state whether the Russian Government intended, in addition to making its declaration regarding the termination of the state of war, to say where the frontiers of Russia ran, as this would be a necessary requisite before the resumption of diplomatic, consular, legal, and commercial relations, and also to say whether the Government of People's Commissioners was willing to resume legal and commercial relations to precisely the same extent as would naturally result from the termination of the state of war.

These questions, he said, it was essential to determine in order to judge whether the Quadruple Alliance was still at war or not.

Baron von Kühlmann then proposed a sitting for the next day, at which the attitude of the Central Powers to the latest statement of the Russian Delegation might be made known.

To this proposal M. Trotsky replied that his Delegation had now exhausted all its power, and considered it necessary to return to Petrograd. All communications, he added, which the allied Delegations might make would be deliberated upon, by the Federal Russian Government, and a reply would be given in due course.

On being asked through what channel this exchange of views was to take place, M. Trotsky said that the Russian Delegation had had direct telegraphic communication with Petrograd from Brest-Litovsk. Furthermore, before the inauguration of the armistice negotiations, an understanding had been reached by wireless, and, moreover, there would be presently representatives of the four allied Powers in Petrograd who might communicate with their respective Governments. Communication might, therefore, suggested M. Trotsky, be restored in this way.

The sitting then closed.

77. SESSION OF 10 FEBRUARY.

RUSSIAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 15 February, 1918, p. 877.]

Russian Wireless sends out the following:

The peace negotiations, Brest-Litovsk, Feb. 10.

At the session of Feb. 10 the following declaration was made:

Trotsky:—

The object of the Sub-Commission, as we understood it, was to give us a reply to the question to what degree the new frontier, as proposed by the opposite side, would guarantee the right of the Russian people for self-determination. We have listened to the communication made by our representatives in the Sub-Commission, and we believe that, after long discussions, the moment has come for taking a decision.

The peoples are awaiting with impatience the results of the peace negotiations at Brest-Litovsk. The various peoples are asking themselves when this self-extermination of mankind—a result of selfishness and will for domination on the part of all governing classes of all countries—will be stopped. The war ceased long ago to be a defensive war. When Great Britain takes African colonies, Bagdad, and Jerusalem, then that is certainly not a defensive war. When Germany occupies Serbia, Belgium, Poland, Lithuania, and Roumania, and captures the Moon Islands, then that also is not defensive war. That is a struggle for the partition of the globe. At the present this fact must be obvious to all. In the present Imperialism war,

when the ambitions of the possessing classes are openly paid for with human blood, we will take no longer any part.

We are equally hostile to the Imperialism on both sides, and we do not agree to shed any longer the blood of our soldiers in the defense of the one side against the other. In awaiting the moment—we hope it is near—when all the oppressed working classes of all countries will take in their own hands the authority, as the working people of Russia have already done, we are removing our armies and our peoples from the war. Our peasant soldiers must return to their land to cultivate in peace the field which the Revolution has taken from the landlords and given to the peasants. Our workmen soldiers must return to the workshops and produce, not for destruction, but for creation. They must, together with the peasants, create a Socialistic State.

We are going out of the war. We inform all peoples and their Governments of this fact. We are giving the order for a general demobilization of all armies opposed at the present to the troops of Germany, Austria-Hungary, Turkey, and Bulgaria. We are waiting in the strong belief that other peoples will soon follow our example.

At the same time we declare that the conditions as submitted to us by the Governments of Germany and Austria-Hungary are opposed in principle to the interests of all peoples. These conditions are refused by the working masses of all countries, amongst them by those of Austria-Hungary and Germany.

The peoples of Poland, Ukraine, Lithuania, Courland, and Estonia consider these conditions as a violation of their will. To the Russian people these conditions mean a permanent threat. The masses of the people of the whole world, led by their political intelligence or by their moral instinct, are refusing these conditions. In awaiting the day when the working masses of all countries will establish their own conditions of peaceful intercourse and fraternal collaboration between peoples, we decline to sanction these conditions which the German and Austro-Hungarian imperialism is dictating to the peoples. We can not place the signature of the Russian Revolution under these conditions which bring with them oppression, misery, and hate to millions of human beings. The Governments of Germany and Austro-Hungary are determined to possess lands and peoples by might. Let them do so openly. We can not approve violence. We are going out of war, but we feel ourselves compelled to refuse to sign the peace treaty.

In connection with this I give to the Allied Delegation the following written and signed declaration:

In the name of the Council of the People's Commissaries, the Government of the Russian Federal Republic informs the Governments and peoples involved in war against us, the Allied and neutral countries, that, in refusing to sign a peace of annexation, Russia declares, on its side, the state of war with Germany, Austro-Hungary, Turkey, and Bulgaria as ended.

The Russian troops are receiving at the same time an order for a general demobilization on all lines of the fronts.

BREST-LITOVSK, *February 10, 1918.*

L. TROTSKY,
*President of the Russian Peace Delegation,
People's Commissary for Foreign Affairs.*

A. BICENKO,
W. KARELIN,
Members of the Delegation.

A. JOFFE,
M. POKROVSKY,
People's Commissary for State Properties.

W. MEDVEDIEV,
*President of the All-Ukrainian Central
Executive Committee of the Councils.*

SHAKHRAI,
People's Secretary for War of the Ukrainian Republic.

L. KARAHAN,
Secretary of the Delegation.

78. RUSSIA'S DECLARATION TO THE POWERS, 10 FEBRUARY.

[From the (British) *Daily Review of the Foreign Press*, 20 February, 1918, p. 929.]

The following declaration (Feb. 11) has been issued by the Russian Council of People's Commissioners, according to the Bolshevik Official Agency:

In the name of the Council of People's Commissioners, the Government of the Russian Federal Republic informs the Governments and peoples of allied and neutral countries and those in a state of war with us that we renounce any intention of signing an annexationist peace. Russia, for her part, declares that she ceases hostilities and puts an end to the state of war with Germany, Austria-Hungary, Bulgaria, and Turkey. At the same time, an order has been given for the complete demobilization of the Russian troops on all lines of the front.

(Signed) TROTSKY, MEDVEDIEV,
 BITZENKO, SCHACHRAI,
 JOFFE, KARACHAN (Secretary).
 POKROVSKY,

BREST-LITOVSK, *Jan.* 10, 1918.*

79. TERMINATION OF ARMISTICE, 17 FEBRUARY.

GERMAN OFFICIAL COMMUNIQUÉ.

[From the (British) *Daily Review of the Foreign Press*, 20 February, 1918, p. 924.]

A German headquarters' *communiqué* (Feb. 17) says that the armistice on the Great Russian front will terminate at midday tomorrow.

* Should be "Feb."

The following is the full text of the Berlin official *communiqué*:

In his well-known statement of Feb. 10, whilst proclaiming on behalf of Russia the termination of the state of war and the demobilization, Trotsky, at the same time declined to sign a peace treaty. He refused to participate in the plenary sitting at which the decision of the Quadruple Alliance was to be communicated to him, and broke off the negotiations. By Russia's one-sided statement the state of war was naturally not abolished and not replaced by the state of peace. The refusal to sign a peace treaty, moreover, rendered the establishment of peace impossible. It was precisely for the establishment of peace that the armistice treaty of Dec. 15, 1917, was concluded, as the treaty in its preface expressly points out. With the renunciation of peace, Bolshevik Russia has therefore also denounced the continuation of the armistice. This denunciation must be considered equivalent to notice of the termination of the treaty. The Imperial Government accordingly states that the Petrograd Government by its conduct has, in fact, denounced the armistice. This denunciation is regarded as having occurred on Feb. 10. Conformably herewith, the Imperial Government must, after the lapse of seven days' notice of the termination of the treaty, reserve a free hand in every direction.

[NOTE.—It will be observed that the German Army report of Feb. 18 announces the resumption of military operations. Advances across the Dvina and from Kovel have been made.]

80. RUSSIAN REQUEST FOR EXPLANATION, 17 FEBRUARY.

[From the (British) *Daily Review of the Foreign Press*, 19 February, 1918, p. 916.]

A Russian Government wireless (Feb. 17) sends out the following:
To the Government of the German Empire, Berlin:

To-day, Feb. 17, we received a message by direct wire from Brest-Litovsk from General Samoiliu that General Hoffmann declared on Feb. 16 that from Feb. 18, at midday, the state of war will be resumed between Germany and Russia.

The Russian Republic supposes that the telegram received by us was not issued by those persons by whom it was signed, and we consider that it has a provocative character, for even if the cessation of the armistice on the part of Germany is to be assumed a notice of seven days must be given according to the conditions of the armistice, and not merely two days.

We request an explanation of this misunderstanding and ask that it may be sent by radio.

(Signed) L. TROTSKY,
People's Commissary for Foreign Affairs.

81. SURRENDER OF RUSSIA, 19 FEBRUARY.

[From the (British) *Daily Review of the Foreign Press*, 21 February, 1918, p. 940.]

Russian Government wireless (Feb. 19) sends out the following:
To the Government of the German Empire, Berlin:

The Council of the People's Commissaries protests against the fact that the German Government has directed its troops against the

Russian Councils' Republic, which has declared the war as at an end, and which is demobilizing its army on all fronts.

The Workmen's and Peasants' Government of Russia could not anticipate such a step, because, neither directly nor indirectly, has any one of the parties which concluded the armistice given the seven days' notice required in accordance with the treaty of Dec. 15 for terminating it.

The Council of the People's Commissaries in the present circumstances regards itself as forced to formally declare its willingness to sign a peace upon the conditions which have been dictated by the Delegations of the Quadruple Alliance at Brest-Litovsk.

The Council of the People's Commissaries further declares that a detailed reply will be given without delay to the conditions of peace as proposed by the German Government.

(Signed) For the Council of the People's Commissaries:

V. ULIANOV-LENIN,

President of the Council of the People's Commissaries.

L. TROTSKY,

People's Commissary for Foreign Affairs.

[From the (British) *Daily Review of the Foreign Press*, 22 February, 1918, p. 953.]

Russian Government wireless (Feb. 20) sends out the following:

To-day, Feb. 19, at 7 p. m., a reply has been received by the Tsarskoye Selo Station from General Hoffmann to the wireless message of the Council of the People's Commissioners, which is as follows:

To the Council of the People's Commissioners:

A wireless message, signed by Ulianov-Lenin and Trotsky, from Tsarskoye Selo, was to-day, Feb. 19, received at Königewustergaen at 8.12 a. m.

It has been handed over to the Royal Government, although a wireless message can not be regarded as an official document, because the original signatures are absent.

I am authorized to request from the People's Commissioners an authentication in writing of the wireless message, which must be sent to the German Command at Dvinsk.

(Signed) General HOFFMANN.

The following reply was sent:

We are sending to-day from Petrograd a messenger to Dvinsk with the wireless message containing the original signatures of the President of the Council of the People's Commissioners, Vladimir Ulianov-Lenin, and of the Commissioner for Foreign Affairs, Leon Trotsky.

(Signed) THE COUNCIL OF THE PEOPLE'S COMMISSIONERS.

We beg you to give us an acknowledgement of this message, and to inform us if it has been received promptly. We also beg you to reply in Russian.

[From the (British) *Daily Review of the Foreign Press*, 25 February, 1918, p. 975.]

A telegram from Berlin to-day says:

A Russian courier, who passed through the German lines on Wednesday last, arrived last evening in Berlin, and handed over the

peace proposals of the Petrograd Government. This document, which agrees textually with the Petrograd wireless message, is, according to the *Berliner Tageblatt*, signed by Lenin and Trotsky.

Conferences are still taking place regarding the German reply, which probably will not be sent for a few days yet.

[From the (British) *Daily Review of the Foreign Press*, 26 February, 1918, p. 985.]

According to Russian wireless (Feb. 23) it is notified that, in reply to the proposal dated Feb. 19, 1918, of the Russian Government, Germany will renew peace negotiations with Russia, and will conclude peace upon the following conditions:

1. Germany and Russia to declare the state of war to end. Both nations believe that in the future they will live in peace and friendship.

2. Regions which are to the west of a line as indicated at Brest-Litovsk to the Russian Delegation, and which formerly belonged to the Russian State, are no more under the territorial protection of Russia. In the region of Dvinsk this line must be advanced to the eastern frontier of Courland. The former attachment of these regions to the Russian State must in no case involve for them an obligation toward Russia. Russia renounces every claim to intervene in the internal affairs of those regions. Germany and Austria-Hungary have the intention to define the further fate of these regions in agreement with their populations. Germany is ready, after the completion of the Russian demobilization, to evacuate regions which are to the east of the above-named line so far as it is not stated otherwise in Clause 3.

3. Livonia and Esthonia must be immediately cleared of Russian troops and Red Guards, and will be occupied by German police until the date when the constitution of the respective countries will guarantee their social security and political order. All inhabitants who were arrested for political reasons must be released immediately.

4. Russia will conclude peace with the Ukrainian People's Republic. Ukraine and Finland will be immediately evacuated by Russian troops and Red Guards.

5. Russia will do all in its power to secure for Turkey an orderly return of its eastern Anatolian frontiers. Russia recognizes the annulment of the Turkish Capitulation.

6. Complete demobilization of the Russian Army, inclusive of detachments newly formed by the present Government, must be carried out immediately.

7. Russian warships in the Black Sea, Baltic Sea, and Arctic Ocean must immediately either be sent to Russian harbors and kept there till the conclusion of a general peace or be disarmed. Warships of the Entente which are in the sphere of the Russian authority must be regarded as Russian ships. Merchant navigation on the Black and Baltic Seas must be renewed as stated in the Armistice Treaty. The clearing away of mines to begin immediately. The blockade of the Arctic Ocean to remain in force till the conclusion of a general peace.

8. The Russo-German commercial treaty of 1904 comes into force as stated in paragraph 11, clause 2, of the peace treaty with the Ukraine, with the exceptions as foreseen in paragraph 11, clause 3, of the Commercial Treaty concerning special privileges in the Arctic countries. Further, the whole of the first part of the final limits is reestablished. In addition, there must be a guarantee for the free, untariffed export of ores; the immediate commencement of negotiations for the conclusion of a new commercial treaty; the guarantee of the most favored-nation treatment at least until 1925, even in the case of the termination of the provisorium; and, finally, the sanctioning of clauses corresponding to paragraph 11 of the clauses 3, 4a, and 15 of the Peace Treaty with Ukraine.

9. The legal-political relations to be regulated in accordance with the decision of the first version of the Germano-Russian Convention. So far as action on that decision has not been taken, especially in respect to indemnities for civil damages, this must be in accordance with the German proposal, and there must be indemnification with expenses for war prisoners in accordance with the Russian proposal. Russia will permit and support as far as it can German commissioners for war prisoners, civil prisoners, and war refugees.

10. Russia promises to put an end to every propaganda and agitation either on the part of the Government or on the part of persons supported by the Government against the members of the Quadruple Alliance and their political and military institutions, even in localities occupied by the Central Powers.

11. The above-named conditions must be accepted within 48 hours. Russian plenipotentiaries must start immediately for Brest-Litovsk and sign there within three days the Peace Treaty, which must be ratified within two weeks.

MINISTER FOR FOREIGN AFFAIRS,
VON KÜHLMANN,

Lieut. General and Commander in Chief of the Army.

BERLIN, Feb. 21, 1918.

[From the (British) *Daily Review of the Foreign Press*, 26 February, 1918, p. 994.]

Russian Government wireless (Feb. 24) sends out the following:

TO THE GERMAN GOVERNMENT, BERLIN:

Our Parliamentary representative left Petrograd to-day at midday in the direction of Dvinsk for the purpose of transmitting to the German Government, through the Dvinsk High Command, the official reply of the Russian Government on the peace conditions offered by the German Government, which had been communicated already to Berlin by radio from Tsarkoye Selo to-day at 7.32 a. m.

(Signed). GORBUNOFF,

Secretary of the Soviet of the People's Commissioners.

To All:

The following has been sent to the German Government at Berlin:

According to the decision taken by the Central Executive Committee of the Soviets of Workers, Soldiers, and Peasant Deputies on Feb. 24 at 4.30 a. m.

the Soviet of the People's Commissioners has decided to accept the peace conditions offered by the German Government and to send a delegation to Brest-Litovsk.

VT. ULIANOFF-LENIN,
President of the Soviet of People's Commissioners.

L. TROTSKY,
People's Commission for Foreign Affairs.

The delegation leaves for Brest-Litovsk at 8 p. m. Feb. 24.

N. GORBUNOFF,
Secretary of the Soviet of the People's Commissioners.

The Bolshevik Commander in Chief, Krylenko, has sent the following message, addressed to the General Staff of the German Government, Berlin (Feb. 24) :

Supposing that all reasons for a continuation of war should disappear from the moment the Soviet of the People's Commissioners declares that it accepts the conditions of peace proposed by the German Government, I request you hereby to reply to me whether the German High Command takes a similar view; and if so, whether it considers that from the moment its Government receives the aforesaid acceptance it may be concluded that the armistice becomes automatically reestablished in the same conditions as those which regulated operations before the state of war was restored on Feb. 18 last by the German High Command.

[From the (British) *Daily Review of the Foreign Press*, 27 February, 1918, p. 1005.]

Russian Government wireless sends out the following (Feb. 25) :

To All:

To BERLIN, DVINSK, SOFIA, AND CONSTANTINOPLE:

In the Council's newspapers of Petrograd of to-day the following statement has been published:

In reply to the expressed willingness of the Council of the People's Commissioners to renew peace negotiations with the Quadruple Alliance, the German Government proposed fresh peace conditions, including a request for the recognition of the right of Germany to Courland, Livonia, Esthonia, and Dvinsk. This proposal is dated Berlin, Feb. 21, and demanded from the Government of the Russian Federal Government a reply within forty-eight hours, without specifying from what hour this period of delay was to be reckoned.

The proposal of the German Government was handed to our parlementaire in a sealed envelope on Feb. 22, and the Council of the People's Commissioners received it at 10.30 a. m. on Feb. 23.

On Feb. 24, at 4.30 a. m., the highest authoritative body in Russia—the Central Executive Committee of the Councils—decided to accept these conditions as requested by the German Government. This decision was immediately transmitted by the Council of the People's Commissioners to the German Government at Berlin, where it was received on Feb. 24 at 7.32 a. m.

According to another message the decision was also sent to the Austro-Hungarian Government at Vienna, the Bulgarian Government at Sofia, and the Ottoman Government at Constantinople, in the following form:

In conformity with the decision taken by the Central Executive Committee of the Council of Workmen's, Soldiers', and Peasants' Delegates, at 4.30 a. m. on Feb. 24, the Council of the People's Commissioners decrees that it has accepted the conditions of peace laid down by the German Government, and will despatch a delegation to Brest-Litovsk to sign peace.

Moreover, the Commander in Chief, Krylenko, sent to the Supreme Commander in Chief of the German Armies on Feb. 24 the following declaration:

In the belief that, from the moment when the Council of the People's Commissioners agreed to accept the conditions as proposed by the German Government for the conclusion of peace, the need for continuing hostilities ceases, I beg to inquire whether the German High Command also believes that from the moment when the German Government receives the above-mentioned reply of the Council of the People's Commissioners an armistice automatically ensues upon the same basis as existed before Feb. 18, when the German Command reopened hostilities.

(Signed) KRYLENKO,
Supreme Commander in Chief.

This declaration was received at the Headquarters of the German Command on Feb. 24, at 1.35 p. m., but no reply has been received, either from the German Command or from the German Government, by the Commander in Chief or by the Council of the People's Commissioners, and German detachments are still advancing.

We are now inquiring whether the German Government and the High Command of the German Armies will or will not reply to the expressed consent of the People's Commissioners to sign the proposed conditions of peace, and also to the proposal of the Commander in Chief, Krylenko, to discontinue hostilities.

(Signed) V. ULIANOV-LENIN,
President of the Council of the People's Commissioners.
L. TROTSKY,
Commissioner for Troops.

Please acknowledge receipt.

82. RESUMPTION OF NEGOTIATIONS, 28 FEBRUARY.

[From the (British) *Daily Review of the Foreign Press*, 4 March, 1918, p. 31.]

A German wireless message (Feb. 28) states:

The Russian deputation arrived at Brest-Litovsk this afternoon for the resumption of the peace negotiations. Sokolnikov is at its head. Trotsky was not present at the negotiations.

Russian Government wireless sends out the following (Mar. 1):

To All:

To All Councils:

To-day, Mar. 1, we have received from the Russian Peace Delegation at Brest-Litovsk the following wireless message:

To Lenin, Smolny, Petrograd.

We arrived at Brest-Litovsk on Feb. 28 at 3 p. m. A conference took place regarding the Order of the Day for to-morrow's session.

In answer to our request for the cessation of hostilities, in view of the fact that we have accepted the ultimatum and have arrived here, the opposite side replied that hostilities will only cease when the peace treaty is signed.

The three days allowed for the negotiations commence on Mar. 1.

The following official proclamation has been issued at Petrograd (Mar. 1):

A wireless telegram received from the Brest-Litovsk Peace Delegation says that the Germans replied to our request that they should cease warlike operations, that the cessation of hostilities could not take place until after the signature of the peace treaty, and not before 11 o'clock in the morning of Mar. 4.

It is evident that the Germans propose to profit by the delay to penetrate more deeply into Russian territory in order again to be able to dictate terms. We order that nothing is to be given up without fighting to the last and that you are to make efforts to drive back the Germans as far as possible toward the West. According to our information, the enemy is everywhere acting with small detachments, which will not be difficult to keep back with a little energy on our part.

Russian Government wireless (Mar. 1) sends out the following:

To all.

To all councils.

On Mar 1, at * * * p. m., the following message was received from Brest-Litovsk:

To the Council of the People's Commissioners,

Smolny Institute, Petrograd.

Send us a train to Toroshino (near Pskov), escorted by sufficiently large forces. Communicate with Krylenko concerning the bodyguards.

(Signed) KARAHAN.

This message most probably signifies that the peace negotiations have been broken off by the Germans.

We must be ready for an immediate German advance to Petrograd, and on all fronts generally.

It is necessary for all the people to rise and to strengthen the measures taken for the defense.

(Signed) LENIN,

President of the Council of the People's Commissioners.

[From the (British) *Daily Review of the Foreign Press*, 5 March, 1918, p. 50.]

Russian Government wireless (Mar. 2) sends out the following:

To the PEACE DELEGATION, *Brest-Litovsk.*

The message of Comrade Karahan asking for a train was understood by us to indicate that the opposite side has refused to conclude peace. We beg for an immediate solution of this question. The non-receipt of a reply will be regarded by us as a confirmation of our supposition.

(Signed) TROTSKY.

I beg you acknowledge this.

That the People's Commissioners were mistaken was shown by the following telegram, published in the Press of Mar. 3, to them from the Peace Delegation :

TO LENIN AND TROTSKY, *Petrograd*.

As we anticipated, deliberations on the peace treaty are absolutely useless. They could even only make things worse in comparison with the ultimatum of February 21, and might assume a character leading to the presentation of another ultimatum. In view of this and of the refusal of the Germans to cease their military action until the signature of peace, we have resolved to sign the treaty without discussing its contents and to leave after the signature. We have, therefore, requested a train to be put at our disposal, and we count on signing the treaty to-day and leaving afterwards. The most serious aggravation in the demands, as compared with those presented on February 21, is the following :—

“To detach from Russian territory the regions of Ardahan, Kars, and Batum, on the pretext of the right of peoples to self-determination.”

The Delegates sent the following message to the Council of the People's Commissioners, in explanation of their conduct. It was received at Petrograd on Mar. 2 at 9 p. m., and appeared in the Press of Mar. 3 :

The Russian Delegation declared yesterday that they refuse to deliberate on the peace conditions offered, in view of the fact that the military operations against Russia are continuing in spite of the resumption of the Peace Conference. The demand of the Russian Delegation for the cessation of the offensive was declined by the Central Powers. Under these conditions the whole peace treaty is merely an ultimatum, which is being forced upon us by means of military power. The Russian Delegation, signing without deliberation, the conditions which are dictated to them, consider it their duty frankly to say the whole truth about the matter to the Workers and Peasants of Russia, and to the world, leaving the whole of the circumstances to their judgment.

The signing of the Peace Treaty between Russia and Germany and her Allies will take place on Sunday, Mar. 3.

SOKOLNIKOV.
PETROVSKY.
CHICHEBIN.

83. PLENARY SESSION OF 2 MARCH.

[From the (British) *Daily Review of the Foreign Press*, 5 March, 1918, p. 40.]

A telegram of March 2 from Brest-Litovsk says :

The fresh peace negotiations between the Quadruple Alliance and Russia were opened this morning in a plenary meeting under the chairmanship of the German Minister Baron von Rosenberg. As regards the regulation of political questions the chairman proposed that a common treaty should be concluded between the four allies and Russia, whilst economic compacts and legal questions should be dealt with partly in appendices to the main treaty, and partly in supplementary treaties for each separate allied Power. M. Sokolnikov, the head of the Russian Delegation, expressed his agreement with this proposal, whereupon the actual negotiations began. The chairman handed M. Sokolnikov the draft of the political main treaty jointly drawn up by the allies, and gave a detailed explana-

tion of the individual treaty stipulations. Drafts for economic and legal agreements with a corresponding explanation, were likewise communicated to the Russian Delegation by the representatives of the four allied Powers. The Russian Relegation reserved a decision as to its attitude to the individual points until the material in its entirety was laid before it. In the afternoon the negotiations were continued.

An official telegram from Brest-Litovsk dated Mar. 2 says: Informal discussions took place in the course of the day between the presidents and individual members of the allied Delegations and the Russian Deputation. The next plenary sitting has been fixed for 11 a. m. on Sunday.

An official telegram from Berlin to the Swiss Press (Mar. 3) announces that peace between Germany and Russia was signed at five o'clock this evening.

A telegram from Brest-Litovsk via Vienna (Mar. 3) states that in addition to the main peace treaty with Russia supplementary treaties have also been signed.

[NOTE.—German Main Headquarters announce (Mar. 3) that military operations have ceased in view of the conclusion of peace.]

84. PLENARY SESSION OF 3 MARCH.

GERMAN ACCOUNT.

[From the (British) *Daily Review of the Foreign Press*, 8 March, 1918, p. 79.*]

A telegram from Brest-Litovsk, dated Mar. 4, gives the following report of the proceedings which accompanied the signature of peace:

On Mar. 1, having received the draft peace treaty with annexes and supplementary treaties, the President of the Russian Delegation, M. Sokolnikov, declared that the Delegation would abstain from examining them in committee. On Mar. 2 the President and some of the members of the Russian Delegation approached the Delegates of the Quadruple Alliance with a view to obtaining information regarding several of the prescriptions contained in the draft. The Russian Delegation proposed alterations. Mar. 3 was unanimously fixed as the date for signing the treaties. In the forenoon of Mar. 3 the Delegates met in plenary session under the presidency of the Austro-Hungarian Ambassador, Herr von Mery. Their credentials were examined and found to be in order. It was generally agreed that Baron von Kühlmann and Count Czernin were to sign the treaties later at Bucharest.

The President of the Russian Delegation thereupon made the following two statements:

Firstly, regarding Article IV, paragraph 3, of the draft regarding the disclaiming by Russia of interference with the reorganization of political and international relations in the formerly

* The *Deutscher Reichsanzeiger* of 6 March, 1918, contains an account substantially identical.

Turkish districts of Ardehan, Kars, and Batum. M. Sokolnikov declared that the treaty prescription was a territorial change without the consent of the inhabitants, and that Russia would only accept it under protest.

In his second statement he declared that Germany's ultimatum had found the Russian Government in the state of demobilization. Therefore Russia saw herself forced to accept the ultimatum and sign the treaties now laid before her. This peace, he said, was no peace by understanding. Under the pretext of the right of self-determination the Russian border peoples were placed under the influence of their opponent in order to protect the classes in power there against revolution, and strengthen the anti-revolutionary forces.

Also in Finland, continued Sokolnikov, the Quadruple Alliance had supported anti-revolutionary currents. Forced by the rupture of the armistice, Russia signed the peace treaty without deliberating on it, after her appeal to the German working classes had been in vain.

Herr von Mérey regretted that the Russian declaration had been made, and went on to say that the Delegations of the Quadruple Alliance had hoped and wished that the last days of the negotiations would pass off in a peaceful and conciliatory spirit. If the Russian Delegation objected to the prescriptions regarding Ardehan, Kars, and Batum, the Russian gentlemen had been in a position and had had sufficient time to negotiate and propose their wishes. When accepting the drafts *en masse*, without thoroughly discussing the details, they had no right to complain, and had to bear the responsibility for them themselves. The Quadruple Alliance declined responsibility or blame for the present position of Russia. The Brest negotiations with a complete armistice had lasted two months. With an adequate appropriation of this time, the Russian Delegation had had ample time to discuss the peace work on the basis fixed at the beginning of the negotiations and to bring it to a fruitful termination. The greater part of the subject, however, had, in fact, been thoroughly discussed at previous sittings. If later the Russian Delegation had deviated from this course and now abstained from conclusive discussions, they themselves were exclusively to be blamed.

Hakki Pascha hereupon replied to the first statement of M. Sokolnikov in a long speech citing historical, ethnographical, and geographical evidence. He pointed out that the three districts in question had belonged to Turkey for four centuries, and that Russia had annexed them for the nonpayment of a war indemnity, and that Turkey, when in possession of these districts, had never threatened Russia from that direction. He repudiated the charge that this was a case of annexation by referring to the text of the prescription in the peace treaty proposed by the Quadruple Alliance, according to which the population had the right to determine its future political destiny.

General Hoffmann protested against the charge of violation of the armistice treaty by Germany, and in this connection referred to Baron von Kühlmann's statement in the plenary sitting of Feb. 10, when the German Secretary of State for Foreign Affairs frankly told M. Trotsky that a one-sided rupture of the peace negotiations would automatically abrogate the armistice treaty. Without contradicting this, M. Trotsky had taken cognizance of it. The Russian demobilization did not begin only with the order of February 10, but

in reality it had begun weeks ago, and the Russian Army was de facto demobilized already on Feb. 10. Weeks before the German Army Command had said this, and had stated the number of kilometers of unoccupied Russian positions. These de facto conditions were naturally also known to the Russian Government.

The Minister, Herr von Rosenberg, then said that in December and January the German delegates had made honest efforts to accomplish a peace by understanding, and had not insisted on rights which might issue from the conquest of enemy territories. They had renounced them in order to make concessions to the ideals of new Russia. But two parties were necessary in order to come to an understanding, and good will for that was lacking on the Russian side. Unfortunately, the Russian Delegation did not want to believe in the honesty of the German intentions regarding the border peoples. In the meantime, conditions had naturally changed, and with them Germany's demands. Even to-day Germany's demands were far from being a reckless exploitation of her strong position. But if the Russian Delegation spoke of only three days which had been at their disposal, this gave a wrong impression. The armistice had lasted nearly six weeks, till the negotiations were broken off on February 10. Therefore not three days, but six weeks plus three days had been at the disposal of the Russian Government to decide on the acceptance or refusal of peace. To that must be added that the negotiations in January and February had yielded far-reaching results regarding complicated matters. Peace had not been forced upon Russia. It depended on the free decision of the Russian people to accept the German conditions or continue the war. The Russian Government had no right to doubt the sincerity of Germany's intentions regarding the border peoples, and the less so because sharp inconsistencies had been established between the words and deeds of the Russian Government in their short reign.

M. Sokolnikov, continued Herr von Rosenberg, had also referred to the German workmen. Anyone who believed that the German workman would get his instructions from abroad for his attitude on home or foreign politics did not know the German workman. He was the same man who for the last four years with unparalleled devotion had defended the Fatherland, and if he had any objections to the organizations of the German State or to the existing conditions of public affairs, he did so within his own State, and with his own compatriots. The idea that he needed advice from abroad would insult the German workman.

The Bulgarian representative, M. Tontcheff, pointed out that the Delegations of the Quadruple Alliance had met the Russian delegates to conclude a lasting peace, not to sow the germ of new wars. M. Sokolnikov's language and declarations, however, created an atmosphere which was incompatible with this intention. He must repudiate the unfounded assertion of the Russian Delegation that it was the intention of the Quadruple Alliance to oppress Russia. That was an idea which was foreign to Bulgaria and her allies. If Russia was in such a position to-day, it was solely due to her insufficiently far-seeing policy.

After a reply from M. Sokolnikov, who on the whole repeated his previous sentiments, and after some hasty retorts from Herr von Rosenberg and General Hoffmann, the sitting was postponed for

two hours. The sitting was reopened at four o'clock for the signature of the peace treaty, which ended at five o'clock, whereupon, the signing of the legal treaties began, lasting till 5.30. Lastly, Herr von Meroy said: "I do not like to let pass the solemn act just concluded without expressing the sincere hope that the peace which is signed to-day may enable the peoples of our Alliance and Russia which were opposed in war for over three and a half years, gradually to resume their former friendly relations."

After expressing thanks to the Bureau and the interpreter, Herr von Meroy declared the peace negotiations terminated.

85. RUSSIAN DELEGATES' PROTEST AGAINST GERMAN TERMS.

[From the (British) *Daily Review of the Foreign Press*, 12 March, 1918. p. 119.*]

Russian Government wireless [Mar. 9] issues the following:

To all.

To Paris, Vienna, Berlin, Sebastopol, Odessa, Kharkov, Nikolaiev, Tashkent, Arkhangelsk, Kazan, Irkutsk.

The Declaration of the Peace Delegation.

The Russian Peace Delegation made the following Declaration before signing the Peace Treaty at the Session of the conference at Brest-Litovsk on Mar. 3:

The Workmen's and Peasants' Government of the Russian Republic was forced, after the offensive of the German troops against Russia, when the latter had declared the war to be at an end and had commenced the demobilization of its armies, to accept an ultimatum presented by Germany on Feb. 24. We have been delegates to sign these conditions, which have been forced upon us by violence.

The negotiations which have been carried out so far at Brest-Litovsk between us, on the one part, and Germany and her allies, on the other, have shown strongly and clearly enough that the "peace by agreement" as it is termed by the German representatives, is really and definitely an annexationist and imperialistic peace. The Brest-Litovsk conditions at the moment are considerably worse than this. The peace which is being concluded here at Brest-Litovsk is not a peace based upon a free agreement of the peoples of Russia, Germany, Austria-Hungary, and Turkey, but a peace dictated by force of arms. This is the peace which Russia, grinding its teeth, is compelled to accept. This is a peace which, whilst pretending to free Russian border provinces, really transforms them into German provinces and deprives them of the right of free self-determination, such as was recognized by the Workmen's and Peasants' Government of Revolutionary Russia, as due to them. This is a peace which, whilst pretending to reestablish order, gives armed support in these regions to exploiting classes against the working classes, and is helping again to put upon them the yoke of oppression which was removed by the Russian Revolution. This is a peace which gives back the land to the landlords, and again drives the workers into the serfdom of the factory owners. This is a peace which for a long time to come

* A slightly different text is found in the (British) *Daily Review of the Foreign Press*, 9 March, 1918, p. 90.

imposes upon the workers of Russia in a still more aggravated form the old commercial treaty which was concluded in 1904 in the interests of German agrarians, and which is at the same time guaranteeing to German and Austro-Hungarian capitalists interest on the debts of the Tsarist Government, which have been repudiated by Revolutionary Russia. Finally, as if it was the purpose explicitly to emphasize the character of the German armed offensive, the German ultimatum is attempting to muzzle the Russian Revolution by forbidding all agitation directed against the Governments of the Quadruple Alliance and their military authorities. But even this does not suffice. Under the same pretense of reestablishing order, Germany is also occupying by arms regions in which the population is purely Russian and is establishing there a régime of military occupation in disregard to revolutionary institutions. For the Ukraine and Finland Germany is requesting the nonintervention of Revolutionary Russia, and at the same time is intervening actively with the object of supporting the counter-revolutionary forces against the workmen and peasants.

In the Caucasus, in direct contradiction to the conditions of the ultimatum of Feb. 21, as formulated by the German Government itself, Germany is breaking away for the benefit of Turkey regions of Ardahan, Kars, and Batum, which never have been taken by Turkish troops during this war, and with complete disregard of the real wishes of the populations of these regions. The most cynical and violent territorial seizures, the occupation of the most important strategical points, can have but one purpose—to prepare a new offensive against Russia and to defend capitalistic interests against the Workmen's and Peasants' Revolution. Such is the real object of the offensive undertaken by the German troops on Feb. 18 without the seven days' notice which was agreed upon in the armistice treaty concluded between Russia and the Central Powers. This advance was not stopped, in spite of the Declaration of the Council of the People's Commissioners that they accepted the German ultimatum of February 21. This advance was not stopped in spite of the fact that the conference of Brest-Litovsk was resumed and in spite of an official protest by the Russian Delegation. Through this, all the conditions of peace presented by Germany and by her allies are transformed into an ultimatum presented by them to Russia and supported in the interests of such a peace treaty, with the threat of immediate armed violence. Nevertheless, in the present situation Russia has no alternative choice. After having demobilized her armies, the Russian Revolution has by the same act given its fate into the hands of the German people. The Russian Delegation has already declared openly at Brest-Litovsk that no honest man can believe that the war against Russia can now be termed a defensive war. Germany has taken the offensive under the pretense of reestablishing order, but in reality with the purpose of strangling the Russian Workers' and Peasants' Revolution. For the benefit of world imperialism German militarism has succeeded at the present time in moving its troops against the masses of the workmen and peasants of the Russian Republic. The German proletariat has not as yet shown itself powerful enough to stop this offensive movement. We do not doubt for one moment that this triumph of the imperialist

and the militarist over the international proletarian Revolution is only a temporary and passing one. Under the present conditions the Soviet Government of the Russian Republic, being left to its own forces, is unable to withstand the armed onrush of German imperialism, and is compelled, for the sake of saving Revolutionary Russia, to accept the conditions put before it. We, being empowered by our Government to sign the treaty of peace, are compelled, in spite of our protest, to negotiate under the absolutely exceptional conditions of continued hostilities against nonresisting Russia. We can not submit to any further shooting of Russian workmen and peasants who have refused to continue the war. We declare openly before the workmen, peasants, and soldiers of Russia and Germany, and before the laboring and exploited masses of the whole world, that we are forced to accept the peace dictated by those who, at the moment, are the more powerful, and that we are going to sign immediately the treaty presented to us as an ultimatum, but that at the same time we refuse to enter into any discussion of these terms.



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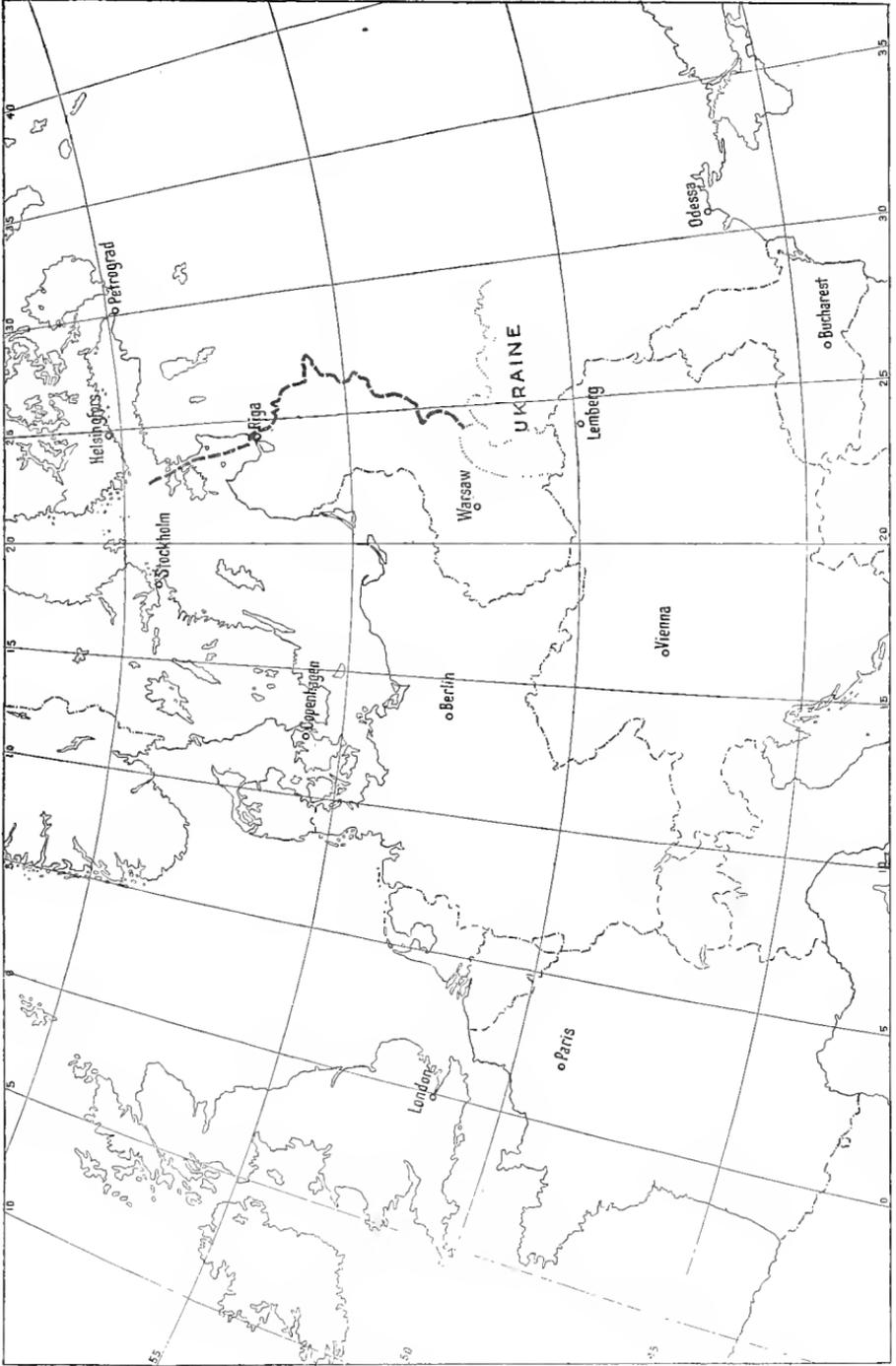


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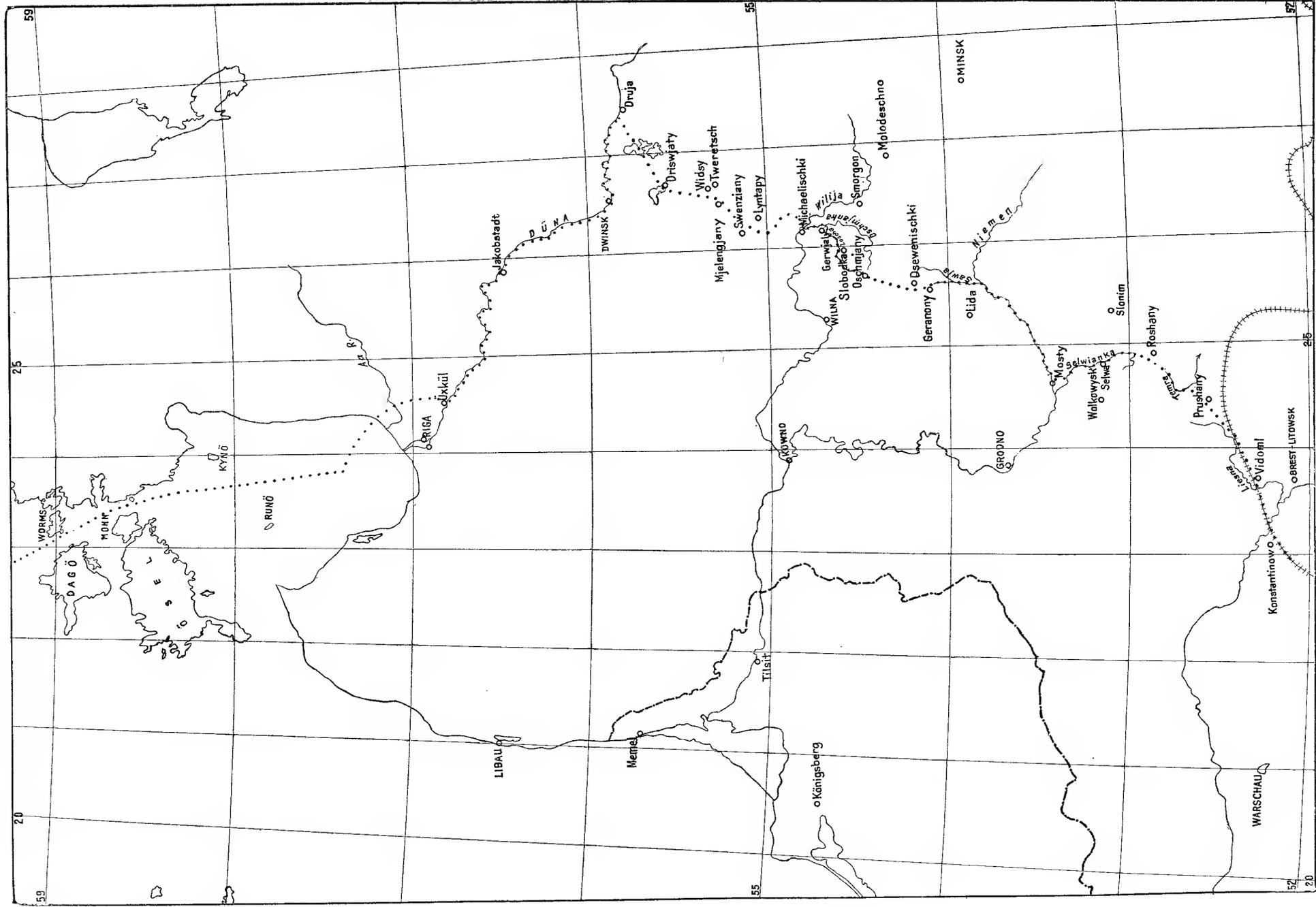
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THE RUSSO-GERMAN BOUNDARY ACCORDING TO TREATY OF PEACE OF BREST-LITOVSK, 3 MARCH, 1918, IN ITS EUROPEAN RELATIONS.



THE RUSSO-GERMAN BOUNDARY ACCORDING TO TREATY OF PEACE OF BREST-LITOVSK, 3 MARCH, 1918.
 88400-18. (Follows p. IV.) No. 2.

1. RUSSIA—CENTRAL POWERS.

ARMISTICE, CONCLUDED AT BREST-LITOVSK, 15 DECEMBER, 1917.

[German text as published in the Deutscher Reichsanzeiger, 18 Dec., 1917.]

[Translation.]

I.

Der Waffenstillstand beginnt am 17. Dezember 1917, 12 Uhr Mittags (4. Dezember 1917, 14, Uhr russ. Zeit) und dauert bis 14. Januar 1918, 12 Uhr Mittags (1. Januar 1918, 14 Uhr russ. Zeit). Die vertragsschließenden Parteien sind berechtigt, den Waffenstillstand am 21. Tage mit 7 tägiger Frist zu kündigen; erfolgt dies nicht, so dauert der Waffenstillstand automatisch weiter, bis eine der Parteien ihn mit 7 tägiger Frist kündigt.

II.

Der Waffenstillstand erstreckt sich auf alle Land- und Luftstreitkräfte der genannten Mächte auf der Landfront zwischen dem Schwarzen Meer und der Ostsee. Auf den russisch-türkischen Kriegsschauplätzen in Asien tritt der Waffenstillstand gleichzeitig ein.

Die Vertragsschließenden verpflichten sich, während des Waffenstillstandes die Anzahl der an den genannten Fronten und auf den Inseln des Moonsundes befindlichen Truppenverbände — auch hinsichtlich ihrer Gliederung und ihres Etats—nicht zu verstärken und an diesen Fronten keine Umgruppierungen zur Vorbereitung einer Offensive vorzunehmen.

Ferner verpflichten sich die Vertragsschließenden, bis zum 14. Januar 1918 (1. Januar 1918 russ. Zeit) von der

I.

The armistice begins on 17 December, 1917, at noon (4 December, 1917, at fourteen o'clock, Russian time) and extends until 14 January, 1918, noon (1 January, 1918, fourteen o'clock, Russian time). The contracting parties have the right on the twenty-first day of the armistice to give a seven days' notice of termination; such not being done, the armistice automatically remains in force until one of the contracting parties gives such seven days' notice.

II.

The armistice applies to all land and air fighting forces of the said Powers on the land front between the Black Sea and the Baltic Sea. In the Russo-Turkish theaters of war in Asia the armistice goes into effect at the same time.

The contracting parties obligate themselves, during the period of the armistice, neither to augment the number of detachments of troops stationed on the said fronts and on the islands of Moon Sound—this applies also to their organization and status—nor to attempt any regroupings in preparation for an offensive.

Further, the contracting parties obligate themselves not to undertake any transfers of troops until 14 January, 1918 (1 January,

Front zwischen dem Schwarzen Meer und der Ostsee keine operativen Truppenverschiebungen durchzuführen, es sei denn, daß die Verschiebungen im Augenblick der Unterzeichnung des Waffenstillstandsvertrages schon eingeleitet sind.

Endlich verpflichten sich die Vertragsschließenden, in den Häfen der Ostsee östlich des 15. Längengrades Ost von Greenwich und in den Häfen des Schwarzen Meeres während der Dauer des Waffenstillstandes keine Truppen zusammenzuziehen.

III.

Als Demarkationslinien an der europäischen Front gelten die beiderseitigen vordersten Hindernisse der eigenen Stellungen. Diese Linien dürfen nur unter den Bedingungen der Ziffer IV überschritten werden.

Dort, wo keine geschlossenen Stellungen bestehen, gilt beiderseits als Demarkationslinie die Gerade zwischen den vordersten besetzten Punkten. Der Zwischenraum zwischen den beiden Linien gilt als neutral. Ebenso sind schiffbare Flüsse, die die beiderseitigen Stellungen trennen, neutral und unbefahrbar, es sei denn, daß es sich um vereinbarte Handelschiffahrt handelt. In den Abschnitten, wo die Stellungen weit auseinander liegen, sind alsbald durch die Waffenstillstandskommission (Ziffer VII) Demarkationslinien festzulegen und kenntlich zu machen.

Auf den russisch-türkischen Kriegsschauplätzen in Asien sind die Demarkationslinien sowie der Verkehr über dieselben (Ziffer IV) nach Vereinbarung der beiderseitigen Höchstkommmandierenden zu bestimmen.

IV.

Zur Entwicklung und Befestigung der freundschaftlichen Beziehungen zwischen den Völkern der vertragsschließenden Parteien wird ein organisierter Verkehr der Truppen unter folgenden Bedingungen gestattet:

1918, Russian time), on the front between the Black Sea and the Baltic Sea, unless such transfers had already been begun at the moment of the signing of the armistice.

Finally, the contracting parties obligate themselves not to assemble any troops in the harbors of the Baltic Sea east of 15° longitude east of Greenwich and in the harbors of the Black Sea during the period of the armistice.

III.

The advance entanglements of each party's position will be considered as demarcation lines on the European front. These lines may be crossed only under the conditions noted in IV.

In places where entrenched positions do not exist, the demarcation lines for each side will be a straight line drawn through the most advanced occupied positions. The space between the two lines will be considered neutral ground. Likewise, navigable rivers separating the opposing positions will be neutral and closed to navigation, except in case of commercial shipping agreed upon. For sections in which the positions are widely separated it will devolve upon the Armistice Commission (VII) to determine and establish the lines of demarcation.

In the Russo-Turkish theaters of war in Asia, the lines of demarcation, as well as intercourse through them (IV), are to be determined by agreement of the division commanders of both sides

IV.

For the development and strengthening of the friendly relations between the peoples of the contracting parties, organized intercourse between the troops is permitted under the following conditions:

1. Der Verkehr ist erlaubt für Parlamentäre, für die Mitglieder der Waffenstillstandskommissionen (Ziffer VII) und deren Vertreter. Sie alle müssen dazu Ausweise von mindestens einem Korps-Kommando bezw. Korpskomitee besitzen.

2. In jedem Abschnitt einer russischen Division kann an etwa 2 bis 3 Stellen organisierter Verkehr stattfinden.

Hierzu sind im Einvernehmen der sich gegenüberstehenden Divisionen Verkehrsstellen in der neutralen Zone zwischen den Demarkationslinien einzurichten und durch weiße Flaggen zu bezeichnen. Der Verkehr ist nur bei Tage von Sonnenaufgang bis Sonnenuntergang zulässig.

An den Verkehrsstellen dürfen sich gleichzeitig höchstens 25 Angehörige jeder Partei ohne Waffen aufhalten. Der Austausch von Nachrichten und Zeitungen ist gestattet. Offene Briefe können zur Beförderung übergeben werden. Der Verkauf und Austausch von Waren des täglichen Gebrauchs an den Verkehrsstellen ist erlaubt.

3. Die Beerdigung Gefallener in der neutralen Zone ist erlaubt. Die näheren Bestimmungen sind jedesmal durch die beiderseitigen Divisionen oder höheren Dienststellen zu vereinbaren.

4. Ueber die Rückkehr entlassener Seeresangehöriger des einen Landes, die jenseits der Demarkationslinie des anderen Landes beheimatet sind, kann erst bei den Friedensverhandlungen entschieden werden. Hierzu rechnen auch die Angehörigen polnischer Truppenteile.

5. Alle Personen, die—entgegen den vorstehenden Vereinbarungen 1 bis 4—die Demarkationslinie der Gegenpartei überschreiten, werden festgehalten und erst bei Friedensschluß oder Kündigung des Waffenstillstandes zurückgegeben.

Die vertragschließenden Parteien verpflichten sich, ihre Truppen durch strengen Befehl und eingehende Befeh-

1. Intercourse is permitted parlementaires and the members of the Armistice Commission (VII) and their representatives. All such must have passes signed by at least a corps commander or a corps committee.

2. In each section of a Russian division organized intercourse may take place at two to three places.

For this purpose, by agreement of the divisions opposed to each other, centers of intercourse are to be established in the neutral zone between the demarcation lines and are to be distinguished by white flags. Intercourse is permissible only by day from sunrise to sunset.

At the centers of intercourse not more than twenty-five unarmed persons belonging to either side may be present at any one time. The exchange of news and newspapers is allowed. Open letters may be passed for dispatch. The sale and exchange of wares of everyday use is permitted at the centers of intercourse.

3. The interment of the dead in the neutral zone is permitted. The special details in each case are to be agreed upon by the divisional commanders on either side or their ranking officers.

4. The question of the return of dismissed soldiers of one country whose domiciles be beyond the demarcation lines of the other country, can be decided only at the peace negotiations. This applies also to the members of Polish detachments.

5. All persons who—contrary to the agreements 1-4 preceding—cross the demarcation lines of the opposing party will be arrested and not released until the conclusion of peace or the denunciation of the armistice.

The contracting parties obligate themselves to bring to the notice of their troops by strict orders and

zung auf Einhalten der Verkehrsbedingungen und die Folgen von Ueberschreitungen hinzuweisen.

V.

Für den Seekrieg wird folgendes festgelegt:

1. Der Waffenstillstand erstreckt sich auf das ganze Schwarze Meer und auf die Ostsee östlich das 15. Längengrades Ost von Greenwich, und zwar auf alle dort befindlichen See- und Luftstreitkräfte der vertragschließenden Parteien.

Für die Frage des Waffenstillstandes im Weißen Meer und in den russischen Küstengewässern des nördlichen Eismeeres wird von der deutschen und russischen Seekriegsleitung in gegenseitigem Einvernehmen eine besondere Vereinbarung getroffen werden. Gegenseitige Angriffe auf Handels- und Kriegsschiffe in den genannten Gewässern sollen nach Möglichkeit schon jetzt unterbleiben.

In jene besondere Vereinbarung sollen auch Bestimmungen aufgenommen werden, um nach Möglichkeit zu verhindern, daß Seestreitkräfte der vertragschließenden Parteien sich auf anderen Meeren bekämpfen.

2. Angriffe von See aus und aus der Luft auf Häfen und Küsten der anderen vertragschließenden Partei werden auf allen Meeren beiderseits unterbleiben. Auch ist das Anlaufen der von der einen Partei besetzten Häfen und Küsten durch die Seestreitkräfte der anderen Partei verboten.

3. Das Ueberfliegen der Häfen und Küsten der anderen vertragschließenden Partei sowie der Demarkationslinien ist auf allen Meeren untersagt.

4. Die Demarkationslinien verlaufen:

a) im Schwarzen Meer: von Olinka—Leuchtturm (St. Georgsmündung) — Kap Jeros (Trapezunt),

detailed explanation the necessity for the observance of the conditions of intercourse and the consequences of infraction thereof.

V.

With regard to naval warfare the following conditions are agreed upon:

1. The armistice extends to the whole of the Black Sea and to the Baltic Sea east of 15° longitude east of Greenwich, and to all the naval and air forces of the contracting parties within these regions.

Regarding the question of the armistice in the White Sea and in the Russian coastal waters of the northern Arctic Ocean, a special agreement will be entered into by the German and Russian naval high commands after mutual consultation. Attacks of either party upon mercantile and war vessels in the above-named waters shall cease from now on as far as possible.

In this special agreement shall be included provisions to prevent, as far as possible, the naval forces of the contracting parties from engaging each other on other seas.

2. Attacks by sea and by air upon ports and coasts belonging to one of the contracting parties will be discontinued by both sides on all seas. Similarly, naval forces belonging to one party are forbidden to enter the harbors and approach the coasts occupied by the other party.

3. Flights over the ports and coasts of one of the contracting parties as well as over demarcation lines are forbidden upon all seas to the other party.

4. The demarcation lines run as follows:

a) in the Black Sea, from Olinka-Lighthouse (St. Georges mouth) to Cape Jeros (Trebizond),

b) In der Ostsee: von Rogekuel Westküste — Worms — Bogskær — Svenska — Hoegarne.

b) in the Baltic Sea, from Rogekuel on the West Coast to Worms to Bogskær to Svenska to Hoegarne.

Die nähere Festsetzung der Linie zwischen Worms und Bogskær wird der Waffenstillstandskommission der Ostsee (Ziffer VII, 1) übertragen mit der Maßgabe, daß den russischen Seestreitkräften bei allen Wetter- und Eisverhältnissen eine freie Fahrt nach der Aalandssee gewährleistet ist. Die russischen Seestreitkräfte werden die Demarkationslinien nicht nach Süden, die Seestreitkräfte der 4 verbündeten Mächte nicht nach Norden überschreiten.

The more detailed determination of the line between Worms and Bogskær is delegated to the Armistice Commission for the Baltic Sea (VII, 1,) subject to the stipulation that the Russian warships are granted free passage to the Aaland Islands in all states of the weather and ice conditions. The Russian naval forces may not pass the demarcation lines to the south, the naval forces of the four Allied Powers to the north.

Die russische Regierung übernimmt die Gewähr dafür, daß Seestreitkräfte der Entente, die sich bei Beginn des Waffenstillstandes nördlich der Demarkationslinien befinden oder später dorthin gelangen, sich ebenso verhalten, wie die russischen Seestreitkräfte.

The Russian Government guarantees that the naval forces of the Entente which at the beginning of the armistice are situated, or which later may arrive, north of the demarcation lines will conduct themselves as provided for the Russian naval forces.

5. Der Handel und die Handels-schiffahrt in den in Ziffer 1 Absatz 1 bezeichneten Seegebieten sind frei. Die Festlegung aller Bestimmungen für den Handel sowie die Bekanntgabe der gefahrlosen Wege für die Handelsschiffe wird den Waffenstillstandskommissionen des Schwarzen Meeres und der Ostsee (Ziffer VII, 1 und 7) übertragen.

5. Commerce and commercial shipping in the sea regions indicated under paragraph 1 is unrestricted. The establishment of all regulations for commerce as well as the publication of unrestricted lanes for merchant vessels are delegated to the Armistice Commission for the Black Sea and the Baltic Sea (VII, 1 and 7).

6. Die vertragsschließenden Parteien verpflichten sich, während des Waffenstillstandes im Schwarzen Meer und in der Ostsee keine Vorbereitungen zu Angriffsoperationen zur See gegeneinander vorzunehmen.

6. The contracting parties engage, during the duration of the armistice on the Black Sea and the Baltic Sea, not to undertake preparations for naval offensive warfare on the high seas.

VI.

VI.

Um Unruhe und Zwischenfälle an der Front zu vermeiden, dürfen Uebungen mit Infanteriewirkung nicht näher als 5 Kilometer, mit Artilleriewirkung nicht näher als 15 Kilometer hinter den Fronten vorgenommen werden.

To prevent disturbances and misunderstandings on the front, infantry firing practice nearer than five kilometers, artillery firing practice nearer than fifteen kilometers, behind the fronts is prohibited.

Der Landminenkrieg wird vollständig eingestellt.

Mine warfare on land is to cease completely.

Luftstreitkräfte und Fesselballone müssen sich außerhalb einer 10 Kilometer breiten Luftzone hinter der eigenen Demarkationslinie halten.

Arbeiten an den Stellungen hinter den vordersten Drahthindernissen sind erlaubt, jedoch nicht solche, die der Vorbereitung von Angriffen dienen können.

VII.

Mit Beginn des Waffenstillstandes treten die nachstehenden „Waffenstillstandskommissionen“ (Vertreter jedes an dem betreffenden Frontstück beteiligten Staates) zusammen, denen alle militärischen Fragen für die Ausführung der Waffenstillstandsbestimmungen in den betreffenden Bereichen zuzuführen sind:

1. Riga für die Ostsee,
2. Düna für die Front von der Ostsee bis zur Disna,
3. Brest-Litowsk für die Front von der Disna bis zum Pripet,
4. Berditschew für die Front vom Pripet bis zum Dniestr.
5. Koloszar, und
6. Focsani
für die Front vom Dniestr bis zum Schwarzen Meer, Grenzbestimmung zwischen beiden Kommissionen 5 und 6 im gegenseitigen Einvernehmen.

7. Odessa für das Schwarze Meer.

Diese Kommissionen werden unmittelbare und unkontrollierte Fernschreibleitungen in die Heimatländer ihrer Mitglieder zur Verfügung gestellt. Die Leitungen werden im eigenen Lande bis zur Mitte zwischen den Demarkationslinien von den betreffenden Heeresleitungen gebaut. Auch auf den russisch-türkischen Kriegsschauplätzen in Asien werden derartige Kommissionen eingerichtet nach Vereinbarung der beiderseitigen Höchstkommmandierenden.

Aerial fighting forces and captive balloons must be kept outside an air zone of ten kilometers behind the respective demarcation lines.

Work upon positions behind the advanced wire entanglements is permitted, but not such work as may serve as preparation for attack.

VII.

With inception of the armistice the following "Armistice Commissions" (composed of representatives of each nation fighting on the section of the front in question) will assemble, before which all military questions regarding the execution of the provisions of the armistice in the territories in question are to be laid.

1. Riga, for the Baltic Sea;
2. Dvinsk, for the front from the Baltic Sea to the Disna;
3. Brest-Litovsk, for the front from the Disna to the Pripet;
4. Berditschew, for the front from the Pripet to the Dniester;
5. Koloszar, and
6. Focsani,
for the front from the Dniester to the Black Sea, the boundaries between the two Commissions 5 and 6 to be fixed by mutual agreement;
7. Odessa, for the Black Sea.

Direct and uncontrolled telegraph lines to the home countries of their members will be placed at the disposal of these Commissions. The lines will be constructed by the respective army commands in their respective countries, as far as midway between the demarcation lines. In the Russo-Turkish theaters of war in Asia similar Commissions will be established in accordance with agreements reached by the commanders-in-chief on both sides.

VIII.

Der Vertrag über Waffenruhe vom 5. Dezember (22. November) 1917 und alle bisher für einzelne Frontstücke abgeschlossenen Vereinbarungen über Waffenruhe oder Waffenstillstand werden durch diesen Waffenstillstandsvertrag außer Kraft gesetzt.

IX.

Die vertragsschließenden Parteien werden in unmittelbarem Anschluß an die Unterzeichnung dieses Waffenstillstandsvertrages in Friedensverhandlungen eintreten.

X.

Ausgehend von dem Grundsatz der Freiheit, Unabhängigkeit und territorialen Unversehrtheit des neutralen persischen Reiches sind die türkische und die russische Oberste Heeresleitung bereit, ihre Truppen aus Persien zurückzuziehen. Sie werden alsbald mit der persischen Regierung in Verbindung treten, um die Einzelheiten der Räumung und die zur Sicherstellung jenes Grundsatzes sonst noch erforderlichen Maßnahmen zu regeln.

XI.

Jede vertragsschließende Partei erhält eine Ausfertigung dieser Vereinbarung in deutscher und russischer Sprache, die von den bevollmächtigten Vertretern unterzeichnet ist.

Brest-Litowsk, den 15. Dezember 1917.

(2. Dezember 1917 russischen Stils).

gez.: Unterschriften.

VIII.

The treaty concerning cessation of hostilities of 5 December (22 November), 1917, and all agreements concluded up to this time on separate sectors of the front with regard to cessation of hostilities or an armistice are rendered null and void by this Armistice Treaty.

IX.

The contracting parties will enter into peace negotiations immediately after the signature of the present Armistice Treaty.

X.

Upon the basis of the principle of the freedom, independence, and territorial inviolability of the neutral Persian State, the Turkish and the Russian Supreme Commands are prepared to withdraw their troops from Persia. They will immediately enter into communication with the Persian Government, in order to regulate the details of the evacuation and the other necessary measures for the guaranteeing of the above-mentioned principle.

XI.

Each contracting party is to receive a copy of the agreement in the German and Russian languages, signed by representatives with plenipotentiary powers.

BREST-LITOVSK, *the 15th day of December, 1917.*

(The 2nd day of December 1917, Russian style).

(Signatures follow.)

2. RUSSIA—CENTRAL POWERS.

SUPPLEMENT TO ARMISTICE, CONCLUDED AT BREST-LITOVSK, 15 DECEMBER, 1917.

[German text as published in the Deutscher Reichsanzeiger, 18 December, 1917.]

[Translation.]

Zur Ergänzung und zum weiteren Ausbau des Abkommens über den Waffenstillstand sind die vertragschließenden Parteien übereingekommen, schnellstens die Regelung des Austausches von Zivilgefangenen und dienstuntauglichen Kriegsgefangenen unmittelbar durch die Front in Angriff zu nehmen. Hierbei soll die Frage der Heimtschaffung der im Laufe des Krieges zurückgehaltenen Frauen und Kinder unter 14 Jahren in erster Linie berücksichtigt werden.

Die vertragschließenden Parteien werden sofort für tunlichste Verbesserung der Lage der beiderseitigen Kriegsgefangenen Sorge tragen. Dies soll eine der vornehmsten Aufgaben der beteiligten Regierungen sein.

Um die Friedensverhandlungen zu fördern und die der Zivilisation durch den Krieg geschlagenen Wunden so schnell wie möglich zu heilen, sollen Maßnahmen zur Wiederherstellung der kulturellen und wirtschaftlichen Beziehungen zwischen den vertragschließenden Parteien getroffen werden. Diesem Zweck soll unter anderem dienen:

Die Wiederaufnahme des Post- und Handelsverkehrs, der Versand von Büchern und Zeitungen und dergleichen innerhalb der durch den Waffenstillstand gezogenen Grenzen.

Supplementary to and in extension of the armistice, the contracting parties have agreed to undertake as quickly as possible the regulation of the exchange of civilian prisoners and prisoners of war unfit for military service directly through the front. The repatriation of women and children under fourteen years of age detained by either side in the course of the war shall be first effected.

The contracting parties will immediately arrange for the greatest possible amelioration of the condition of the prisoners of war on both sides. This shall be one of the foremost tasks of the Governments engaged.

In order to promote the peace negotiations and to heal as quickly as possible the wounds inflicted by the war upon civilization, measures will be taken for the restoration of the cultural and economic relations between the contracting parties. To this end the following, among other things, shall contribute:

The reestablishment of postal and commercial intercourse, the transmission of books and newspapers and the like within the limits drawn by the armistice.

Zur Regelung der Einzelheiten wird eine gemischte Kommission von Vertretern sämtlicher Beteiligten demnächst in Petersburg zusammentreffen.

Brest-Litowsk, den 15. Dezember 1917.

Grundsätzlich genehmigt und unter Vorbehalt der endgültigen Formulierung unterzeichnet:

gez.: Unterschriften.

For the settlement of the details a mixed commission of representatives of all the parties engaged shall shortly meet in Petrograd.

BREST-LITOVSK, 15 December, 1917.

Accepted in principle and signed under reserve of final formulation.

(Signatures follow.)

3. RUSSIA—GERMANY.

ALLEGED SECRET CONVENTION CONCERNING POLAND. CON- CLUDED AT BREST-LITOVSK, 22 DECEMBER, 1917.¹

English translation of the text published in the Glos Naroda (Cracow) of 18 June, 1918, taken from the (British) Daily Review of the Foreign Press, Neutral Press Supplement, 5 July, 1918.]

Report of the sitting of Dec. 22, 1917, at General Headquarters, with the participation of the following persons:—(1) Representatives of the Russian Government—MM. Krylenko, Volodarsky, Zalkind, Uritsky, Raskolnikov, Fayerabend, Antonov, Derzhinsky, Kudraiev, Skrypkin; (2) Representatives of the German Command—MM. G. von Taubner, Erich von Schunemann, Rausch.

The plenipotentiaries present have concluded the following agreement:—

I.—Polish policy is to be conducted by the German Government.

II.—The Russian Government does not in any way interfere in questions regarding the organisation of Poland, in consequence of which it has not the right to protest or to demand explanations—

(1) Either in the question of the separation of the metal and coal district of Dombrova and its annexation to German territory;

(2) Or in the question of the limitation of the rights of persons of Polish origin so far as concerns the petroleum industry in Galicia;

(3) Or in the question of the separation and the government of the province of Chelm;

(4) Or in the question of the customs policy of Germany, of Austria-Hungary, of Lithuania, of Courland, of Esthonia, of Livonia, in relation to Poland;

(5) Or in the question of the economic policy of Germany and of Austria-Hungary in the province of Posen, in Galicia, as well as the provinces that have just been detached from Russia.

III.—The Council of Commissioners of the People has the right to remain in touch with the democratic, revolutionary centres existing in Poland, in order to propagate revolutionary ideas by sending into

¹A summary of this alleged treaty, corresponding in outline to the text here given, was published in the *Gazette de Lausanne* of 12 May, 1918. The existence of the convention has been denied by the Soviet Government of Russia (*New York Times*, 2 July, 1918) and by the Austrian Government and the German Minister at Berne, (*Christian Science Monitor*, 3 August, 1918). The (British) *Daily Review of the Foreign Press, Neutral Press Supplement*, 12 July, 1918, refers to an announcement in *Noraya Zhien*, 4 May, 1918, of the discovery by the Special Committee for Fighting the Counter-Revolution of a secret organization led by two brothers, Lyntoslavsky, for the fabrication of forged documents, such as this convention concerning Poland. It also refers to an allegation by the *Russische Nachrichten* (Berne) of an alibi for seven of the Russians alleged to have signed the convention, and to the same paper's denial of the existence of the two others. Anti-Bolshevik papers in Russia which printed the treaty were suppressed for publishing false statements.

Poland agitators inscribed in the lists of the German information bureaux at Petrograd and also at Warsaw.

IV.—The dispatch of agitators to Germany and Austria-Hungary will be interrupted by the Council of Commissioners of the People.

V.—The Council of Commissioners of the People is to exercise surveillance over the groups of Polish Chauvinists, in order to prevent them raising volunteers for a territorial army in Russia.

VI.—Russia considers the crossing of the frontiers of Lithuania and the Ukraine by Polish troops a declaration of war by Poland on the German and Austro-Hungarian Empires, and Russia will give every assistance to the Germans and to the Austro-Hungarians to destroy these armies.

VII.—The Council of Commissioners of the People, through its representatives at the future Peace Congress, will protest against the formation of a Polish army and Ministry of War in the name of Socialism and the abolition of war.

VIII.—The Council of Commissioners of the People, with the help of its financial agents, is to see that Russian citizens do not place their capital, and also do not place French, English, or American capital, in industrial, urban, mining or maritime enterprises in Poland.

IX.—If the German Government and the Austro-Hungarian Government consider it necessary to change completely their political relations in regard to Poland, the Government of the Commissioners of the People undertakes to recognise the new course of things and to defend it against the obstacles which might be opposed to it by the former Allies of Russia.

The protocol has been signed by the persons mentioned above and three copies have been made, which have been compared with the original, and found in conformity to it, Jan. 15, 1918. No. 82/924, No. 129.

Head of the German Information Bureau.

(Signed) A. HAFER, *Adjutant.*
M. KREISLER.

4. RUSSIA—CENTRAL POWERS.

THE PEACE OF BREST-LITOVSK—THE TREATY OF PEACE BETWEEN RUSSIA AND GERMANY, AUSTRIA-HUNGARY, BULGARIA AND TURKEY. SIGNED AT BREST-LITOVSK, 3 MARCH, 1918.¹

[German text as published in the Reichs-Gesetzblatt, No. 77, 11 June, 1918.]

[Translation.]

Da Deutschland, Österreich-Ungarn, Bulgarien und die Türkei einerseits und Rußland andererseits übereingekommen sind, den Kriegszustand zu beenden und die Friedensverhandlungen möglichst rasch zum Ziele zu führen, wurden zu Bevollmächtigten ernannt:

von der Kaiserlich Deutschen Regierung:

der Staatssekretär des Auswärtigen Amtes, Kaiserlicher Wirklicher Geheimer Rat, Herr Richard von Kühlmann,

der Kaiserliche Gesandte und bevollmächtigte Minister, Herr Dr. von Rosenberg,

der Königlich Preussische Generalmajor Hoffmann, Chef des Generalstabes des Oberbefehlshabers Ost,

der Kapitän zur See Horn,

von der k. u. k. gemeinsamen österreichisch-ungarischen Regierung:

der Minister des Kais. und Kön. Hauses und des Außern, Seiner k. u. k. Apostolischen Majestät Geheimer Rat, Ottokar Graf Czernin von und zu Chudenitz,

Germany, Austria Hungary, Bulgaria, and Turkey for the one part, and Russia for the other part, being in accord to terminate the state of war, and to enter into peace negotiations as speedily as possible, have appointed as plenipotentiaries:

On the part of the Imperial German Government:

The Secretary of State for Foreign Affairs, the Actual Imperial Privy Councillor, Herr Richard von Kühlmann;

The Imperial Envoy and Minister Plenipotentiary, Dr. von Rosenberg;

Royal Prussian Major General Hoffman, Chief of the General Staff of the Commander-in-Chief of the East;

Naval Captain Horn;

On the part of the Imperial and Royal Joint Austro-Hungarian Government:

The Minister of the Imperial and Royal House and for Foreign Affairs, the Privy Councillor of His Imperial and Royal Apostolic Majesty, Ottokar Count Czernin von und zu Chudenitz:

¹ Ratifications exchanged between Russia and Germany, 29 March, at Berlin (*Neue Freie Presse*, 6 July, morning edition; cf. *infra*, p. 139); between Austria-Hungary and Russia, 4 July, at Berlin (*Neue Freie Presse*, 6 July, morning edition); between Turkey and Russia, 12 July, at Berlin (*Neue Freie Presse*, 13 July, evening edition); between Bulgaria and Russia, 9 July, at Berlin (*Daily Review of the Foreign Press* (British), 13 July, 1918, p. 602).

der außerordentliche und bevollmächtigte Botschafter, Seiner k. u. k. Apostolischen Majestät Geheimer Rat, Herr Kajetan Merey von Kapos-Mere,

der General der Infanterie, Seiner k. u. k. Apostolischen Majestät Geheimer Rat, Herr Maximilian Csicseries von Bacsany,

von der Königlich Bulgarischen Regierung:

der Königlich Außerordentliche Gesandte und bevollmächtigte Minister in Wien, Andrea Toschegg,

der Oberst im Generalstabe, Königlich Bulgarischer Militärbevollmächtigter bei Seiner Majestät dem Deutschen Kaiser und Flügeladjutant Seiner Majestät des Königs der Bulgaren, Peter Gantschew,

der Königlich Bulgarische Erste Legationssekretär Dr. Theodor Anastassoff,

von der Kaiserlich Osmanischen Regierung:

Seine Hoheit Ibrahim Haffi Pascha, ehemaliger Großwesir, Mitglied des Ottomanischen Senats, bevollmächtigter Botschafter Seiner Majestät des Sultans in Berlin,

Seine Excellenz, General der Kavallerie, Generaladjutant Seiner Majestät des Sultans und Militärbevollmächtigter Seiner Majestät des Sultans bei Seiner Majestät dem Deutschen Kaiser, Zeki Pascha,

von der Russischen Föderativen Sowjets-Republik:

Grigorij Jakowlewitsch Sokolnikow, Mitglied des Zentralexekutivansschusses der Räte der Arbeiter-, Soldaten- und Bauerndeputierten,

The Envoy Extraordinary and Plenipotentiary of His Imperial and Royal Apostolic Majesty, the Privy Councillor, Kajetan Merey von Kapos-Mere;

General of Infantry, His Imperial and Royal Apostolic Majesty's Privy Councillor, Maximilian Csicseries von Bacsany;

On the part of the Royal Bulgarian Government:

The Royal Envoy Extraordinary and Minister Plenipotentiary in Vienna, Andrea Tosheff;

Colonel Peter Gantschew of the General Staff, Royal Bulgarian Military Envoy Plenipotentiary to His Majesty the German Emperor and Aide-de-Camp of His Majesty the King of the Bulgarians;

The Royal Bulgarian First Legation Secretary, Dr. Theodore Anastassoff;

On the part of the Imperial Ottoman Government:

His Highness Ibrahim Hakki Pasha, former Grand-Vizier, Member of the Ottoman Senate, Envoy Plenipotentiary of His Majesty the Sultan to Berlin;

His Excellency, Zeki Pasha, General of Cavalry, Adjutant General of His Majesty the Sultan, and Military Envoy Plenipotentiary to His Majesty the German Emperor;

On the part of the Russian Federal Soviet-Republic:

Grigory Iakovlevich, Sokolnikow Member of the Central Executive Committee of Councillors to the Deputies of the Workingmen, Soldiers, and Peasants;

Lew Michailowitsch Karachan,
Mitglied des Zentralerekutiv-
ausschusses der Räte der Ar-
beiter-, Soldaten- und Bauern-
deputierten,

Georgij Wassiliwitsch Tschitsche-
rin, Gehilfe des Volkskommis-
sars für auswärtige Angelegen-
heiten,

Grigorij Iwanowitsch Petrowskij,
Volkskommisсар für innere An-
gelegenheiten.

Die Bevollmächtigten sind in Brest-
Litowsk zu den Friedensverhandlungen
zusammengetreten und haben sich nach
Vorlegung ihrer in guter und gehöriger
Form befundenen Vollmachten über
folgende Bestimmungen geeinigt.

Artikel I.

Deutschland, Oesterreich = Ungarn,
Bulgarien und die Türkei einerseits und
Rußland andererseits erklären, daß der
Kriegszustand zwischen ihnen beendet ist.
Sie sind entschlossen, fortan in Frieden
und Freundschaft miteinander zu leben.

Artikel II.

Die vertragsschließenden Teile werden
jede Agitation oder Propaganda gegen
die Regierung oder die Staats- und
Heereseinrichtungen des anderen Teiles
unterlassen. Die Verpflichtung gilt,
soweit sie Rußland obliegt, auch für die
von den Mächten des Vierbundes besetz-
ten Gebiete.

Artikel III.

Die Gebiete, die westlich der zwischen
den vertragsschließenden Teilen verein-
barten Linie liegen und zu Rußland ge-
hört haben, werden der russischen Staats-

Lew Michailovich Karachan,
Member of the Central
Executive Committee of
Councillors to the Depu-
ties of the Workingmen,
Soldiers, and Peasants;

Georgy Vassilievich Tchi-
tcherin, Assistant to the
People's Commissioner for
Foreign Affairs;

Grigory Ivanovich Petrov-
sky, People's Commis-
sioner for Internal Affairs.

The Plenipotentiaries met in
Brest-Litovsk to enter into peace
negotiations, and after presenta-
tion of their credentials, and find-
ing them in good and proper form,
have agreed upon the following
stipulations:

ARTICLE I.

Germany, Austria-Hungary,
Bulgaria, and Turkey, for the one
part, and Russia, for the other
part, declare that the state of
war between them has ceased.
They are resolved to live hence-
forth in peace and amity with
one another.

ARTICLE II.

The contracting parties will
refrain from any agitation or
propaganda against the Govern-
ment or the public and military
institutions of the other party.
In so far as this obligation
devolves upon Russia, it holds
good also for the territories occu-
pied by the Powers of the Quad-
ruple Alliance.

ARTICLE III.

The territories lying to the
west of the line agreed upon by
the contracting parties which for-
merly belonged to Russia, will no
longer be subject to Russian sov-

hoheit nicht mehr unterstehen; die vereinbarte Linie ergibt sich aus der diesem Friedensvertrag als wesentlicher Bestandteil beigefügten Karte (Anlage 1). Die genaue Festlegung der Linie wird durch eine deutsch-russische Kommission erfolgen.

Den in Rede stehenden Gebieten werden aus der ehemaligen Zugehörigkeit zu Rußland keinerlei Verpflichtungen gegenüber Rußland erwachsen.

Rußland verzichtet auf jede Einmischung in die inneren Verhältnisse dieser Gebiete. Deutschland und Oesterreich-Ungarn beabsichtigen, das künftige Schicksal dieser Gebiete im Benehmen mit deren Bevölkerung zu bestimmen.

Artikel IV.

Deutschland ist bereit, sobald der allgemeine Friede geschlossen und die russische Demobilmachung vollkommen durchgeführt ist, das Gebiet östlich der im Artikel III Absatz 1 bezeichneten Linie zu räumen, soweit nicht Artikel VI anders bestimmt.

Rußland wird alles in seinen Kräften stehende tun, um die alsbaldige Räumung der ostanatolischen Provinzen und ihre ordnungsmäßige Rückgabe an die Türkei sicherzustellen.

Die Bezirke Erdehan, Kars und Batum werden gleichfalls ohne Verzug von den russischen Truppen geräumt. Rußland wird sich in die Neuordnung der staatsrechtlichen und völkerrechtlichen Verhältnisse dieser Bezirke nicht einmischen, sondern überläßt es der Bevölkerung dieser Bezirke, die Neuordnung im Einvernehmen mit den Nachbarstaaten, namentlich der Türkei, durchzuführen.

Artikel V.

Rußland wird die völlige Demobilmachung seines Heeres einschließlich der von der jetzigen Regierung neugebildeten Seeressteile unverzüglich durchführen.

ereignty; the line agreed upon is traced on the map submitted as an essential part of this treaty of peace (Annex 1). The exact fixation of the line will be established by a Russo-German commission.

No obligations whatever toward Russia shall devolve upon the territories referred to, arising from the fact that they formerly belonged to Russia.

Russia refrains from all interference in the internal relations of these territories. Germany and Austria-Hungary purpose, to determine the future status of these territories in agreement with their population.

ARTICLE IV.

As soon as a general peace is concluded and Russian demobilization is carried out completely, Germany will evacuate the territory lying to the east of the line designated in paragraph 1 of Article III, in so far as Article VI does not determine otherwise.

Russia will do all within her power to insure the immediate evacuation of the provinces of eastern Anatolia and their lawful return to Turkey.

The districts of Erdehan, Kars, and Batum will likewise and without delay be cleared of the Russian troops. Russia will not interfere in the reorganization of the national and international relations of these districts, but leave it to the population of these districts, to carry out this reorganization in agreement with the neighboring States, especially with Turkey.

ARTICLE V.

Russia will, without delay, carry out the full demobilization of her army inclusive of those units recently organized by the present Government.

Ferner wird Rußland seine Kriegsschiffe entweder in russische Häfen überführen und dort bis zum allgemeinen Friedensschluß belassen oder sofort desarmieren. Kriegsschiffe der mit den Mächten des Vierbundes im Kriegszustand verbleibenden Staaten werden, soweit sie sich im russischen Machtbereich befinden, wie russische Kriegsschiffe behandelt werden.

Das Sperrgebiet im Eismeer bleibt bis zum allgemeinen Friedensschluß bestehen. In der Ostsee und, soweit die russische Macht reicht, im Schwarzen Meere wird sofort mit der Begräumung der Minen begonnen. Die Handelschiffahrt in diesen Seegebieten ist frei und wird sofort wieder aufgenommen. Zur Festlegung der näheren Bestimmungen, namentlich zur Bekanntgabe der gefahrlosen Wege für die Handelsschiffe, werden gemischte Kommissionen eingesetzt. Die Schiffsfahrtswege sind dauernd von treibenden Minen freizuhalten.

Artikel VI.

Rußland verpflichtet sich, sofort Frieden mit der Ukrainischen Volksrepublik zu schließen und den Friedensvertrag zwischen diesem Staate und den Mächten des Vierbundes anzuerkennen. Das ukrainische Gebiet wird unverzüglich von den russischen Truppen und der russischen Roten Garde geräumt. Rußland stellt jede Agitation oder Propaganda gegen die Regierung oder die öffentlichen Einrichtungen der Ukrainischen Volksrepublik ein.

Estland und Livland werden gleichfalls ohne Verzug von den russischen Truppen und der russischen Roten Garde geräumt. Die Ostgrenze von Estland läuft im allgemeinen dem Narwa-Flusse entlang. Die Ostgrenze von Livland verläuft im allgemeinen durch den Peipus-See und Pskowschen See bis

Furthermore, Russia will either bring her warships into Russian ports and there detain them until the day of the conclusion of a general peace, or disarm them forthwith. Warships of the States which continue in the state of war with the Powers of the Quadruple Alliance, in so far as they are within Russian sovereignty, will be treated as Russian warships.

The barred zone in the Arctic Ocean continues as such until the conclusion of a general peace. In the Baltic sea, and, as far as Russian power extends within the Black sea, removal of the mines will be proceeded with at once. Merchant navigation within these maritime regions is free and will be resumed at once. Mixed commissions will be organized to formulate the more detailed regulations, especially to inform merchant ships with regard to restricted lanes. The navigation lanes are always to be kept free from floating mines.

ARTICLE VI.

Russia obligates herself to conclude peace at once with the Ukrainian People's Republic and to recognize the treaty of peace between that State and the Powers of the Quadruple Alliance. The Ukrainian territory will, without delay, be cleared of Russian troops and the Russian Red Guard. Russia is to put an end to all agitation or propaganda against the Government or the public institutions of the Ukrainian People's Republic.

Esthonia and Livonia will likewise, without delay, be cleared of Russian troops and the Russian Red Guard. The eastern boundary of Esthonia runs, in general, along the river Narwa. The eastern boundary of Livonia crosses, in general, lakes Peipus and Pskow,

zu dessen Südwestecke, dann über den Lubanschen See in Richtung Livenhof an der Dvina. Estland und Livland werden von einer deutschen Polizeimacht besetzt, bis dort die Sicherheit durch eigene Landeseinrichtungen gewährleistet und die staatliche Ordnung hergestellt ist. Rußland wird alle verhafteten oder verschleppten Bewohner Estlands und Livlands sofort freilassen und gewährleisten die sichere Rücksendung aller verschleppten Estländer und Livländer.

Auch Finnland und die Aalandinseln werden alsbald von den russischen Truppen und der russischen Roten Garde, die finnischen Häfen von der russischen Flotte und den russischen Seestreitkräften geräumt. Solange das Eis die Ueberführung der Kriegsschiffe in russische Häfen anschliefet, werden auf den Kriegsschiffen nur schwache Kommandos zurückbleiben. Rußland stellt jede Agitation oder Propaganda gegen die Regierung oder die öffentlichen Einrichtungen Finnlands ein.

Die auf den Aalandinseln angelegten Befestigungen sind sobald als möglich zu entfernen. Ueber die dauernde Nichtbefestigung dieser Inseln sowie über ihre sonstige Behandlung in militärischer und schiffahrtlicher Hinsicht ist ein besonderes Abkommen zwischen Deutschland, Finnland und Schweden zu treffen; es steht im Einverständnis darüber, daß hierauf Wunsch Deutschlands auch andere Anliegerstaaten der Ostsee hinzuziehen sein würden.

Artikel VII.

Von der Tatsache ausgehend, daß Persien und Afghanistan freie und unabhängige Staaten sind, verpflichten sich die vertragschließenden Teile, die politische und wirtschaftliche Unabhängigkeit und die territoriale Unversehrtheit dieser Staaten zu achten.

to the southwestern corner of the latter, then across Lake Luban in the direction of Livenhof on the Dvina. Esthonia and Livonia will be occupied by a German police force until security is insured by proper national institutions and until public order has been established. Russia will liberate at once all arrested or deported inhabitants of Esthonia and Livonia, and insures the safe return of all deported Esthonians and Livonians.

Finland and the Aaland Islands will immediately be cleared of Russian troops and the Russian Red Guard, and the Finnish ports of the Russian fleet and of the Russian naval forces. So long as the ice prevents the transfer of warships into Russian ports, only limited forces will remain on board the warships. Russia is to put an end to all agitation or propaganda against the Government or the public institutions of Finland.

The fortresses built on the Aaland Islands are to be removed as soon as possible. As regards the permanent non-fortification of these islands as well as their further treatment in respect to military and technical navigation matters, a special agreement is to be concluded between Germany, Finland, Russia, and Sweden; there exists an understanding to the effect that, upon Germany's desire, still other countries bordering upon the Baltic Sea would be consulted in this matter.

ARTICLE VII.

In view of the fact that Persia and Afghanistan are free and independent States, the contracting parties obligate themselves to respect the political and economic independence and the territorial integrity of these States.

Artikel VIII.

Die beiderseitigen Kriegsgefangenen werden in ihre Heimat entlassen. Die Regelung der hiermit zusammenhängenden Fragen erfolgt durch die im Artikel XII vorgesehenen Einzelverträge.

ARTICLE VIII.

The prisoners of war of both parties will be released to return to their homeland. The settlement of the questions connected therewith will be effected through the special treaties provided for in Article XII.

Artikel IX.

Die vertragschließenden Teile verzichten gegenseitig auf den Ersatz ihrer Kriegskosten, d. h. der staatlichen Aufwendungen für die Kriegführung, sowie auf den Ersatz der Kriegsschäden, d. h. derjenigen Schäden, die ihnen und ihren Angehörigen in den Kriegsgebieten durch militärische Maßnahmen mit Einschluß aller in Feindesland vorgenommenen Requisitionen entstanden sind.

ARTICLE IX.

The contracting parties mutually renounce compensation for their war expenses, i. e., of the public expenditures for the conduct of the war, as well as compensation for war losses, i. e., such losses as were caused them and their nationals within the war zones by military measures, inclusive of all requisitions effected in enemy country.

Artikel X.

Die diplomatischen und konsularischen Beziehungen zwischen den vertragschließenden Teilen werden sofort nach der Ratifikation des Friedensvertrages wieder aufgenommen. Wegen Zulassung der beiderseitigen Konsulen bleiben besondere Vereinbarungen vorbehalten.

ARTICLE X.

Diplomatic and consular relations between the contracting parties will be resumed immediately upon the ratification of the treaty of peace. As regards the reciprocal admission of consuls, separate agreements are reserved.

Artikel XI.

Für die wirtschaftlichen Beziehungen zwischen den Mächten des Vierbundes und Rußland sind die in den Anlagen 2 bis 5 enthaltenen Bestimmungen maßgebend, und zwar Anlage 2 für die deutsch-russischen, Anlage 3 für die österreichisch-ungarisch-russischen, Anlage 4 für die bulgarisch-russischen, Anlage 5 für die türkisch-russischen Beziehungen.

ARTICLE XI.

As regards the economic relations between the Powers of the Quadruple Alliance and Russia the regulations contained in Appendices II-V are determinative, namely Appendix II for the Russo-German, Appendix III for the Russo—Austro-Hungarian, Appendix IV for the Russo-Bulgarian, and Appendix V for the Russo-Turkish relations.

Artikel XII.

Die Herstellung der öffentlichen und privaten Rechtsbeziehungen, der Austausch der Kriegsgefangenen und der Zivilinternierten, die Amnestiefrage so-

ARTICLE XII.

The reestablishment of public and private legal relations, the exchange of war prisoners and interned civilians, the question

mie die Frage der Behandlung der in die Gewalt des Gegners geratenen Handelschiffe werden in Einzelverträgen mit Rußland geregelt, welche einen wesentlichen Bestandteil des gegenwärtigen Friedensvertrages bilden und, soweit thunlich, gleichzeitig mit diesem in Kraft treten.

Artikel XIII.

Bei der Auslegung dieses Vertrages sind für die Beziehungen zwischen Deutschland und Rußland der deutsche und der russische Text, für die Beziehungen zwischen Osterreich-Ungarn und Rußland der deutsche, der ungarische und der russische Text, für die Beziehungen zwischen Bulgarien und Rußland der bulgarische und der russische Text, und für die Beziehungen zwischen der Türkei und Rußland der türkische und der russische Text maßgebend.

Artikel XIV.

Der gegenwärtige Friedensvertrag wird ratifiziert werden. Die Ratifikationsurkunden sollen thunlichst bald in Berlin ausgetauscht werden. Die russische Regierung verpflichtet sich, den Austausch der Ratifikationsurkunden auf Wunsch einer der Mächte des Vierbundes innerhalb von zwei Wochen vorzunehmen. Der Friedensvertrag tritt, soweit nicht seine Artikel, seine Anlagen oder die Zusatzverträge anders bestimmen, mit seiner Ratifikation in Kraft.

Zu Urkund dessen haben die Bevollmächtigten diesen Vertrag eigenhändig unterzeichnet.

of amnesty as well as the question anent the treatment of merchant ships which have come into the power of the opponent, will be regulated in separate treaties with Russia which form an essential part of the general treaty of peace, and, as far as possible, go into force simultaneously with the latter.

ARTICLE XIII.

In the interpretation of this treaty, the German and Russian texts are authoritative for the relations between Germany and Russia; the German, the Hungarian, and Russian texts for the relations between Austria-Hungary and Russia; the Bulgarian and Russian texts for the relations between Bulgaria and Russia; and the Turkish and Russian texts for the relations between Turkey and Russia.

ARTICLE XIV.

The present treaty of peace will be ratified. The documents of ratification shall, as soon as possible, be exchanged in Berlin. The Russian Government obligates itself, upon the desire of one of the Powers of the Quadruple Alliance, to execute the exchange of the documents of ratification, within a period of two weeks. Unless otherwise provided for in its articles, in its annexes, or in the additional treaties, the treaty of peace enters into force at the moment of its ratification.

In testimony whereof the Plenipotentiaries have signed this treaty with their own hand.

Ausgefertigt in fünffacher Urschrift in
Brest-Litowssk am 3. März 1918.

R. v. Kühlmann,
Bukarest 7. März 1918.
v. Rosenberg.
Hoffmann.
Horn.

Czernin,
Bukarest 7. März 1918.
Merey.

A. Toscheff.
Oberst P. Gantchew.
Dr. Theodor Anastassoff.

S. Galky.
Zeki.

Г. Сокольниковъ.
Л. Караханъ.
Г. Чичеринъ.
Г. Петровский.

Executed in quintuplicate at
Brest-Litovsk, 3 March, 1918.

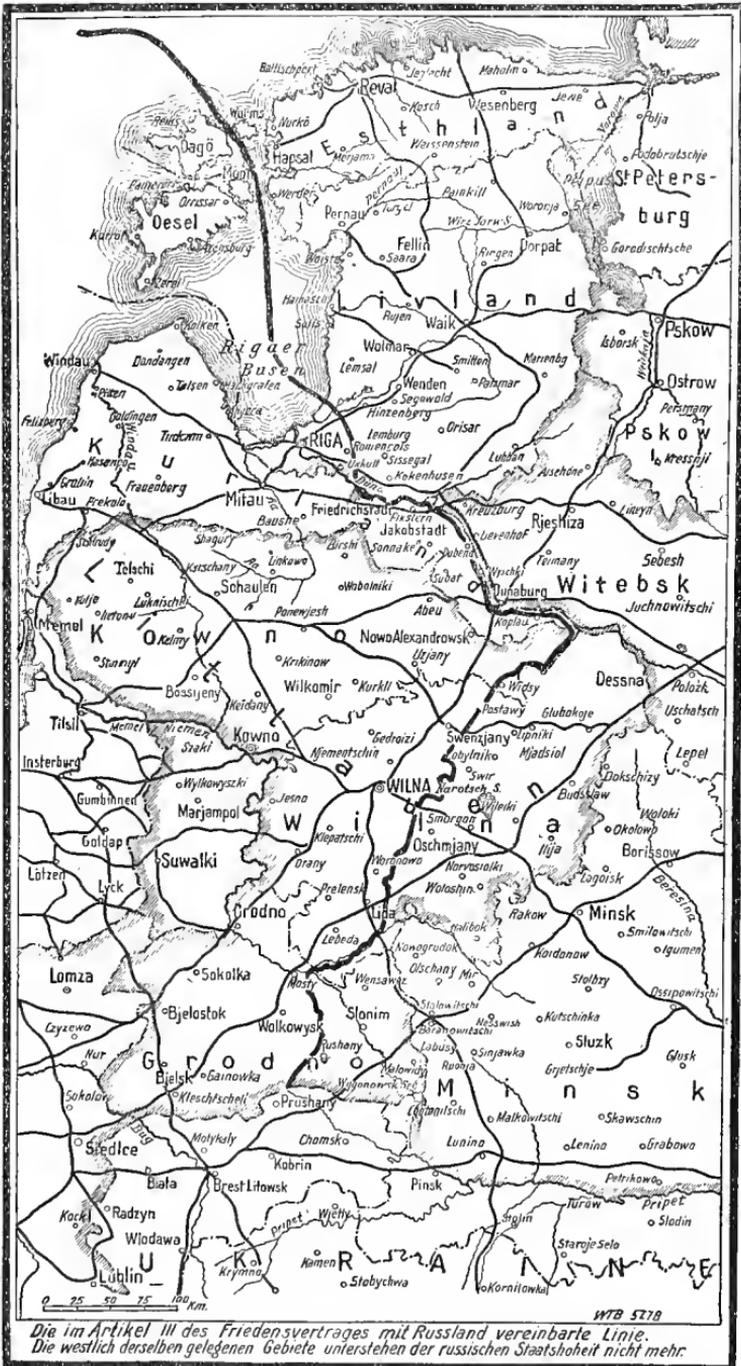
R. v. KÜHLMANN,
Bucharest, 7 March, 1918.
v. ROSENBERG.
HOFFMAN.
HORN.

CZERNIN,
Bucharest, 7 March, 1918.
MEREY.

A. TOSCHEFF.
COLONEL P. GANTCHEW.
DR. THEODOR ANASTASSOFF.

I. HAKKY.
ZEKI.

Г. Сокольниковъ.
Л. Караханъ.
Г. Чичеринъ.
Г. Петровский.



5. RUSSIA—CENTRAL POWERS.

APPENDIX I, PROVIDED FOR IN ARTICLE III OF THE TREATY OF PEACE BETWEEN RUSSIA AND THE CENTRAL POWERS, OF 3 MARCH, 1918.¹

[Description of the boundary line between Germany and Russia established by Appendix I to the Brest-Litovsk Treaty of Peace, as published in Vorwaerts, 5 March, 1918.]

[Translation with reconstruction. Parts in italics have been added from a dispatch to the Department of State from Moscow, 20 April, 1918. Some spellings have been corrected according to Andree's Handatlas.]

Die im Art. 3 des Friedensvertrages mit Rußland vorgesehene Linie, welche die russische Staatsoberhoheit im Westen begrenzt, läuft zwischen den Inseln Dagoß und Worms, sowie zwischen Moon und dem Festlande hindurch und erreicht in flachem Bogen, durch den Rigaischen Meerbusen gezogen, etwas nordwestlich der Mündung der Livländischen Aa das Festland, geht in der Verlängerung des Bogens um Riga herum, und überschreitet östlich von Oger Galle die Düna. Sie folgt jetzt dem Laufe der Düna bis östlich Dünaburg bis zu der Stelle, wo die bisherige furländische Grenze aufhörte und geht von hier in ziemlich gerader Linie bis zur Südspitze des Driswjath-Sees, wobei der Ort Driswjath selbst östlich dieser Linie bleibt.

The line prescribed in Article 3 of the peace treaty with Russia, which in the west runs along Russian sovereignty, passes through the islands of Dago and Worms, between Mohn and the mainland, *between the islands Rūno and Kūno*, and in segmental curve passing through the bay of Riga, reaches the mainland slightly to the northwest, [northeast] of the mouth of the Livonian Aa, then in continuation of the curve it passes around Riga and to the east [*west*] of Ūxküll (Oger Galle), crosses the Düna (Dvina). Then it follows the course of the Düna to the east of Dwinsk (Dünaberg) to the place where ended the former Courland frontier, almost to Druja, and from this place it extends in a straight line *south-west crossing Strusty Lake* to the southern part of Lake Driswjaty, leaving the locality Driswjaty itself to the east of the line.

Von hier biegt die Linie in süd-südwestlicher Richtung um und kreuzt die Bahnlinie Szwentzjany Runtuph etwa in der Mitte. Die Orte Widsy und

From here the line bends in a south-southwest direction *close to Mjelengjany on the German side*. The localities Widsy and

¹ The appendix consists of a map, official copies of which do not seem to have been made public. The accompanying reproduction, see opposite page, has been taken from Vorwaerts, 5 March, 1918.

Twerstsch bleiben östlich der Linie liegen. An den Orten Michalischki und Gerwjany vorbei, die beide westlich der Linie verbleiben, erreicht die Linie in mehrfachen Windungen die Bahnlinie Wilna-Szorgon, die sie etwas westlich des Ortes Szlobodka überschreitet, und hält jetzt wiederum südwestliche Richtung inne, wobei sie dem Laufe der Opita und der Gawja bis zur Einmündung in den Njemen folgt. Dschmjana und Dsewenjischki bleiben östlich der Linie, Klewiza und Gjernon westlich derselben.

Die Linie folgt jetzt flussabwärts dem Njemen bis oberhalb Mosty und biegt hier direkt nach Süden ab in den Flusslauf der Sjelwojanka, dem sie folgt bis zum Orte Roshany, welcher östlich der Linie verbleibt. Von hier aus geht sie in südwestlicher Richtung bis zur ukrainischen Grenze, wo Prushany erreicht wird. Die Orte Szmoljenitza und Bobutschin bleiben östlich der Linie liegen.

Eine ganz genaue Festlegung der Linie wird durch eine deutsch-russische Kommission erfolgen.

Tweretsch remain east of the line. It crosses the railway line from Swenziany to Lyntupy upon midway. The line then passes along a stream by the localities Michalischki and Gerwjany, both of which are left to the west of the line, *along the rivers Oschmjanka and Loscha*. The line itself in manifold windings reaches the railway from Wilna to Smorgon, which it crosses somewhat west of Slobodka. Here *the line bends, running straight to Klewisa on the German side*, by Oschmjany and Dsewenischki on the east, and Geranony on the west, *along the rivers Opita and Gawja to the Niemen*.

The line now follows the downward course of the Niemen to a point above Mosty, and here it bends directly to the south into the river course of the Selwianka, which it follows to Roshany, which remains to the east of the line. From here it passes in a southwest direction (*along the Temra*) to the Ukrainian border where Prushany is reached. *From here it passes between Borowiri (?) and Szolzhentiza (?), between Koski (?) and Dobruschin (?), and west of the road from Prushany to Vidoml passes in straight line the bends of the river Liesna, leaving Vidoml on the Russian side. The line ends on the river Liesna north of Brest-Litovsk, Szmolienitza (?) and Bobruschin (?) remain to the east of the line, Riga, Jacobstadt, Dwinsk, Swenzjany, Vilna, Lida, Wolkowysk, and Konstantinow on the German side.*

An absolutely exact determination of the line will be established through a Russo-German Commission.

6. RUSSIA—GERMANY.

APPENDIX II TO THE TREATY OF PEACE, SIGNED AT BREST-LITOVSK, 3 MARCH, 1918.¹

[German text as published in the Reichs-Gesetzblatt, No. 77, 11 June, 1918.]

[Translation.]

Über die wirtschaftlichen Beziehungen zwischen Deutschland und Rußland wird folgendes vereinbart:

1.) Der deutsch-russische Handelsvertrag von 1894/1904 tritt nicht wieder in Kraft.

Die vertragsschließenden Teile verpflichten sich, tunlichst bald nach Abschluß des allgemeinen Friedens zwischen Deutschland einerseits und den zur Zeit mit ihm in Krieg befindlichen europäischen Staaten, den Vereinigten Staaten von Amerika und Japan andererseits in Verhandlungen über den Abschluß eines neuen Handelsvertrages einzutreten.

2.) Bis zu diesem Zeitpunkte, jedenfalls aber bis zum 31. Dezember 1919, sollen den gegenseitigen Handelsbeziehungen die in der Anlage enthaltenen Bestimmungen zu Grunde gelegt werden, welche einen wesentlichen Bestandteil dieses Friedensvertrages bilden. Jedem der beiden vertragsschließenden Teile soll es jedoch freistehen, diese Bestimmungen vom 30. Juni 1919 an mit sechsmonatiger Frist zu kündigen. Falls von diesem Kündigungsrechte bis zum 31. Dezember 1922 Gebrauch gemacht wird, werden bis zum 31. Dezember 1925, falls die Kündigung nach dem 31. Dezember 1922 erfolgt,

In regard to the economic relations between Germany and Russia the following is agreed upon:

1. The Russo-German commercial treaty of 1894/1904 does not again take effect.²

The contracting parties obligate themselves to begin negotiations regarding the conclusion of a new commercial treaty as soon as possible after the conclusion of a general peace between Germany on the one hand, and the European countries at present at war with her and the United States of America and Japan on the other hand.

2. Until such time, and in any case up to 31 December, 1919, the regulations contained in this appendix, and constituting an integral part of the present peace treaty, shall be made the basis of their mutual commercial relations. Both contracting parties, are, however, free to repudiate these regulations after 30 June, 1919, on condition of giving six months notice. In case this right of repudiation is utilized before the 31 December, 1922, then, until 31 December, 1925, in case the denunciation ensues after 31 December, 1922,

¹ Ratifications exchanged at Berlin, 29 March, 1918 (*Neue Freie Presse*, 6 July, morning edition; cf *infra*, p. 139).

² 86 *British and Foreign State Papers*, pp. 442, 449, 482, 461, 473; 97 *British and Foreign State Papers*, p. 1040.

für einen Zeitraum von 3 Jahren von dem Tage des Außerkräfttretens der in der Anlage enthaltenen Bestimmungen an gerechnet, die Angehörigen, die Handels-, Erwerbs- und Finanzgesellschaften mit Einschluß der Versicherungsgesellschaften, die Boden- und Gewerbezeugnisse und die Schiffe jedes der beiden vertragsschließenden Teile im Gebiete des anderen Teiles die meistbegünstigte Behandlung genießen. Diese Regelung umfaßt insbesondere auch:

a) den Erwerb und Besitz von beweglichem und unbeweglichem Vermögen, die Verfügung hierüber, die Ausübung von Handelsunternehmungen, Gewerben und Berufen, sowie die in diesem Falle zu entrichtenden Abgaben,

b) die Einfuhr, Ausfuhr und Durchfuhr, die Zölle, die Zollförmlichkeiten, die inneren Verbrauchs- und ähnlichen Steuern und die Verkehrsverbote,

c) die Behandlung, welche staatliche oder unter staatlicher Kontrolle stehende Monopolverwaltungen des einen vertragsschließenden Teiles den Abnehmern oder Lieferanten des anderen Teiles in der Preisstellung oder der sonstigen Geschäftsgebarung zuteil werden lassen,

d) die Beförderung und die Beförderungspreise auf Eisenbahnen und anderen Verkehrswegen,

e) die Zulassung und Behandlung der Schiffe, ihrer Mannschaften und Ladungen, sowie die Schiffsabgaben,

f) die Beförderung von Personen durch Transportunternehmer, einschließlich der auf dem Land- oder Seeweg erfolgenden Beförderung von Auswanderern und einschließlich der Tätigkeit von Auswanderungsvermittlern.

3.) Während der Dauer der Meistbegünstigung wird kein Teil zu Lasten des anderen Teiles an einer Grenze seines Gebiets höhere Einfuhr- oder Ausfuhrzölle erheben als an irgendeiner anderen Grenze.

for a term of three years reckoning from the date of the cessation of the activity of the stipulations contained in the present appendix, the subjects, the commercial, industrial, and financial companies, including insurance companies, the produce of agriculture and industries, and the vessels of each of the two contracting parties shall enjoy the most favored nation treatment in the territory of the other party. These regulations extend particularly:

a) To acquisition and ownership of movable and immovable property, disposition of same, occupations in commerce, trades, and professions, as well as to dues levied in these instances;

b) To import, export, and transit of goods, to customs dues and customs formalities, to internal dues on consumption and the like, and to traffic prohibitions;

c) To the treatment accorded by the governmental or state-controlled administrations of monopolies of one of the contracting parties to buyers or sellers of the other party in the fixing of prices, or in other business conduct;

d) To the transportation and transportation tariffs on railways and other ways of communication;

e) To the admission and status of ships, their crews and cargoes, as well as to ships' dues;

f) To the transportation of passengers by forwarding agencies, including transportation of emigrants by land and sea and other activities of emigration agents.

3. During the entire time of the application of the principles of the most favored nation, neither of the parties shall establish, to the detriment of the opposite party, on the frontiers of its territory, higher import or export duties than on any other frontier.

Außerdem wird während dieser Zeit Rußland die Ausfuhr von rohem und behauentem Holz, soweit dasselbe in Nr. 6 des Verzeichnisses der Ausfuhrzölle nicht besonders benannt ist, sowie von Erzen aller Art weder verbieten noch mit Ausfuhrzöllen belasten.

4.) Rußland wird keinen Anspruch erheben auf die Begünstigungen, welche Deutschland an Oesterreich-Ungarn oder an ein anderes mit ihm durch ein Zollbündnis verbundenes Land gewährt, das an Deutschland unmittelbar oder durch ein anderes mit ihm oder Oesterreich-Ungarn zollverbündetes Land mittelbar angrenzt. Kolonien, auswärtige Besitzungen und Schutzgebiete werden in dieser Beziehung dem Mutterland gleichgestellt.

Deutschland wird keinen Anspruch erheben auf die Begünstigungen, welche Rußland an ein anderes mit ihm durch ein Zollbündnis verbundenes Land, das an Rußland unmittelbar oder durch ein anderes mit ihm zollverbündetes Land mittelbar angrenzt, oder den Kolonien, auswärtigen Besitzungen und Schutzgebieten eines der mit ihm zollverbündeten Länder gewährt.

5.) Soweit in neutralen Staaten Waren lagern, welche aus Deutschland oder Rußland stammen, die aber mit der Verpflichtung belegt sind, daß sie weder unmittelbar noch mittelbar nach den Gebieten des anderen vertragsschließenden Teiles ausgeführt werden dürfen, sollen derartige Verfügungsbeschränkungen im Verhältnis zu den vertragsschließenden Teilen aufgehoben werden. Die beiden vertragsschließenden Teile verpflichten sich daher, den Regierungen der neutralen Staaten von der vorerwähnten Aufhebung dieser Verfügungsbeschränkung unverzüglich Kenntnis zu geben.

6.) Bevorzugungen, die einer der vertragsschließenden Teile während des

Furthermore, in the course of this period, Russia shall neither prohibit the export of rough and hewn lumber, nor levy export duty on the same, in so far as it is not especially mentioned in No. 6 of the Schedule of Export Duties; neither shall it prohibit the export of, or levy export duty on ores of any kind.

4. Russia shall not claim the advantages which Germany grants to Austria-Hungary or to any other country allied with her by a customs union, and adjoining Germany either immediately or through an intervening country allied with her or with Austria-Hungary by customs union. Colonies, outlying possessions and territories under protectorate, in this respect are placed on the same basis as the mother country.

Germany shall not claim the advantages which Russia grants to another country connected with her by customs union, and adjoining Russia either immediately, or through an intervening country allied with her by customs union, or to the colonies, outlying possessions or territories under the protectorate of a country allied with her by customs union.

5. In so far as in neutral countries there are located goods originating in Germany or Russia and subject to prohibition of import into the territory of the other contracting party either directly or through the intermedium of another country, such limitations as to the disposition of such goods shall be cancelled as regards the contracting parties. Both contracting parties, therefore, obligate themselves immediately to advise the Governments of neutral countries of the above-stated cancellations of the limitations mentioned.

6. Privileges granted by one of the contracting parties during

Krieges anderen Ländern durch Konzessionserteilungen oder andere staatl.iche Maßnahmen gewährt hat, sollen aufgehoben oder auf den anderen Teil durch Gewährung gleicher Rechte ausgedehnt werden.

7.) Soweit nicht in der Tarifanlage A oder sonst anderes bestimmt ist, soll für die ganze Dauer dieses Provisoriums sowie der nach Ziffer 2 wechselseitig zu gewährenden Meistbegünstigung der allgemeine russische Zolltarif vom 13./26. Januar 1903 maßgebend sein.

8.) Die am 31. Juli 1914 in Geltung gewesenen Vereinbarungen zwischen dem Deutschen Reiche und Rußland über die Behandlung russischen Zuckers sollen während der Dauer dieses Provisoriums sowie der nach Ziffer 2 wechselseitig zu gewährenden Meistbegünstigung in Kraft bleiben.

9.) Die vertragschließenden Teile sind darüber einig, daß mit dem Friedensschluß die Beendigung des Krieges auch auf wirtschaftlichem und finanziellem Gebiet erfolgt. Sie verpflichten sich, weder direkt noch indirekt an Maßnahmen teilzunehmen, die auf die Weiterführung der Feindseligkeiten auf wirtschaftlichem oder finanziellem Gebiet abzielen, und innerhalb ihres Staatsgebietes solche Maßnahmen mit allen ihnen zu Gebot stehenden Mitteln zu verhindern.

In der Übergangszeit, die zur Überwindung der Kriegsfolgen und Neuordnung der Verhältnisse erforderlich ist, verpflichten sich die vertragschließenden Parteien, möglichst keine Schwierigkeiten in der Beschaffung der notwendigen Güter durch Einführung hoher Eingangszölle zu bereiten, und sprechen die Bereitwilligkeit aus, alsbald in Verhandlungen einzutreten, um, soweit als tunlich, die während des Krieges festgesetzten Zollbefreiungen vorübergehend noch länger aufrecht zu erhalten und weiter auszudehnen.

the time of the war to other countries in the form of concessions or other state measures, must be revoked or extended to the opposite party by granting equal rights.

7. In so far as in the tariff appendix A, or elsewhere, there are no stipulations to the contrary, the general Russian Customs Tariff of the 13/26 January, 1903,¹ shall be applied for the whole period of life of the present provisorium as well as of the most-favored nation treatment granted both by Clause 2.

8. The agreements which existed between the German Empire and Russia on 31 July, 1914, in regard to Russian sugar shall remain in force during the life of the present provisorium and during the mutual application of the most favored nation principle in accordance with Clause 2.

9. The contracting parties are agreed that, with the conclusion of peace, the war terminates also in the field of economy and finance. They engage not to participate either directly or indirectly in measures having for their aim the continuance of hostilities in economic or financial spheres, but to hinder such measures within the boundaries of the territories of their State by all means in their power.

In the course of the intermediate period required for the removal of the consequences of war and for the organization of new relations, the contracting parties bind themselves not to put, in so far as it is possible, any difficulties in the way of the acquisition of necessary goods by introducing high import duties, and they express their willingness to enter immediately into negotiations for the purpose of maintaining and enlarging as far as feasible the customs exemptions established during the time of the war.

¹ Cf. General Customs Tariff for the European Frontiers of Russia, British Parliamentary Papers, 1903.

7. RUSSIA—GERMANY.

SUB-APPENDIX 1 TO APPENDIX II OF THE TREATY OF PEACE BETWEEN RUSSIA AND THE CENTRAL POWERS. SIGNED AT BREST-LITOVSK, 3 MARCH, 1918.¹

[German text as published in the Reichs-
Gesetzblatt, No. 77, 11 June, 1918.]

[Translation.]

Artikel 1.

ARTICLE 1.

Die Angehörigen eines der beiden ver-
tragschließenden Teile, welche sich in dem
Gebiete des anderen Teiles niederge-
lassen haben oder sich dort vorübergehend
aufhalten, sollen dort im Handels- und
Gewerbebetriebe die nämlichen Rechte
genießen und keinen höheren oder an-
deren Abgaben unterworfen werden als
die Inländer. Sie sollen in dem Ge-
biete des anderen Teiles in jeder Hinsicht
dieselben Rechte, Privilegien, Freiheiten,
Begünstigungen und Befreiungen haben
wie die Angehörigen des meistbegünstig-
ten Landes.

The subjects of one of the con-
tracting parties, who have settled
on the territory of the opposite
party or reside temporarily in the
same, shall enjoy, in their com-
mercial and industrial activities,
the same rights as the native in-
habitants, and shall not be sub-
jected to higher or to other taxes.
In the territory of the other
party they, in all respects, shall
enjoy the same rights, privileges,
franchises, advantages, and ex-
emptions as the subjects of the
most favored nation.

Es herricht jedoch darüber Einver-
ständnis, daß durch die vorstehenden
Bestimmungen die besonderen Gesetze,
Erlasse und Verordnungen auf dem
Gebiete des Handels, der Gewerbe und
der Polizei nicht berührt werden, welche
in jedem der beiden vertragschließenden
Länder gelten oder gelten werden und
auf alle Ausländer Anwendung finden.

Both parties are, however,
agreed that special laws, decrees,
and orders, relating to trade,
commerce, industry, and police,
which govern or will govern in
either of the contracting coun-
tries, and which apply to all for-
eigners, will not be affected by
these considerations.

Artikel 2.

ARTICLE 2.

Die Angehörigen jedes der beiden
vertragschließenden Teile sollen in dem
Gebiete des anderen Teiles gleich den
Inländern berechtigt sein, jede Art von
beweglichem oder unbeweglichem Ver-
mögen zu erwerben, zu besitzen und
zu verwalten sowie darüber durch Ver-
kauf, Tausch, Schenkung, Eheschließung,

The subjects of both contract-
ing parties shall have the right,
on the territory of the other
party, on a basis of equality with
the native inhabitants, to acquire,
to possess, and to manage mov-
able and immovable property of
every kind, as well as to dispose

¹ Ratiications exchanged at Berlin, 29 March, 1918 (*Neue Freie Presse*, 6 July, morning edition;
cf. *infra*, p. 139).

letzten Willen oder auf andere Weise zu verfügen, auch Erbschaften vermöge letzten Willens oder kraft Gesetzes zu erwerben, ohne in einem der genannten Fälle unter irgendeiner Bezeichnung anderen oder höheren Abgaben, Steuern oder Auflagen unterworfen zu sein als die Inländer.

Jeder der vertragschließenden Teile behält sich vor, Ausnahmen von dieser Regel für Teile seines Gebiets zu machen, die als Grenzschutzbezirke oder Festungsräyonen erklärt sind.

In keinem der vorerwähnten Fälle sollen jedoch die Angehörigen des einen Teiles im Gebiete des anderen Teiles ungünstiger behandelt werden als die Angehörigen irgendeines dritten Landes.

Die Angehörigen eines jeden der beiden vertragschließenden Teile sollen den Erlös aus dem Verkaufe ihres Eigentums und ihr Vermögen überhaupt unter Beobachtung der Landesgesetze frei ausführen können, ohne als Ausländer zur Entrichtung anderer oder höherer Abgaben verpflichtet zu sein, als die Inländer unter gleichen Verhältnissen zu entrichten haben würden.

Sie sollen unter Beobachtung der Landesgesetze freien Zutritt zu den Gerichten haben, um als Kläger oder Beklagte aufzutreten, und sollen in dieser Hinsicht alle Rechte und Befreiungen der Inländer genießen und wie diese befugt sein, sich in jeder Rechtsache der durch die Landesgesetze zugelassenen Anwälte, Sachwalter und Vertreter jeder Art zu bedienen.

Artikel 3.

Die Angehörigen jedes der vertragschließenden Teile sollen in dem Gebiete des anderen zu Gerichts-, Administrativ- oder Municipaldiensten, mit Ausnahme der Vormundschaft, nicht verpflichtet sein; ebenso bleiben sie frei von jedem persönlichen Dienste im Landheere, in

of the same in the way of sale, exchange, gift, matrimony, legacy, or any other method, as well as to receive inheritances through will or on the basis of the law, without being subjected in any of the cases mentioned, in one way or another, to higher dues, taxes, or collection than native inhabitants.

Each of the contracting parties reserves the right to make exceptions to these stipulations for those parts of their respective territories which have been declared frontier districts or fortress regions.

However, in none of these cases above mentioned shall the subjects of one of the parties in the territory of the other party, be placed in a less favorable condition than the subjects of any third country.

The subjects of both contracting parties may, provided they observe the laws of the country, take out, unhindered, the proceeds of the sale of their property, and, in general, their belongings, without being obliged, in their capacity as foreigners, to pay special or higher dues than native inhabitants in the same circumstances.

Subject to the local laws, they shall have free admission to law courts, where they may appear as claimants or defendants, and shall enjoy in this respect all rights and immunities of native inhabitants, and also, like the latter, they shall have the right to employ in every law suit the attorneys and agents admitted under the local laws.

ARTICLE 3.

The subjects of each of the contracting parties, in the territory of the opposite party, shall not be subject to juridical, administrative, or municipal duties, with the exception of guardianships. They are likewise exempt

der Marine, in der Reserve der Land- und Seemacht und in der Nationalmiliz, sowie von allen Lasten, Zwangsanleihen, militärischen Requisitionen und Leistungen jeder Art, welche im Kriegsfall oder infolge von außergewöhnlichen Umständen auferlegt werden; ausgenommen sind die aus irgendwelchem Rechtstitel mit dem Besitze eines Grundstücks verbundenen Lasten, sowie die Verpflichtung zur Quartierleistung und zu sonstigen besonderen Leistungen für die bewaffnete Macht, die den Inländern und den Angehörigen der meistbegünstigten Nation als Eigentümern, Pächtern oder Mietern von Immobilien obliegen.

Artikel 4.

Aktiengesellschaften und andere kommerzielle, industrielle oder finanzielle Gesellschaften einschließlich der Versicherungsgesellschaften, welche in einem der beiden Länder nach den bestehenden Gesetzen rechtmäßig errichtet worden sind und dort ihren Sitz haben, sollen in dem anderen Lande als gesetzlich bestehend anerkannt werden und dort namentlich das Recht haben, vor Gericht als Kläger oder als Beklagte Prozesse zu führen.

Es herrscht jedoch darüber Einverständnis, daß durch die vorstehende Bestimmung die Frage nicht berührt wird, ob derartige in einem der beiden Länder errichtete Gesellschaften in dem anderen Lande zum Handels- und Gewerbebetriebe zugelassen werden sollen oder nicht. Diese Frage bleibt, wie bisher, den in dem betreffenden Lande bestehenden oder noch einzuführenden Bestimmungen vorbehalten.

In jedem Falle sollen die gedachten Gesellschaften in dem anderen Lande dieselben Rechte genießen, welche den gleichartigen Gesellschaften irgendeines Landes zustehen oder zugestanden werden sollten.

from any personal service in the army, fleet, reserve of the territorial army and of the navy, the national militia, as also from all duties, compulsory loans, military requisitions, and service of any kind, imposed, in case of war, or as a result of exceptional circumstances; duties connected by any title whatsoever with the ownership of a parcel of land, and also the military quartering duty and other special services to be rendered to the active army, to which are liable the native inhabitants and the subjects of the most favored nation in their capacity of proprietors and lessees of real estate are excepted.

ARTICLE 4.

Joint stock companies and any other commercial, industrial, or financial companies, including insurance companies, which have been lawfully formed in one of the two countries in accordance with existing laws, and have their abode there, must be recognized by the other country as existing lawfully and shall, in particular, enjoy in the same the right to conduct lawsuits in the courts in the capacity of claimants or defendants.

Both parties, however, agree that the foregoing stipulation does not affect the question whether such companies, formed in one of the countries, shall be admitted, or not, to commercial or industrial activity in the other country. This question depends as heretofore, on the regulations already existing or to be introduced in the country in question.

In any case, the aforesaid companies shall enjoy in the other country the same rights as have been granted or may be granted to similar companies of any other country.

Artikel 5.

ARTICLE 5.

Die vertragsschließenden Teile verpflichten sich, den gegenseitigen Verkehr zwischen beiden Ländern durch keinerlei Einfuhr-, Ausfuhr- oder Durchfuhrverbote zu hemmen und die freie Durchfuhr zu gestatten.

Ausnahmen sind nur für solche Erzeugnisse zulässig, welche auf dem Gebiete eines der vertragsschließenden Teile den Gegenstand eines Staatsmonopols bilden oder bilden werden, sowie auch für gewisse Erzeugnisse, für die aus Rücksichten auf die Gesundheit, die Veterinärpolizei und die öffentliche Sicherheit oder aus anderen schwerwiegenden politischen und wirtschaftlichen Gründen außerordentliche Verkehrsmaßregeln, insbesondere im Zusammenhang mit der auf den Krieg folgenden Übergangszeit, ergehen könnten.

In der auf den Krieg folgenden Übergangszeit zur Überwindung der Folgen des Krieges können Verkehrsbeschränkungen wie Einfuhrverbote, Ausfuhrverbote und Durchfuhrverbote erlassen werden; sie sind so zu handhaben, daß sie möglichst wenig lästig empfunden werden und sind, sobald es die Verhältnisse gestatten, außer Kraft zu setzen.

Artikel 6.

ARTICLE 6.

Die russischen Boden- und Gewerbeerzeugnisse, welche im Deutschen Reiche, und die deutschen Boden- und Gewerbeerzeugnisse, welche in Rußland eingeführt werden, sollen dort, sie mögen zum Verbrauch oder zur Lagerung, zur Wiederausfuhr oder zur Durchfuhr bestimmt sein, der nämlichen Behandlung wie die Erzeugnisse des meistbegünstigten Landes unterliegen. In keinem Falle und aus keinem Grunde sollen sie höheren oder anderen Zöllen, Gebühren, Steuern oder Abgaben unterworfen sein, noch mit Zuschlägen oder einem Einfuhrverbote belegt werden, von denen nicht auch die gleichartigen Erzeugnisse irgendeines anderen Landes betroffen werden. Insbesondere wird jede Begünstigung und

The contracting parties obligate themselves not to impede the mutual relations of the two countries by any prohibitions of import, export, or transit, and to permit free transit.

Exceptions are only admissible for such articles as are or will be considered a State monopoly in the territory of one of the contracting parties, as also for certain articles respecting which exceptional prohibitional rules may be issued for reasons of hygiene, veterinary supervision, and public safety, or for other weighty political or economic reasons, especially in connection with the after-war transition period.

During the after-war transition period, for the purpose of overcoming the consequences of the war, regulations may be issued limiting intercourse, as well as prohibiting import, export, and transit: they must be enforced in such manner as to be felt as slightly as possible, and as soon as circumstances permit, they must be rescinded.

The products of Russian agriculture and industry imported into Germany, and the products of German agriculture and industry imported into Russia, shall in the country of their importation be on the same footing as the products of the most favored nation, regardless of whether they be intended for consumption or for storage, for re-export, or for transit. In no case, and on no account, shall they be subjected to any higher or other duties, taxes, fees, or contributions, or to extra charges, or to import prohibitions, if the same does not apply to similar products of any

Erleichterung, jede Befreiung und jede Ermäßigung der in dem Generaltarif oder in den Vertragstarifen enthaltenen Eingangszölle, welche einer der vertragsschließenden Teile einer dritten Macht dauernd oder zeitweise, ohne Gegenleistung oder mit Kompensation zugestehet, ohne weiteres und bedingungs-, vorbehalts- oder kompensationslos auf die Boden- und Gewerbeerzeugnisse des anderen ausgedehnt werden.

Artikel 7.

Die in dem beiliegenden Tarif A bezeichneten deutschen Boden- und Gewerbeerzeugnisse sollen bei ihrer Einfuhr in Rußland und die in dem beiliegenden Tarif B bezeichneten russischen Boden- und Gewerbeerzeugnisse sollen bei ihrer Einfuhr in Deutschland keinen anderen oder höheren Eingangszöllen unterliegen, als den in diesen Anlagen festgesetzten.

Wenn einer der vertragsschließenden Teile auf einen in der Anlage A oder Anlage B des gegenwärtigen Vertrags angeführten Gegenstand einheimischer Erzeugung oder Fabrikation zum Vorteil der Staatskasse eine neue innere Steuer oder Akzise oder einen Zuschlag zu einer solchen inneren Steuer oder Akzise legen sollte, so kann der gleichartige Gegenstand bei der Einfuhr mit einer gleichen oder entsprechenden Abgabe belegt werden, vorausgesetzt, daß diese Abgabe für die Provenienzen aller Länder gleich ist.

Artikel 8.

Innere Abgaben, welche im Gebiete des einen der vertragsschließenden Teile für Rechnung des Staates, der Gemeinden oder der Korporationen von der Hervorbringung, der Zubereitung, der Beförderung, dem Vertrieb oder dem Verbrauch eines Erzeugnisses gegenwärtig oder künftig erhoben werden,

other country. In particular, every advantage and facility, every exemption from and reduction of import duties of the general and conventional tariffs, which one of the contracting parties, permanently or temporarily, without a corresponding benefit or against compensations, grants to a third country, shall be granted to the products of agriculture and industry of the other country without further formality and without any conditions, reservations, or compensations.

ARTICLE 7.

The products of German agriculture and industry mentioned in the appended Tariff A, on being imported into Russia, and the products of Russian agriculture and industry, specified in the appended Tariff B, when being imported into Germany, shall not be subjected to any special or higher import duty than that stipulated in the said appendices.

Should one of the contracting parties assess any of the articles of domestic production or manufacture specified in appendices A or B, for the benefit of the State Exchequer by means of any new internal tax or excise, or addition to such internal tax or excise, similar articles when being imported may be taxed with an equal or corresponding duty on condition that this duty shall be the same for the products of all countries.

ARTICLE 8.

Internal duties, which are now being levied or may be levied hereafter in the territory of one of the contracting parties for account of the State, of committees, or of societies, for the production, preparation, forwarding, sale, or consumption of any article,

dürfen auch den gleichartigen Erzeugnissen des anderen Teils auferlegt werden, diese jedoch unter keinem Vorwand höher oder in lästigerer Weise treffen als die Erzeugnisse des eigenen Landes. Soweit innere Abgaben auf Rohstoffe oder Halbwaren gelegt werden, soll die Feststellung eines angemessenen Steuerausgleichs für die Einfuhr von Erzeugnissen, welche aus solchen Rohstoffen oder Halbwaren gewonnen werden, auch dann statthaft sein, wenn die gleichartigen inländischen Erzeugnisse nicht unmittelbar den Gegenstand der Abgabe bilden.

Es bleibt jedem der vertragsschließenden Teile unbenommen, geeignete Waren einem Staatsmonopol oder einer zur Gewinnung von Staatseinnahmen dienenden monopolähnlichen Regelung zu unterwerfen. Die vorstehenden Grundsätze finden in diesem Falle entsprechende Anwendung.

Artikel 9.

Bei der Ausfuhr von Waren aus einem der beiden Länder nach dem anderen dürfen keine anderen oder höheren Ausgangsabgaben erhoben werden als bei der Ausfuhr nach dem in dieser Beziehung meistbegünstigten Lande. Auch jede sonst von einem der vertragsschließenden Teile einer dritten Macht für die Ausfuhr zugestandene Begünstigung wird ohne weiteres und bedingungslos dem andern zuteil werden.

Artikel 10.

Die Waren aller Art, welche durch das Gebiet eines der beiden Teile durchgeführt werden, sollen wechselseitig von jeder Durchgangsabgabe frei sein, sei es, daß sie unmittelbar durchgeführt werden, sei es, daß sie während der Durchfuhr abgeladen, eingelagert und wieder aufgeladen werden.

Artikel 11.

Die Bestimmungen des gegenwärtigen Vertrags berühren nicht:

may be levied on similar articles of the other party, but under no pretext at a higher rate or in a more oppressive fashion than on the produce of the home country. In so far as internal duties are levied on raw materials and half finished products, the making of a suitable tax agreement for the importation of such products made from such raw materials and half finished products shall be admissible, even in cases similar home products are not taxed directly.

Each of the contracting parties is at liberty, for the purpose of obtaining national income, to establish a monopoly on suitable articles, or to subject the same to regulations analogous to a monopoly. In this case the foregoing regulations are made correspondingly applicable.

ARTICLE 9.

In exporting goods from either of the two countries into the other, no other nor higher export duties shall be levied than those levied on exports into the most favored country. Furthermore, any advantage granted on exports of one of the contracting parties to a third country is automatically and unconditionally extended to the other party.

ARTICLE 10.

Goods of any kind, passing through the territory of either of the parties, shall reciprocally be exempt from any transit dues, irrespective of whether they go through immediately or be unloaded while in transit, warehoused, and then reloaded.

ARTICLE 11.

The stipulations of the present agreement do not affect:

1. die Begünstigungen, welche anderen angrenzenden Staaten zur Erleichterung des örtlichen Verkehrs innerhalb einer Grenzzone bis zu 15 km. Breite gegenwärtig gewährt sind oder in Zukunft gewährt werden sollten,

2. die Begünstigungen, welche einer der beiden vertragschließenden Teile einem anderen Staat auf Grund einer bestehenden oder künftigen Zollvereinbarung gewährt oder gewähren wird,

3. die Begünstigungen, welche für die Einfuhr oder Ausfuhr den Bewohnern des Gouvernements Archangel gegenwärtig gewährt sind oder in Zukunft gewährt werden sollten.

Doch soll die deutsche Einfuhr in gleicher Weise alle der Einfuhr eines europäischen oder nordamerikanischen Staates in dieses Gebiet eingeräumten Zollerleichterungen mitgenießen.

Artikel 12.

Kaufleute, Fabrikanten und andere Gewerbetreibende, welche sich durch den Besitz einer von den Behörden des Heimatlandes ausgesetzten Gewerbelegitimationskarte darüber ausweisen, daß sie in dem Staate, wo sie ihren Wohnsitz haben, zum Gewerbebetrieb berechtigt sind, sollen befugt sein, persönlich oder durch die in ihren Diensten stehenden Reisenden in dem Gebiete des anderen vertragschließenden Teiles Wareneinkäufe zu machen oder Bestellungen, auch unter Mitführung von Mustern, zu suchen. Die gedachten Kaufleute, Fabrikanten und anderen Gewerbetreibenden oder Handlungsreisenden sollen wechselseitig in den beiden Ländern hinsichtlich der Pässe und der den Handelsbetrieb treffenden Abgaben wie die Angehörigen der meistbegünstigten Nation behandelt werden.

Die mit einer Gewerbelegitimationskarte versehenen Gewerbetreibenden (Handlungsreisenden) dürfen wohl Warenmuster aller Art, aber keine Waren

1. Advantages which are granted now, or may be granted in the future, to other adjacent countries for facilitating local intercourse, within a boundary zone of fifteen kilometers in width.

2. Advantages which either of the contracting parties grants or will grant in the future to another country in virtue of an existing or future customs union.

3. Import or export advantages which are granted now, or may be granted in the future, to the inhabitants of the province of Archangel.

However, German imports into that territory shall enjoy, to an equal extent, all customs advantages granted to any European or North American country.

ARTICLE 12.

Merchants, manufacturers, and other persons engaged in industrial enterprises who prove by presentation of a legal certificate issued to them by the authorities of their home country that they have the right to engage in commercial dealings in the country where they reside permanently, may, either personally or through commercial travelers in their employ, purchase goods in the territory of the other contracting party, or solicit orders, bringing with them samples of goods. The said merchants, manufacturers, or other persons engaged in industrial pursuits, as well as commercial travelers, shall reciprocally enjoy in both countries the same rights as regards passports and dues on commercial dealings as do the subjects of the most favored nation.

Persons provided with a certificate entitling them to engage in industrial pursuits (commercial travelers) may carry with them

mit sich führen. Für zollpflichtige Gegenstände, welche als Muster von den vorbezeichneten Handlungsreisenden eingebracht werden, wird beiderseits Befreiung von Eingang- und Ausgangs-abgaben unter der Voraussetzung zugestanden, daß diese Gegenstände, falls sie nicht verkauft worden sind, binnen einer Frist von einem Jahre wieder ausgeführt werden, und die Identität der ein- und wieder ausgeführten Gegenstände außer Zweifel ist, wobei es gleichgültig sein soll, über welches Zollamt die Gegenstände ausgeführt werden.

Die Wiederausfuhr der Muster muß in beiden Ländern bei der Einfuhr durch Niederlegung des Betrages der bezüglichen Zollgebühren oder durch Sicherstellung gewährleistet werden.

Die vertragschließenden Teile werden sich gegenseitig Mitteilung darüber machen, welche Behörden zur Erteilung von Gewerbelegitimationskarten befugt sein sollen, nach welchem Muster diese Karten ausgefertigt werden, und welche Vorschriften die Reisenden bei Ausübung des Gewerbebetriebes zu beachten haben.

Die Angehörigen des einen der vertragschließenden Teile, welche sich in das Gebiet des anderen zum Besuche der Messen und Märkte begeben, um dort Handel zu treiben oder ihre Erzeugnisse feilzuhalten, werden wechselseitig wie die Inländer behandelt und keinen höheren Abgaben als diese unterworfen werden.

Artikel 13.

Sinsichtlich des gegenseitigen Schutzes des Urheberrechtes an Werken der Literatur, Kunst und Photographie sollen im Verhältnis zwischen Deutschland und Rußland die Bestimmungen des zwischen dem Deutschen Reiche und Rußland geschlossenen Vertrages vom 28. Februar 1913 gelten.

Sinsichtlich des gegenseitigen Schutzes der Warenbezeichnungen sollen die Be-

samples of any kind, but not goods. Articles, liable to duty, which are brought in by the above mentioned persons, are exempted, by both parties, from both import and export duties, but on condition that, in case these articles are not sold, they be taken out again within a year's time, and that there be no doubt as to the identity of the articles brought in and taken out again. It is immaterial through which custom house the goods are taken out.

The taking out of samples of merchandise must be guaranteed, when imported, by making a deposit of the amount of the respective customs duty, or by some other guarantees.

The contracting parties will inform each other as to what authorities are entitled to issue certificates for the privilege of engaging in industrial enterprises, of the form which these certificates will take, and the rules which the travelers must reserve during the time of their industrial activities.

The subjects of either of the contracting parties, going into the territory of the other to visit fairs and bazaars, to trade or to sell their products, are mutually placed, by both parties, in the same position as the native inhabitants and shall not be subjected to higher dues.

ARTICLE 13.

In regard to mutual safeguarding of author's rights as regards literary, artistic, or photographic products, the stipulations of the agreement concluded between the German Empire and Russia under date of 28 February 1913, shall apply in the relations between Germany and Russia.

In regard to mutual safeguarding of trade-marks, the stip-

ftimmungen der Deklaration vom 23./11. Juli 1873 auch in Zukunft maßgebend sein.

Artikel 14.

Die deutschen Schiffe und ihre Ladungen sollen in Rußland, und die russischen Schiffe und ihre Ladungen sollen in Deutschland ganz, wie die inländischen Schiffe und Ladungen behandelt werden, gleichviel, von wo die Schiffe ausgelaufen oder wohin sie bestimmt sind, und woher die Ladungen stammen oder wohin sie bestimmt sind.

Jedes Vorrecht und jede Befreiung, welche in dieser Beziehung von einem der vertragsschließenden Teile einer dritten Macht eingeräumt werden sollte, soll ohne weiteres und bedingungslos auch dem anderen Teile zustehen.

Von den vorstehenden Bestimmungen wird jedoch eine Ausnahme gemacht:

a) in betreff derjenigen besonderen Begünstigungen, welche dem inländischen Fischfang und dessen Erzeugnissen in dem einen oder dem anderen Lande jetzt oder in Zukunft gewährt werden sollten,

b) in betreff der jetzt oder künftig der nationalen Kauffahrteiflotte gewährten Begünstigungen.

Die Bestimmungen des gegenwärtigen Vertrages finden keine Anwendung auf die Küstenschifffahrt, welche nach wie vor durch die in jedem der beiden Länder jetzt oder künftig in Kraft stehenden Gesetze geregelt wird. Immerhin soll es den deutschen und russischen Schiffen freistehen, aus einem Hafen des einen der beiden vertragsschließenden Länder nach einem oder mehreren Häfen desselben Landes zu fahren, sei es, um dort die aus dem Auslande mitgebrachte Ladung ganz oder teilweise zu löschen, oder um eine nach dem Auslande bestimmte Ladung einzunehmen oder zu ergänzen.

Artikel 15.

Die Nationalität der Schiffe soll beiderseits nach den jedem Lande eigen- tümlichen Gesetzen und Verordnungen

ulations of the declaration of 23/11 July, 1873,¹ shall govern also in the future.

ARTICLE 14.

German vessels and their cargoes in Russia, as well as Russian vessels and their cargoes in Germany, shall be placed on the same footing as local ships and cargoes, regardless of where the vessel sailed from or whither bound, regardless also of the origin or destination of their cargoes.

Every prerogative and every immunity which may be granted by one of the contracting parties to a third country, shall be extended automatically and unconditionally to the other party.

However, exception is made from the foregoing stipulations:

a) In regard to those special privileges which, in either country, now exist, or may be granted in the future, to the home fisheries and their produce:

b) In regard to the privileges granted now or in the future to the national merchant fleet.

The stipulations of the present agreement do not apply to coast-wise shipping which, as heretofore, shall be regulated in both countries by existing or future laws. However, in any case German and Russian vessels shall be permitted to sail from a port of one of the contracting parties to one or more ports of the same country, whether for complete or partial discharge of the cargo brought from abroad, or for taking on or completing a cargo destined for abroad.

ARTICLE 15.

The nationality of vessels is recognized by both parties in accordance with the laws and

auf Grund der an Bord befindlichen, durch die zuständigen Behörden ausgestellten Urkunden und Patente anerkannt werden.

Die von den einem der vertragschließenden Teile ausgestellten Schiffsmeßbriefe werden nach Maßgabe der zwischen den beiden vertragschließenden Teilen getroffenen oder zu treffenden besonderen Vereinbarungen von dem anderen Teile anerkannt werden.

Artikel 16.

Die deutschen Schiffe, welche nach einem russischen Hafen, und umgekehrt die russischen Schiffe, welche nach einem deutschen Hafen kommen, nur um dort ihre Ladung zu vervollständigen oder einen Teil derselben zu löschen, sollen, vorausgesetzt, daß sie sich nach den Gesetzen und Vorschriften des betreffenden Staates richten, den nach einem anderen Hafen desselben oder eines anderen Landes bestimmten Teil ihrer Ladung an Bord behalten und ihn wieder ausführen können, ohne gehalten zu sein, für diesen Teil ihrer Ladung irgendwelche Gefälle zu bezahlen, außer den Aufsichtsabgaben, welche übrigens nur nach dem für die inländische Schifffahrt bestimmten Satze erhoben werden dürfen.

Artikel 17.

Von Tonnengeldern und Abfertigungsgebühren sollen in den Häfen eines jeden der beiden Länder völlig befreit sein:

1. die Schiffe, welche von irgendeinem Orte mit Ballast ein- und damit wieder auslaufen;
2. die Schiffe, welche aus einem Hafen des einen der beiden Länder nach einem oder mehreren Häfen desselben Landes kommen und sich über die in einem anderen Hafen desselben Landes bereits erfolgte Zahlung jener Abgaben ausweisen können;
3. die Schiffe, welche freiwillig oder notgedrungen mit La-

regulations of each country, on the basis of documents and letters patent issued by the proper authorities and found on the vessel.

Certificates of tonnage measurement, issued by either of the contracting parties, shall be recognized by the other party in accordance with special agreements concluded, or to be concluded between the contracting parties.

ARTICLE 16.

German vessels, arriving at a Russian port, and on the other hand, Russian vessels arriving at a German port, merely for the purpose of completing their cargo there, or for partially discharging the same, may retain and bring out again a definite part of the cargo destined for another port of the same country or for another country on condition that they observe the laws and regulations of the country in question; in this case they are not obliged to pay any dues for this part of their cargo with the exception of the inspection fees, which shall, however, be levied only at the rate established for local vessels.

ARTICLE 17.

From tonnage dues and clearance fees are wholly exempt in the ports of either country:

1. Vessels arriving from any place in ballast and leaving again in ballast;
2. Vessels which, coming from a harbor of one of the two countries into one or more harbors of the same country, can prove that they paid the said fees in another harbor of the same country;
3. Vessels which voluntarily or of necessity arrive

zung nach einem Hafen kommen und ihn, ohne irgendmie Handel betrieben zu haben, wieder verlassen.

Diese Befreiung wird nicht gewährt, für Leuchtturm-, Lotsen-, Remorkierungs-, Quarantäne- und sonstige auf dem Schiffskörper lastende Abgaben, welche für dem Verkehr dienende Leistungen und Vorkehrungen in gleichem Maße von den inländischen und von den Schiffen der meistbegünstigten Nation zu entrichten sind.

Ist das Einlaufen durch Not veranlaßt worden, so gelten nicht als Ausübung des Handelsbetriebes das zur Ausbesserung des Schiffes erfolgte Lösen und Wiedereinladen der Waren, das Überladen auf ein anderes Schiff im Falle der Seeuntüchtigkeit des ersten, die zur Verproviantierung der Schiffsmannschaft notwendigen Aufwendungen und der Verkauf der beschädigten Waren mit Genehmigung der Zollverwaltung.

Artikel 18.

Wenn ein Schiff eines der vertragsschließenden Teile an den Küsten des anderen Teiles strandet oder Schiffbruch leidet, sollen Schiff und Ladung dieselben Begünstigungen und Befreiungen genießen, welche die Gesetzgebung des betreffenden Landes den eigenen Schiffen in gleicher Lage bewilligt. Es soll jederlei Hilfe und Beistand dem Führer und der Mannschaft sowohl für ihre Person wie für Schiff und Ladung geleistet werden.

Die vertragsschließenden Teile kommen außerdem überein, daß die geborgenen Waren keiner Zollabgabe unterliegen sollen, es sei denn, daß sie in den inländischen Verbrauch übergehen.

Artikel 19.

Die Benutzung der Chausseen und sonstigen Straßen, Kanäle, Schleusen, Fähren, Brücken und Brückenöffnungen, der Häfen und Landungsplätze, der Bezeichnung und Beleuchtung des Fahr-

with cargo at a port and leave it without having effected any trade.

This exemption shall not extend to lighthouse, pilotage, towing, quarantine, or other dues which are payable on the vessel for services rendered or apparatus used, and which are established in the interest of traffic, and which are equally payable by native ships, and by those belonging to the most favored nation.

If a vessel came to the port through necessity, the unloading and reloading of merchandise necessitated by repairs to the ship, the transferring of cargo into another vessel on account of the unworthiness of the former, the purchases of necessary provisions for the crew, the sale of deteriorated goods with the consent of the customs authorities, shall not be considered as a commercial transaction.

ARTICLE 18.

In case a vessel of one of the contracting parties is stranded or wrecked on the coast of the other country, the vessel, as well as the cargo, shall enjoy the same advantages and immunities which the laws of the respective countries extend to its own vessels in similar circumstances. All aid and assistance shall be given to the master and to the crew, as regards their persons, the ship, and the cargo.

The contracting parties are further agreed that salvaged goods shall not be subject to customs duties unless intended for local consumption.

ARTICLE 19.

The use of highways and other thoroughfares, canals, locks, ferries, bridges, and bridge openings, harbors and quays, channel-marks and lights, pilots, lifting cranes

wassers, des Lotsenwesens, der Krane und Wageanstalten, der Niederlagen, der Anstalten zur Rettung und Bergung von Schiffsgütern und dergleichen mehr sollen, insoweit die Anlagen oder Anstalten für den öffentlichen Verkehr und den Handel im allgemeinen bestimmt sind, gleichviel, ob sie vom Staate oder mit staatlicher Genehmigung von Privatpersonen verwaltet werden, den Angehörigen des anderen vertragschließenden Theiles unter gleichen Bedingungen und gegen Zahlung gleicher Gebühren wie den Angehörigen des eigenen Staates gestattet werden.

Solche Gebühren dürfen, vorbehaltlich der beim Seebeleuchtungs- und See-
lotenwesen zulässigen abweichenden Bestimmungen, nur bei wirklicher Benutzung solcher Anlagen oder Anstalten erhoben werden.

Artikel 20.

Die beiden vertragschließenden Theile behalten sich das Recht vor, ihre Eisenbahntransporttarife nach eigenem Ermessen zu bestimmen.

Jedoch soll weder hinsichtlich der Beförderungspreise noch hinsichtlich der Zeit und der Art der Abfertigung zwischen den Bewohnern der Gebiete der vertragschließenden Theile ein Unterschied gemacht werden. Insbesondere sollen für die von Rußland nach einer deutschen Station oder durch Deutschland beförderten Gütertransporte auf den deutschen Bahnen keine höheren Tarife angewendet werden, als für gleichartige deutsche oder ausländische Erzeugnisse in derselben Richtung und auf derselben Verkehrsstrecke erhoben werden. Das gleiche soll auf den russischen Bahnen für Gütertransporte aus Deutschland gelten, welche nach einer russischen Station oder durch Rußland befördert werden.

Ausnahmen von vorstehenden Bestimmungen sollen nur zulässig sein, soweit es sich um Transporte zu ermäßigten Preisen für öffentliche oder milde Zwecke handelt.

and scales, warehouses, coast-guards and institutions for salvage and safe-keeping of ships' cargoes, and so forth, in so far as these constructions or institutions are intended for general communication and for public traffic and trade in general, irrespective of whether they are managed by the State, or by private persons with the consent of the State, shall be granted to the subjects of the other contracting party on the same conditions and against payment of equal dues as to the subjects of the home country.

With the exception of deviations permissible in regard to lighthouses and pilots, these dues shall only be levied if the above mentioned constructions and institutions have actually been utilized.

ARTICLE 20.

Both contracting parties reserve the right to establish their own railway tariffs at their own discretion.

However, neither in respect to freight rates nor in respect to the time and method of forwarding shall any difference be made between the subjects of either contracting party. Especially on consignments of goods coming from Russia and destined for a German station, or passing through Germany in transit, no higher rates shall be levied on German railways than on similar German or foreign products going in the same direction and on the same section of the road. The same shall apply on Russian railways for consignments of goods from Germany destined for Russian stations or passing through Russia in transit.

Exceptions from the foregoing stipulations shall be admissible only in so far as consignments at reduced rates for public or charitable purposes are concerned.

8. RUSSIA—GERMANY.

FINAL PROTOCOL TO SUB-APPENDIX 1 OF APPENDIX II TO THE PEACE TREATY BETWEEN RUSSIA AND THE CENTRAL POWERS. SIGNED 3 MARCH, 1918.¹

[German text as published in Reichs-
Gesetzblatt, No. 77, 11 June, 1918.]

[Translation.]

Erster Teil.

PART FIRST

Zum Vertragstext.

REFERRING TO THE TEXT OF THE TREATY

Zu Artikel 1.

To Article 1.

Gesamhaltungsgegenstände, die schon
gebraucht und Bestandteile des Mobi-
liars von Angehörigen eines der ver-
tragschließenden Teile sind, die im
Begriffe sind, sich im Gebiete des
anderen Teiles niederzulassen, sollen in
dem letzteren keinerlei Eingangszoll
unterworfen sein.

Die deutschen Berufskonsulate und
die Beamten der diplomatischen sowie
der gedachten konsularischen Vertretun-
gen, die von der Deutschen Regierung
nach Rußland entsandt sind, sollen so-
wohl für die Zeitungen wie für die
Erzeugnisse der Wissenschaften, der
Künste und der Belletristik gegenüber
der russischen Zensur volle und ganze
Freiheit genießen.

Die nach Artikel 2 des Vertrages
zwischen Deutschland und Rußland vom
8. Dezember/26. November 1874 den
Konsulatsbeamten zustehenden Vor-
rechte und Befreiungen werden auch
den den deutschen Konsulaten in Ruß-
land beigegebenen Spezialbeamten so-
wie den Agenten des russischen Finanz-
ministeriums und ihren Sekretären
(oder Attachés) in Deutschland zuge-
standen.

Household effects which have
already been in use and movable
property of subjects of either con-
tracting party who intend to set-
tle on the territory of the other
party, shall be exempt in the
latter territory from any import
duties.

German official consulates and
the employes of diplomatic and
of said consular institutions dis-
patched to Russia, shall have the
right to receive newspapers and
works of science, art, and litera-
ture, entirely exempt from the
Russian censorship.

The privileges and immunities
accorded, as per Article 2 of the
Treaty between Germany and
Russia of 8 December/26 Novem-
ber, 1874,² to consular employes,
are also extended to special offi-
cials attached to German consu-
lates in Russia and also to the
agents of the Russian Ministry of
Finance and to their secretaries
(or attachés) in Germany.

¹ Ratifications exchanged at Berlin, 29 March, 1918 (*Neue Freie Presse*, 6 July, morning edition;
cf. *infra*, p. 139).

² 65 *British and Foreign State Papers*, p. 244.

Zu Artikel 1 und 12.

Im Passwesen werden die Angehörigen beider Teile wie die der meistbegünstigten Nation behandelt werden.

Die Gültigkeitsdauer des Passvisa wird in Rußland auf einen Zeitraum von sechs Monaten erstreckt.

Diese Bestimmung erstreckt sich auch auf das Passvisa der deutschen Handlungsreisenden mosaischer Religion.

Die Gebühr für die Erteilung der Auslandspässe an die in Rußland wohnenden Deutschen wird den Betrag von 50 Kopeken nicht übersteigen. Rußland wird auch künftig für die Gültigkeit der Legitimationscheine, welche innerhalb einer Grenzzone von 30 Kilometern Geltung haben, und den Inhaber, wie dies gegenwärtig der Fall ist, zum mehrmaligen Überschreiten der Grenze an beliebigen Grenzübergängen berechtigen, eine Dauer von 28 Tagen bewilligen. Diese Gültigkeitsdauer wird beiderseitig vom Tage der ersten Benutzung des Scheines zum Grenzübertritt an mit der Maßgabe berechnet werden, daß die gedachten Scheine ihre Gültigkeit verlieren, wenn sie nicht zum ersten Male spätestens am fünfzehnten Tage, vom Tage der Ausfertigung an gerechnet, benutzt werden. Diese Dauer von 28 Tagen wird in keinem Falle durch den während der Gültigkeitsdauer der Legitimationscheine eintretenden Jahreswechsel berührt werden. Die in zwei Sprachen, in Deutsch und in Russisch, abgefaßten Legitimationscheine sollen beiderseits nur den eigenen Staatsangehörigen und denjenigen Angehörigen des anderen Landes erteilt werden, welche in dem Lande wohnen, wo die Scheine ausgestellt werden.

Das Datum des Übertritts über die Grenze wird künftig von den deutschen und russischen Behörden sowohl nach der deutschen wie nach der russischen Zeitrechnung auf den Scheinen vermerkt werden.

Die Scheine werden auch künftig, wie dies gegenwärtig der Fall ist, ebenso wie an Christen auch an Israeliten verabfolgt werden.

To Articles 1 and 12.

In regard to passports the subjects of both countries are placed on a footing with the most favored nation.

The passport visé in Russia holds good for six months.

The decision includes the visé of the passports of German commercial travelers of the Hebrew faith.

The fee for issuing foreign passports to Germans living in Russia is not to exceed 50 Copecks. Russia will in the future also grant a term of 28 days for the validity of legitimation certificates available within the limits of a frontier zone 30 kilometers wide, allowing the bearers the right of repeatedly crossing the frontier at different points as at present. This term will be reckoned by both parties from the day on which the certificate is first used for crossing the frontier, but the certificates expire if not used for the first time at the latest within fifteen days after the date of issue. This term of 28 days is in no way affected by the beginning of a new year during the time for which the certificate is available. These certificates, which shall be issued in two languages, German and Russian, are to be given by either country only to its own subjects and to such subjects of the other State who reside in the country in which the certificate is issued.

The day on which the frontier is crossed will in future be marked on the certificate by both Russian and German authorities; according to both the Russian and German calendar.

Certificates will be given in future, as at present, both to Christians and Hebrews.

Jeder vertragschließende Teil wird die Zeitwanderung seiner Angehörigen in das Gebiet des anderen Teiles zur Beschäftigung in landwirtschaftlichen und gewerblichen Betrieben gestatten und sie in keiner Weise, insbesondere auch nicht durch Paßerschmerzen, hindern. Die Vertreter von staatlich beaufsichtigten Organisationen, die im Gebiete des einen Teiles zur Vermittelung der Anwerbung solcher Arbeiter gegründet sind und die von der Regierung dieses Teiles der Regierung des anderen Teiles bezeichnet werden, sollen im Gebiete des letzteren ohne weiteres zugelassen werden und ihre Vermittlungstätigkeit ungehindert ausüben dürfen.

Die russischen Arbeiter, welche nach Deutschland kommen, um daselbst in landwirtschaftlichen Betrieben oder Nebenbetrieben zu arbeiten, sollen wie bisher kostenfrei mit Legitimationspapieren, gültig vom 1. Februar bis 20. Dezember neuen Stils, versehen werden. Auch diese Papiere sollen in deutscher und in russischer Sprache abgefaßt sein.

Zu Artikel 3.

Soweit die Angehörigen eines dritten Staates auf Grund der in Kraft stehenden Verträge und Übereinkommen von der Vormundschaft in Rußland befreit sind, sollen die deutschen Reichsangehörigen in Rußland hinsichtlich der Vormundschaft über nichtdeutsche Minderjährige dieselbe Vergünstigung genießen.

Zu Artikel 5.

Die von der deutschen Regierung gegenüber der russischen Einfuhr getroffenen veterinären Maßnahmen können nicht in strengerer Form eingeführt werden als diejenigen gegenüber von Staaten, welche sich hinsichtlich der Tierseuchen und der veterinären Einrichtungen in demselben Zustande befinden wie Rußland.

Each contracting parties will allow its subjects to pass temporarily to the territory of the other party for agricultural and industrial purposes and will raise no obstacles particularly as regards passport regulations. The representatives of organizations under state inspection which are established in the territory of one party to act as agencies for enlisting such workmen, and regarding which the government of this party will notify the government of the other party, are without further formalities admitted within the territory of the latter and may exercise without hindrance their functions as agents.

Russian workmen entering Germany for agricultural or other kindred occupations, shall be provided as heretofore, free of charge, with legitimation papers valid from 1 February to 20 December, new style.

These papers also shall be written in the Russian and German languages.

To Article 3.

In so far as the subjects of a third State, on the strength of existing treaties and agreements, are exempt in Russia from guardianship, German subjects in Russia shall enjoy the same privilege in respect to guardianship of non-German minors.

To Article 5.

Veterinary measures introduced by the German Government with regard to Russian import may not be applied more strictly than with regard to States which, in respect to contagious diseases of animals and in respect to veterinary institutions, are in the same condition as Russia.

Diese Bestimmung findet keine Anwendung auf die veterinären Abmachungen zwischen Deutschland und Osterreich-Ungarn.

Die Zahl der lebenden Schweine, deren Einfuhr nach Oberschlesien auf Grund der bestehenden Bestimmungen zugelassen ist, wird auf 2500 Stück wöchentlich erhöht.

Fleisch, welches im Sinne des deutschen Fleischbeschaugesetzes vom 3. Juni 1900 als zubereitet anzusehen ist, wird zur Einfuhr nach Deutschland nach Maßgabe der Bestimmungen des erwähnten Gesetzes zugelassen werden.

Die in den Absätzen 3 und 4 der gegenwärtigen Bestimmung enthaltenen Zugeständnisse können zeitweise widerrufen oder aufgehoben werden, wenn außergewöhnliche Gründe veterinärpolizeilicher Natur dies notwendig machen.

Zu den Artikeln 5, 6, 7, 9 und 10.

Im Hinblick darauf, daß zur Zeit in Rußland gewisse Waren bei der Einfuhr über die Landgrenze höheren Zollsätzen unterliegen als bei der Einfuhr über die Ostsee, besteht Einverständnis darüber, daß vom Tage des Inkrafttretens des gegenwärtigen Vertrages die Zölle bei der Einfuhr über die Landgrenze auf die Sätze der Zölle bei der Einfuhr über die Ostsee ermäßigt werden sollen, und daß kein neuer, die Einfuhr über die Seegrenze begünstigender Unterscheidungszoll eingeführt werden darf.

Die Deutsche Regierung verpflichtet sich ihrerseits, an keiner Grenze des Deutschen Reiches andere oder günstigere Zölle einzuführen als an der Ostgrenze.

Zu Artikel 6.

Der Deutsche Bundesrat wird während der ganzen Dauer des gegenwärtigen Vertrages von seinem Rechte, die Genehmigung zur Errichtung von gemischten Getreidetransitlagern in Königsberg, Danzig, Altona, Mannheim

This regulation does not apply to agreements relative to veterinary measures between Germany and Austria-Hungary.

The number of live pigs, which according to existing regulations may be imported into upper Silesia is increased to twenty-five hundred per week.

Meat, which by the German Meat Inspection Law of 3 June, 1900, is considered as dressed, is allowed to be imported into Germany in accordance with regulations of the law referred to.

The concessions stipulated in paragraphs 3 and 4 preceding, may be temporarily suspended or revoked, if this is necessitated by extraordinary considerations arising from veterinary supervision.

To Articles 5, 6, 7, 9, and 10.

Whereas in Russia at the present time certain goods are subject to higher customs duty, when imported across the land frontier, than when imported by the Baltic Sea, the parties are agreed that from the day of the coming into force of the present treaty, the duties on imports across the land frontier shall be reduced to conform with the rates of duty on imports by the Baltic Sea and that no new tariff be introduced discriminating in favor of imports by sea.

The German Government on its part binds itself not to introduce on any frontier of the German Empire different or more favorable customs duties than on its eastern frontier.

To Article 6.

The German Federal Council will not avail itself at any time during the life of the present treaty of its prerogative to revoke the permission given for establishing mixed warehouses

und Ludwigshafen zu widerrufen, seinen Gebrauch machen.

for grain in transit at Königsberg, Danzig, Altona, Mannheim, and Ludwigshafen.

Zu Artikel 6, 7 und 11.

To Articles 6, 7, and 11.

Die Boden- und Gewerbezeugnisse einer dritten Macht, welche durch das Gebiet eines der vertragschließenden Teile durchgeführt werden, sollen bei ihrem Eingang in das Gebiet des anderen Teiles keinen anderen oder höheren Zöllen unterworfen werden, als wenn sie direkt aus dem Ursprungslande eingeführt worden wären.

When the agricultural and industrial products of a third Power which are transported through the territory of one of the contracting parties, are imported into the other country, they shall not be subject to payment of other or higher duties than if they had been imported directly from the country of their origin.

Zu den Artikeln 6 bis 9.

To Articles 6 to 9.

Die Russische Regierung erklärt sich bereit, bei Zollzahlungen deutsche Goldmünzen durch die Zollämter annehmen zu lassen, und zwar 1000 Mark Gold als Gegenwert von 462 Rubel (1 Rubel = $\frac{1}{1\frac{1}{2}}$ Imperial). In dem gleichen Verhältnis werden die russischen Zollämter die deutschen Reichsbanknoten bei Zollzahlungen annehmen.

The Russian Government declares itself prepared to accept German gold coins in payment of customs duties, at the exchange rate of 1,000 Marks gold for 462 Roubles (1 Rouble = $\frac{1}{1\frac{1}{2}}$ Imperial). The Russian custom houses will accept German Imperial Bank Notes at the same rate of exchange in payment of customs duties.

Zu Artikel 6 und 7.

To Articles 6 and 7.

Die vertragschließenden Teile behalten sich das Recht vor, bei der Einfuhr von Waren, wenn diese je nach ihrem Herkunftsland einer unterschiedlichen Zollbehandlung unterliegen, zum Nachweize der einheimischen Erzeugung oder Bearbeitung die Vorlegung von Ursprungszeugnissen zu fordern. Es wird seitens der beiden Teile Fürsorge getroffen werden, daß die verlangten Zeugnisse den Handel möglichst wenig beengen.

In respect to the importation of goods, which are subject according to their country of origin to different customs duties, the contracting parties reserve the right to demand certificates of origin as evidence of domestic production or manufacture. Both parties will take care that the above certificates shall restrict trade as little as possible.

Zu Artikel 12.

To Article 12.

Um in Rußland das in Abs. 1 von Artikel 12 vorgesehene Recht ausüben zu können, müssen die daselbst benannten Personen mit besonderen Gewerbebescheinungen versehen sein, deren zugunsten des Staates erhobene Gebühr 150 Rubel für das ganze Jahr und 75 Rubel für die zweite Hälfte des Jahres nicht übersteigen soll.

In order to exercise in Russia the right provided for by Paragraph 1 of Article 12, the persons there mentioned shall be provided with special trade certificates, government fee for which shall not exceed 150 Roubles for a whole year and 75 Roubles for the second half of the year.

Wenn die mit den vorstehend erwähnten Gewerbescheinen versehenen Personen das in Abf. 1 von Artikel 12 vorgesehene Recht durch in ihrem Dienste stehende Handlungsreisende ausüben wollen, so müssen diese Handlungsreisenden außerdem mit einem persönlichen Gewerbeschein versehen sein, dessen Gebühr 50 Rubel für das ganze Jahr und 25 Rubel für die zweite Hälfte des Jahres nicht überschreiten wird.

Die in Abf. 1 der gegenwärtigen Bestimmung vorgesehenen Gewerbescheine können auf den Namen der Personen selbst, die sich nach Rußland begeben, ausgestellt werden, und dann sollen diese Personen nicht mehr gehalten sein, sich außerdem mit dem persönlichen Gewerbeschein zu versehen.

Sinsichtlich der Erteilung der Gewerbescheine und des Betrags der Gebühren dafür wird ein Unterschied zwischen den Personen der christlichen Religion und denjenigen der mosaischen Religion nicht gemacht werden.

Insoweit die Einfuhr von Feuerwaffen aus dem Ausland in Rußland nicht untersagt ist, können die deutschen reisenden Kaufleute Muster von solchen Waffen unter der ausdrücklichen Bedingung mit sich führen, das sie sich allen allgemeinen und örtlichen Vorschriften, welche bezüglich der Feuerwaffen in Kraft sind oder sein werden, unterwerfen.

Zu Artikel 14.

Die vertragschließenden Teile behalten sich eine besondere Vereinbarung über die Ausübung der Schifffahrt und der Flößerei auf den beide Länder unmittelbar oder mittelbar verbindenden Binnenwasserstraßen vor. Bis zum Abschluß dieser Vereinbarung darf von deutschen Schiffen, ihrer Besatzung und deutschen Flößern auf russischen Binnenwasserstraßen und von russischen Schiffen, ihrer Besatzung und russischen Flößern auf deutschen Binnenwasserstraßen die Schlep- und Handelschifffahrt, einschließlich der Beförderung

If persons provided with the said trade certificates desire to exercise the right stipulated in Paragraph 1 of Article 12, through commercial travelers in their employ, the latter shall be provided with special personal trade certificates, the fee for which must not exceed 50 Roubles for a whole year or 25 Roubles for the second half of a year.

Trade certificates, provided for by paragraph 1 of the present regulation, may be issued in the names of persons going to Russia, and in this case such persons do not need to provide themselves with personal trade certificates.

With the issuing trade certificates and the collecting of fees for same, no distinction will be made between those professing the Christian and the Hebrew religions.

In so far as the importation of firearms into Russia is not prohibited, German merchants may bring with them samples of such weapons, but only under the express condition that these merchants submit to all general and local regulations which are or will be in force regarding firearms.

To Article 14.

The contracting parties reserve to themselves the right of concluding a special agreement regarding navigation and rafting on inland waters which directly or indirectly connect both countries. Until the conclusion of this agreement German vessels, their crews, and German raftsmen on Russian inland waterways, and Russian vessels, their crews, and Russian raftsmen on German inland waterways may engage in towing and commercial navigation, including the transportation

von Fahrgästen, sowie die Flößerei unter den gleichen Bedingungen wie von Inländern ausgeübt werden.

Die deutschen Schiffe, welche auf den die beiderseitigen Landesgrenzen verbindenden Binnenschiffahrtswegen nach Rußland fahren, um später nach Deutschland zurückzukehren, werden ohne Zahlung oder Sicherstellung des Einfuhrzolls nach Rußland eingelassen werden.

Die Frist, innerhalb welcher solche Schiffe wieder nach Deutschland ausgeführt werden müssen, wird auf zwei Jahre von dem Tage ihres Eingangs nach Rußland an festgesetzt. Wenn das Schiff in Rußland verkauft wird oder länger als zwei Jahre daselbst verbleibt, ist der betreffende Eingangszoll dafür zu entrichten. Die gedachte Frist soll verlängert werden, wenn das Schiff durch vom Willen des Schiffsführers nicht abhängige Umstände, wie niedriger Wasserstand, beträchtliche Reparaturen erfordernde Havarie oder andere ähnliche Ursachen, zurückgehalten wird. Der Eingangszoll wird nicht erhoben, wenn das Schiff durch Feuer oder Schiffbruch zugrunde geht.

Die Scheine, welche die Verpflichtung zur Wiederausfuhr der Schiffe oder zur Zahlung des Eingangszolls enthalten, sollen von jeder Gebühr befreit sein.

Während des Aufenthalts des Schiffes in Rußland wird der Schiffseichschein von den russischen Zollbehörden in Verwahrung genommen.

Zu Artikel 20.

Die vertragschließenden Teile werden einander im Eisenbahntarifwesen, insbesondere durch Herstellung direkter Frachttarife, tunlichst unterstützen. Namentlich sollen solche direkte Frachttarife nach den deutschen Häfen Danzig (Neufahrwasser), Königsberg (Pillau) und Memel zur Vermittlung sowohl der Ausfuhr aus als der Einfuhr nach Rußland den Bedürfnissen des Handels entsprechend eingeführt werden.

of passengers as well as rafting under the same conditions as the natives themselves.

German vessels bound for Russia on inland waterways which connect both countries, intending to return to Germany, are admitted into Russia without having to pay import duty or making a deposit as security for same.

The time within which such vessels must return to Germany is two years from the day of their arrival in Russia. Should a vessel be sold in Russia or remain there more than two years, the corresponding import duty must be paid. Should the vessel be detained, owing to circumstances beyond the captain's control, such as low water level, average demand, considerable repairs, and other similar reasons, the above-mentioned period must be extended. Import duties are not levied should the vessel be lost through fire or wreck.

No fees shall be paid for certificates stipulating the re-exit of vessels or payment of import duties.

The certificate of the ship's gauge will be deposited with the Russian customs authorities for the term of the vessel's stay in Russia.

To Article 20.

The contracting parties will support each other, as far as possible, in the question of railroad tariffs, in particular by means of establishing through freight tariffs. Such through freight tariffs should be established to facilitate the export from Russia, as well as the import to Russia, in accordance with the demands of trade, particularly regarding the German ports, Danzig (Neufahrwasser), Königsberg (Pillau), and Memel.

Zugleich sollen die Frachtsätze für die im russischen Eisenbahntarif zum Getreide gerechneten Artikel sowie für Flach, Hanf und Holz von den russischen Abgabestationen bis zu den obenwähnten Häfen nach denjenigen Bestimmungen gebildet und unter die am Transport beteiligten deutschen und russischen Bahnen verteilt werden, welche für die nach den Häfen Libau und Riga führenden russischen Eisenbahnen jetzt in Kraft sind oder in Kraft treten werden. Dies gilt auch für den Fall einer Reexpedition. Die außer den Frachtsätzen erhobenen Zuschläge (Nebengebühren) sollen in gleicher Weise gebildet und der Betrag derselben nach den russischen Vorschriften unter die beteiligten Linien verteilt werden, wobei man darüber einverstanden ist, daß nur eine einzige Grenzgebühr, die den deutschen und russischen zur Grenze führenden Bahnen zu gleichen Teilen zufällt, erhoben werden darf.

Die zur Zeit bestehenden besonderen Bestimmungen zur Regelung des Wettbewerbs zwischen Königsberg und Danzig bleiben in Kraft.

Tarifvergünstigungen, welche auf den Eisenbahnen Deutschlands oder Rußlands für eine bestimmte Ware im Falle ihrer Einfuhr über einen Seehafen gewährt werden, sind auf Verlangen der betreffenden Regierung für die Beförderung entsprechender Erzeugnisse des anderen Landes auf den von der Landgrenze ausgehenden Eisenbahnen von der Grenzstation bis zur Empfangsstation zur Verfügung zu stellen. In diesem Falle wird das Maß der Vergünstigungen, auf den Kilometer bzw. auf die Werst berechnet, im Verkehr über die trockene Grenze das gleiche sein wie im Verkehr über den Seehafen.

Bei der Einfuhr über einen Seehafen wird ein Unterschied nach der Nationalität der Schiffe der vertrag-

In respect to the articles which in the Russian railroad tariff are classified under grain, also in regard to flax, hemp, and wood, freight tariffs from Russian stations of departure to the abovenamed ports shall be drawn up and distributed among German and Russian railways participating in the transportation, in accordance with the present regulations regarding Russian railways leading to the ports of Libau and Riga, or such regulations as may be subsequently introduced. The same holds good in the case of re-forwarding. Extra charges which may be collected in addition to the freight tariff rates shall be drawn up in the same manner and the total, in agreement with Russian regulations, shall be divided among the railroads concerned; in this connection, an agreement has been arrived at, to the effect that only one frontier tax shall be collected, divided equally between the Russian and German lines leading to the frontier.

The special provisions for regulating competition between Königsberg and Danzig which are now in force shall remain so.

Tariff favors granted on German or Russian railways to goods imported by sea, must, at the demand of the interested Government, be granted by railways leading from the frontier to similar products over the rail stretch from the frontier station to the receiving station. In this case the extent of the favors granted per kilometer or per verst in traffic across the inland frontier, should be the same as in traffic through sea ports.

No distinction, especially in respect to tariff rates, is to be made in regard to the nationality of the

schließenden Teile für die Weiterbeförderung der eingeführten Waren auf den Eisenbahnen oder Binnenwasserstraßen in keiner Weise, insbesondere auch nicht hinsichtlich der Tariffätze, stattfinden.

Die Russische Regierung wird dafür Sorge tragen, daß die Eisenbahnfrachttarife, welche für den Versand von Phosphoriten und anderen Phosphaten sowie von Erzen aus Rußland nach Deutschland bis zum 1. August 1914 bestanden haben, nicht in stärkerem Maße erhöht werden, als der durchschnittlichen allgemeinen Erhöhung der russischen Eisenbahnfrachttarife auf Entfernungen entspricht, wie sie den fraglichen Tarifen vor dem 1. August/19. Juli 1914 zugrunde gelegen haben. Auf Verlangen der Deutschen Regierung wird sie die Aufnahme neuer Versand- und Empfangsstationen in jene Tarife herbeiführen.

Die vertragsschließenden Teile stimmen überein, daß auf dem Gebiete des Eisenbahnwesens die gegenseitigen Verkehrsbeziehungen, wie sie vor dem Kriege zwischen Deutschland und Rußland bestanden haben, gefördert werden und jede Verschlechterung gegenüber dem früheren Zustande, die durch die Zerlegung des russischen Eisenbahnnetzes in einzelne selbständige Eisenbahnnetze entstehen könnte, nach Möglichkeit vermieden wird. Sie sind bereit, zu diesem Zwecke einem die Eisenbahnen Deutschlands, Rußlands und der aus dem Russischen Reich ausschließenden Staaten oder Verwaltungsgebiete bindenden Übereinkommen beizutreten, das namentlich die in Artikel 20 der vorstehenden Vereinbarung und in der vorliegenden Schlußprotokollbestimmung enthaltenen Abmachungen im obigen Sinne regeln und insbesondere auch das Spannungsverhältnis der vor dem Kriege gültig gewesenen Eisenbahntarife im Verkehr mit den Ostseehäfen und den Häfen des Schwarzen und Asowschen Meeres aufrecht halten wird.

importing vessels of the contracting parties, in case the imported goods are further transported by rail or by inland waterways.

The Russian Government will see to it that railway freight tariffs, for transportation from Russia to Germany of phosphorites and other phosphates, as well as ores, in force until 1 August, 1914, should not be increased to a greater extent than corresponds to the general average increase of the Russian railway tariffs in proportion to distances in the same way as these were used as a basis of the tariffs in question prior to 1 August /19 July, 1914. At the request of the German Government, the sea tariffs will be applied to new stations of departure and destination.

The contracting parties agree, that in regard to railway matters, mutual traffic relations between Germany and Russia shall be the same as before the war, and that disadvantages, which might result from the subdivision of the Russian railway system into independent railway systems, will be as far as possible removed. To this end both parties are prepared to concur in a convention, binding on the railways of Germany, Russia, and the States and administered territories which have detached themselves from the Russian Empire, to regulate in this sense the stipulations contained in Article 20 of the present treaty and in this concluding protocol, and especially to reestablish the continuity of railway tariffs, existing before the war, for communication with the ports of the Baltic Sea, the Black and the Azoff Seas.

Dritter Teil.

PART SECOND.

Zu den Zollreglements.

TO THE CUSTOMS REGULATIONS.

§ 1.

Die Befugnis zur Überweisung von Waren unter Zollkontrolle an andere Ämter wird beiderseits auf alle Zollämter erster Klasse, welche keine Eisenbahnverbindung mit den Lagerämtern haben, ausgedehnt werden. Doch ist dabei Bedingung, daß solche Sendungen den einschlägigen Gesetzen und Vorschriften unterworfen bleiben.

§ 2.

Es besteht beiderseitiges Einverständnis, daß die Zollämter der beiden Länder an allen Tagen des Jahres geöffnet bleiben, mit Ausnahme der Sonntage und der gesetzlichen Feiertage.

§ 3.

Die Dienststunden sollen in den Zollämtern der beiden Länder angeschlagen werden.

Die Dienststunden für die Revision der Reisepässe und der Legitimationskarten sollen für jeden Bezirk und jeden Grenzpunkt nach besonderer Vereinbarung zwischen den betreffenden Behörden der beiden Länder festgesetzt werden. Es sollen hierbei auf beiden Seiten die gleichen Stunden eingeführt, den örtlichen Bedürfnissen Rechnung getragen und bei den Zollämtern dritter Klasse, den Nebenzollämtern und den Übergangspunkten eine Unterbrechung des Dienstes für die Mahlzeiten der Beamten gewährt werden.

§ 4.

Zollpflichtige Waren, welche von Personen eingeführt werden, die sich im Besitze einer ordnungsmäßigen Legitimation zur Überschreitung der Grenze befinden, sollen auf beiden Seiten mündlich deklariert werden können, und zwar auf allen Zollämtern innerhalb ihrer Zuständigkeit, vorausgesetzt, daß diese

§ 1.

Authorization to consign goods under customs control to other custom houses is extended by both parties to all custom houses of the first class, which have no railroad communications with the offices having warehouses. It is stipulated, however, that such consignments remain subject to pertinent laws and regulations.

§ 2.

Both parties agree that the custom houses of both countries shall remain open every day of the year, except Sundays and legal holidays.

§ 3.

The time tables of office hours shall be posted in the custom houses of both countries.

Office hours for examination of passports and legitimation cards shall be fixed for each district and for each frontier crossing, by special agreement between the respective departments of the two countries. Both parties shall appoint the same hours, taking into account local needs, and in custom houses of the third class, in supplementary custom houses, and at frontier crossings, a recess shall be granted for the employees' meals.

§ 4.

Merchandise liable to customs duty, imported by persons having a duly executed permit to cross the frontier, may be declared orally in both countries and at all custom houses within the limits of their competency, provided the merchandise is not imported for

Waren nicht zu Handelszwecken eingeführt werden, und daß die Gesamtheit der zu erhebenden Zollgebühren nicht übersteigt:

fünfzehn Rubel für die Einfuhr nach Rußland, und
 fünfunddreißig Mark für die Einfuhr nach Deutschland.

Auf Grund dieser Ermächtigung sollen die Übergangspunkte das Recht haben, Mundvorräte (mit Ausnahme von Branntwein und anderen geistigen Getränken) sowie auch Erzeugnisse, die ausschließlich zum Hausgebrauch bestimmt sind, zollamtlich abzufertigen.

§ 5.

Unbeschadet der besonderen Bestimmungen hinsichtlich der Flußschiffe werden Fahrzeuge aller Art einschließlich der zugehörigen Ausrüstungsgegenstände, welche zur Zeit der Einfuhr zur Beförderung von Personen oder Waren dienen und nur aus dieser Veranlassung vorübergehend nach Rußland von Personen eingeführt werden, die den russischen oder deutschen Zollbehörden bekannt sind, von den russischen Behörden ohne Erlegung des Eingangszolls oder Sicherstellungsstellung für diesen Zoll eingelassen werden, sofern sich der Führer des Fahrzeuges verpflichtet daselbe binnen einer bestimmten Frist wieder auszuführen. Die schriftliche Ausfertigung der Verpflichtungsscheine soll unentgeltlich und ohne jede Gebührenerhebung erfolgen.

§ 6.

Bei der Einfuhr von Waren auf dem Landwege nach Rußland wird keine besondere Deklaration gefordert, sofern die Waren von Frachtbriefen begleitet sind. Es genügt in diesem Falle die Vorzeigung der Frachtbriefe bei dem Eingangsamte. Die Zahl der Pferde und der Fahrzeuge, aus denen sich der Transport zusammensetzt, sowie die Gesamtzahl der Frachtbriefe und der Kollis sind alsdann auf einem der Frachtbriefe zusammenzustellen, und es ist diese Angabe von dem leitenden Führer zu unterzeichnen.

the purpose of trade and that the sum due as customs duty does not exceed:

Fifteen Roubles for imports to Russia; and
 Thirty-five Marks for imports to Germany.

Transfer offices are hereby empowered to clear foodstuffs (with the exception of brandy and other spirituous liquors) as well as articles exclusively intended for household use.

§ 5.

Without derogating from special regulations regarding river craft, vehicles of every kind together with their accessories, which during their importation serve to carry passengers or goods, and which are only for this purpose temporarily brought into Russia by persons known to the Russian or German customs authorities, are admitted by Russian authorities free of dues and without depositing security for such duty, if the carrier obligates himself to reexport the same within a specified time. The obligation to this effect, which must be in writing, shall be made out free of charge.

§ 6.

No special declaration of goods imported into Russia by land is necessary, if the goods are accompanied by a way bill. In such instances it is sufficient to present the way bill to the Customs Officer at the time of entry. The number of horses and vehicles in a transport as well as the total of way bills and packages are entered on one of the way bills, which entry is then signed by the head driver.

§ 7.

Blumen und lebende Pflanzen, frische Früchte und frische Fische, sowie alle einem raschen Verderben ausgesetzten Waren sollen beiderseits, vorbehaltslos Fälle höherer Gewalt, binnen 24 Stunden, vom Einbringen der Waren in die Zolllager an gerechnet, verzollt werden.

§ 8.

Die für die Anbringung der Identifizierungszeichen zu entrichtenden Gebühren werden 5 v. H. des Gesamtbetrages des Zolles nicht übersteigen.

Die für die Anbringung der Identifizierungszeichen bei Knöpfen, Bändern, Spitzen, Stickereien und Fellen zu entrichtenden Gebühren werden 1 Kopeke für jede Plombe nicht übersteigen. Der ganze Gebührenbetrag für die Plombierung wird 5 v. H. des Gesamtbetrages des Eingangszolles in jedem einzelnen Falle nicht übersteigen.

Falls indessen der Interessent selbst wünscht, daß die Ware in einer Weise plombiert wird, die über das Bedürfnis der Identifizierung hinausgeht, so ist er verpflichtet, den dadurch entstehenden Mehrbetrag an Gebühren zu entrichten.

Die Punzierung deutscher Gold- und Silberwaren wird keinen anderen oder höheren Gebühren unterworfen werden als die Punzierung der gleichartigen einheimischen Arbeiten.

§ 9.

Von eingeführten Waren soll Lagergeld durch die russischen Zollämter nur für die Tage der wirklichen Lagerung in den Zolllagern, vom vierten Tage nach dem Beginn der Zollrevision an gerechnet, erhoben werden.

Jedoch soll die Zeit, während welcher die Lagerung gebührenfrei ist, begrenzt sein durch die an dem betreffenden Zollamt für die Deklaration von eingeführten Waren gewährte Frist, d. h.

§ 7.

Flowers and living plants, fresh fruit, and fresh fish, as well as all rapidly perishable goods, shall except when prevented by *force majeure*, be cleared by both parties inside of 24 hours after arrival of the goods at the customs warehouses.

§ 8.

The charges for affixing identification marks to the goods are not to exceed 5% of the customs duty.

The charges for affixing identification seals in the case of buttons, ribbons, lace, embroideries, and furs are not to exceed 1 Copeck for each seal. The total charge in each individual case for sealing is not to exceed 5% of the amount of the import duty.

But if the interested person wishes that the merchandise should be sealed in a manner exceeding the needs of identification, the said person is bound to pay the additional charge thereby incurred.

The stamping of German gold and silver ware is not liable to higher or special charges than the stamping of similar articles of home production.

§ 9.

Storage on imported goods shall be collected by the Russian customs authorities only for the exact time the goods were in storage in the customs warehouses beginning from the fourth day after the customs examination began.

However, the period for which no storage charges are made shall be limited by the time allowed in each custom house for declaring imported goods, that

5 bis 14 Tage, erhöht um die in Absatz 1 vorgesehene Frist von 3 Tagen.

is, 5 to 14 days, with the addition of the 3 days provided for in paragraph 1 preceding.

§ 10.

Die Russische Regierung verpflichtet sich, die Bestimmungen der Artikel 15 und 16 der Berner Konvention vom 14. Oktober 1890, welche das Verfügungsrecht des Absenders über seine Sendungen regeln, während der Dauer des gegenwärtigen Vertrages in keiner Weise zu ändern.

§ 10.

As long as this Treaty remains in force, the Russian Government binds itself not to alter in any way the stipulations of Articles 15 and 16 of the Berne Convention of 14 October, 1890,¹ which regulate the sender's right to dispose of the goods.

§ 11.

Die in dem Artikel 292 des russischen Reglements vom 15. Mai 1901, betreffend die Wareneinfuhr, enthaltene Vorschrift, wonach der Unterschied zwischen dem angegebenen Gewicht von Gegenständen oder Waren und dem bei der Revision ermittelten Gewicht strafrei bleibt, sofern er 5 v. H. des Gesamtgewichts der Gegenstände oder Waren nicht übersteigt, wird abgeändert und die Duldungsgrenze auf 10 v. H. des Gesamtgewichts erhöht.

§ 11.

The stipulation contained in Article 292 of the Russian Regulations of 15 May, 1901, concerning the importation of goods, according to which the difference between the weight declared and the actual weight of the goods as revealed at the examination, if not exceeding 5% of the total weight of the goods, is modified, and the limit of permissible difference increased to 10% of the total weight.

§ 12.

Das Recht der Reklamation gegen Entscheidungen der russischen Zollbehörden, die sich sowohl auf Strafen wegen einer unzutreffenden oder falschen Deklaration als auf die Tarif-Klassifizierung der Waren beziehen, soll dem Absender der Ware in gleicher Weise wie dem Deklaranten zustehen.

Eingaben dieser Art dürfen von dem Absender in deutscher Sprache abgefaßt werden.

§ 12.

The right of complaint against decisions of Russian custom house authorities regarding fines for incorrect or fraudulent declaration, or regarding the tariff classifications of merchandise, belongs to the sender of the goods, as well as to the declarant.

Such complaints may be drawn up in the German language by the sender of the goods.

§ 13.

Die Reklamationsfrist in den in § 12 bezeichneten Angelegenheiten wird für den Absender wie für den Deklaranten auf zwei Monate festgesetzt werden, von dem Tage an gerechnet, wo die Entscheidung dem Deklaranten mitgeteilt worden ist.

§ 13.

The time limit for presenting complaints in cases mentioned, in § 12, both for the sender and the declarant, is fixed at two months from the date when the decision of the custom house is made known to the declarant.

Was die Entscheidung über die Tarifierung von Waren anlangt, so werden innerhalb dieser Frist Vorstellungen des Absenders nur dann zugelassen werden, wenn die streitigen Waren die Zolllager noch nicht verlassen haben.

§ 14.

Die deutschen Konsuln in Rußland und die russischen Konsuln in Deutschland sollen berechtigt sein, die ersteren mit dem russischen Zolldepartement, die letzteren mit den Vorständen der deutschen Zollbehörden (Provinzial-Steuerdirektor usw.) wegen der vor diesen Behörden schwebenden Zollreklamationen unmittelbar zu verkehren.

§ 15.

Falls Schaffner, Maschinisten und sonstige Eisenbahnbedienstete eines der beiden vertragsschließenden Teile überführt werden, in den Zügen Schmuggelwaren in das Gebiet des anderen Teiles eingeführt zu haben, so sollen sie auf Ansuchen der zuständigen Zollbehörden des Rechtes, Bahnzüge nach der Grenze zu begleiten, verlustig gehen.

§ 16.

Alle Quarantäne- und veterinärpolizeilichen Maßregeln, nämlich die Beschlüsse wegen Schließung oder Öffnung der Grenze für irgendeine Warengattung oder wegen Abänderungen der einschlägigen örtlichen Verordnungen usw. sollen, sobald sie erlassen sind, wechselseitig von jedem der beiden vertragsschließenden Teile dem anderen mitgeteilt werden.

Die örtlichen Maßnahmen, die—aus eigener Entschliebung—von dem Vorstände eines Bezirks (Landrat in Deutschland, Natschalnik Ujesda, Ispravnik in Rußland) getroffen werden, sollen unmittelbar den betreffenden Vorständen der Bezirke des anderen Landes mitgeteilt werden. Diese Mitteilung

As regards the tariff classification of goods, the sender has the right to lodge complaint during the above-mentioned term only if the goods in question are still in the customs warehouses.

§ 14.

German consuls in Russia and Russian consuls in Germany shall have the right to communicate directly, the former with the Russian customs department and the latter with the representatives of German custom house authorities (and provincial customs director, etc.), in regard to customs complaints pending before such authorities.

§ 15.

Conductors, engine drivers, and other railway employees of either of the two contracting parties, who are detected conveying contraband goods on trains going into the territory of the other party, shall, on application of the competent custom house authorities, lose the right to accompany trains to the frontier.

§ 16.

All quarantine and veterinary police measures, to wit: orders to close or open the frontiers for any kind of merchandise, or alterations in the respective local regulations and so forth, shall immediately, on publication, be communicated to each other by the two contracting parties.

All local measures undertaken at the initiative of the circuit representative (Landrat in Germany, Nachalnic Ujesda, Ispravnik in Russia) shall be directly communicated to the respective heads of the districts of the other country. Such communication

folll zugleich die Gründe der Maßregel enthalten, soweit nicht die Beschaffenheit derselben ihre Mitteilung überflüssig macht.

Die Maßnahmen, die in Deutschland von einem Oberpräsidenten oder von einem Regierungspräsidenten und in Rußland von einem Generalgouverneur oder von einem Gouverneur getroffen werden, sollen gegenseitig dem im Range entsprechenden Beamten mitgeteilt werden. Die Mitteilung der Gründe dieser Maßregeln soll auf diplomatischem Wege erfolgen.

Die Maßregeln, welche von den Zentralbehörden der beiden Länder getroffen werden, sollen einschließlich ihrer Gründe gegenseitig auf diplomatischen Wege mitgeteilt werden.

Man ist darüber einig, daß die Mitteilungen über veterinärc Maßnahmen beiderseits tunlichst vor Ausführung derselben und spätestens gleichzeitig mit ihrem Erlasse erfolgen sollen.

Die beiden Regierungen werden Listen austauschen, in welchem die beiderseitigen Behörden bezeichnet sind, zwischen denen der gegenseitige Austausch in Gemäßheit des eben angegebenen Verfahrens stattfinden soll.

§ 17.

Die Quarantänemaßregeln gegen die Einschleppung epidemischer Krankheiten sollen beiderseits auf alle die Grenze überschreitenden Reisenden, je nach der größeren oder geringeren Ansteckungsgefahr, ohne Unterschied der Nationalität angewandt werden.

§ 18.

Es wird beiderseits der Wiederaufnahme von Reisenden, die wegen mangelhafter Reisepässe oder wegen Nichtzahlung von Zollgebühren zurückgewiesen werden, kein Hindernis entgegengestellt werden; unter den bezeichneten Um-

must contain the motives of the measures unless these are self evident.

Measures taken in Germany by the administrative head of a province (Oberpräsident), or by the president of a government-board, and those taken in Russia by the Governor General or Governor, shall mutually be communicated to officials of corresponding rank. Communications giving the reasons for such measures shall be conveyed through diplomatic channels.

Measures adopted by the central authorities of the two countries shall, together with the reasons for same, be communicated to each other through diplomatic channels.

Both parties agree that information regarding veterinary measures shall be mutually communicated if possible before they are made public and, in any case, not later than simultaneously with their publication.

Both Governments will exchange lists indicating the authorities on both sides who are to exchange communications according to the above described procedure.

§ 17.

Quarantine regulations against epidemic diseases shall be applied by both parties to all travelers crossing the frontier, regardless of their nationality, in accordance with the danger of infection.

§ 18.

Neither party will hinder the return of travelers sent back for lack of a passport or for non-payment of customs duties; in circumstances mentioned above, both parties shall readmit even

ständen sollen beiderseits selbst fremde Staatsangehörige wieder aufgenommen werden, zumal in den Fällen, wo sie noch nicht in das Innere des Landes gelangt sind. Die auf beiden Seiten zuständigen Behörden werden sich über die zu ergreifenden Maßregeln verständigen.

Mit einem russischen Auswanderungsscheine versehene jüdische Auswanderer russischer Abkunft und andere, welche von den deutschen Behörden nach Rußland zurückgesandt werden, müssen von den russischen Grenzbehörden zugelassen werden, vorausgesetzt, daß sich diese Personen in Deutschland nicht länger als einen Monat aufgehalten haben, von dem Tage an gerechnet, wo sie über die deutsch-russische Grenze gegangen sind.

§ 19.

Die Grenzbehörden jedes der beiden vertragschließenden Teile sollen gehalten sein, paßlose Landstreicher und andere Personen dieser Art, welche in das Gebiet des anderen Teiles, dessen Angehörige sie sind, wieder aufgenommen werden sollen, ausschließlich nach denjenigen Grenzpunkten führen zu lassen, wo eine Abfertigung für Reisende stattfindet.

foreign subjects, especially if the latter have not yet reached the interior. The respective authorities on both sides shall agree as to the necessary measures.

Jewish emigrants of Russian origin bearing Russian emigration certificates and other parties sent back to Russia by German authorities must be readmitted by the Russian frontier authorities, provided these persons have not stayed in Germany more than one month, counting from the day when they crossed the Russo-German frontier.

§ 19.

The frontier authorities of both contracting parties shall be instructed to have all vagabonds and other such persons possessing no passport, who are to be readmitted to the territory of the other party, whose subjects they are, conveyed exclusively to such points on the frontier as have facilities for sending off travelers.

9. RUSSIA—GERMANY.

SUBAPPENDIX 2 TO APPENDIX II OF THE TREATY OF PEACE
BETWEEN RUSSIA AND THE CENTRAL POWERS. SIGNED
AT BREST-LITOVSK, 3 MARCH, 1918.¹

TARIFF SCHEDULES A and B.²

[*German text as published in the Reichs-Gesetzblatt, No. 77, 11 June, 1918.*]

¹ Ratifications exchanged at Berlin, 29 March, 1918 (*Neue Freie Presse*, 6 July, morning edition; cf. *infra*, p. 139).

² Cf. *General Customs Tariff for the European Frontiers of Russia, British Parliamentary Papers*, 1903, Cd. 1525.

Tarif A.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru- beln.	Kope- fen.
	Verzeichnis der Einfuhrzölle.			
aus 2	Reis: 1. bearbeitet.	Pud.	1	05
aus 4	Kartoffelmehl. Ank der Anmerkung. Stärke jeder Art, in Paketen, Schachteln und anderen kleinen, in die Hand des Verbrauchers übergebenden Verpackungen eingeführt, wird einschließlich des Gewichts der inneren Umschließung mit 2 Rubel 10 Kopeken für das Pud verzollt.	Pud.		90
aus 5	Gemüse: aus 1. Gemüse, gewöhnliches, nicht zubereitetes, frisches: Zwiebeln und Knoblauch in der Schale.	Pud brutto.		10
aus 26	1. Hopfen.	Pud.	5	25
aus 28	Trauben-, Beeren- und Fruchtweine. Anmerkung. Erleichterungen, die einem dritten Staat hinsichtlich der Zölle oder der Zollbehandlung der unter einen der Abfäße oder Unterabfäße der Nummer 28 fallenden Weine bewilligt werden sollten, werden im gleichen Umfang auf die Weine deutscher Herkunft ausgedehnt werden, die unter dieselben Abfäße und Unterabfäße dieser Nummer fallen.			
aus 32	Mineralwasser, natürliche oder künstliche. Anmerkung 1. Die natürlichen oder künstlichen medizinischen Mineralwasser, welche in besondern, vom Medizinalrat des Ministeriums des Innern im Einvernehmen mit dem Ministerium der Finanzen und dem Ministerium der Landwirtschaft und Domänen aufgestellten Verzeichnissen aufgeführt sind, werden einschließlich des Gewichts der unmittelbaren Umschließungen mit 1 Rubel für das Pud verzollt. Anmerkung 2. Dem in der Anmerkung 1 festgesetzten Zoll unterliegen die nachstehend aufgeführten deutschen, medizinischen Wässer: Aachen, Alexanderbad, Alexisbad, Ahmannshausen, Baden-Baden, Bertrich, Bochet, Brudenau, Charlottenbrunn, Gudowa, Driburg, Elster, Ems, Ems Viktoria, Fachingen, Friedrichshall, Griesbach, Heilbrunn, Adelsheidsquelle, Harzburger Gradoquelle, Somburg, Kissingen, Königsdorf, Jastrebnik, Köfener Johannisbrunnen, Kreuzbacher Elisabeth, Lamscheid, Schwalbad, Sippfingee, Mergentheim, Bad Nauheim, Neundorf, Neuenahr, Pyrmont, Rappoldsweller, Reinerz, Rippoldsau, Oberbrunn Salzbrunnen, Kronenquelle Salzbrunnen, Salzschtrif, Schlangenbad, Soden i. Taunus, Steben, Sulzbrunn, Tals-Krankenheil, Weisbach, Wiesbaden, Wildungen.			
aus 37	aus 1. Fische, frisch: b) andere als die unter lit. a genannten.	Pud brutto.		18

TARIFF A.

Numbers of the Russian General Tariff (of 13/25 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
	SCHEDULE OF IMPORT DUTIES.			
from 2	Rice: Husked.....	Pood.....	1	05
from 4	Potato flour..... From Note. Starch of all kinds imported in packages, boxes, and small receptacles which reach the consumer are taxed 2 Roubles, 10 Copecks prepaid per Pood, including the weight of the under wrapper.	Pood.....		90
from 5	Vegetables: from 1. Vegetables, common, not prepared, fresh: Onions and garlic in the skin.....	Pood, gross.....		10
from 26	1. Hops.....	Pood.....	5	25
from 28	Grape, berry and fruit wines, Note. Alleviations granted to a third country in regard to customs duty, to customs treatment of wines falling under one of the divisions or subdivisions of Number 28, shall in the same way be extended to wines of German origin which fall under the same paragraphs and sub-paragraphs of that number.			
from 32	Mineral waters, natural or artificial: Note 1. Natural or artificial medicinal mineral waters, which are listed in special classifications by the Board of Health of the Ministry of the Interior in agreement with the Ministry of Finance and the Ministry of Agriculture and Domains, pay a duty of 1 Rouble per Pood prepaid including the weight of the inner wrapper. Note 2. The following German mineral waters are subject to the tariff duty fixed in Note 1: Aachen, Alexanderbad, Alexisbad, Assmanshausen, Baden-Baden, Bertrich, Bocklet, Brückenaau, Charlottenbrunn, Cudowa, Driburg, Elster, Ems, Ems Viktoria, Fachingen, Friedrichshall, Griesbach, Heilbronn, Adelheidsquelle, Harzburger Crodoquelle, Homburg, Kissingen, Königsdorf-Jastrezenib, Köseuer Johannisbrunnen, Krenznacher Elisabeth, Lamscheid, Schwalbach, Lippspringe, Mergentheim, Bad Nauheim, Neundorf, Neuenahr, Pyrmont, Rappoltsweiler, Reimerz, Rippoldsau, Oberbrunnen Salzbrunnen, Kronenquelle Salzbrunnen, Salzschlirf, Seblangenbad, Soden i. Taunus, Stehen, Salzbrunn, Tölz-Krankenheil, Weilbach, Wiesbaden, Wildungen.			
from 37	from 1. Fish, fresh: b. other than those named under letter a.	Pood, gross.....		18

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru- beln.	Kope- ken.
aus 45	aus 2. Roßhaar, gekräuselt, gefotten, gefärbt, in Lockenform gesponnen, auch gemischt mit anderen Tierhaaren oder pflanzlichen Faserstoffen.	Pud		60
aus 46	aus 2. Gegenstände aus Schweinsborsten mit Fassung aus gemeinem Holz ohne Furnierung; Pinsel aus Schweinsborsten und Malerpinsel jeder Art.	Pud	3	75
aus 52	aus 2. Bienenwachs	Pud brutto	3	31½
aus 53	Nachtsichte, mit oder ohne Schwimmer aus Papier, Holz, Glas, Korf oder Porzellan, auch in Verbindung mit Blech oder Draht aus unedlen (auch lackierten) Metallen, auch mit Pinzetten von Blech aus solchen Metallen.	Pud	4	20
aus 55	Häute, gegerbt: 2. Saffian-, Macé-, Chevreau-, Chagrinleder; Häute jeder Art mit eingepreßten Mustern; kleine lackierte Häute.	Pud	18	....
	aus 3. große: Ochsen-, Kuh-, Stier-, Büffel-, Pferde-, Esels- und Schweinsleder,—in ganzen und halben Häuten, ohne eingepreßte Muster, mit oder ohne Narbung, auch mit künstlich eingepreßter Narbung, auch gefärbt.	Pud	10	....
	4. große lackierte Häute	Pud	10	20
	Anmerkung. Abfälle und Stücke von bearbeiteten Häuten werden, falls sie nicht für die Herstellung von Schuhwerk oder von kleinen Lederwaren zugeschnitten sind, zu denselben Zollfüßen zugelassen, wie die Häute, von denen diese Stücke und Abfälle herrühren.			
aus 56	Rauchwaren: aus 3. Bickelselle, enthaart, nicht gegerbt	Pud		75
(aus 56)	aus 5. Rauchwaren jeder Art, nicht besonders genannte: a) zugerichtet oder gefärbt	Pud	50	....
	Anmerkung 1. Gefärbte Wisam-, Kaninchen-, Opoffum- und Wajobbarfelle werden mit 25 Rubel für das Pud verzollt.			
	Anmerkung 2. Die in Punkt 5 a und in der vorstehenden Anmerkung bezeichneten Felle unterliegen den dort festgesetzten Zöllen, auch wenn die Zuzerichtung oder Färbung vorgenommen worden ist, um Felle aus Punkt 1 dieser Nummer nachzuahmen.			
aus 57	Lederwaren: aus 3. Kleine Gegenstände aus Leder jeder Art im Gewicht von ½ Pfund und weniger das Stück, wie: Damenstaschen, Börfen, Porte-	Pfund	2	70

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
from 45	from 2. Horse-hair, curled, boiled, dyed, woven into curls, also mixed with hair of other animals or with vegetable fiber.	Pood.....	.....	60
from 46	from 2. Articles made of hog's bristle, with mounting of common wood without veneer, brushes made of hog's bristle and artists' brushes of all kinds.	Pood.....	3	75
from 52	from 2. Beeswax.....	Pood, gross .	3	31½
from 53	Night-lamps, with or without paper floaters, wood, glass, cork or porcelain, also combined with base metal (also varnished) sheet or wire, with or without pincers made out of sheet of such metals.	Pood.....	4	20
from 55	Skins, tanned: 2. Morocco, glazed, kid, Shagreen leather, skins (leathers) of every kind with stamped patterns, small lacquered skins.	Pood.....	18	.....
	from 3. Large: ox, cow, bull, buffalo, horse, ass, and pig skins, (leather)—in whole or half skins, without stamped patterns, grained or not grained, with artificially stamped grain, dyed.	Pood.....	10	.....
	4. Large lacquered skins.....	Pood.....	10	20
	Note. Pelts and particles of prepared skins, if not prepared for manufacture of foot-wear, or small leather articles, pay the same duty at the same rates as the skins to which these particles and pelts belonged.			
from 56	Peltries: from 3. Goat skins, with hair removed, not tanned:	Pood.....	.....	75
(from 56)	from 5. Peltries of all kinds, not separately mentioned: a. Wrought or dyed.....	Pood.....	50	.....
	Note 1. Dyed skins of muskrat, rabbit, opossum, and raccoon pay 25 Roubles per pood prepaid. Note 2. Pelts named in subdivision 5a and in foregoing note pay the duties therein specified, even when finished or dyed to imitate the skins of subdivision 1 of this number.			
from 57	Leather goods: from 3. Small articles of leather weighing ½ pound or less per piece, such as reticules, purses, wallets, portfolios, cigar	Pound.....	2	70

Tarif A.—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Sollsatz in	
			Ru- beln.	Kope- ken.
	monnaies, Portefeuilles, Zigarrentaschen, Brieftaschen, auch mit Bestandteilen aus unedlen Metallen (einschließlich der Beschläge und Verschlüsse aus vergoldeten oder versilberten unedlen Metallen) oder aus anderen Stoffen (einschließlich Ausputz oder Futter aus Seide und aus Halbselbde).			
aus 5.	Notizbücher und Portefeuilles, im Gewichte von mehr als $\frac{1}{2}$ Pfund das Stück, aus Feder, auch aus Samisch-, Glacé-, Safftanleder oder Pergament.	Pfund	1	05
	<i>Anmerkung zu Punkt 5. Der in diesem Punkte vorgesehene Sollsatz ist auf alle darin erwähnten Waren, deren Gewicht $\frac{1}{2}$ Pfund übersteigt, anzuwenden, auch wenn diese Waren mit Beschlägen oder Verschlüssen aus vergoldeten oder versilberten unedlen Metallen versehen oder mit Seide oder Halbselbde ausgeputzt oder gefüttert sind.</i>			
aus 6.	Maschinen-Treibriemen, ungenäht; lederne Treiber (Peckers) für Webstühle; runde Treibriemen.	Pud	10	....
aus 59	3. Böttcherwaren, fertige Faßdauben (gesalzt und gehobelt).	Pud		50
	<i>Anmerkung zu Punkt 3. Fertige Gefäße werden mit 25 Kopfen für das Pud verzollt, auch wenn sie mit eisernen Reifen versehen sind.</i>			
aus 61	Holzwaren, nicht besonders genannt:			
	1. Tischler- und Drechslerwaren aus den in Nummer 58 Punkt 1 genannten Holzarten, unlackiert, unpoliert, ohne aufgeleimte Arbeit oder Furniere; hölzerne Zwecken oder Nägel für Schumacher.	Pud		90
	2. Tischler- und Drechslerwaren aus den nach Nummer 58 Punkt 2 zu verzollenden Holzarten, und furnierte Waren (einschließlich der zusammengeleimten Furniere), auch unlackiert und unpoliert; Tischler- und Drechslerwaren aus Holz jeder Art, lackiert, poliert, ein- oder mehrfarbig angestrichen (jedoch ohne Kunstmalerei), mit aufgeleimter Arbeit oder Furnieren, oder mit Papier beklebt; Möbel aus gebogenem Buchenholz ohne Rohrgeslecht und Bezug, zusammengesetzt oder nicht.	Pud	3	....
	3. Holzwaren mit Schnitzarbeit (andere als die in Punkt 4 dieser Nummer [61] genannten); Tischler- und Drechslerwaren mit Kunstmalerei oder vergoldet, versilbert oder bronziert oder mit gemalten, vergoldeten, versilberten oder bronzierten Verzierungen.	Pud	8	....

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
	cases, pocketbooks, with or without parts made of base metals (including mountings and clasps made of gilded or Tölvín plated base metals), or of other materials (including garniture or lining made of silk or half silk).			
	from 5. Notebooks and portfolios weighing more than $\frac{1}{2}$ pound per article, and made of leather, even of chamois, glazed or morocco leathers, or parchment.	Pound.....	1	05
	Note to subdivision 5. The rate of duty provided for in this subdivision is to be applied to all goods therein enumerated, whose weight does not exceed $\frac{1}{2}$ pound, even when such wares are fitted with mountings or clasps made of gilded or silver-plated base metals or are ornamented or lined with silk or half silk.			
	from 6. Belting for machinery, not sewn, leather driver (pickers) for looms, small round transmission belts.	Pood.....	10	....
from 59	3. Coopers' wares, staves, finished (notched and planed).	Pood.....		50
	Note to subdivision 3. Finished vessels pay 50 copecks per pood, even when provided with iron hoops.			
from 61	Woodenware, not otherwise designated.			
	1. Joiners' and cabinetmakers' products made of the kinds of wood admitted under subdivision 1 of No. 58, wares not lacquered or polished (without veneers, wooden clasps, or nails for shoemakers).	Pood.....		90
	2. Joiners' and cabinetmakers' products made of wood and veneered products which, according to No. 58, subdivision 2, are subject to duty (including glued veneers), also unlacquered and unpolished; joiners' and cabinetmakers' products of wood of all kinds, lacquered, polished, painted in one or more colors (exclusive of artistic painting), with glued veneers, or with paper glued thereon; furniture of bent beechwood, without cane seats or upholstery, assembled or knocked down.	Pood.....	3	....
	3. Carved wooden products other than those specified in subdivision 4 of this number [61]; joiners' and cabinetmakers' products with artistic painting or gilded, silvered or bronzed, or embellished with gold, silver, or bronze.	Pood.....	8	....

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru- beln.	Kope- ken.
	4. Tischler-, Drechsler- und Schnitzwaren mit Verzierungen aus Kupfer, Kupferlegierungen oder anderen Stoffen, mit eingelegter Arbeit oder Einlagen aus Holz (außer Parkettafeln), Kupfer, Stahl, Perlmutter, Elfenbein, Schildpatt und dergleichen, mit Ausnahme der Gegenstände, welche weniger als 3 Pfund das Stück wiegen und nach Nummer 215 verzollt werden.	Pud.	15	....
	5. Holzwaren mit Rohrgestlecht, mit Leder oder Geweben überzogen oder bedeckt.	Pud.	15	....
aus 65	aus 4. Zement aller Art (Portlandzement, künstlicher oder natürlicher, Roman-, gemischter, Schlacken- und aller andere Zement); Zementröhren.	Pud.		12
aus 66	Steine, roh oder abgerichtet: aus 6. Schieferplatten, gesägt, auch geschliffen. Anmerkung. Gespaltene Schieferplatten, auch an den Rändern beschnitten, aber nicht weiter geformt, werden mit 15 Kopeken für das Pud verzollt.			
aus 70	Steine jeder Art—andere als Halbedel- und Edelsteine—auch Gips und Marmor: aus 2. gewöhnliche Steinmetzarbeiten ohne Verzierung und Bildhauerarbeit, auch mit gekrümmten Flächen—aus Marmor, Serpentin, Marmor, Marmor, Serpentin, Marmor oder anderen harten polierbaren Steinarten wie: Jaspis, Onyx, Labrador, Granit, Gneis, Porphyr oder Basalt: b) mit sorgfältig bearbeiteten Flächen und Fugen, aber nicht poliert.	Pud.		30
	aus 3. gewöhnliche Steinmetzarbeiten ohne Schnitz- und Bildhauerarbeit, mit krummen oder nichtkrummen Flächen, aus nicht besonders genannten Steinarten: b) mit sorgfältig bearbeiteten Flächen und Fugen, aber nicht poliert. Anmerkung zu Punkt 3. Die unter diesen Punkt fallenden Steinmetzarbeiten werden nach dem Zollfuß der lit. b verzollt, auch wenn sie geschliffen sind.	Pud.		15
aus 71	aus 5. Kohlen, für die Elektrotechnik geformt, wie Stifte, Platten, Zylinder usw., das Stück im Gewichte von a) weniger als 10 Pfund	Pud.	6	....
	7. Schmiere jeder Art für Achsen, Räder, Riemen und dergleichen, ferner Mischungen	Pud.	3	....

TARIFF A- Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
	4. Joiners, cabinet makers', and carved products with ornaments of copper, alloys of copper, or other materials, with inlaid work or inlays of wood (except parquet pieces), copper, steel, mother-of-pearl, ivory, tortoise-shell, etc., with the exception of articles weighing less than 3 poods each and dutiable under No. 215.	Pood.....	15	....
	5. Wooden products (furniture) with cane-work, upholstered with leather or with cloth.	Pood.....	15	....
from 65	from 4. Cement of every sort (Portland cement, artificial or natural, Roman, mixed, slag, and all others): cement pipes.	Pood.....		12
from 66	Stones, rough or dressed: from 6 Slabs of slate, sawn or ground. <i>Note.</i> Split slate slabs, also with the edge cut, but not otherwise shaped, pay duty at the rate of 15 Copecks per pood.			
from 70	Stones of every kind—other than semiprecious and precious stones—also plaster of Paris and alabaster. from 2. Ordinary stone-cutters' work without embellishments or carving, even with rounded surfaces—in marble, serpentine stone, alabaster, or other hard rock susceptible of taking a polish, such as jasper, anyx Labrador, granite, gneis, porphyry and basalt: b. with carefully finished surfaces and joints, but not polished.	Pood.....		30
	from 3. Ordinary stone-cutters' work without carvings or sculpture, with surfaces rounded or not, in kinds of stone not separately enumerated: b. with carefully finished surfaces and joints, but not polished. <i>Note</i> to Subdivision 3. Stone-masons' work coming under this subdivision pays duty according to the tariff rate of letter b; even though they be ground.	Pood.....		15
from 71	from 5. Carbons, moulded for electro-technical purposes, such as candles, plates, cylinders etc., a. less than 10 pounds each.....	Pood.....	6	....
	7. Greases of all kinds for lubricating belting and the like; moreover, compositions	Pood.....	3	....

Tarif A — Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru- beln.	Kope- ken.
	zum Fußen von Metallen, zum Kitten von Porzellan, Glas und dergleichen, zubereitet mit Wachs, Fett, Öl und Leim.			
aus 72	aus 1. Bauziegel, nicht feuerfest, aus gewöhnlichem Tone: b) fassonierte, hohle, unglasierte . . .	Pud		05
	aus 2. Ziegel und Platten aus Zement	Pud		12
(aus 72)	aus 3. Erzeugnisse aus feuerfesten Materialien: a) Ziegel und Platten jeder Größe und Form aus feuerfestem Ton, zum Ofenbau: aus Schamotte, sandhaltigem Ton, Quarz, Dinas; Pflaster- und andere Klinker aus gewöhnlichem, ganz oder halb gesintertem Ton.	Pud		09
	<small>Anmerkung zu Punkt 3a. Schamottemörtel (Zugemörtel oder feuerfester Zement), das heißt eine Mischung von vermahlenem rohem und gebranntem feuerfestem Ton, wird nach Punkt 3a verzollt.</small>			
aus 73	1. Röhren aus poröser Masse und Röhrenformstücke: a) unglasiert b) glasiert	Pud Pud		10 15
	3. Fußbodenplatten aus geschmolzener, nicht wasserfangender (Stein-) Masse, unglasiert, auch mit anderer als glatter Oberfläche: a) einfarbig, mehr als 15 mm dick b) einfarbig, 15 mm und weniger dick c) mehrfarbig (überzogen mit andersartigen Massen) von jeder Dicke.	Pud Pud Pud		30 45 75
	aus 4. Tonplatten für Wandbekleidung, glasiert, von jeder Farbe, glatt oder mit Reliefverzierungen: a) einfarbig b) mehrfarbig	Pud Pud		45 90
aus 74	aus 1. Dachziegel jeder Art: a) unglasiert, auch einfarbig, ohne Verzierung mit Bildhauerarbeit oder Malerei.	Pud		10
	aus 2. Ofenscheln jeder Art aus Töpfermasse, glatt oder mit Reliefverzierungen: a) einfarbig, auch glasiert	Pud		30

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
	for cleaning metals, piecing porcelain, glass, etc., prepared with wax, fat, oil or glue.			
from 72	from 1. Building bricks, non-fireproof, made of common brick clay: b. moulded, hollow, unglazed.....	Pood.....		05
	from 2. Bricks and tiles formed of cement.....	Pood.....		12
from 72	from 3. Wares made of fire proof materials a. Bricks and tiles of any size for stove construction and made of chamotte, sandy clay, quartz, dinas; paving and other clinker-bricks made of common, wholly or half staged clay.	Pood.....		09
	Note to Subdivision 3a. Chamotte mortar (Mortise paste or fire proof cement), i. e., a mixture of ground unburnt and burnt clay, pays duty according to subdivision 3a.			
from 73	1. Pipes of porous paste and moulded parts of pipes: a. unglazed..... b. glazed.....	Pood..... Pood.....		10 15
	3. Floor tiles made of molten, non-porous (stone) paste, unglazed, whether with smooth surface or not: a. of one color, and having a thickness of 15 mm. or less. b. Of one color, and having a thickness of 15 mm. or less. c. Of various colors (overlaid with other sorts of paste) irrespective of thickness.	Pood..... Pood..... Pood.....		30 45 75
	from 4. Clay tiles for wall-facing, glazed, of any color, smooth, or ornamented with relief: a. Of one color..... b. Of more than one color.....	Pood..... Pood.....		45 90
from 74	from 1. Roof tiles of all kinds: a. Unglazed, including unicolored, without plastic decorations.	Pood.....		10
	from 2. Stove tiles of all kinds, of clay, smooth, or embossed. a. Unicolored, including glazed.....	Pood.....		30

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru- beln.	Kope- fen.
	b) mehrfarbig, auch glasiert	Pud	75	
	c) mit Malerei, Vergoldung und anderen Verzierungen.	Pud	2	25
	Anmerkung zu Punkt 2. Nach Absatz 2a, b und c werden auch vorspringende Teile von Kachelöfen (wie Befrömmen, Medaillons usw.) bezollt.			
	aus 4. Geschirr und nicht besonders genannte Töpferwaren aus gewöhnlichem Ton, auch glasiert:			
	a) ohne Muster oder Verzierungen.	Pud		37½
	Anmerkung zu Punkt 4a. Das Aufspritzen von Farbe, wodurch kein regelmäßiges Muster erzielt wird, wird nicht als Verzierung angesehen.			
75	Fayencenwaren:			
	1. weiß oder einfarbig, in der Masse gefärbt, ohne Verzierungen, auch mit geformten Mustern.	Pud	1	65
	2. dergleichen, mit einfarbigen Mustern, Ranten oder Mändern; Fayencenwaren, anders als in der Masse gefärbt.	Pud	1	87½
	3. dergleichen, mit Malerei, Vergoldung oder mehrfarbigen Mustern.	Pud	4	95
aus 76	Porzellanwaren:			
	1. Porzellanwaren (nicht besonders genannte), weiß oder einfarbig, auch mit farbigen oder vergoldeten Ranten und Mändern (Vordüren), jedoch ohne andere Verzierungen; Majolika jeder Art, auch mit geformten Verzierungen.	Pud	7	....
	2. PorzellanGeschirr mit Malerei, oder mit farbigen oder vergoldeten Mustern, Arabesken, Blumen oder anderen ähnlichen Verzierungen; Gegenstände aus Porzellan oder Biskuit zur Ausschmückung von Zimmern, weiß oder einfarbig, jedoch ohne Malerei, Vergoldung oder Verzierungen aus Kupfer oder Kupferlegierungen.	Pud	17	50
aus 77	5. Waren, nicht besonders genannte, aus Glas jeder Art mit Verzierungen wie geätzten oder gravierten Mustern, Malerei, Email, Vergoldung, Verfilberung, mit Verzierungen aus Kupfer, Kupferlegierungen oder anderen Stoffen, sowie die in den Punkten 2, 3 und 4 dieser Nummer (77) genannten Waren, in Verbindung mit anderen Stoffen, auch wenn diese zu ihrer Verzierung dienen; Glaswatte, Glasgewebe und daraus verfertigte Gegenstände.	Pud	16	50

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
	b. Multicolored, including glazed . . .	Pood . . . . .	.....	75
	c. Painted, gilded, and otherwise decorated.	Pood	2	25
	Note to 2. Projecting parts of tile stoves (as caps, medallions, etc.) are taxed according to Section 2a, b, and c.			
	from 4. Crockery and wares of pottery, not specified elsewhere and made of common clays, glazed or not:	Pood . . . . .	.....	37½
	a. Without patterns or ornaments.			
	Note to 4a. The application of paint without thereby producing any regular pattern, is not considered as ornamentation.			
75	Faïence ware:			
	1. White or of one color, dyed in the paste, without ornaments, with or without moulded patterns.	Pood	1	65
	2. The same with patterns, edges or borders of one color: faïence wares dyed otherwise than in the paste.	Pood	1	87½
	3. The same, artistically painted, gilded and with patterns of different colors.	Pood	4	95
from 76	Porcelain wares:			
	1. Porcelain wares (not separately designated) white or of one color, with colored or gilded rims or borders but not otherwise ornamented, majolica of any kind, also with moulded ornamentation.	Pood	7	.....
	2. Porcelain table ware with artistic painting, or with colored or gilded patterns, arabesques, flowers or other similar embellishments: articles of porcelain or biscuit ware for the decoration of rooms, white or uncolored, but without artistic painting, gilding or embellishments of copper or alloys of copper.	Pood	17	50
from 77	5. Articles, not separately designated, of any kind of glass with ornaments such as etched or engraved patterns, pictorial painting, enamelling, gilding, silvering, or ornamentation with copper, copper alloys or other materials, as well as the articles specified in subdivisions 2, 3, and 4 of this Number 77, with attachments composed of other materials, even when intended as ornaments: glass silk, tissues of glass and articles made therefrom.	Pood	16	50

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru- beln.	Kope- ken.
	Christbaumschmuck aus Glas, auch mehrfarbig, vergolbet, versilbert, auch in Verbindung mit anderen Stoffen.	Pud	15	....
aus 108	aus 6. Gerbsäure (Tannin)	Pud	7	50
	7. Salzsäure	Pud	11	....
	8. Gallus- und Pyrogallussäure	Pud	15	....
aus 109	Bitriole: 2. Kupferbitriol, außer wasserfreiem, Salzburger Bitriol (eine Mischung schwefelsaurer Eisen- und Kupfersalze), Zink- oder weißer Bitriol; Chlorzink.	Pud	1	20
aus 112	Nicht besonders genannte Gemische und pharmazeutische Erzeugnisse: aus 2. Koffein, Chinin, Strychnin sowie deren Salze	Pud brutto . .	2	25
	3. organische jodbaltige Verbindungen aller Art, außer den unter Nummer 135 fallenden.	Pud brutto . .	20	....
	aus 4. Brom-, Jod- und Cyansalze: a) Brom-Kalium und -Natrium	Pud brutto . .	5	....
	b) Jod-Kalium und -Natrium	Pud brutto . .	10	....
	aus 5. Wismut-, Nickel- und Quecksilberverbindungen: b) Quecksilberverbindungen: Quecksilberchlorid (Sublimat), Quecksilberchlorür (Kalomel), Zinnober, Quecksilberoxyd und Quecksilbersalze: Zinnober	Pud brutto . .	8	....
	die anderen unter diesen Punkt fallenden Erzeugnisse.	Pud brutto . .	4	....
	aus c) basisch salpetersaures Wismutoxyd . .	Pud brutto . .	4	....
	6. Naphthole und Sulfonate: a) Naphthole	Pud brutto . .	4	....
	b) alle nicht besonders genannten Sulfonate, außer den unter Nummer 135 fallenden.	Pud brutto . .	4	....
	7. Nitro- und Amidoderivate der aromatischen Reihe: a) Nitrobenzol und Nitronaphthalin, Anilin und Naphthylamin sowie deren Salze.	Pud brutto . .	4	....

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
	Glass ornaments for Christmas trees, multicolored, gilded, silvered whether combined with other materials or not.	Pood.....	15	....
from 108	from 6. Tannic acid (tannin).....	Pood.....	7	50
	7. Salicilic acid.....	Pood.....	11	....
	8. Gallic and pyrogallic acid.....	Pood.....	15	....
from 109	Vitriols: 2. Copper vitriol, except Salzburg vitriol (a mixture of sulphate of iron and copper salts), zinc or white vitriol, chloride of zinc.	Pood.....	1	20
from 112	Chemical and pharmaceutical preparations not separately classified: from 2. Caffein, quinine, strychnine; also salts of same.	Pood, gross..	2	25
	3. All organic combinations containing iodine, except those referred to under Number 135.	Pood, gross..	20	....
	from 4. Salts of bromide, iodine, and cyanide: a. Bromides of potassium and sodium.....	Pood.....	5	....
	b. Iodine of potassium and sodium.....	Pood, gross..	10	....
	from 5. Combinations of bismuth, nickel, and mercury: b. Combinations of mercury: Chloride of mercury (sublimite), calomel, cinnabar, oxide of mercury, and salts of mercury:			
	Cinnobar.....	Pood, gross..	8	....
	The other preparations falling into this subdivision.	Pood, gross..	4	....
	from c. Basic nitrate of bismuth trioxide....	Pood, gross..	4	....
	6. Naphthols and sulphonates: a. Naphthols.....	Pood, gross..	4	....
	b. Sulphonates not separately designated, except those which fall under Number 135.	Pood, gross..	4	....
	7. Nitro and amidoderivatives of the aromatic series: a. Nitrobenzol and nitronaphthaline, aniline and naphthylamine as well as the salts thereof.	Pood, gross..	4	....

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru= beln.	Kope= fen.
	b) Dimethylanilin und Diäthylanilin und ihre Nitroverbindungen; Benzidin, Toluidin, Paranitranilin sowie deren Salze.	Pud brutto..	4	....
	aus 8. organische Präparate für pharmazeutische Zwecke:			
	b) Antipyrin, Salipyrin, Phenacetin, Phenacetolin, Sulzonal, Salol, Guajacol; Guajacol und Kreosot, kohlenfaures; Pepsin, Pepton.	Pud brutto..	8	....
	9. chemische und pharmazeutische Erzeugnisse, nicht besonders genannt.	Pud brutto..	4	....
	Anmerkung zu Punkt 9. Unter der Bezeichnung nicht besonders genannte chemische und pharmazeutische Erzeugnisse sind die im russischen allgemeinen Tarife vom 13./26. Januar 1903 nicht besonders genannten Erzeugnisse dieser Art zu verstehen.			
aus 113	Zusammengesetzte Arzneien und dosierte Präparate.			
	Anmerkung zu Nummer 113. Unter chemischen und pharmazeutischen Erzeugnissen in dosiertem Zustand sind Arzneiformen zu verstehen, welche in medikamentellen Dosen Arzneistoffe in gebrauchsfertiger Beschaffenheit nach Gewicht oder Maß gleichmäßig abgeteilt enthalten, wie Pillen, comprimerte Tabletten, Körner, Stuhlzapfen und dergleichen.			
aus 124	3. Gerbstoffauszug jeder Art, außer Galläpfel- und Sumachauszug.	Pud		75
aus 125	Natürliche Farbstoffe: aus 2. mineralische:			
	b) Kreide, geschlemmt oder gewaschen; Kreide und Talc, gemahlen.	Pud brutto..		18
128	Indigo, natürlicher oder künstlicher in jeder Form (mit Ausnahme von Indigoauszug und Indigotin).	Pud	5	44½
	Anmerkung. Künstlicher und natürlicher Indigo sollen dem gleichen Zollfuß unterliegen.			
131	Blei- und Zinkweiß	Pud	1	30
133	Kupferfarben (darunter auch Grünspan) und Arsenifarben:			
	Kupferfarben, ausgenommen Grünspan, und Arsenifarben.	Pud	4	50
	Grünspan (basisches Kupferacetat)	Pud	5	40

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
	b. Dimethylaniline and diethylaniline and their nitro combinations: benzidine, toluidine, paraniethraniline, also salts of the same.	Pood, gross..	4	....
	from 8. Organic preparations for pharmaceutical purposes:			
	b. Antipyrine, salipyrine, phenacetine, phenacetoline sulphonal, salol, guaiacol, carbonates of guaiacol and creosote; pepsin, pepton.	Pood, gross..	8	....
	9. Chemical and pharmaceutical products not separately classified.	Pood, gross..	4	....
	Note to subdivision 9. Under the designation of chemical and pharmaceutical products not separately classified are to be understood products of this sort not separately specified in the Russian General Tariff of 13/26 January 1903.			
from 113	Compounded medicines and preparations put up in doses.			
	Note to Number 113. Under chemical and pharmaceutical products put up in doses are to be understood medicines which contain medicinal doses, medicinal substances ready for use by weight or measure into equal portions, such as pills, compressed tablets, grains and suppositories.			
from 124	3. Tanning extracts, of every kind, except gallotannic and sumac extracts.	Pood.....		75
from 125	Dyeing substances, natural:			
	from 2. Mineral:			
	b. Chalk, purified and washed; chalk and talc, ground.	Pood, gross..		18
128	Indigo, natural or artificial, in every form (except indigo extract and indigotin).	Pood.....	5	44½
	Note. Artificial and natural indigo shall pay the same rate of duty.			
131	White lead and zinc white.....	Pood.....	1	30
133	Colors with copper basis (including verdigris) or with a basis of arsenic-colors:			
	With copper basis, except verdigris, and colors with arsenic basis.	Pood.....	4	50
	Verdigris (basis acetate of copper).....	Pood.....	5	40

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru- beln	Kope- fen.
135	Mizarin, Mizarinlack und organische synthetische Farbstoffe (Pigmente) aller Art, deren Basen und Verbindungen, sowie Mischungen und Verbindungen von Pigmenten mit anorganischen Basen und Salzen (Pigmentlacke usw.); Indigotin (Indigoauszug in trockener Form). Anmerkung. Farbstoffe, gemischt mit nicht färbenden Stoffen, wie z. B. Ton und Öl, werden nach Nummer 137 verzollt, wenn die Mischung an Farbstoffen nicht mehr als 10% des Gesamtgewichts enthält.	Pud	21	....
zu 136	Feine Miniaturfarben in Näpfschen und Schalen aus Fayence oder Porzellan, in Tuben und Zinnhülsen; flüssige chinesische Tusche in Fläschchen.	Pud	7	50
137	Farben und Farbstoffe, nicht besonders genannt; Farben jeder Art mit Beimischung einer unbedeutenden Menge organischen Pigments oder angerieben in Wasser, Leim, Öl usw.; Farben mit Beimischung von Stoffen, die das Trocknen beschleunigen, wenn diese Stoffe nicht einem höheren Zollfuß unterliegen; Wicse; Tinte jeder Art, trocken und flüssig. Anmerkung. Unter Beimischung einer unbedeutenden Menge organischen Pigments ist ein Zusatz an organischen Pigmenten bis zu 3% einschließlich zu verstehen.	Pud	5	....
aus 140	Eisen: aus 1. Stab- und Sorteneisen jeder Art, mit Ausnahme des unten genannten; Eisen in Luppen, Puddlingsstücken oder Massen, Bruch Eisen, Millbars, Eisenstaub. 3. Eisenblech jeder Art, $\frac{1}{2}$ mm. und darüber stark; Platten, über 46 cm breit; Sorteneisen jeder Art, in einer Breite oder Höhe von mehr als 46 cm sowie in einer Stärke oder mit einem Durchmesser von 18 cm und darüber; Formeisen (T-Eisen, Doppel-T-Eisen, Wulsteisen, Z-Eisen und Eisen von anders geformten Querschnitten, außer Winkelisen, welches nach Punkt 1 dieser Nummer [140] verzollt wird); Bandisen, in einer Breite oder mit einem Durchmesser von mehr als $6\frac{1}{2}$ mm aber nicht über $12\frac{1}{2}$ mm. 4. Eisenblech, weniger als $\frac{1}{2}$ mm stark	Pud Pud Pud	75 1 1	 05 50
	Anmerkung zu den Nummern 140 und 142. Den in den Punkten 3 und 4 der Nummern 140 und 142 festgesetzten Zollfüßen unterliegen die hart erwähnten Bleche und Platten aus Eisen und Stahl ohne Rücksicht auf die Form, in die sie zugeschnitten sind.			

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks
135	Alizarin, alizarin and organic synthetic dye substances (pigments) of every kind, their bases and combinations of the same, as well as mixtures and combinations of pigments with inorganic bases and salts (pigment lacs etc.): indigotin (indigo extract, dried). Note: Dyeing substances, mixed with non-coloring materials, as, for example clay and oil, pay duty according to No. 137, if the admixture of dyeing substances does not exceed 10% of the total weight.	Pood.....	21	....
to 136	Fine colors for miniature painting in little bowls and shells of faience or porcelain, in tubes and tinfoil: liquid China ink in small bottles.	Pood.....	7	50
137	Colors and coloring materials not separately designated: all kinds of colors tinged with a very small quantity of organic pigment, or ground and mixed with water, glue, oil, etc.: Colors with an admixture of drying materials, if these materials are not subject to a higher rate of duty; blacking inks of every kind, liquid or solid. Note: Under admixture of very small quantity of organic pigment must be understood an addition of organic pigment up to 3%, inclusive.	Pood.....	5	....
from 140	Iron (manufactured): from 1. Bar and assorted iron of every kind, except that named below; ingots, puddled, billets, pigs, scrap and mill bars, iron in powder. 3. Sheet iron of all kinds having a thickness of $\frac{1}{2}$ mm and over; iron slabs of width exceeding 46 cm; assorted iron of all kinds, of a width or height exceeding 46 cm, or of a thickness or diameter of 18 cm, or a thickness or diameter of 18 cm and over; shaped iron (T iron, T T iron, beams, Z iron and iron of other forms of cross-section, except angle iron which pays duty according to subdivision 1 of this Number [140], hoop iron, of a width or diameter of more than $6\frac{1}{2}$ mm. but not over $12\frac{1}{2}$. 4. Sheet iron, of a thickness of less than $\frac{1}{2}$ mm. Note to Numbers 140 and 142. Under the rates of duty established in subdivisions 3 and 4 of numbers 140 and 142 fall all sheets and slabs of iron and steel therein specified, irrespective of the shape into which they are cut.	Pood.....	75	
		Pood.....	1	05
		Pood.....	1	50

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru- beln.	Kope- en.
aus 141	<p>Weißblech (verzinntes Eisenblech), auch lackiert, mit Mustern bedruckt oder moiriert; Eisenblech, bemalt, lackiert, verzinkt, verkupfert, vernickelt oder mit anderen gewöhnlichen Metallen überzogen.</p> <p>Anmerkung. Die im russischen Zolltarif erwähnten gewöhnlichen oder nicht kostbaren Metalle begreifen alle Metalle mit Ausnahme von Gold, Silber und Platina in sich. Aluminium gilt als gewöhnliches Metall, soweit es nicht in Artikeln des russischen Tarifs aufgeführt ist, für die höhere Zollfüße festgesetzt sind.</p> <p>Anmerkung zu den Nummern 141, 147, 154, 155, 156 und 163. Die in den Nummern 141, 147, 154, 155, 156 und 163 genannten Metalle und Metallergzeugnisse unterliegen den Zollfüßen dieser Nummern, auch wenn sie durch irgendein Verfahren (auf galvanischem Wege, durch Umguß, durch ein Walzverfahren oder sonstwie) einen Überzug von gewöhnlichem Metall erhalten haben, falls der Metallüberzug 25% des Gesamtgewichts der in den Nummern 141, 147, 154, 155 und 156 genannten Metalle und Metallergzeugnisse und 10% des Gesamtgewichts der in Nummer 163 genannten Waren nicht übersteigt. Der in der Anmerkung zu Punkt 2 der Nummer 147 vorgegebene Zuschlag wird nicht erhoben, wenn der dort genannte Metallüberzug 25% des Gesamtgewichts der Bleche nicht übersteigt. Falls der Metallüberzug diese Grenzen von 25% und 10% übersteigt, unterliegen die in den genannten Nummern bezeichneten Metalle und Erzeugnisse den Zollfüßen oder Zuschlägen, welche für die den Überzug bildenden Metalle im Tarif festgesetzt sind.</p>			
aus 142	<p>Stahl:</p> <p>aus 1. Stahl in Stäben und Sortenstahl jeder Art, mit Ausnahme des unten genannten; Stahl in Blöcken, Bruchstahl.</p> <p>3. Stahlblech jeder Art, $\frac{1}{2}$ mm und darüber stark; in Blatten, über 46 cm breit; Sortenstahl jeder Art in einer Breite oder Höhe von mehr als 46 cm sowie in einer Stärke oder mit einem Durchmesser von 18 cm und darüber; Formstahl (T=Stahl, Doppel-T=Stahl, Wulfstahl, Z=Stahl und Stahl von anders geformten Querschnitten, außer Winkelstahl, welcher nach Punkt 1 dieser Nummer [142] verzollt wird); Bandstahl, in einer Breite oder mit einem Durchmesser von mehr als $6\frac{1}{2}$ mm, aber nicht über $12\frac{1}{2}$ mm.</p> <p>4. Stahlblech, weniger als $\frac{1}{2}$ mm stark.</p>	Pud.		75
		Pud.	1	05
		Pud.	1	50
147	<p>Anmerkung siehe Nummer 140.</p> <p>Zink:</p> <p>1. in Blöcken, Bruch oder Patzer, auch Zinkasche und Zinkstaub.</p> <p>2. in Blechen, auch poliert, oder in Stangen.</p> <p>Anmerkung siehe Nummer 141.</p>	Pud.		70
		Pud.	1	25

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
from 141	<p>Tinplate (tinned sheet-iron), lacquered or not, stamped with designs and crystallized; Sheet iron, painted, varnished, coated with zinc, copper, nickel or other common metals.</p> <p>Note. The common or non-precious metals mentioned the Russian customs tariff include all metals except gold, silver and platinum. Aluminium ranks as a common metal in so far as it is not listed in articles of the Russian tariff for which a higher rate of duty is fixed.</p> <p>Note to Numbers 141, 147, 154, 155, 156 and 163. Metals and metal products specified in Numbers 141, 147, 154, 155, 156 and 163 are subject to the rates of duty of those numbers, even if by any process whatever, (galvanizing, recasting, rolling or any other way) they have received a coat of common metal, in case the coat does not exceed 25% of the total weight of the metals or metal products specified in Numbers 141, 147, 154, 155 and 156 and 10% of the total weight of the articles designated in Number 163. The surtax provided for in Note to subdivision 2 of Number 147 is not collected if the metal coating therein specified does not exceed 25 per cent of the total weight of the sheets. In case the metal coating exceeds these limits of 25 and 10 per cent, the metals and manufactures designated in the aforesaid numbers are liable to the rates of duty or to the surtaxes prescribed in the tariff for the metals constituting the coating.</p>			
from 142	<p>Steel:</p> <p>from 1. Steel in bars and assorted steel of all kinds, except that mentioned below; steel in billets, steel scrap.</p> <p>3. Sheet steel of every kind, of a thickness of $\frac{1}{2}$ mm. and over. Steel in slabs of a width exceeding 46 cm. assorted steel of all kinds, of a width or height of more than 46 cm. or of a thickness of 18 cm. and over; T steel and T T steel, steel in beams, Z steel and steel of other cross section forms except angle steel, which pays duty according to subdivision 1 of this Number [142], steel in hoops, of a width or diameter of more than $6\frac{1}{4}$ mm., but not over $12\frac{1}{2}$ mm.</p> <p>4. Sheet steel, of a thickness of less than $\frac{1}{2}$ mm.</p> <p>Note: See Number 140.</p>	<p>Food.....</p> <p>Food.....</p> <p>Food.....</p>	<p>.....</p> <p>1</p> <p>1</p>	<p>75</p> <p>05</p> <p>50</p>
147	<p>Zinc:</p> <p>1. In pigs, scrap or powder, also zinc slag and zinc dust.</p> <p>2. In sheets, polished or not, or in rods.....</p> <p>Note: See Number 141.</p>	<p>Food.....</p> <p>Food.....</p>	<p>.....</p> <p>1</p>	<p>70</p> <p>25</p>

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru- beln.	Kope- fen.
aus 148	2. Goldarbeiten jeder Art; Juwelierarbeiten jeder Art aus Gold, auch mit echten oder unechten Steinen, Perlen usw.	Pfund	52	80
	4. Silberarbeiten jeder Art, auch vergoldet; Juwelierarbeiten jeder Art aus Silber, auch vergoldet, auch mit echten oder unechten Steinen, Perlen usw.	Pfund	9	....
	5. Gold und Silber in dünnen Blättern, deren Gewicht auf 100 Quadrat Zoll beträgt: bei Gold—90 und weniger Dosi und bei Silber—48 und weniger Dosi, einschließ- lich des Gewichts der Bücheln.	Pfund	7	50
	6. Gewebe und Bänder (geflochten oder gewebt) aus Gold, Silber oder unechtem Lahn, Draht und Gespinst aus Gold und Silber.	Pfund	10	80
aus 149	Waren aus Kupfer, Kupferlegierungen und anderen in Nummer 143 genannten Metallen und Le- gierungen:			
	1. Lampenbrenner, allein oder in Verbindung mit Behältern, falls diese nicht einem höheren Zolle unterliegen.	Pud	9	....
	2. Waren ohne erhabene oder gestochene Ver- zierungen und gestanzte Waren, auch in Ver- bindung mit Holz, Eisen, Blech, Leder oder anderen gewöhnlichen Stoffen:			
	a) bei einem Gewichte von mehr als 5 Pfund für das Stück.	Pud	8	....
	b) bei einem Gewichte von 5 Pfund oder weniger für das Stück.	Pud	9	....
	3. Waren mit erhabenen oder gestochenen Ver- zierungen (außer den gestanzten), ausge- rüstet oder nicht, gebrauchsfertig oder nicht, wie Ornamente, Karpatiden, Me- daillons, Büsten und Statuen.	Pud	21	....
aus 150	Guß Eisen, verarbeitet:			
	1. Gußstücke ohne Bearbeitung	Pud . . . . .	...	90
	3. Gußwaren, gemustert (fassoniert), abgedreht, poliert, geschliffen, angestrichen, bronziert, verzinkt, mit Lack, Email (außer Geschirr), Zinn oder anderen weichen Metallen über- zogen, auch mit Teilen aus Holz, Kupfer oder Kupferlegierungen.	Pud	4	20
	Anmerkung. Waren aus schmiedbarem Guß werden wie Eisen- und Stahlwaren verzollt.			

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
from 148	2. Gold manufactures of every sort, gold jewelry of every kind, also with genuine or imitation stones, pearls, etc.	Pound.....	52	80
	4. Silver manufactures of all kinds, gilded or not, every kind of silver jewelry, gilded or not, or with genuine or imitation stones, pearls, etc.	Pound.....	9	....
	5. Gold and silver in thin sheets, weighing per 100 square inches: In the case of gold—90 doli or less, in the case of silver—48 doli or less, including the weight of the booklet.	Pound.....	7	50
	6. Tissues and braids (plaited or woven) of gold, silver or brass-foil, gold or silver wire or thread.	Pound.....	10	85
from 149	Manufactures of copper, copper alloys or other metals and alloys specified under Number 143:			
	1. Lamp burners, imported separately or in combination with the reservoirs, if the latter are not subject to a higher rate of duty.	Pood.....	9	....
	2. Articles not ornamented in relief, or engraved, also stamped articles, even though in combination with wood, iron, tinsplate, leather or other common materials:			
	a. Weighing over 5 pounds each.....	Pood.....	8	....
	b. weighing 5 pounds or less each.....	Pood.....	9	....
	3. Articles not ornamented in relief, nor engraved, (except stamped articles) finished or unfinished, ready for use or not, as well as ornaments, caryatides, medallions, busts, statues:	Pood.....	21	....
from 150	Cast-iron manufactures:			
	1. Iron castings in the rough.....	Pood.....	....	90
	3. Cast-iron wares, wrought (shaped) turned, polished, ground, painted, bronzed, tinned, varnished, enamelled (except table ware), coated with zinc or other common metals, even with parts consisting of wood, copper, or alloys of copper.	Pood.....	4	20
	Note: Wares made of malleable cast iron are dutiable with iron or steel wares			

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru- beln.	Kope- ken.
151	Eisen- oder Stahlwaren, geschmiedet, gestanzt, gegossen — unbesetzt oder mit Besetzung an den Seiten und Rändern, jedoch ohne weitere Bearbeitung —, außer den besonders genannten; geschmiedete Nägel.	Pub.	2	10
aus 152	Eiserne oder stählerne Kesselschmiedearbeiten: aus 1. Dampfkessel und ähnliche Apparate	Pub.	2	10
153	Eisen- oder Stahlwaren, nicht besonders genannte, gemustert (fassoniert), abgedreht, poliert, bronziert oder auf andere Weise bearbeitet, auch mit Teilen aus Holz, Kupfer oder Kupferlegierungen: 1. jeder Art, außer den in Punkt 2 genannten 2. Vorhänge- und Einfassschlösser, außer den kupfernen, sowie Schrauben (für Holz).	Pub.	4	20
	<small>Anmerkung. Alle eisernen und stählernen Bau- und Möbelbeschläge werden nach den betreffenden Punkten der Nummer 153 verzollt, falls sie nicht in Nummern des russischen Tarifs aufgeführt sind, für die ein höherer Zollfuß festgesetzt ist. Die Ver- niedelungen solcher Gegenstände begründet nicht die Zuweisung zu einem höheren Zollfuß. Bolzen, Zapfen, Nieten, Schließeldeckel und Schlüsselrohre aus Kupfer und Messing sind ohne Einfluß auf die Verzollung der Vorhänge- und Einfassschlösser, an denen sie angebracht sind.</small>	Pub.	6	....
aus 154	Waren aus Weißblech: 1. jeder Art; auch lackierte, emaillierte, verzinkte oder mit anderen unedlen Metallen überzogene Waren aus Schwarzblech, alle diese auch bemalt, außer den unter Punkt 2 dieser Nummer (154) fallenden.	Pub.	4	....
	<small>Anmerkung zu Punkt 1. Eisernes Geschirr, emaillet, lackiert und mit einer Deckschicht überzogen, wird nach diesem Punkt verzollt, auch wenn die Ränder und Henkel mit einer anderen Farbe als die übrige Fläche überzogen sind. Anmerkung siehe Nummer 141.</small>			
aus 155	Draht: <small>Anmerkung siehe Nummer 141.</small>			
aus 156	Drahtwaren: aus 1. aus Eisen oder Stahl: d) Kraken und Krakenbänder jeder Art	Pub.	4	80
	<small>Anmerkung. Stecknadeln aus Eisen oder Stahl, nicht zum Schmuck bestimmt, auch mit Köpfen aus Metall oder mit kegelförmigen Köpfen aus schwarzem, einfarbigem oder marmoriertem Glas, werden, sofern sie nicht unter die für künstliche Steine vorgesehene Tarifnummer fallen, wie Waren aus Eisen- oder Stahl Draht nach Nr. 156 Punkt 1 des Tarifs verzollt, wenn ihre Länge einschließlich des Kopfes 2½ russische Zoll (6,35 cm) nicht übersteigt, und wenn sie den den Zollämtern übergebenen Muster-sammlungen entsprechen. Anmerkung siehe Nummer 141.</small>			
aus 157	Nadeln aus Stahl oder Eisen: 1. Nähmaschinen- und andere Nadeln jeder Art, außer den weiter unten genannten. 2. Nähmaschinen-	Psfund.	1	20
		Psfund.	2	....

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Coprieks.
151	Iron or steel manufactures, forged, stamped, moulded—not filed, or filed on the sides and edges, but not otherwise wrought,—except those separately designated, forged nails.	Pood.....	2	10
from 152	Iron or steel boilermakers' work: from 1. boilers and similar apparatus.....	Pood.....	2	10
153	Iron or steel wares not separately mentioned, if wrought, turned, polished, ground, bronzed or otherwise elaborated, with or without parts composed of wood, copper or copper alloys:—			
	1. All kinds except those named in subdivision 2.	Pood.....	4	20
	2. Padlocks and mortise locks (except of copper), also screws (for wood).	Pood.....	6	....
	<small>Note: All iron or steel fittings used in buildings or furniture pay duty according to the respective subdivisions of Number 153, in case they are not listed under numbers of the Russian tariff for which a higher rate of duty is prescribed. Nickelling of such articles is no reason for subjecting them to a higher rate. Bolts, pins, rivets, keyhole drops and pipes of keys made of copper or brass have no effect on the rate of duty prescribed for padlocks or mortise locks to which they are attached.</small>			
from 154	Tin-plate manufactures: 1. of all kinds, also sheet iron manufactures coated with varnish, enamel, zinc or other base metals, even if these be painted, except those that fall under number (154).	Pood.....	4	....
	<small>Note to subdivision 1. Iron utensils varnished and coated with a layer of paint, pay duty under this subdivision, even if the edges and handles are painted of a different color than the rest of the surface. Note. see Number 141.</small>			
from 155	Wire:			
	<small>Note. see Number 141.</small>			
from 156	Wire manufactures: from 1. of iron or steel: d. Cards and fillets of cards of all kinds.	Pood.....	1	80
	<small>Note: Iron and steel pins not intended for ornament, whether with metal heads or with globular heads of black, unicolored or mottled glass, in so far as they do not fall under the tariff number provided for precious stones, shall pay duty like iron or steel wire according to No. 156, subdivision 1 of the tariff, if their length, inclusive of the head, does not exceed 2½ Russian inches (6.35 cm.) and if they correspond to the samples forwarded to the custom houses. Note. see Number 141.</small>			
from 157	Needles of iron or steel: 1. Sewing needles and other needles of all kinds except those designated below:	Pound.....	1	20
	2. Sewing-machine needles.....	Pound.....	2	....

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru- beln.	Kope- ken.
aus 158	Messerwaren jeder Art, außer den unter andere Nummern des Tarifs fallenden und den Maschinenmessern: 1. Messerwaren jeder Art, ohne Rücksicht auf ihre Verwendung, aus schmiedbarem Gußeisen, Schmiedeeisen, Stahl, Kupfer, Kupferlegierungen oder anderen in Nummer 143 genannten Metallen und Metalllegierungen, in Fassungen aus gewöhnlichen Stoffen; Scheren und Pinzetten, mit glatten oder gezähnten Schneiden; Messerlingen; Gabeln ohne Hefte, fertig oder nicht. Anmerkung zu Punkt 1. Messer und Gabeln mit Hefen aus gewöhnlichen Stoffen werden nach diesem Punkt mit 20 Rubeln 40 Kopeken verzollt.	Pub.	20	40
	2. dieselben Gegenstände, vergoldet oder versilbert, auch mit vergoldeter oder versilberter Fassung, sowie in Fassungen aus plattiertem Silber, Schildpatt, Perlmutter, natürlichem und fossilem Eisenstein, oder wenn diese Stoffe, Gold und Silber inbegriffen, als Verzierungen an Fassungen aus gewöhnlichem Stoffe angebracht sind.	Pub.	60	....
aus 160	2. Strohäxelmesser, Schaufeln, Spaten, Gabeln, Harfen, Erdhauen, Hacken, Kreuzhauen im Pfl. Anmerkung. Große Gabeln aller Art, wie z. B. Gabeln zum Ausheben von Rüben, Mistgabeln usw. werden nach dieser Nummer verzollt.	Pub.	1	80
161	Werkzeug für Handwerker, Künstler, Fabriken und Werkstätten: 1. Feilen, Raspeln, auch Kluppen, Gewindebohrer und Schraubenbohrer. 2. Werkzeug jeder Art—außer dem in Punkt 1 dieser Nummer (161) genannten, sowie dem unter Nummer 158 fallenden—auch mit Feilen aus anderen gewöhnlichen Stoffen.	Pub.	2	50
		Pub.	1	80
aus 162	Zubehör für typographischen Satz und Buchdruck: 3. Lithographiersteine mit Zeichnungen	Pub.	1	50
aus 163	Waren aus Zinn, Zink und deren Legierungen, außer den unter Nummer 215 fallenden. Anmerkung. Waren aus Britanniametall—einer Legierung von Zinn und Antimon mit einem Kupferzusatz bis zu 2%—werden nach Nummer 163 wie Waren aus Zinn verzollt. Anmerkung siehe Nummer 141.			

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
from 158	Cutlery wares of all kinds, except those which fall under other numbers of the tariff, and excepting mechanical cutting appliances: 1. Cutlery of any kind and for any purpose, of malleable cast iron, wrought iron, steel, copper, copper alloys or any other metals and metal alloys designated in Number 143, in mountings of common materials; also scissors and pincers—provided with smooth or notched edges, knife blades, forks without handles, whether finished or not. Note to subdivision 1. Knives and forks according to this subdivision 20 Roubles, 40 Copecks.	Pood.....	20	40
	2. The same articles, gilded or silvered, or with settings which are gilded, silvered, or silver-plated, or of tortoise shell, mother-of-pearl, ivory or fossil ivory, or when any of these materials, gold and silver included, are present by way or ornaments in settings of common materials.	Pood.....	60	....
from 160	2. Straw-choppers, shovels, spades, pitchforks, rakes, hoes, picks, spuds and mattocks. Note: Large pitchforks of every kind as for instance forks for taking up beets, dung-forks, etc. pay duty according to this number.	Pood.....	1	80
161	Hand-tools for artisans, artists, factories and work-shops: 1. Files, rasps, also draw-plates, wimbles, and screw-dies. 2. Hand-tools of all kinds, except those mentioned in subdivision 1 of this Number (161) as well as those that fall under number 158, even though with parts consisting of other common materials.	Pood.....	2	50
		Pood.....	1	85
from 162	Printing, compositors', and printing trade accessories. 3. Lithographic stones with drawings thereon	Pood.....	1	50
from 163	Manufactures of tin, zinc or of their alloys, except those falling under Number 215. Note: Manufactures of British metal—an alloy of tin and antimony with an addition of copper up to 2%.—pay duty according to Number 163 like tin wares. Note: see Number 141.			

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
from 165	Tinfoil weighing 1 solotnick, or less per 25 square inches.	Pood.....	3	....
166	Bronze powder made from non-precious metals...	Pood.....	5	....
from 167	Machines and apparatus, complete or not, put together or in parts:			
	1. Of cast iron, wrought iron, or steel, with or without parts composed of other metals also in combination with copper to an extent not exceeding 25 per cent of the total weight of the machine.			
	a. All kinds not separately classified.....	Pood.....	2	10
	b. Gas and naphtha motors, steam engines, portable engines, except those specified in subdivision 5 of this Number (167); locomotives, locomotive wagons; steam-driven drays and electrical vehicles; typographic and lithographic printing machines, paper making machines, wood working machines, except frame saws which are assessed under 1a of this number (167); pumps and hand fire-hoses, compressors and ice-making and refrigerating machines, sewing machines.	Pood.....	3	20
	c. Machines for the working of metals, except rolling and steam hammers, which fall under 1a of the present number (167); steam fire-hoses; water meters, gas meters, typewriting machines.	Pood.....	4	20
	2. All kinds of machines made of copper or its alloys including those in which copper or its alloys, including those in which copper or its alloys constitute more than 25% of the total weight of the machine.	Pood.....	8	....
	4. Agricultural machines and implements, with steam motors not separately designed; also models thereof.	Pood.....		75
	7. Parts of machines and apparatus, imported by themselves, except those classified apart.			
	a. Composed of copper or copper alloys including those in the composition of which copper or any alloy of copper constitutes more than 25% of their total weight.	Pood.....	8	....
	b. Composed of cast iron, wrought iron, or steel, though with parts consisting of other metals, or with a combination of copper—not exceeding 25% of the total weight of each part.	Pood.....	4	20

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru- beln.	Kope- ken.
aus 167	Maschinen und Apparate, auch unvollständig, zusammengesetzt oder auseinandergeronnen— Fortsetzung.			
	8. Ersatzteile für Maschinen und Apparate, nicht besonders genannte, mit den Maschinen und Apparaten zusammen eingeführt, aus Kupfer oder Kupferlegierungen, einschließlich solcher, bei denen das Kupfer oder seine Legierungen mehr als 25% ihres Gewichts ausmachen.	Pud	8	....
	9. Ersatzteile für Maschinen und Apparate, mit den Maschinen und Apparaten zusammen eingeführt, aus Gußeisen, Schmiedeeisen oder Stahl, auch in Verbindung mit Kupfer, wenn letzteres nicht mehr als 25% des Gewichts jedes einzelnen Teiles ausmacht:			
	a) mit den unter Punkt 1a dieser Nummer (167) genannten Maschinen eingeführt.	Pud	2	10
	b) mit den unter Punkt 1b dieser Nummer (167) genannten Maschinen eingeführt.	Pud	3	20
	c) mit den unter Punkt 1c dieser Nummer (167) genannten Maschinen eingeführt.	Pud	4	20
	aus 11. Ersatzteile für landwirtschaftliche Maschinen und Apparate, mit diesen zusammen eingeführt, mit Ausnahme der in Punkt 6 dieser Nummer (167) genannten.	Pud . . . . .	....	75
168	Wagen (zum Wägen) mit Zubehör; Wagenteile, mit Ausnahme solcher aus Kupfer und Kupferlegierungen:			
	1. für die ersten 3 Pud eines jeden Stücks; Gewicht.	Pud	4	50
	2. für jedes weitere Pud	Pud	2	10

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
from 167	Machines and apparatus, complete or not, put together or in parts—Continued			
	8. Spare parts of machines or apparatus except those separately classified, imported together with the machines and apparatus, composed of copper or copper alloys, including those in which copper or any alloy thereof is present in a proportion exceeding 25% of the total weight of each part.	Pood.....	8	....
	9. Spare parts of machines and apparatus imported together with such machines or apparatus, composed of cast iron, wrought iron or steel, with a combination of copper provided the latter does not exceed 25% of the weight of each separate part:			
	a. Imported with any of the machines classified under 1a of the present Number (167).	Pood.....	2	10
	b. Imported with any of the machines classified under 1b of the present number.	Pood.....	3	20
	c. Imported with any of the machines classified under 1c of the present Number.	Pood.....	4	20
	from 11. Spare parts of agricultural machines and apparatus, imported together with such machines or apparatus, except those designated in subdivision 6 of the present Number (167).	Pood.....		75
168	Weighing-scales and their accessories, parts of weighing-scales except of copper or of alloys of copper:			
	1. For the first 3 poods weight of each article.	Pood.....	4	50
	2. For every additional pood.....	Pood.....	2	10

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Rubeln.	Kopeken.
aus 169	<p>Physikalische, astronomische, mathematische und dergleichen Instrumente und Apparate sowie elektrotechnische Zubehöriteile:</p> <p>1. Instrumente und Apparate: astronomische, optische (außer den in Nummer 170 genannten), physikalische, chemische, mathematische, geodätische und zum Zeichnen; medizinische, Manometer, Vakuummeter, Indikatoren und Zählapparate (außer den unter Punkt 2 dieser Nummer [169] genannten); Zauber- oder Projektionslaternen, photographische Apparate; geographische Globen; Gläser für Brillen, Vornetten, sowie Brenn-, Vergrößerungs- und optische Gläser jeder Art; elektrische Ausschalter, Umschalter, Sicherungen, Hülsen für Glühlampen, Rheostate und Kommutatoren jeder Art, zusammengesetzt oder auseinandergenommen; Telegraphen- und Telephonapparate; elektrische oder pneumatische Glocken und Zubehör für elektrische Signalvorrichtungen.</p> <p>2. Elektrotechnische Meßapparate (Ampèremeter, Wattmeter, Voltmeter und Zähler).</p>	Pud	9	....
aus 171	<p>Uhrmacherwaren:</p> <p>aus 1. Uhrwerke, ohne Gehäuse oder Kästen oder von diesen getrennt eingeführt:</p> <p>b) zu Wand-, Tisch-, Kamin- und Reiseuhren, außer den unter lit. c genannten, für das Stück 1 Rubel 50 Kopeken und außerdem.</p> <p>Anmerkung 2. Wand-, Tisch-, Kamin- und Reiseuhren, deren Werke sich vom Gehäuse oder Kästen ohne Hilfe eines Instruments nicht trennen lassen, werden nach dem Stoff des Gehäuses oder Kastens verzollt und außerdem werden folgende Zölle erhoben:</p> <p>a) für die im Punkt 1 lit. b genannten Uhrwerke: für das Stück 4 Rubel,</p> <p>b) für die im Punkt 1 lit. c genannten Uhrwerke: für das Stück 60 Kopeken.</p> <p>Uhrwerke nach amerikanischem System, das heißt mit geklauzten, gebeizten, lackierten und auch polierten und durchbrochenen Gestellen und Rädern, deren Triebe nicht geschnitten sind (mit Ausnahme der außerhalb Platinen angebrachten Triebe), auch wenn die Aufziehfedern in geschlossenen Trommeln (eingebauten Federhäusern) untergebracht sind, zahlen 90 Kopeken für das Stück, ohne Erhebung eines Gewichtszolls. Läßt sich bei Uhren mit Werfen dieser Art das Werk vom Gehäuse ohne Hilfe eines Instruments nicht trennen, so wird ein Gewichtszoll nach dem Materiale des Gehäuses und daneben ein Zoll von 90 Kopeken vom Stück für das Werk erhoben.</p>	Pfund	75	....

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
from 169	Physical, astronomical, mathematical and similar instruments and apparatus, as well as electro-technical accessories: 1. Instruments and apparatus: astronomical, optical (except those mentioned under No. 170), physical, chemical, mathematical, geodetical, and drawing instruments, etc.; manometers, vacuum-meters, indicators and calculators (except those mentioned in subdivision 2 of the present Number) magic lanterns and other lanterns for picture-projection, photographic apparatus, geographical globes, glasses for spectacles and field glasses, burning glasses, magnifying and all kinds of optical glasses, electrical switches, shunts, and protective appliances, caps for electrical incandescent lamps, telegraphic and telephonic apparatus: electrical and pneumatic bells and accessories for electrical signaling.	Pood	9	....
	2. Electro-technical measuring apparatus (amperemeters, wattmeters, voltmeters, and calculators).	Pood.....	12	....
from 171	Clock and watchmakers' products: from 1. Watch and clock movements imported without or separately from the cases: b. Clock movements for wall, table, mantel-piece, or carriage clocks, except those mentioned below under c, per piece 1 Rouble 50 Copecks and in addition. Note 2. Wall, table, matel, or carriage clocks, whose movements cannot be separated from the frames or cases without the aid of tools, pay duty according to the material of the frames or cases and in addition the following duties are levied: a. For movements mentioned under (1b) 4 Roubles each. b. For movements enumerated in (1c) each 60 copecks. Movements on the American system with stamped, etched, varnished, and also polished and perforated stands and wheels, the pinions of which are not cut (except springs attached outside the bed-plate), even though the winding springs are inclosed in locked barrels (built in spring casings) pay 90 copecks each, without levying any duty per weight. If in case of clocks having this kind of movements, the movements cannot be separated from the case without the aid of a tool, there shall be levied a duty based on the weight and in addition a duty of 90 copecks on each for the movements.	Pound.....	.....	75

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru- beln.	Kope- fen.
aus 171	Uhrmacherwaren—Fortsetzung. 5. Uhrwerkteile, in auseinandergenommenem Zustande: a) nicht untereinander verbundene Teile, z. B.: einzelne Räder, Achsen usw.	Pfund.		75
	b) untereinander verbundene Teile sowie nicht verbundene Teile, mit den ersteren in einer inneren Verpackung zusammen eingeführt.	Pfund.		75
aus 172	Musikalische Instrumente: 1. Flügel; nicht transportable Orgeln jeder Art.	Stück.	168	
	2. Klaviere.	Stück.	96	
	4. nicht besonders genannte musikalische Instrumente jeder Art, Zubehöriteile zu musikalischen Instrumenten, gesondert eingeführt, wie: Bogen, Darm- und Seidensaiten (metallene Saiten werden nach Nummer 155 verzollt), Klaviaturen, Hämmerchen (Wirbel für Klaviere werden nach Nummer 156 Punkt 1 lit. b verzollt), Metronome, Stimmgabeln, Ansatzstücke (Krone) und dergleichen.	Pfund.		15
aus 173	aus 3. Fahrräder: a) zweirädrige	Stück.	30	
	aus 6. Fahrradteile jeder Art. Anmerkung zu Punkt 6. Mäntel (Lauftdecken) und Luftschläuche aus Kautschuk für Fahrräder werden Nummer 88 verzollt, wenn an ihnen keine Metallteile außer den an den Schläuchen befindlichen Ventilen angebracht sind.			
aus 177	Papierwaren: aus 2. zu b) Kragen, Manschetten, Vorhemden aus Papier, auch auf einer oder auf beiden Seiten mit weißem, farbigem oder bedrucktem Baumwollstoff überzogen, ohne wirkliche Nähte, zusammengewogen mit den Schachteln oder Kartons, in denen sie sich befinden. Bei der Verzollung von Kragen, Manschetten und Vorhemden der genannten Arten ist eine durch Pressung hervorbrachte Nachahmung von Nähten nicht als wirkliche Naht anzusehen.	Pud.	3	60
	3. Papier und Pappe, verziert durch Vergoldung, Versilberung, Bronzierung, Prägung, Aus schlagen (zu Spitzen), mit Nüstern, Zeichnungen, Bildern, Bordüren, Wappen, Namenszügen; Abziehbilder; Papierwaren, wie: Briefumschläge, Blumen, Schablonen zum Zeichnen, Lampenschirme und dergleichen; Waren aus Papier, Pappe, Papiermache und Steinpappe mit Verzierungen, außer den unter Nummer 215 fallenden sowie den in Punkt 4 dieser Nummer (177) genannten.	Pud.	14	50

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
from 171	Clock and watchmakers' products—Continued. 5. Parts of watch and clock movements:			
	a. Parts not combined with each other, for example separate wheels, axles, etc.	Pound.....	75	
	b. Parts combined with each other, also parts not combined with each other, imported in the same underwrapper with the former.	Pound.....	75	
from 172	Musical instruments:			
	1. Grand pianos, organs non-transportable, of all kinds.	Per piece...	168	....
	2. Pianos.....	Per piece...	96	....
	4. Musical instruments of all kinds not sep- arately designated; accessories of musi- cal instruments, imported separately, such as bows, strings of catgut, of silk (metal strings are assessed under Number 155), keyboards, rods for opening check valves of organs (pegs for pianos are as- sessed under Number 156, subdivision 1. letter b.), metronomes, tuning forks, mouth pieces and the like.	Pound.....	15	
from 173	from 3. Cycles:			
	a. Of two wheels.....	Per piece ...	30	....
	from 6. Cycle-parts, of every sort.			
	Note to class 6. Covers and pneumatic rubber tubes for cycles are assessed according to Num- ber 88 if no metals are used in their make up except the air-valves attached to the tires.			
from 177	Paper wares:			
	from 2. of b. Collars, cuffs, false shirt fronts made of paper, also if covered on one or both sides with white, unicolored or printed cotton material without real seams, weighed together with the cases or paste-board boxes in which they are. In assessing collars, cuffs and shirt-fronts of the kinds described an imitation seam produced by pres- sure is not to be regarded as real.	Pood.....	3	60
	3. Paper and paste-board, ornamented, e. g. gilded, silvered, bronzed, impressed, pinked (to look like lace) in patterns, drawings, pictures, borders, coats-of- arms, monograms; transfer pictures, manufactures of paper, such as envel- opes, flowers, stencils for drawing, lamp shades, and the like; manufac- tures of paper, papiermache, card- board, and statuary pasteboard, orna- mented, except such falling under Number 215, and those designated in subdivision 4 of the present Num- ber 177.	Pood.....	14	50

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13. 26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru- beln. WnZ	Rope- fen. WnZ
aus 178	Bücher, Bilder, Landkarten: aus 1. Bilder, Zeichnungen, Pläne, Landkarten, Noten: b) auf Papier gleichviel durch welches Druckverfahren hergestellt, außer den unter lit. c und d genannten Gegenständen. Anmerkung zu lit. b. Ansichtspostkarten werden nach dieser lit. verzollt. d) Noten.....	Pud..... Pud.....	12	80
	2. Bücher und Zeitschriften, gleichviel durch welches Verfahren in fremden Sprachen gedruckt, mit Einschluß solcher, die im Texte oder in Beilagen Noten, Landkarten, Pläne, Stiche und Zeichnungen enthalten; Parallelwörterbücher mit russischem Texte.	.....	zollfrei	
aus 182	Baumwolle, geschlagen, kardätscht; Baumwollens- watte, auch in geleimten Lagen, Baumwollens- kämmlinge jeder Art: 3. hygroskopische oder antiseptische Watte.....	Pud.....	7	75
aus 183	Baumwollengarn. Anmerkung. Nach der Anmerkung zu Nr. 183 werden auch die Salfaktorseile verzollt.			
aus 185	Seide, gewirnt und gesponnen. Anmerkung. Der Unterschied im Zollfuß, welcher im russischen Zolltarif vom 13. 26. Ja- nuar 1903 zwischen der Nummer 185 Punkt 1 a, b und der Anmerkung (Seide, gedreht und gesponnen) einerseits und der Nummer 180 Punkt 4 und der Anmerkung (rohe Seide oder Grege) andererseits be- steht, wird während der Dauer dieses Vertrags nicht erhöht werden.			
aus 186	Wolle, gekämmt, gesponnen und gewirnt: 2. gesponnen: a) bis Nummer 57 (nach dem metri- schen System) einschließlich: a) ungefärbt..... b) gefärbt..... b) über Nummer 57 (nach dem metri- schen System): a) ungefärbt..... b) gefärbt..... 3. gewirnt, hergestellt aus einfachem Garne folgender Nummern: a) bis Nummer 57 (nach dem metri- schen System) einschließlich: a) ungefärbt..... b) gefärbt..... b) über Nummer 57 (nach dem metri- schen System): a) ungefärbt..... b) gefärbt.....	Pud..... Pud..... Pud..... Pud..... Pud..... Pud..... Pud..... Pud..... Pud..... Pud..... Pud..... Pud.....	12 14 13 15 13 15 16 18	40 40 80 80 90 90 30 30

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
from 178	Books, pictures, maps: from 1. Pictures, drawings, plans, maps, music: b. Produced on paper, no matter by what printing process, except the articles designated under c and d. Note to letter b. Picture postcards are assessed according to this letter. d. Music notes.....	Pood.....	12	....
	2. Books and periodicals, printed by any process in foreign languages, including such as contain, either in the text or in appendices, maps, music, plans, engravings or drawings; parallel dictionaries with Russia text.	.....	free	free
from 182	Cotton: scutched, carded; cotton wadding, even though pasted in layers, cotton combings of all kinds. 3. Hygroscopic or antiseptic wadding.....	Pood.....	7	75
from 183	Cotton spun into yarn: Note. Selfacting rope too pays duty according to the note to No. 183.			
from 185	Silk, twisted or spun: Note. The difference in the rate of duty which exists in the Russian customs tariff of 13/26 Jan., 1903, between Number 185, subdivision 1a, b and the note (silk, twisted or spun) on the one hand and Number 180, subdivision 4 and the note (raw silk or grege) on the other, will not be raised during the life of the present treaty.			
from 186	Wool, combed, spun, or twisted: 2. Spun: a. Up to and including No. 57 (metric system): a. Undyed..... b. Dyed..... b. Above No. 57 (metric system): a. Undyed..... b. Dyed..... 3. Twisted, prepared from yarn of the following numbers: a. Up to number 57, inclusive (metric system): a. Undyed..... b. Dyed..... b. Above number 57 (metric system): a. Undyed..... b. Dyed.....	Pood..... Pood..... Pood..... Pood..... Pood..... Pood..... Pood..... Pood..... Pood..... Pood..... Pood..... Pood.....	12 14 13 15 13 15 13 15 16 18	40 40 80 80 90 90 30 30

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru- beln.	Kope- ken.
aus 186	Wolle, gekämmt, gesponnen und gewirnt—Fortsetzung. 4. saffonirte jeder Art (mit Knoten, Augen, Schleifen usw.): a) ungefärbt. b) gefärbt.	Pud. Pud.	16 18	30 30
	Anmerkung 1. Geblickte Wolle wird, wie ungefärbte verzollt. Anmerkung 2. Die in Nummer 186 Punkt 2 und 3 genannte gesponnene und gewirnte Wolle wird nach den für diese Punkte festgesetzten vertragmäßigen Sägen verzollt, auch wenn sie mit Baumwolle, Reinen oder Hans gemischt ist.			
189	Baumwollener Samt, baumwollener Plüsch und baumwollene Plüschbänder, auch gemustert.	Pfund.	1	10
aus 192	Gewebe aus Jute, Flachs, Hans und anderen in Punkt 3 der Nummer 179 genannten Stoffen, mit Ausnahme der in den Nummern 191 und 193 genannten Gewebe: 1. Zwillisch zu Matratzen und Möbeln; Teppichgewebe, Möbelstoffe und dergleichen.	Pfund.		60
	3. Tischtücher, Servietten und Handtücher. . . .	Pfund.	1	35
	Anmerkung zu den Punkten 1 und 3. Die in Nummer 192 Punkt 1 und 3 genannten Gewebe werden nach den für diese Punkte festgesetzten vertragmäßigen Sägen verzollt, auch wenn sie mit Baumwolle gemischt sind. Anmerkung zu Punkt 3. Tischtücher, Servietten und Handtücher werden nach diesem Punkte verzollt, auch wenn sie mit einfachem höchstens $\frac{1}{2}$ Zoll breitem einfachem Hahlsäume und mit Franzen verzieren sind, welche nicht an das Gewebe angenäht sind, sondern lediglich aus der Verlängerung der Webefäden bestehen.			
aus 197	Samt und Plüsch, Samt- und Plüschbänder, deren Pol aus Seide (oder Abfall[Florett-Seide]) besteht, die aber in Kette und Schuß keine Seide (oder Abfall[Florett-Seide]) enthalten—auch mit einer aus seidenen oder halbseidenen Kettenfäden bestehenden Kante von höchstens $\frac{1}{2}$ Zoll Breite auf jeder Seite des Stoffes oder des Bandes.	Pfund.	4	50
199	Wollengewebe, nicht besonders genannte: mit drei Quadratarshin oder weniger auf das Pfund. mit mehr als 3 Quadratarshin auf das Pfund.	Pfund. Pfund.	1 2	50
	Anmerkung. Nicht besonders genannte Wollengewebe werden nach den für die Nummer 199 festgesetzten vertragmäßigen Sägen verzollt, auch wenn sie mit Baumwolle gemischt sind.			
aus 202	Wollenwaren zum Gebrauch für Fabriken und Werkstätten: zu 2. Treibriemen aus Kamelhaar und Preß- und Feilertücher	Pfund.		35

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
from 186	Wool, combed, spun or twisted—Continued. 4. Fashioned, of all sorts (with knots, eyes, rings, and the like): a. Undyed..... b. Dyed.....	Pood..... Pood.....	16 18	30 30
	Note. Bleached wool pays duty like dyed wool.			
	Note 2. The spun or twisted wool mentioned in Number 186, subdivision 2 and 3, is assessed according to the conventional rates established for those numbers, even though they be mixed with cotton, linen or hemp.			
189	Cotton velvet, plush, and plush ribbons, figured or not.	Pound.....	1	10
from 192	Tissues of jute, flax, hemp, and other materials named in subdivision 3 of No. 179, except the tissues named in Nos. 191 and 193:			
	1. Ticking for mattresses and for furniture; heavy tissues for carpets, furniture, and the like.	Pound.....		60
	3. Table-cloths, napkins, and towels.....	Pound.....	1	3
	Note to subdivisions 1 and 3. The tissues named in number 192, subdivisions 1 and 3, are assessed according to the conventional rates fixed for those subdivisions, even though such tissues be mixed with cotton.			
	Note to subdivision 3. Table-cloths, napkins (serviettes), and towels pay duty according to this subdivision, even though they be finished with a simple seam, at most $\frac{1}{2}$ inch wide, and with fringes that are not sewed on the tissue but merely consist of an extension of the threads of the tissue.			
from 197	Velvet and plush, ribbons of velvet and plush, with nap of silk or floss silk, not containing any silk or floss silk, either in the warp or the weft—even with a list of not more than $\frac{1}{2}$ inch in width of silk or half silk on each side of the tissue or ribbon.	Pound.....	4	50
199	Woolen materials, woven, not separately designated: With three square arshin or less per pound.. With more than 3 square arshin per pound..	Pound..... Pound.....	1 2	50
	Note. Woolen tissues, not separately designated, are assessed according to the conventional rates fixed for No. 199, even when such tissues are mixed with cotton.			
from 202	Woolen manufactures for use in factories and workshops: To 2. Machine belting of camel's hair, and pressing and straining cloth.	Pound.....		35

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollsatz in	
			Ru- beln.	Kope- ken.
aus 205	<p>Wirk- und Posamentierwaren:</p> <p>aus 1. Wirkwaren, auch mit einfacher Nahtereier (tracess de couture):</p> <p>c) aus Baumwolle</p> <p>aus jedem anderen in Punkt 1, c in- begriffenen Spinnstoff.</p> <p>2. Schnure und Posamentierbander, Kleider- besatze (Agrements), Franzen, Quasten, Garnituren und andere geflochtene Fa- bricate:</p> <p>a) seidene und halbseidene</p> <p>b) andere jeder Art</p> <p>Anmerkung. Nach den entsprechenden Punkten dieser Nummer werden verzollt Wirk- und Posamentierwaren, mit der Hand oder der Maschine hergestellt, abgepaßt gearbeitet (regular) oder geschnitten, auch gerauht oder plitschartig, auch mit einfacher Naharbeit. Wirkwaren aus Baumwolle, Feinen und Wolle konnen, ohne deshalb hoher verzollt zu werden, einen Besatz haben, wenn darin keine Seide enthalten ist. Jedoch sollen gewirkte Handschuhe nach dem vertragsmaßigen Zollsatz der Nummer 205 Punkt 1 c ohne Zuschlag auch dann verzollt werden, wenn sie mit einreihigen Zwickeln aus Seide oder Halbseide versehen sind. Gewirkte Kleidungsstucke jeder Art fallen unter Nummer 205.</p>	Pfund	75	
		Pfund	90	
		Pfund	2	85
		Pfund	90	
206	<p>Tull, auer seidene, im Stuck oder abgepaßt:</p> <p>1. baumwollener gemusterter Gardinentull (nicht gestickt und ohne ausgehatete Arbeit [Applikationen]).</p> <p>2. Tull jeder Art, nicht besonders genannter . . .</p>	Pfund	2	....
		Pfund	5	....
207	<p>Spitzen und Waren aus Spitzen:</p> <p>1. seidene oder in Verbindung mit Seide</p> <p>2. andere jeder Art</p>	Pfund	10	....
		Pfund	4	72½
aus 208	<p>Stuckereien, gestickte Gewebe und gestickter Tull:</p> <p>aus 1. jeder Art auer den in Punkt 2 dieser Nummer (208) genannten:</p> <p>b) andere jeder Art — auer den seidene- nen und halbseidene—bestickt mit Seide, Gold, Silber, unechtem Gold- und Silbergespinnst.</p> <p>c) die unter lit. b dieses Punktes ge- nannten, mit gewohnlichen Stoffen bestickt.</p>	Pfund	10	80
		Pfund	7	....

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
from 205	Knitted wares and trimmings: from 1. Knitted wares, with or without embroidered marks.			
	c) of cotton.....	Pound.....		75
	of any other kind of knitting material comprised in subdivision 1, c.	Pound.....		90
	2. Tapes and braids for trimming, fringes, tassels, facings and other plaited wares:			
	a) of silk and half silk.....	Pound.....	2	85
	b) of any other kinds.....	Pound.....		90
	Note: The following shall pay duty according to the corresponding subdivisions of the present number: Knitted wares and trimmings, made by hand or machine, made of material with woven border or pieced, also carded or plushlike, with or without traces of sewing; knitted wares of cotton, linen and wool may, without having to pay a higher duty on that account, have a garniture, provided it contain no silk. However, knitted gloves shall pay duty according to the agreed tariff rate of No. 205, subdivision 1 c, without surtax, even when they are provided with one row crotches of silk or half silk. Knitted articles of clothing of all kinds fall under number 205.			
206	Tulle, except of silk, in the piece or part piece:			
	1. Cotton tulle for curtains, figured (neither embroidered nor edged).	Pound.....	2	....
	2. Tulle of all kinds not separately designated.	Pound.....	5	....
207	Lace and lace manufactures:			
	1. of silk or with admixture of silk.....	Pound.....	10	....
	2. all other kinds.....	Pound.....	4	72½
from 208	Embroideries, embroidered tissues and embroidered tulle:			
	from 1. Of all kinds except those named in subdivision 2 of this No. (208):			
	b) all other kinds (except those of silk or half silk) embroidered with silk, gold, silver or tinsel.	Pound.....	10	80
	c) Those named under b of this number embroidered with common material.	Pound.....	7	....

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru- beln.	Kope- ten.
	aus 2. Gewebe und Tüll, nicht weniger als 1 Arschin breit, an einer Kante in einer breite von höchstens 1 Werchow bestickt.			
	Anmerkung zu Punkt 2. Soweit für Gewebe und Tüll ohne Stickerei vertragsmäßige Zollfüße festgesetzt sind, werden die in diesem Punkte vorgezeichneten Zuschläge unter Zugrundelegung der vertragsmäßigen Zollfüße berechnet.			
aus 209	Wäsche und Kleider in fertigem oder in halbfertigem Zustande:			
	1. Wäsche aller Art aus baumwollenen, leinenen oder wollenen Geweben, gezeichnet, aber ohne andere Verzierungen und Ausputz.	Pfund	2	70
	2. Wäsche jeder Art (außer seidener und halbseidener, die nach Punkt 6 dieser Nummer [209] verzollt wird), mit Ausputz von Spitzen, Einsätzen und dergleichen, auch mit Stickerei.	Pfund	3	60
	3. Männerkleider, auch mit Ausputz:			
	a) aus Baumwollen-, Leinen- oder Hanfgeweben.	Pfund	2	....
	b) aus Wollengeweben	Pfund	3	...
	4. Frauen- und Kinderkleider und andere nicht besonders genannte Bekleidungsgegenstände aus Geweben aller Art, außer seidenen oder halbseidenen:			
	a) fertige, ohne den unter lit. b dieses Punktes genannten Ausputz.	Pfund	4	....
	b) mit Ausputz aus Bändern, Samt, Pelzwerk, Spitzen, Stickerei, dessen Menge nicht die des Kleiderstoffes selbst übertrifft.	Pfund	6	....
	5. dieselben Kleider aus zwei und mehr Geweben—von denen eines aus Seide oder Halbseide besteht und an Menge das andere Gewebe nicht übertrifft—, auch mit Ausputz.	Pfund	9	....
	6. nicht besonders genannte Kleider jeder Art und andere Bekleidungsgegenstände (für Männer, Frauen und Kinder) aus Samt, Halbsamt, seidenen oder halbseidenen Geweben, mit oder ohne Ausputz; Kleider jeder Art, bei welchen die genannten Stoffe oder der Ausputz daraus überwiegen.	Pfund	12	60
	Anmerkungen zu den gemeinsamen Bemerkungen zu den Nummern 183-209.			
	Zu den Anmerkungen 2, 4 c und 6. Soweit für Carne, Gewebe, Bier- oder Treibwaren und			

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
	<p>from 2. Tissues and tulle, of not less than 1 arshin in width, embroidered on one edge to a width not exceeding 1 ver-shok.</p> <p>Note to subdivision 2. In so far as conventional tariff rates have been fixed for tissues and tulle, the surtax provided in this subdivision shall be computed on the conventional rates of duty.</p>	.....	
from 209	<p>Underlinen and other clothing, partly or wholly made up:</p> <p>1. Underlinen of cotton, flax or woolen tissues of any kind, marked but not otherwise embellished or trimmed.</p> <p>2. Underlinen of every kind (except of silk or half silk, which pays duty according to subdivision 6 of the present number (209), trimmed with lace, insertions, or the like, or embroidered.</p> <p>3. Men's clothing, trimmed or untrimmed:</p> <p>a) of cotton, linen or hemp.....</p> <p>b) of woolen tissues.....</p> <p>4. Women's and children's apparel and other articles of clothing, not separately named, of any kind of tissue except silk or half silk:</p> <p>a) made up, without the trimmings mentioned under letter b of this subdivision.</p> <p>b) trimmed with ribbons, velvet, fur, lace, embroidery to an extent not exceeding the material of which the garment is made.</p> <p>5. The same articles of clothing composed of two or more tissues,—of which one is of silk or half silk and does not preponderate over the other—with or without trimmings.</p> <p>6. All other kinds of clothing (for men, women or children), not separately designated, of velvet, half velvet, silk or half silk tissues, trimmed or not; also all kinds of clothing in which the said tissues, or trimmings thereof predominate.</p> <p>Note to the notes common to the numbers 183-209.</p> <p>To the notes 2, 4c and 6. In so far as for yarn, tissues, knitted or braided manufactures and spun</p>	<p>Pound.....</p> <p>Pound.....</p> <p>Pound.....</p> <p>Pound.....</p> <p>Pound.....</p> <p>Pound.....</p> <p>Pound.....</p>	<p>2</p> <p>3</p> <p>2</p> <p>3</p> <p>4</p> <p>6</p> <p>9</p> <p>12</p>	<p>70</p> <p>60</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>60</p>

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13. 26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru- beln.	Kope- fen.
aus 209	<p>Wasche und Kleider in fertigem oder in halbfertigem Zustande—Fortsetzung.</p> <p>Besamenterarbeiten ohne Beimischung von Seide oder unechtem Lahn (sowie von Gold oder Silber) vertragsmäßige Zollfüße festgesetzt sind, werden die für solche Beimischungen in den Anmerkungen 2, 4 c und 6 vorgegebenen Zuschläge auf Grund der vertragsmäßigen Zollfüße berechnet.</p> <p>Zu den Anmerkungen 7 und 8. Die für den Herstellungsort der Waren festgesetzten vertragsmäßigen Zollfüße sind auch für die Verzollung der genannten Waren und für die Berechnung der Zuschläge maßgebend.</p>			
aus 211	<p>Regenschirme, Sonnenschirme, Stöcke mit Schirmen:</p> <p>1. jeder Art, überzogen mit seidnem oder halbseidnem Gewebe:</p> <p>a) mit Auspuß des Ueberzugs (mit Spitzen, Bändern, Stickereien usw.).</p> <p>b) ohne Auspuß.</p> <p>2. jeder Art, mit anderen Geweben überzogen:</p> <p>a) mit Auspuß des Ueberzugs (mit Spitzen, Bändern, Stickereien usw.).</p> <p>b) ohne Auspuß:</p> <p>mit Baumwollstoff überzogen ..</p> <p>mit anderen Zeugstoffen überzogen.</p> <p>Anmerkung zu den Punkten 1 und 2. Schirmhüllen (Futterale), die aus Zeugstoff von dem Schirmstoff wie die Schirmüberzüge angefertigt sind, sowie Hüllen aus Papier oder Lederuch werden nicht besonders verzollt, wenn sie mit den Schirmen eingehen.</p>	<p>Stück 4</p> <p>Stück 3</p> <p>Stück 2</p> <p>Stück 60</p> <p>Stück 1 30</p>		
aus 3.	aus a) Schirmgestelle ohne Griff, jedoch auch mit einem über das Gestell hinausragenden und zur Befestigung eines Griffes dienenden Metallstücke sowie deren Bestandteile (Rippen, Metallstöcke).	Stück		25
aus 212	Knöpfe:			
aus 1.	Metallknöpfe jeder Art, außer goldenen, silbernen und Platinknöpfen (Nummer 148); leinene, baumwollene, wollene und seidene Knöpfe jeder Art.	Pfund		90
aus 2.	aus Porzellan	Pfund		37½
	<p>Anmerkung zu Nummer 212. Die Verzollung nach dieser Nummer (212) erfolgt einschließlich des Gewichts der Karten, auf denen die Knöpfe beschriftet sind.</p> <p>Anmerkung zu Punkt 2 der Nummer 212. Das Artikular des Zolldepartements vom 15. Januar 1897 Nummer 1087 Absatz 3, betreffend die Verzollung von Knöpfen aus Porzellannachahmungen, bleibt während der Dauer dieses Vertrags in Kraft.</p>			

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
from 209.	Underlinen and other clothing, partly or wholly made up—Continued. wares without an admixture of silk or tinsel (or of gold or silver) contractual customs rates are fixed, additional charges foreseen for such admixtures in notes 2, 4c and 6 will be computed on the basis of the contractual customs rates. To notes 7 and 8. The contractual customs rates fixed for the material used to manufacture these goods are likewise determinative for the payment of the duties of the said goods and for the computation of the additional charges.			
from 211	Umbrellas, parasols, sticks with covers: 1. of every kind, covered with silk or half silk tissue: a) trimmed (with lace, ribbon, embroidery, etc.). b) untrimmed. 2. of every sort covered with other tissue: a) trimmed (with lace, ribbon, embroidery, etc.). b) untrimmed: covered with woolen tissue... covered with other tissue....	Per piece... Per piece... Per piece... Per piece... Per piece... Per piece...	4 3 2 1	..... ..... ..... ..... 60 30
	Note to subdivisions 1 and 2. Umbrella slips made of the material of which the umbrella covers are made, as well as sheaths of paper or of leather cloth are not taxed apart if imported with the umbrellas.			
from 3.	from a) Umbrella frames without handles, but with a metal piece in prolongation of the frame and serving to affix a handle, as well as their component parts (ribs, metal sticks).	Per piece... ..		25
from 212	Buttons: from 1. Metal buttons, of every kind, excepting gold, silver and platinum buttons (No. 48); linen, cotton, woolen and silk buttons of every kind. from 2. Of porcelain.....	Pound..... Pound.....		90 37½
	Note to No. 212. Payment of duty according to this number (212) is inclusive of the weight of the cardboard to which the buttons are fastened. Note to subdivision 2 of No. 212. The circular letter of the customs department of 15 January, 1897, No. 1087, paragraph 3, referring to the payment of duty upon buttons made of imitation porcelain, remains in force during the validity of this treaty.			

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru- beln.	Kope- fen.
aus 214	<p>Jet, Perlen aus Wachs, Glas, Metall und anderen gewöhnlichen Stoffen.</p> <p>Anmerkung. Sogenannte Wachspberlen und Perlen aus inwendig mit Fischschuppen- oder anderer Perlenschnitz belegten Kugeln aus weißem Glase fallen unter diese Nummer (214), auch wenn sie sich als Nachahmungen von echten Perlen darstellen.</p>			
215	<p>Galanterie- und Toilettenartikel, nicht besonders genannte, zusammengesetzt oder auseinanderge- nommen; Kinderspielzeug:</p> <p>1. wertvolle Gegenstände, in welchen Seide, Alu- minium, Perlmutter, Korallen, Schild- patt, Elfenbein, Email, Bernstein oder dergleichen andere kostbare Stoffe, ver- goldete oder versilberte Metalle oder Metallegierungen enthalten sind; nicht besonders genannte Waren jeder Art aus Perlmutter, Schildpatt, Elfenbein und Bernstein.</p> <p>Anmerkung zu Punkt 1. Das Zirkular des Zolldepartements vom 16. November 1894 Num- mer 21510 Absatz 7, betreffend die Zollbehandlung von Taschen aus Wusch, bleibt während der Dauer dieses Vertrags in Kraft.</p>	Pfund	2	70
	<p>2. gewöhnliche Gegenstände mit Teilen, Fassun- gen oder Verzierungen aus nicht kostbaren Metallen oder Metallegierungen (unver- goldeten und unversilberten), aus Horn, Knochen, Holz, Porzellan, unedlen Stei- nen, Glas, Meerschaum, Fischbein, Jet, Zelluloid, Lava und anderen nicht kostbaren Stoffen; nicht besonders genannte Waren jeder Art aus Horn, Knochen, Meerschaum, Fischbein, Jet, Zelluloid, Lava oder Wachs.</p> <p>Anmerkung zu den Punkten 1 und 2. Kinder- spielzeug jeder Art, mit Ausnahme des unter Punkt 3 fallenden, wird mit 70 Kopeken für ein Pfund verzollt.</p> <p>Anmerkung zu Punkt 2. Nach dem für diesen Punkt festgesetzten Satz werden die hier genannten Waren verzollt, auch wenn sie Seide oder Halbleide enthalten.</p>	Pfund		70
	<p>3. unter diese Nummer (215) fallende Gegen- stände aus Kupfer oder Kupferlegierungen, ohne erhabene oder gestochene Verzierungen, — auch gestanz (Punkt 2 der Nummer 149), aus Gusseisen, Schmiedeeisen, Stahl, Zinn, Blei oder Zink, im Gewicht von weniger als 3 Pfund das einzelne Stück, ohne Verbindung mit anderen Metallen.</p>	Pfund		40

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks
from 214	Jet, pearls made of wax, glass, metal and other common material. Note. So-called glass pearls and pearls or beads of white glass filled with fish scales or other pearly essence come under this number (214), even although they appear as imitation of genuine pearls.			
215	Fancy and toilet articles, not separately designated, complete or in parts; toys: 1. Costly articles, into the composition of which there enters silk, aluminium, mother-of-pearl, coral, tortoise-shell, ivory, enamel, amher or other costly materials, gilded or silvered metals or metallic compositions, wares of all kinds, not especially designated, and made of mother-of-pearl, tortoise-shell, ivory and amber. Note to subdivision 1. The circular letter of the customs department of 16 November, 1894, No. 21510, paragraph 7, regarding treatment by the customs offices of small bags made of plush, remains in force during the validity of this treaty.	Pound	2	70
	2. Common objects with parts, settings or embellishments of non-precious metals or metal compositions (neither gilded nor silvered), or of horn, bone, wood, porcelain, non-precious stones, glass, meerschaum, fish bone, jet, celluloid, lava, and similar uncostly materials; wares of all kinds not especially designated, made of horn, bone, meerschaum, fish bone, jet, celluloid, lava or wax. Note to subdivisions 1 and 2. Toys of every sort, with the exception of those which come under subdivision 3, pay 70 Copecks per pound in customs duties. Note to subdivision 2. According to the rate provided in this subdivision, customs duties will be paid on the goods here indicated, even though they contain silk or half silk.	Pound		70
	3. Under this number (215) come objects composed of copper or copper alloys, without costly embellishments or embossed work,—even if stamped (subdivision 2 of No. 149), or of cast iron, wrought iron, steel, tin, lead or zinc, weighing less than 3 pounds per piece, and without admixture of other metals.	Pound		40

Tarif A—Fortsetzung.

Nummern des russischen allgemeinen Tarifs (vom 13./26. Januar 1903).	Bezeichnung der Waren.	Einheit.	Zollfuß in	
			Ru- beln.	Kope- ken.
aus 216	<p>Bleistifte jeder Art einschließlich der Farbstifte, auch assortiert, mit den Schachteln, in welchen sie eingeführt sind, zusammen gewogen.</p> <p>Anmerkung 2. Schiefertafeln, liniert oder unliniert, auch mit Rahmen, sowie Schiefergriffel, auch mit Papier oder anderen Stoffen überzogen, werden nach Nummer 66 Punkt 6 mit einem Zuschlage von 20% verzollt.</p>	Pfund		52½
218	<p>Muster verschiedener Stoffe und Erzeugnisse, welche nicht das Aussehen und den Charakter von Waren haben.</p> <p>Anmerkung. Muster von Geweben und Erzeugnissen jeder Art, welche nicht das Aussehen und den Charakter von Waren haben, fallen unter diese Nummer (218), auch wenn sie auf Karten befestigt, geheftet oder eingebunden sind.</p> <p>Waren, deren Einfuhr verboten ist.</p>	.....	zollfrei.	
aus 219	<p>Russische Scheidemünze, kupferne und silberne, und ausländisches kupfernes und silbernes Geld aller Art.</p> <p>Anmerkung. Reisenden und Bewohnern des Grenzbezirks, welche die Grenze mit ordnungsmäßigen Legitimationspapieren überschreiten, ist es gestattet, russische Scheidemünze bis zu 4 Rubel 50 Kopeken, deutsche Kupfer-, Nickel- oder Silbermünze bis zu 10 Mark mit sich zu führen.</p> <p>Verzeichnis der Ausfuhrzölle.</p>			
3	<p>Lumpen und Lappen jeder Art, wollene Abschnitzel und Papierhalbzug.</p>	.....	zollfrei.	

TARIFF A—Continued.

Numbers of the Russian General Tariff (of 13/26 Jan. 1903).	Classification of Articles.	Unit.	Rate of Duty in—	
			Roubles.	Copecks.
from 216	Lead pencils of every kind, inclusive of colored leads, although assorted, weighed together with the cases in which they are packed. Note 2. Writing slates, lined or unlined, together with their frames, as well as slate pencils, although covered with paper or other material, will pay, according to No. 66, subdivision 6, an additional duty of 20%.	Pound.....		52½
from 218	Samples of various materials and products having neither the appearance nor the nature of manufactured articles. Note. Samples of tissues and products of every sort not having the appearance nor the character of manufactured goods, come under this number, (218), although fastened to cardboards, stitched or bound in book form. ARTICLES WHOSE IMPORTATION IS FORBIDDEN.	Exempt from duty.		
from 219	Russian fractional currency, of copper or silver, and foreign copper and silver currency of every kind. Note. Travelers and inhabitants of the frontier districts who cross the frontier and provided with certificates issued in accordance with the ordinances in force, are permitted to carry with them Russian fractional currency to the amount of 4 Rubles and 50 Copecks, German copper, nickel or silver currency to the amount of 10 Marks. TARIFF ON EXPORT DUTIES.			
3	Rags and shreds of all kinds, woolen clippings, and half-pulp for paper manufacture.	Exempt from custom duties.		

Tarif B.

Artikel des deutschen Zolltarifs vom 25. Dezember 1902.	Bezeichnung der Waren.	Einheit.	Zollfuß in Mark.
1	Roggen	100 kg	5
2	Weizen und Spelz	100 kg	5,50
aus 3	Gerste mit Ausnahme von Malzgerste	100 kg	1,30
	<p>Anmerkung. Als andere Gerste als „Malzgerste“ ist zu behandeln und zum ermäßigten Zollfusse einzulassen:</p> <p>1. beim Eingang über bestimmte, mit besonderer Ermächtigung versehene Zollstellen Gerste, welche in reinem ungemischtem, grannenlosem Zustande das Gewicht von 65 Kilogramm für 1 Hektoliter nicht erreicht und zugleich nicht mehr als 30 Gewichtsprocente Körner enthält, deren Gewicht 67 Kilogramm oder mehr für 1 Hektoliter beträgt;</p> <p>2. Gerste, für welche der Nachweis geführt wird, daß sie zur Bereitung von Malz ungeeignet ist oder daß sie hierzu nicht verwendet wird.</p> <p>Falls die Richtigkeit der Ergebnisse der in Absatz 1 zugelassenen Ermittlung vom Wareneindringler bestritten wird, oder falls sich infolge der besonderen Beschaffenheit der zur Zollabfertigung gestellten Sendung andere Zweifelsgründe hinsichtlich der Verwendung der Gerste ergeben, ist das Zollamt nur verpflichtet, die Ware zum ermäßigten Zollfusse zuzulassen, wenn es sie zuvor zur Bereitung von Malz ungeeignet gemacht hat. Dies kann nach Wahl des Zollamts durch Ansichroten, Spigen, Einscheiden, Brechen oder ein ähnliches Verfahren geschehen. Es besteht jedoch Einverständnis, daß die Anwendung eines solchen Verfahrens ohne Kosten für den Wareneindringler erfolgt.</p>		
4	Hafer	100 kg	5
aus 11	Erbsen, Linen	100 kg	1,50
12	Futter- (Pferde- usw.) Bohnen, Lupinen, Wicken	100 kg	1,50
13	Kaps und Rübsen, Dotter, Strettigsaat, Senf, Federichsaat	100 kg	2
15	Leinsaat, Hanfsaat		frei
18	Rotkleeaat, Weißkleeaat und andere Kleeaaten		frei
19	Grasfaat aller Art		frei
aus 28	Flachs und Hanf, roh, gereinigt, geröstet, gebrochen, geschwungen, entleimt		frei
	<p>Anmerkung. Berg von Flachs und Hanf wird nach Nr. 28 zollfrei adgelassen.</p>		
30	Hopfen	100 kg Rohgewicht.	20
31	Hopfenmehl (Lupulin)	100 kg Rohgewicht.	20

TARIFF B.

Articles of the German Customs Tariff of 25 Dec., 1902.	Classification of the goods.	Unit.	Customs rate in marks.
1	Rye.....	100 kg.....	5
2	Wheat and spelt.....	100 kg.....	5. 50
from 3	Barley, excepting malt-barley.....	100 kg.....	1. 30
NOTE.—The following are rated as other than "malt-barley" and are to be admitted at reduced customs duty.			
1. At entrance through definite customs offices to which are granted special authorization—barley which, in the pure, unmixed state and awnless, weighs less than 65 kg. per hectolitre, and which, at the same time, does not contain more than 30 % grain the weight of which registers 67 kg. or more per hectolitre.			
2. Barley which is proven to be unfit for the preparation of malt, or proven not to be intended for such end.			
In case the accuracy of the results obtained by the inspection specified under paragraph 1 is contested by the importer, or in case, in consequence of the peculiar constitution of the shipment presented for clearance, grounds for suspicion should arise regarding the use of the barley, the customs office is required to admit the barley at the reduced duty only after having rendered it unfit for use in preparing malt. This operation may, at the pleasure of the customs office, be effected through rough-grinding, blunting, breaking the grain or by any other similar process. It is understood, however, that recourse to such a process is free of cost to the importer.			
4	Oats.....	100 kg.....	5
from 11	Pease, lentils.....	100 kg.....	1. 50
12	Fodder (horse, etc.), beans, lupines, vetches.....	100 kg.....	1. 50
13	Colza, cole-seed, camelina grain, chinese radish seed, mustard seed, erysimum seed.	100 kg.....	2
15	Linseed, hempseed.....		free
18	Red clover seed, white clover seed and other clover seeds.		free
19	Grass seed of all kinds.....		free
from 28	Flax and hemp, coarse, cleaned, steeped, broken, beaten, ungummed.		free
Note. The hards of flax and hemp are exempt of customs duties according to No. 28.			
30	Hops.....	100 kg, gross weight.	20
31	Lupulin.....	100 gross weight.	20

Tarif B—Fortsetzung.

Artikel des deutschen Zolltarifs vom 25. Dezember 1902.	Bezeichnung der Waren.	Einheit.	Zollfuß in Mark.
74	Bau- und Nutzholz, unbearbeitet oder lediglich in der Querrichtung mit der Art oder Säge bearbeitet, mit oder ohne Rinde:		
	hart	{100 kg. 1 Festmeter . .	0,12 1,08
	weich	{100 kg. 1 Festmeter . .	0,12 0,72
	Anmerkung. Unbearbeitetes oder lediglich in der Querrichtung mit der Art oder Säge bearbeitetes Bau- und Nutzholz für den häuslichen oder handwerksmäßigen Bedarf von Bewohnern des Grenzbezirkes, sofern es in Traglasten eingeht oder mit Zugtieren gefahren wird, bleibt, unter Uebernahme der Verantwortung und mit Beschränkung auf 10 Festmeter in einem Kalenderjahre für jeden Bezugsberechtigten, zollfrei.		
75	Bau- und Nutzholz, in der Längsrichtung beschlagen oder anderweit mit der Art vorgearbeitet oder zerkleinert; auch gerissene Späne und in anderer Weise als durch Reissen hergestellte Klapphölzer:		
	hart	{100 kg. 1 Festmeter . .	0,24 1,92
	weich	{100 kg. 1 Festmeter . .	0,24 1,44
76	Bau- und Nutzholz, in der Längsrichtung gesägt oder in anderer Weise vorgearbeitet, nicht gehobelt:		
	hart	{100 kg. 1 Festmeter . .	0,80 6,40
	weich	{100 kg. 1 Festmeter . .	0,80 4,80
80	Eisenbahnschwellen, mit der Art bearbeitet, auch auf nicht mehr als einer Längsseite gesägt, nicht gehobelt:		
	aus hartem Holze	{100 kg. 1 Festmeter . .	0,24 1,92
	aus weichem Holze	{100 kg. 1 Festmeter . .	0,24 1,14
	Anmerkung zu den Nummern 74, 75, 76 und 80. Die Verzollung des in diesen Nummern genannten Holzes kann nach Wahl des Einbringers nach Gewicht für 1 Doppelzentner oder nach Maß für das Festmeter erfolgen.		

TARIFF B—Continued.

Articles of the German Customs Tariff of 25 Dec., 1902.	Classification of the goods.	Unit.	Customs rate in marks.
74	Construction lumber and lumber for industrial purposes, undressed or only transversely hewn or sawn, with or without bark:		
	Hard.....	100 kg..... 1 cubic meter.	0. 12 1. 08
	Soft.....	100 kg..... 1 cubic meter.	0. 12 0. 72
	Note. Undressed construction lumber, or lumber for industrial purposes, or only transversely dressed with ax or saw, for domestic or professional use by the inhabitants of the frontier district, carried in by man or brought in by draft animals, is exempt from customs dues, under control of its use, and limited to 10 cubic meters for each privileged person and for such calendar year.		
75	Construction lumber and lumber for industrial purposes, squared lengthwise or otherwise dressed or cut into smaller parts with ax; also ripped splinters and ships intended to clarify liquids and obtained otherwise than by rendering with the hand:		
	Hard.....	100 kg..... 1 cubic meter.	0. 24 1. 92
	Soft.....	100 kg..... 1 cubic meter.	0. 24 1. 44
76	Construction lumber and lumber for industrial purposes, sawed lengthwise or otherwise prepared, not planed:		
	Hard.....	100 kg..... 1 cubic meter.	0. 80 6. 40
	Soft.....	100 kg..... 1 cubic meter.	0. 80 4. 80
80	Railway ties, prepared with ax, and not sawed the full length on more than one side, not planed:		
	Of hard wood.....	100 kg..... 1 cubic meter.	0. 24 1. 92
	Of soft wood.....	100 kg..... 1 cubic meter.	0. 24 1. 44
	Note to Nos. 74, 75, 76 and 80. Payment of customs duties may, at the pleasure of the importer, be made for lumber specified under these numbers, according to weight per 100 kg., or to measurement per cubic meter.		

Tarif B—Fortsetzung.

Artikel des deutschen Zolltarifs vom 25. Dezember 1902.	Bezeichnung der Waren.	Einheit.	Zollfuß in Mark.
aus 100	Pferde: im Werte bis 1000 Mark das Stück	für 1 Stück . .	72
	<small>Anmerkung. Pferde im Werte bis 300 Mark das Stück und mit weniger als 1,40 Meter Stockmaß werden zum Zollfuß von 30 Mark für 1 Stück abge- lassen.</small>		
106	Schweine	100 kg Le- b e n d e s w i c h t.	9
107	Federvieh: Gänse Hühner aller Art und sonstiges lebendes Federvieh	100 kg	frei 4
aus 108	Fleisch, ausschließlich des Schweinespecks, und genieß- bare Eingeweide von Vieh (ausgenommen Feder- vieh): einfach zubereitet	100 kg	35
	<small>Anmerkung zu den Nummern 108 und 109. Der Bundesrat ist befugt, für bestimmte Grenzstellen im Falle eines örtlichen Bedürfnisses die zollfreie Einfuhr einzelner Stücke von frischem oder einfach zubereitetem Fleische oder von Schweinespeck in Mengen von nicht mehr als 2 Kilogramm, nicht mit der Post eingehend, für Bewohner des Grenzbezirks nachzulassen. Der Fall des oben vorgeseheneu ört- lichen Bedürfnisses wird für die russische Grenze be- züglich der zollfreien Einfuhr frischen oder einfach zu- bereiteten Schweinefleisches anerkannt mit der Maß- gabe, daß diese Erleichterung zeitweilig aufgehoben werden kann, sofern ausnahmsweise veterinär-polit- zeiliche Gründe dies erfordern.</small>		
aus 110	Federvieh: geschlachtet, auch zerlegt, nicht zubereitet	100 kg	15
	gespißt oder sonst einfach zubereitet	100 kg	20
aus 112	Federmild: nicht lebend, auch zerlegt, nicht zubereitet	100 kg	20
	gespißt oder sonst einfach zubereitet	100 kg	20
118	Kaviar und Kaviarersatzstoffe (eingesalzener Fisch- rogen), auch gepreßt oder geräuchert; Kaviarlake.	100 kg:	150
134	Butter, frisch, gesalzen oder eingeschmolzen (Butter- schmalz).	100 kg	20
136	Eier von Federvieh und Federmild, roh oder nur in der Schale gefocht, auch gefärbt, bemalt oder in anderer Weise verziert.	100 kg	2
137	Eigelb, flüssig, auch eingesalzen oder mit anderen die Saltbarkeit erhöhenden Zusätzen; Eigelb, getrock- net, auch gepulvert; eingeschlagene Eier ohne Schale (Eigelb und Eiweiß vermischt).	100 kg	2
147	Bettfedern, auch gereinigt oder zugerichtet (geschliffen usw.).	. . . . .	frei

TARIFF B—Continued.

Articles of the German Customs Tariff of 25 Dec., 1902.	Classification of the goods.	Unit.	Customs rate in marks.
from 100	Horses: Worth up to 1000 Marks per head..... Note. Horses worth 300 Marks per head and measuring less than 1.40 meter up to the withers, will be admitted at the customs rate of 30 Marks per 1 head.	per 1 head..	72
106	Hogs.....	100 kg. live weight.	9
107	Fowl: Gèese..... Poultry of all kinds and other live fowl.....	100 kg.....	free 4
from 108	Meats, exclusive of bacon, and convertible viscera of cattle (excepting poultry): Prepared in simple manner.....	100 kg.....	35
<p>Note to Nos. 108 and 109. The Federal Council is authorized, for special frontier stretches, in the case of local necessity, to grant exemption from import duties, for distinct pieces of fresh or of simply prepared meats or bacon, in quantities of not more than 2 kg., not forwarded by mail, for the use of the inhabitants of the frontier district. The case of the aforementioned local necessity is recognized for the Russian frontier, with regard to the free importation of fresh or simply prepared pork, provided that this relief may be temporarily stopped, in so far as, by exception, such action is necessary for reasons of veterinary supervision.</p>			
from 110	Poultry: Killed, also cut up, not prepared..... Larded or prepared in some other simple way.	100 kg..... 100 kg.....	15 20
from 112	Feathered game: Not live, also cut up, not prepared..... Larded or prepared in some other simple way.	100 kg..... 100 kg.....	20 20
118	Caviar and caviar products (salted fish roe), also pressed or smoked; pickled caviar.	100 kg.....	150
134	Butter, fresh, salt or cast (butter grease).....	100 kg.....	20
136	Eggs from poultry or feathered game, raw or boiled in the shell, also colored, painted or otherwise embellished.	100 kg.....	2
137	Egg-yoke, liquid, also salted or with other things added to conserve them; egg-yoke, dried, also powdered; broken eggs, without shell (egg-yoke and white of egg mixed).	100 kg.....	2
147	Bed-feathers, cleansed or prepared (stripped of quills etc.).	.....	free

Tarif B—Fortsetzung.

Artikel des deutschen Zolltarifs vom 25. Dezember 1902.	Bezeichnung der Waren.	Einheit.	Zollfuß in Mark.
aus 210	Senf, gepulvert, auch entölt: in anderer Verpackung als in kleinen für den Einzelverkauf bestimmten Aufmachungen.	100 kg.	3
aus 239	Erdöl (Petroleum), flüssiger natürlicher Bergteer (Erdteer), Braunkohlenteeröl, Torfsöl, Schieferöl, Öl aus dem Teer der Boghead- oder Kännelkohle und sonstige anderweit nicht genannte Mineralöle, roh oder gereinigt: Schmieröle; auch teerartige, paraffinhaltige und im Wasser nicht untersinkende pechartige Rück- stände von der Destillation der Mineralöle; Harzöl.	100 kg.	6
	Anmerkung. Die Verzollung von Petroleum und anderen gereinigten, nicht besonders genannten, zu Beleuchtungszwecken geeigneten Mineralölen kann nach Wahl des Einbringers nach Gewicht unter Zu- grundelegung von 1 Doppelzentner oder nach dem Raumgehalt mit der Maßgabe zugelassen werden, daß dabei für 125 Liter bei einer Temperatur von 15 C. 1 Doppelzentner Reingewicht gerechnet wird.		
265	Quecksilber und Quecksilberlegierungen (Amalgame)		frei
aus 353	Flüchtige (ätherische) Öle: Terpentinöl, Fichtennadelöl, Harzgeist (Harz- senz).	. . . . .	20
	Anisöl.	100 kg.	20

TARIFF B—Continued.

Articles of the German customs tariff of Dec. 25, 1902.	Classification of the goods.	Unit.	Customs rate in marks.
from 210	Mustard, powdered, also unoiled: In other containers than the small packages for retail trade.	100 kg.....	3
from 239	Mineral oil (petroleum), liquid natural mineral tar (liquid asphalt), coal naphtha, peat oil, schist oil, oil from the tar of boghead or cannel coal, and other mineral oils not otherwise specified, crude or refined: Lubricating oils; also pitchy residues from the distillation of tar and parafine containing mineral oils, and floating in water; rosin oil. Note. Payment of customs duties on petroleum and other refined, but not specially mentioned mineral oils, used for illuminating purposes, may, at the option of the importer, be paid, at weight, on the basis of 100 kg., or on the basis of space occupied, 125 liters, at a temperature of 15 degrees centigrade, equalling 100 kg. net weight.	100 kg.....	6
265	Quicksilver and quicksilver alloys.....	.....	free
from 353	Volatile oils (oil essences): Turpentine oil, pine needle oil, rosin spirits (rosin essence).	.....	free
	Aniseed oil.....	100 kg.....	20

10. RUSSIA—GERMANY.

LEGAL-POLITICAL TREATY SUPPLEMENTARY TO THE TREATY OF PEACE BETWEEN RUSSIA AND THE CENTRAL POWERS. SIGNED AT BREST-LITOVSK, 3 MARCH, 1918.¹

[German text as published in the Reichs-Gesetzblatt, No. 77, 11 June, 1918.]

[Translation.]

Auf Grund des Artikel XII des Friedensvertrags zwischen Deutschland, Osterreich-Ungarn, Bulgarien und der Türkei einerseits und Rußland andererseits sind

die Bevollmächtigten des Deutschen Reichs, nämlich

der Staatssekretär des Auswärtigen Amtes, Kaiserlicher Wirklicher Geheimer Rat, Herr Richard von Kühlmann,

der Kaiserliche Gesandte und bevollmächtigte Minister, Herr Dr. von Rosenberg,

der Königlich Preussische Generalmajor Hoffmann, Chef des Generalstabs des Oberbefehlshabers Ost, und

der Kaiserliche Kapitän zur See Horn, sowie

die Bevollmächtigten der Russischen Föderativen Sowjets-Republik, nämlich,

Grigorij Jakowlewitsch Sokolnikow, Mitglied des Zentral-Exekutiv-Ausschusses der Räte der Arbeiter-, Soldaten- und Bauerndeputierten,

Lew Michailowitsch Karachan, Mitglied des Zentral-Exekutiv-Ausschusses der Räte der Arbeiter-, Soldaten- und Bauerndeputierten,

In virtue of Article XII of the Peace Treaty between Germany, Austria-Hungary, Bulgaria, and Turkey, on the one hand, and Russia, on the other hand,

The plenipotentiaries of the German Empire, namely,

The Secretary of State for Foreign Affairs, the Actual Imperial Privy Councillor, Herr Richard von Kühlmann;

The Imperial Envoy and Minister Plenipotentiary, Dr. von Rosenberg;

The Royal Prussian Major General Hoffmann, Chief of the General Staff of the Commander-in-Chief of the East; and

The Imperial Naval Captain Horn; as well as

The plenipotentiaries of the Russian Federal Soviet-Republic, namely,

Grigory Iakovlevich Sokolnikow, Member of the Central Executive Committee of Councillors to the Deputies of the Workingmen, Soldiers, and Peasants;

Lew Michailovich Karachan, Member of the Central Executive Committee of Councillors to the Deputies of the Workingmen, Soldiers and Peasants;

¹ Ratifications exchanged at Berlin, 29 March, 1918 (p. 139, this volume).

Georgij Wassiljewitsch Tschitscherin, Gehilfe des Volkskommissars für auswärtige Angelegenheiten, und

Grigorij Iwanowitsch Petrowskij, Volkskommissar für innere Angelegenheiten,

übereingekommen, die Herstellung der öffentlichen und privaten Rechtsbeziehungen zwischen Deutschland und Rußland, den Austausch der Kriegsgefangenen und Zivilinternierten, die Fürsorge für Rückwanderer, die aus Anlaß des Friedensschlusses zu erlassende Amnestie und die Behandlung der in die Gewalt des Gegners geratenen Kauffahrteischiffe unverzüglich zu regeln und zu diesem Zwecke einen Zusatzvertrag zu dem Friedensvertrag abzuschließen.

Nachdem die Bevollmächtigten festgestellt hatten, daß die von ihnen bei der Unterzeichnung des Friedensvertrags vorgelegten Vollmachten die Erledigung der vorstehend bezeichneten Gegenstände mit umfassen, haben sie sich über folgende Bestimmungen geeinigt.

Erstes Kapitel.

Wiederaufnahme der diplomatischen und konsularischen Beziehungen.

Artikel I.

Bei Wiederaufnahme der konsularischen Beziehungen gemäß Artikel X des Friedensvertrags wird jeder vertragschließende Teil die Konsuln des anderen Teiles an allen Plätzen seines Gebiets zulassen, soweit nicht bereits vor dem Kriege für einzelne gemischtsprachige Plätze oder Gebietsteile Ausnahmen bestanden und diese Ausnahmen nach dem Kriege jeder dritten Macht gegenüber gleichmäßig aufrechterhalten werden.

Jeder Teil bedingt sich vor, aus Gründen der Kriegsnotwendigkeit an gewissen Plätzen Konsuln des anderen Teiles erst nach Abschluß des allgemeinen Friedens zuzulassen.

Georgi Vassillioviich Tschitscherin, Assistant of the People's Commissioner for Foreign Affairs; and

Grigory Ivanovich Petrovsky, People's Commissioner for Internal Affairs,

have agreed to settle forthwith the reestablishment of public and private legal relations between Germany and Russia, and the exchange of war prisoners and interned civilians, provision for repatriates, the amnesty to be issued by reason of the conclusion of peace, and the treatment of merchant ships which have come into the power of the opponent, and to that end to conclude an additional treaty to the Peace Treaty.

After the plenipotentiaries had established that the powers which they had submitted at the signature of the Peace Treaty include the settlement of the objects hereinbefore indicated, they agreed upon the following stipulations.

FIRST CHAPTER.

RESUMPTION OF DIPLOMATIC AND CONSULAR RELATIONS.

ARTICLE 1.

Upon the resumption of consular relations, in accordance with Article X of the Peace Treaty, each contracting party will admit the consuls of the other party to all parts of its territory, provided that already before the war exceptions did not exist with regard to places or territorial regions of mixed languages, and provided that these exceptions will, after the war, apply equally to any third Power.

Each party reserves unto itself, for reasons of military necessity, to admit to certain places consuls of the other party only after the conclusion of the general peace.

Artikel 2.

ARTICLE 2.

Jeder vertragschließende Teil wird alle Schäden ersetzen, die in seinem Gebiete während des Krieges von den dortigen staatlichen Organen oder der Bevölkerung durch völkerrechtswidrige Handlungen diplomatischen und konsularischen Beamten des anderen Teiles zugefügt oder an Botschafts- und Konsulatsgebäuden dieses Teiles oder an deren Inventar angerichtet worden sind.

Each contracting party will make compensation for all losses which have been caused during the war by local public organs or by the population, through acts contrary to international law against the diplomatic and consular officials of the other party or against the buildings of the embassy and consulate of this party or against its property.

Zweites Kapitel.

SECOND CHAPTER.

Wiederherstellung der Staatsverträge.

REESTABLISHMENT OF POLITICAL TREATIES.

Artikel 3.

ARTICLE 3.

Die Verträge, Abkommen und Vereinbarungen, die zwischen den vertragschließenden Teilen vor der Kriegserklärung in Kraft gewesen sind, treten vorbehaltlich abweichender Bestimmungen des Friedensvertrags und dieses Zusatzvertrags bei deren Ratifikation mit der Maßgabe wieder in Kraft, daß, soweit sie für eine bestimmte Zeit un kündbar sind, diese Zeit um die Kriegsdauer verlängert wird.

The treaties, conventions, and agreements which were in force between the contracting parties before the declaration of war go again into force after the ratification of the Peace Treaty and of this additional treaty with the reservation of contrary stipulations, on the condition that, in so far as they cannot be denounced for a definite time, such period of time will be extended to the duration of the war.

Artikel 4.

ARTICLE 4.

Jeder vertragschließende Teil kann dem anderen Teile binnen sechs Monaten nach der Unterzeichnung des Friedensvertrags die Verträge, Abkommen oder Vereinbarungen oder deren Einzelbestimmungen mitteilen, die nach seiner Auffassung mit den während des Krieges eingetretenen Veränderungen in Widerspruch stehen. Diese Vertragsbestimmungen sollen tunlichst bald durch neue Verträge ersetzt werden, die den veränderten Anschauungen und Verhältnissen entsprechen.

Each contracting party may, within the six months after the signature of the Peace Treaty, communicate to the other party treaties, conventions, or agreements, or their special provisions which in its opinion are in contradiction to the changes that have taken place during the war. Such treaty provisions shall, as soon as possible, be replaced through new treaties meeting the changed views and conditions.

Zur Ausarbeitung der im Absatz 1 vorgesehene neuen Verträge wird binnen sechs Monaten nach der Ratifikation des Friedensvertrags eine aus Vertretern der beiden Teile bestehende

For the drafting of the new treaties provided for in paragraph 1, a commission consisting of representatives of the two parties will meet at Berlin within

Kommission in Berlin zusammentreten. Soweit sich diese binnen drei Monaten nach ihrem Zusammentritt nicht einigt, steht es jedem Teile frei, von den Vertragsbestimmungen zurückzutreten, die er gemäß Absatz 1 Satz 1 dem anderen Teile mitgeteilt hat, handelt es sich dabei um Einzelbestimmungen, so steht dem anderen Teile der Rücktritt vom ganzen Verträge frei.

Artikel 5.

Die Verträge, Abkommen und Vereinbarungen, an denen außer den vertragschließenden Teilen dritte Mächte beteiligt sind, treten zwischen den beiden Teilen, vorbehaltlich abweichender Bestimmungen des Friedensvertrags bei dessen Ratifikation wieder in Kraft. Auf die mit solchen Kollektivverträgen in Zusammenhang stehenden Einzelverträge zwischen den beiden Teilen finden die Bestimmungen des Artikel 3 über die Verlängerung der Geltungsdauer und des Artikel 4 über den Rücktritt keine Anwendung.

Wegen der Kollektivverträge politischen Inhalts, an denen noch andere kriegsführende Mächte beteiligt sind, behalten sich die beiden Teile ihre Stellungnahme bis nach Abschluß des allgemeinen Friedens vor.

Drittes Kapitel.

Wiederherstellung der Privatrechte.

Artikel 6.

Alle in dem Gebiet eines vertragschließenden Teiles bestehenden Bestimmungen, wonach mit Rücksicht auf den Kriegszustand die Angehörigen des anderen Teiles in Ansehung ihrer Privatrechte irgendwelcher besonderen Regelung unterliegen (Kriegsgesetze), treten mit der Ratifikation des Friedensvertrags außer Anwendung.

the six months following the ratification of the peace treaty. In case this commission does not reach an agreement within the three months following its meeting, each party is free to withdraw from the treaty provisions which, according to paragraph 1, clause 1, it has communicated to the other party; in case this concerns special provisions, the other party has the right to withdraw from the entire treaty.

ARTICLE 5.

The treaties, conventions, and agreements in which, besides the contracting parties, third powers take part, go again into force between the two parties, with the reservation of contrary provisions of the Peace Treaty, upon the latter's ratification. Special treaties between the two parties and connected with such collective treaties are not affected by the provision of Article 3 concerning the extension of the validity, nor by Article 4 anent the rejection of treaties.

As regards collective treaties of a political nature in which other belligerent powers also take part, the two parties reserve unto themselves their attitude till after the conclusion of the general peace.

THIRD CHAPTER.

REESTABLISHMENT OF PRIVATE RIGHTS.

ARTICLE 6.

All provisions in force within the territory of a contracting party, by which, because of the state of war, the nationals of the other party are subject to special regulations (war laws) with regard to their private rights, go out of force upon the ratification of the present treaty.

Als Angehörige eines vertragschließenden Theiles gelten auch solche juristische Personen und Gesellschaften, die in seinem Gebiet ihren Sitz haben. Ferner sind den Angehörigen eines Theiles juristische Personen und Gesellschaften, die in seinem Gebiete nicht ihren Sitz haben, insoweit gleichzustellen, als sie im Gebiete des anderen Theiles den für diese Angehörigen geltenden Bestimmungen unterworfen waren.

Juridical persons and societies which have their seat within the territory of a contracting party, are also regarded as nationals of that contracting party. And, furthermore, juridical persons and societies which have not their seat within the territory of a contracting party are to be regarded as on a par with the nationals of that party, in so far as within the territory of the other party they were subject to the regulations applying to the nationals of the latter party.

Artikel 7.

ARTICLE 7.

Über privatrechtliche Schuldverhältnisse, die durch Kriegsgesetze beeinträchtigt worden sind, wird nachstehendes vereinbart.

Concerning private legal debt relations, which have been affected by the laws of war, the following has been agreed upon.

§ 1.

§ 1.

Die Schuldverhältnisse werden wiederhergestellt, soweit sich nicht aus den Bestimmungen der Artikel 7 bis 11 ein Anderes ergibt.

Debt relations will be reestablished, provided it is not otherwise specified in the provisions of Articles 7 to 11.

§ 2.

§ 2.

Die Bestimmung des § 1 hindert nicht, daß die Frage, welchen Einfluß die durch den Krieg geschaffenen Zustände, insbesondere die durch Verkehrshindernisse oder Handelsverbote herbeigeführte Unmöglichkeit der Erfüllung, auf die Schuldverhältnisse ausüben, im Gebiete jedes vertragschließenden Theiles nach den dort für alle Landeseinwohner geltenden Gesetzen beurteilt wird.

The provision of § 1 does not prevent the question as to what influence the circumstances created by the war, especially the impossibility of fulfillment brought about by hindrances in transportation or commercial prohibitions, exert upon debt relations, from being decided within the territory of each contracting party according to the laws applicable to all the inhabitants of the country.

Dabei dürfen die Angehörigen des anderen Theiles, die durch Maßnahmen dieses Theiles behindert worden sind, nicht ungünstiger behandelt werden, als die Angehörigen des eigenen Staates, die durch dessen Maßnahmen behindert worden sind. Auch soll derjenige, der durch den Krieg an der rechtzeitigen Bewirkung einer Leistung behindert war, nicht verpflichtet sein, den dadurch entstandenen Schaden zu ersetzen.

In these circumstances, the nationals of the other party who have been restricted through measures of this party may not be treated less favorably than the nationals of the respective State who were restricted through the measures of that party. Even the one whom the war prevented from fulfilling an obligation in due time shall not be obligated to make compensation for the losses occasioned thereby.

§ 3.

Geldforderungen, deren Bezahlung im Laufe des Krieges auf Grund von Kriegsgesetzen verweigert werden konnte, brauchen nicht vor Ablauf von sechs Monaten nach der Ratifikation des Friedensvertrags bezahlt zu werden. Sie sind von der ursprünglichen Fälligkeit an für die Dauer des Krieges und der anschließenden sechs Monate ohne Rücksicht auf Moratorien mit fünf vom Hundert für das Jahr zu verzinsen; bis zur ursprünglichen Fälligkeit sind gegebenenfalls die vertraglichen Zinsen zu zahlen.

Die vertragschließenden Teile behalten sich vor, nähere Bestimmungen auf dem Gebiete des Wechsel- und Scheckrechts sowie der Valutageschäfte zu vereinbaren.

§ 4.

Für die Abwicklung der Außenstände und sonstigen privatrechtlichen Verbindlichkeiten sind die staatlich anerkannten Gläubigerschutzverbände zur Verfolgung der Ansprüche der ihnen angeschlossenen natürlichen und juristischen Personen als deren Bevollmächtigte wechselseitig anzuerkennen und zuzulassen.

Artikel 8.

Jeder vertragschließende Teil mit Einschluß seiner Gliedstaaten wird sofort nach der Ratifikation des Friedensvertrags die Bezahlung seiner Verbindlichkeiten, insbesondere den öffentlichen Schuldendienst, gegenüber den Angehörigen des anderen Teiles wieder aufnehmen. Die vor der Ratifikation fällig gewordenen Verbindlichkeiten werden binnen sechs Monaten nach der Ratifikation bezahlt werden.

Die Bestimmung des Absatz 1 findet keine Anwendung auf solche gegenüber einem Teile bestehenden Forderungen,

§ 3.

Pecuniary obligations whose payment could be refused in the course of the war by virtue of war laws, need not be paid before the expiration of six months from the time of the ratification of the Peace Treaty. Regardless of moratoriums, they are payable, with interest at 5% per annum, from the original date when payment was due, for the duration of the war and the additional six months; in case interest was stipulated up to the time on which payment was due, such interest is to be paid.

The contracting parties reserve unto themselves to agree upon more detailed provisions in the field of the laws anent drafts and checks as well as monetary transactions.

§ 4.

For the liquidation of outstanding debts and other private legal obligations, the national recognized associations for the protection of creditors are to be recognized and admitted as reciprocally empowered agents for the prosecution of the claims of natural and juridical persons connected with them.

ARTICLE 8.

Each contracting party, with the inclusion of its component States will, immediately upon the ratification of the Peace Treaty, resume payment of its obligations, especially payment of public obligations, to the nationals of the other party. Obligations that have become due before the ratification, will be paid within the six months following the ratification.

The provision of paragraph 1 does not apply to such claims against a party as have only, after

die erst nach der Unterzeichnung des Friedensvertrags auf Angehörige des anderen Theiles übergegangen sind.

the signature of the Peace Treaty, passed into the hands of nationals of the other party.

Artikel 9.

ARTICLE 9.

Über Urheberrechte und gewerbliche Schutzrechte, Konzessionen und Privilegien sowie ähnliche Ansprüche auf öffentlich-rechtlicher Grundlage, die durch Kriegsgesetze beeinträchtigt worden sind, wird nachstehendes vereinbart.

Concerning copyright, and industrial patents, concessions, and privileges as well as similar claims based upon public law and which have been prejudiced by war laws, the following is agreed upon.

§ 1.

§ 1.

Die im Eingang bezeichneten Rechte werden wiederhergestellt, soweit sich nicht aus dem Artikel 11 ein Anderes ergibt.

The rights indicated in the beginning of this article are re-established unless otherwise provided for in Article 11.

Dem Berechtigten werden die von ihm für die Zeit der Entziehung der Rechte geschuldeten Gebühren erlassen oder, falls er sie bereits bezahlt hat, zurückerstattet; hat der Staat aus der Benutzung der Rechte durch Dritte Vermögensvorteile gezogen, welche die Gebühren übersteigen, so ist dem Berechtigten der Mehrbetrag herauszugeben. Soweit der Staat Rechte, die ihm übereignet worden sind, benutzt hat, ist der Berechtigte angemessen zu entschädigen.

The owner of the right is released from the dues owed for the time when he was deprived of his rights, or in case he has already paid such dues, they are to be returned to him; in case the State has derived profit through the use of his rights by third parties and such profit exceeds the dues, the surplus is then to be paid to the owner of the right. In so far as the State has made use of rights which have been conveyed to it, the owner of the right is to be adequately compensated.

§ 2.

§ 2.

Jeder vertragschließende Teil wird den Angehörigen des anderen Theiles, die aus Anlaß des Krieges eine gesetzliche Frist für die Vornahme einer zur Begründung oder Erhaltung eines gewerblichen Schutzrechts erforderlichen Handlung versäumt haben, unbeschadet wohlervorbener Rechte Dritter, für die Nachholung der Handlung eine Frist von mindestens einem Jahre nach der Ratifikation des Friedensvertrags gewähren.

Each contracting party will extend to the citizens of the other party a term of not less than one year from the ratification of the Peace Treaty, in order to allow them to take necessary action, provided this does not violate the legally appropriated rights of third parties to establish or to maintain an industrial patent, in case the legal term given for such action has been allowed to elapse owing to the war.

Gewerbliche Schutzrechte der Angehörigen des einen Theiles sollen im Gebiete des anderen Theiles wegen Nichtausübung nicht vor Ablauf von vier Jahren nach der Ratifikation verfallen.

Industrial patents of the nationals of one party shall not be forfeited within the territory of the other party on account of their non-exploitation before the expiration of four years after the ratification.

§ 3.

Die Bestimmung des § 1 Abs. 1 findet auf KonzeSSIONen und Privilegien sowie ähnliche Ansprüche auf öffentlich-rechtlicher Grundlage keine Anwendung, soweit diese auf Grund einer für alle Landeseinwohner und für alle Rechte der gleichen Art geltenden Gesetzgebung inzwischen abgeschafft oder vom Staate oder von Gemeinden übernommen worden sind und in deren Besitze verbleiben; in diesen Fällen regelt sich die Entschädigung des Berechtigten nach den Bestimmungen des Artikel 13.

§ 4.

Die vertragschließenden Teile behalten sich vor, wegen der Priorität gewerblicher Schutzrechte besondere Bestimmungen zu vereinbaren.

Artikel 10.

Die Fristen für die Verjährung von Rechten sollen im Gebiete jedes vertragschließenden Teiles gegenüber den Angehörigen des anderen Teiles, falls sie zur Zeit des Kriegsausbruchs noch nicht abgelaufen waren, frühestens ein Jahr nach der Ratifikation des Friedensvertrages ablaufen. Das Gleiche gilt von den Fristen zur Vorlegung von Zinscheinen und Gewinnanteilscheinen sowie von ausgelosten oder sonst zahlbar gewordenen Wertpapieren.

Artikel 11.

Die Tätigkeit der Stellen, die auf Grund von Kriegsgeetzen mit der Aufsichtigung, Verwahrung, Verwaltung oder Liquidation von Vermögensgegenständen oder der Annahme von Zahlungen befaßt worden sind, soll unbeschadet der Bestimmungen der Artikel 12, 13 nach Maßgabe der nachstehenden Grundsätze abgewickelt werden.

§ 3.

The provision of § 1 Paragraph 1, does not apply to concessions and privileges nor to similar claims based upon public law in so far as, in virtue of valid legislation applicable to all the inhabitants of the country and to all rights of a similar nature, they have, in the meantime, been annulled or taken over by the State or by communities and remain in their possession; in such cases the indemnification of the owner of the right is settled in accordance with the provisions of Article 13.

§ 4.

The contracting parties reserve unto themselves to agree to special provisions with regard to priority of industrial patents.

ARTICLE 10.

The dates for the expiration of rights shall, within the territory of each contracting party and in respect to the nationals of the other party, not expire earlier than one year after the ratification of the Peace Treaty, provided that they had not expired at the outbreak of the war. The same applies to the dates for the presentation of interest certificates and certificates in profit sharing as well as to securities redeemed or else become due.

ARTICLE 11.

The activity of the institutions which in virtue of war laws have been entrusted with the supervision, safeguarding, administration, or liquidation of properties or with the acceptance of payments shall, without prejudice to the provisions of Articles 12, 13 be settled in accordance with the following basic rules.

§ 1.

Die beaufsichtigten, verwahrten oder verwalteten Vermögensgegenstände sind auf Verlangen des Berechtigten unverzüglich freizugeben; bis zur Übernahme durch den Berechtigten ist für die Wahrung seiner Interessen zu sorgen.

Gelder und Wertpapiere, die sich bei einer zentralen Hinterlegungsstelle, einem öffentlichen Treuhänder oder einer sonstigen staatlich beauftragten Sammelstelle befinden, sind binnen drei Monaten nach der Ratifikation des Friedensvertrags dem Berechtigten zur Verfügung zu stellen; mit den Geldern sind Zinsen zum Jahresfusse von vier vom Hundert seit der Einzahlung bei der Sammelstelle, mit den Wertpapieren sind die eingezogenen Zinsen und Gewinnanteile herauszugeben.

§ 2.

Die Bestimmungen des § 1 sollen wohlerworbene Rechte Dritter nicht berühren. Zahlungen und sonstige Leistungen eines Schuldners, die von dem im Eingang dieses Artikels erwähnten Stellen oder auf deren Veranlassung entgegengenommen worden sind, sollen in den Gebieten der vertragschließenden Teile die gleiche Wirkung haben, wie wenn sie der Gläubiger selbst empfangen hätte.

Privatrechtliche Verfügungen, die von den bezeichneten Stellen oder auf deren Veranlassung oder ihnen gegenüber vorgenommen worden sind, bleiben mit Wirkung für beide Teile aufrechterhalten.

§ 3.

Über die Tätigkeit der im Eingang dieses Artikels erwähnten Stellen, insbesondere über die Einnahmen und Ausgaben, ist den Berechtigten auf Verlangen unverzüglich Auskunft zu erteilen.

§ 1.

The supervised, safeguarded, or administered properties are, upon the demand of the person entitled thereto, to be released immediately; until the transfer to the person entitled thereto has been effected, the safeguarding of his interests is to be cared for.

Moneys and securities held by a central institution of deposit, by a public trustee, or in other savings institutions commissioned by the State, are to be placed at the disposal of the person entitled thereto within the three months following the ratification of the Peace Treaty; along with the moneys, interest at the annual rate of 4% from the date of deposit with the savings institutions is to be paid; along with the securities, accrued interest and profit shares are to be handed over.

§ 2.

The provisions of § 1 shall not affect properly acquired rights of third parties. Payments and other obligations of a debtor which have been accepted by the institution mentioned in the beginning of this article or upon their solicitation, shall, within the territories of the contracting parties, have the same effect as if the creditor himself had received them.

Private legal measures which have been resorted to by the specified institutions or upon their solicitation or with regard to them, are to remain effective for both parties.

§ 3.

Concerning the activity of the institutions mentioned in the beginning of this article, especially concerning receipts, expenditures, information is to be immediately afforded upon the demand of those entitled to it.

Ersatzansprüche wegen der Tätigkeit dieser Stellen oder wegen der auf ihre Veranlassung vorgenommenen Handlungen können nur gemäß den Bestimmungen des Artikel 13 geltend gemacht werden.

Artikel 12.

Grundstücke oder Rechte an einem Grundstück, Bergwerksgerechtfame sowie Rechte auf die Benutzung oder Ausbeutung von Grundstücken, Unternehmungen oder Beteiligungen an einem Unternehmen, insbesondere Aktien, die infolge von Kriegsgesetzen veräußert oder dem Berechtigten sonst durch Zwang entzogen worden sind, sollen dem früheren Berechtigten auf einen innerhalb eines Jahres nach der Ratifikation des Friedensvertrags zu stellenden Antrag gegen Rückgewährung der ihm aus der Veräußerung oder Entziehung etwa erwachsenen Vorteile frei von allen inzwischenden begründeten Rechten Dritter wieder übertragen werden.

Die Bestimmungen des Absatz 1 finden keine Anwendung, soweit die veräußerten Vermögensgegenstände auf Grund einer für alle Landeseinwohner und für alle Gegenstände der gleichen Art geltenden Gesetzgebung inzwischenden vom Staate oder von Gemeinden übernommen worden sind und in deren Besitz verbleiben. In diesen Fällen regelt sich die Entschädigung des Berechtigten nach den Bestimmungen des Artikel 13; auch kann bei einer Wiederaufhebung der Übernahme der im Absatz 1 vorgesehene Antrag auf Rückgewährung innerhalb eines Jahres nach der Wiederaufhebung gestellt werden.

Viertes Kapitel.

Ersatz für Zivilschäden.

Artikel 13.

Der Angehörige eines vertragschließenden Teiles, der im Gebiete des an-

Claims for damages on account of the activity of these institutions or on account of actions taken upon their solicitation can be validly presented only in accordance with the provisions of Article 13.

ARTICLE 12.

Parcels of land or rights to a parcel of land, mining privileges as well as rights to the use or exploitation of parcels of land, enterprises or participation in an enterprise, especially shares which in consequence of war laws have been alienated or forcibly taken from the person entitled thereto, must be returned to the former owner upon a claim to that end within one year after the ratification of the peace treaty by deducting any profit that may have accrued to him as a result of the said alienation or subtraction, exempt from all rights established in the interval by third parties.

The provisions of paragraph 1 do not apply in so far as the alienated properties, in virtue of legislation applicable to all the inhabitants of the land and to all objects of a like nature, have been taken over in the meantime by the State or by communities and remain in their possession. In such cases the indemnity due the person entitled thereto is settled in accordance with the provisions of Article 13; further, in the case of cancellation of the transfer, the demand foreseen in paragraph 1 anent deducting of profit, may be presented within one year after the cancellation.

FOURTH CHAPTER.

COMPENSATION FOR CIVIL LOSSES.

ARTICLE 13.

The national of a contracting party who within the territory of

deren Theiles in Folge von Kriegsgesetzen durch die zeitweilige oder dauernde Entziehung von Urheberrechten, gewerblichen Schutzrechten, Konzessionen, Privilegien und ähnlichen Ansprüchen oder durch die Beaufsichtigung, Verwahrung, Verwaltung oder Veräußerung von Vermögensgegenständen einen Schaden erlitten hat, ist in angemessener Weise zu entschädigen, soweit der Schaden nicht durch Wiedereinsetzung in den vorigen Stand ersetzt wird. Dies gilt auch von Aktionären, die wegen ihrer Eigenschaft als feindliche Ausländer von einem Bezugsrecht ausgeschlossen worden sind.

Artikel 14.

Jeder vertragschließende Theil wird den Zivilangehörigen des anderen Theiles die Schäden ersetzen, die ihnen in seinem Gebiete während des Krieges von den dortigen staatlichen Organen oder der Bevölkerung durch völkerrrechtswidrige Gewaltakte an Leben, Gesundheit oder Vermögen zugefügt worden sind. Diese Bestimmung findet auch Anwendung auf die Schäden, welche die Angehörigen des einen Theiles als Theilhaber der auf dem Gebiete des anderen Theiles befindlichen Unternehmungen erlitten haben.

Artikel 15.

Zur Feststellung der nach Artikel 12, 14 zu ersetzenden Schäden soll alsbald nach der Ratifikation des Friedensvertrages in St. Petersburg eine Kommission zusammentreten, die zu je einem Drittel aus Vertretern der beiden Theile und neutralen Mitgliedern gebildet wird; um die Bezeichnung der neutralen Mitglieder, darunter des Vorsitzenden, wird der Präsident des Schweizerischen Bundesrats gebeten werden.

Die Kommission stellt die für ihre Entscheidungen maßgebenden Grundsätze auf; auch erläßt sie die zur Er-

the other party, in virtue of war laws has suffered loss through the temporary or permanent subtraction of copyright, industrial patents, concessions, privileges, and similar claims, or through the supervision, safeguarding, administration, or alienation of properties, is to be compensated in adequate manner, in so far as the loss can not be made good by restoration to the former condition. This applies also to shareholders who in their quality of enemy aliens have been excluded from the right of preemption.

ARTICLE 14.

Each contracting party will compensate the civilian nationals of the other party for the losses which have been occasioned to them, in body, health, or property, within its territory during the war by the local public organs or by the population through acts of violence contrary to international law. This provision applies likewise to the losses which the nationals of the one party have suffered as associates in enterprises within the territory of the other party.

ARTICLE 15.

In order to determine the losses to be compensated for in accordance with Articles 13, and 14, a Commission shall meet in St. Petersburg, immediately after the ratification of the peace treaty, which will be composed one-third each of representatives of the two parties and of neutral members; the President of the Swiss Federal Council will be requested to designate the neutral members, and among these, the chairman.

The Commission establishes the principles, authoritative for its decisions; it also adopts the necessary business order for the

ledigung ihrer Aufgaben erforderliche Geschäftsordnung und die Bestimmungen über das dabei einzuschlagende Verfahren. Ihre Entscheidungen erfolgen in Unterkommissionen, die aus je einem Vertreter der beiden Teile und einem neutralen Obmann gebildet werden. Die von den Unterkommissionen festgestellten Beträge sind innerhalb eines Monats nach der Feststellung zu bezahlen.

Artikel 16.

Jeder vertragschließende Teil wird die von ihm in seinem Gebiete bei Angehörigen des anderen Teiles angeforderten Gegenstände, soweit dies noch nicht geschehen ist, unverzüglich bezahlen.

Wegen Regelung der Entschädigung für solche Vermögenswerte von Angehörigen des einen Teiles, die abgesehen von den im Artikel 9 § 3 und im Artikel 12 Abs. 2 bezeichneten Fällen im Gebiete des anderen Teiles ohne ausreichenden Ersatz enteignet worden sind, bleibt eine besondere Vereinbarung vorbehalten.

Fünftes Kapitel.

Austausch der Kriegsgefangenen und Zivilinternierten.

Artikel 17.

Über den im Artikel VIII des Friedensvertrags vorgesehenen Austausch der Kriegsgefangenen werden die nachstehenden Bestimmungen getroffen.

§ 1.

Die beiderseitigen Kriegsgefangenen werden in ihre Heimat entlassen werden, soweit sie nicht mit Zustimmung des Nehmestaats in dessen Gebiete zu bleiben oder sich in ein anderes Land zu begeben wünschen.

settlement of its tasks and the rules of procedure which it is to observe. Its decisions are reached in subcommissions each of which will be composed of a representative of the two parties and one neutral umpire. The amounts established by the subcommission are payable within one month after the determination thereof.

ARTICLE 16.

Each contracting party will immediately pay for the articles requisitioned within its territory of the nationals of the other party, in so far as this has not already been done.

With regard to the settlement of the loss of such property values by nationals of one party who, besides the cases specified in Article 9, § 3, and in Article 12, Paragraph 2, have been seized within the territory of the other party without adequate compensation, a special agreement is reserved.

FIFTH CHAPTER.

EXCHANGE OF PRISONERS OF WAR AND INTERNED CIVILIANS.

ARTICLE 17.

Concerning the exchange of prisoners of war foreseen in Article VIII of the Peace Treaty, the following provisions are adopted:

§ 1.

The prisoners of war of both parties will be released into their homeland, in so far as they do not, with the consent of the capturing State, desire to remain within the latter's territory or betake themselves into another country.

Der bereits im Gange befindliche Austausch dienstuntauglicher Kriegsgefangenen wird mit möglichster Beschleunigung durchgeführt werden.

Der Austausch der übrigen Kriegsgefangenen erfolgt tunlichst bald in bestimmten, noch näher zu vereinbarenden Zeiträumen.

Rußland wird auf seinem Gebiete deutsche Kommissionen zum Zwecke der Fürsorge für deutsche Kriegsgefangene zulassen und nach Kräften unterstützen.

§ 2.

Bei der Entlassung erhalten die Kriegsgefangenen das ihnen von den Behörden des Nehmestaats abgenommene Privateigentum sowie den noch nicht ausbezahlten oder verrechneten Teil ihres Arbeitsverdienstes; diese Verpflichtung bezieht sich nicht auf Schriftstücke militärischen Inhalts.

§ 3.

Jeder vertragschließende Teil wird die Aufwendungen, die für seine in Kriegsgefangenschaft geratenen Angehörigen von dem anderen Teile gemacht worden sind, erstatten, soweit die Aufwendungen nicht durch die Arbeit der Kriegsgefangenen in Staats- oder Privatbetrieben als abgegolten anzusehen sind.

Die Bezahlung erfolgt in der Währung des Nehmestaats in Teilbeträgen für je 50 000 Kriegsgefangene, und zwar jedesmal innerhalb einer Woche nach deren Entlassung.

§ 4.

Eine aus je vier Vertretern der beiden Teile zu bildende Kommission soll alsbald nach der Ratifikation des Friedensvertrags an einem noch zu bestimmenden Orte zusammentreten, um die im § 1 Abs. 3 vorgesehenen Zeiträume sowie die sonstigen Einzel-

The exchange of prisoners unfit for service which is already under way will be carried out with all possible dispatch.

The exchange of the remaining prisoners of war takes place as soon as possible within definite periods of time still to be agreed upon.

Russia will admit to her territory German Commissions for the purpose of providing for German prisoners of war, and assist them as far as within her power.

§ 2.

Upon their release, the prisoners of war receive the private property taken from them by the authorities of the capturing State, as well as the part of their earnings not yet paid or credited to them; this obligation does not refer to written documents of military contents.

§ 3.

Each contracting party will reimburse the expenses incurred by the other party for its nationals who have been made prisoners of war, in so far as the expenditures are not to be regarded as balanced by the work of the war prisoners in State or private institutions.

Payment is made in the currency of the capturing State in partial amounts for each 50,000 war prisoners, and in every case within one week after their release.

§ 4.

A Commission to be composed of four representatives of each of the two parties shall immediately after the ratification of the Peace Treaty meet in a place still to be determined, in order to define the periods of time foreseen in § 1, Paragraph 3, as well as the re-

heiten des Austausches, insbesondere die Art und Weise der Heimbeförderung, festzusetzen und die Durchführung der getroffenen Vereinbarungen zu überwachen.

Ferner wird die Kommission die nach § 3 von den beiden Teilen zu erstattenden Aufwendungen für Kriegsgefangene festsetzen. Sollte sie sich innerhalb zweier Monate nach ihrem Zusammentritt über die Festsetzung nicht geeinigt haben, so soll diese in endgültiger Weise unter Zuziehung eines neutralen Obmanns nach Stimmenmehrheit erfolgen; um die Bezeichnung des Obmanns würde der Präsident des Schweizerischen Bundesrats zu bitten sein.

Artikel 18.

Über die Heimkehr der beiderseitigen Zivilangehörigen werden die nachstehenden Bestimmungen getroffen.

§ 1.

Die beiderseitigen internierten oder verschickten Zivilangehörigen werden tunlichst bald unentgeltlich heimbefördert werden, soweit sie nicht mit Zustimmung des Aufenthaltsstaats in dessen Gebiete zu bleiben oder sich in ein anderes Land zu begeben wünschen.

Die in St. Petersburg über die Heimkehr der Zivilangehörigen getroffenen Vereinbarungen werden mit möglichster Beschleunigung durchgeführt werden.

Die im Artikel 17 § 4 erwähnte Kommission soll die bei den Verhandlungen in St. Petersburg offengebliebenen Fragen regeln und die Durchführung der getroffenen Vereinbarungen überwachen.

Die im Artikel 17 § 1 Abs. 4 vorgesehenen deutschen Kommissionen werden auch die Fürsorge für deutsche Zivilpersonen übernehmen.

maintaining details of the exchange, especially the manner and method of repatriation, and to supervise the execution of the agreements reached.

Further, the Commission will establish the expenditures for war prisoners which are to be reimbursed by both parties in accordance with § 3. If within two months after its meeting no agreement should have been reached in regard to this matter, it shall then be finally settled by a majority of votes with the assistance of a neutral umpire; as to the designation of the umpire, a request would be addressed to that end to the President of the Swiss Federal Council.

ARTICLE 18.

Concerning the return home of the civilian nationals of both parties, the following regulations are adopted.

§ 1.

The interned or deported civilian nationals of both parties will be conveyed home as soon as possible and without expense, in so far as they do not desire, with the consent of the State in which they sojourn, to remain within the latter's territory or to betake themselves into another country.

The agreements adopted in St. Petersburg anent the return home of the civilian nationals will be carried out with the utmost dispatch.

The Commission mentioned in Article 17, § 4 shall settle any questions that have remained open in the course of the negotiations in St. Petersburg, and supervise the execution of the agreements reached.

The German Commission provided for in Article 17, § 1, Paragraph 4, will take over the care of German civilians.

§ 2.

Die Angehörigen eines Teiles, die bei Kriegsausbruch in dem Gebiete des anderen Teiles ihren Wohnsitz oder eine gewerbliche oder Handelsniederlassung hatten und sich nicht in diesem Gebiet aufhalten, können dorthin zurückkehren, sobald sich der andere Teil nicht mehr im Kriegszustand befindet. Die Rückkehr kann nur aus Gründen der inneren oder äußeren Sicherheit des Staates versagt werden.

Als Ausweis genügt ein von den Behörden des Heimatstaats ausgestellter Paß, wonach der Inhaber zu den im Absatz 1 bezeichneten Personen gehört; ein Sichtvermerk auf dem Passe ist nicht erforderlich.

Artikel 19.

Die Angehörigen jedes vertragsschließenden Teiles sollen im Gebiete des anderen Teiles für die Zeit, während deren dort ihr Gewerbe- oder Handelsbetrieb oder ihre sonstige Erwerbstätigkeit infolge des Krieges geruht hat, keinerlei Auflagen, Abgaben, Steuern oder Gebühren für den Gewerbe- oder Handelsbetrieb oder die sonstige Erwerbstätigkeit unterliegen. Beträge, die hiernach nicht geschuldet werden, aber bereits erhoben sind, sollen binnen sechs Monaten nach der Ratifikation des Friedensvertrags zurückerstattet werden.

Auf Handels- und sonstige Erwerbsgesellschaften, an denen Angehörige des einen Teils als Gesellschafter, Aktionäre oder in sonstiger Weise beteiligt sind und deren Betrieb im Gebiete des anderen Teiles infolge des Krieges geruht hat, finden die Bestimmungen des Absatz 1 entsprechende Anwendung.

§ 2.

The nationals of a party who at the outbreak of the war had their domicile or an industrial or commercial occupation within the territory of the other party and who did not reside within such territory, may return thither, as soon as the other party no longer is in a state of war. Such return may be refused only for reasons of the internal or external security of the State.

Sufficient proof of this will be a passport issued by the authorities of the home State, showing that the holder thereof belongs to the persons specified in paragraph 1 preceding; the passport does not require a visé.

ARTICLE 19.

The nationals of each contracting party shall, within the territory of the other party and for the time during which their industrial or commercial enterprises or any other of their industrial activities have ceased, because of the war, not be subject to any kind of assessments, rates, taxes, or dues for the industrial or commercial enterprise or the other industrial activities. Amounts which, in consequence, are not owed, but have already been levied, shall be reimbursed within six months after the ratification of the peace treaty.

The provisions of paragraph 1 are similarly applicable to commercial and other industrial societies in which nationals of the one party are interested as associates, shareholders, or in any other manner and whose operation within the territory of the other party has ceased in consequence of the war.

Artikel 20.

Jeder vertragschließende Teil verpflichtet sich, die auf seinem Gebiete befindlichen Grabstätten der Seeresangehörigen sowie der während der Internierung oder Verschickung verstorbenen sonstigen Angehörigen des anderen Teiles zu achten und zu unterhalten; auch können Beauftragte dieses Teiles die Pflege und angemessene Ausschmückung der Grabstätten in Einvernehmen mit den Landesbehörden besorgen. Die mit der Pflege der Grabstätten zusammenhängenden Einzelfragen bleiben weiterer Vereinbarung vorbehalten.

Sechstes Kapitel.

Fürsorge für Rückwanderer.

Artikel 21.

Den Angehörigen jedes vertragschließenden Teiles, die aus dem Gebiete des anderen Teiles stammen, soll es während einer Frist von zehn Jahren nach der Ratifikation des Friedensvertrages freistehen, im Einvernehmen mit den Behörden dieses Teiles nach ihrem Stammland zurückzuwandern.

Die zur Rückwanderung berechtigten Personen sollen auf Antrag die Entlassung aus ihrem bisherigen Staatsverband erhalten. Auch soll ihr schriftlicher oder mündlicher Verkehr mit den diplomatischen und konsularischen Vertretern des Stammlandes in keiner Weise gehindert oder erschwert werden.

Die im Artikel 17 § 1 Abs. 4 vorgesehenen deutschen Kommissionen werden auch die Fürsorge für deutsche Rückwanderer übernehmen.

Artikel 22.

Die Rückwanderer sollen für die ihnen während des Krieges wegen ihrer Abstammung zugefügten Unbilden eine billige Entschädigung erhalten, auch

ARTICLE 20.

Each contracting party obligates itself to respect and to care for, within its territory, the graves of those belonging to the army as well as of other nationals of the other party who died during their internment or deportation; persons authorized by this party may also, in agreement with the national authorities, tend to the care and proper adornment of the graves. The settlement of particular questions connected with the care of the graves is reserved for subsequent agreements.

SIXTH CHAPTER.

CARE OF THE REPATRIATED.

ARTICLE 21.

The nationals of each contracting party originating from the territory of the other party shall, during a period of ten years after the ratification of the peace treaty, be free, in agreement with the authorities of this party, to return to their original land.

Upon demand, persons entitled to repatriation, shall receive their release from the State in which they had been held up to that time. Nor shall their written or verbal intercourse with the diplomatic and consular representatives of their land of origin be hindered or made difficult in any way whatever.

The German Commission foreseen in Article 17, § 1, Paragraph 4 will, moreover, take over the care of Germans to be repatriated.

ARTICLE 22.

For wrongs occasioned them during the war on account of their origin, the repatriated shall receive fair indemnification and

durch die Ausübung des Rückwanderungsrechts keinerlei vermögensrechtliche Nachteile erleiden. Sie sollen befugt sein, ihr Vermögen zu liquidieren und den Erlös sowie ihre sonstige bewegliche Habe mitzunehmen; ferner dürfen sie ihre Pachtverträge unter Einhaltung einer Frist von sechs Monaten kündigen, ohne daß der Verpächter wegen vorzeitiger Auflösung des Pachtvertrags Schadensersatzansprüche geltend machen kann.

shall suffer no prejudice whatever in respect to property rights through the execution of the right of repatriation. They shall be entitled to liquidate their property and to take away with them the amount realized as well as other movable goods; furthermore, they may by an advance notice of six months break their leasing contracts, and the lessor will not be entitled to claim compensation for damages on account of the premature dissolution of the leasing contract.

Siebentes Kapitel.

SEVENTH CHAPTER.

Amnestie.

AMNESTY.

Artikel 23.

ARTICLE 23.

Jeder vertragschließende Teil gewährt den Angehörigen des anderen Teiles Straffreiheit nach Maßgabe der nachstehenden Bestimmungen.

Each contracting party grants to the nationals of the other party immunity from penalty in accordance with the following provisions.

§ 1.

§ 1.

Jeder Teil gewährt volle Straffreiheit den dem anderen Teile angehörigenden Kriegsgefangenen für alle von ihnen begangenen gerichtlich oder disziplinarisch strafbaren Handlungen.

Each party grants complete immunity from penalty to the war prisoners belonging to the other party for all acts committed by them punishable by the courts or in virtue of disciplinary measures.

§ 2.

§ 2.

Jeder Teil gewährt volle Straffreiheit den Zivilangehörigen des anderen Teiles, die während des Krieges interniert oder verschickt worden sind, für die während der Internierung oder Verschickung begangenen gerichtlich oder disziplinarisch strafbaren Handlungen.

Each party grants complete immunity from penalty to the civilians belonging to the other party who during the war have been interned or deported, for acts committed during their internment or deportation punishable by the courts or in virtue of disciplinary measures.

§ 3.

§ 3.

Jeder Teil gewährt volle Straffreiheit allen Angehörigen des anderen Teiles für die zu dessen Gunsten be-

Each party grants complete immunity from penalty to all nationals of the other party for the acts committed in favor of

gangenen Straftaten und für Verstöße gegen die zum Nachteil feindlicher Ausländer ergangenen Ausnahmegefetze.

§ 4.

Die in den §§ 1 bis 3 vorgesehene Straffreiheit erstreckt sich nicht auf Handlungen, die nach der Ratifikation des Friedensvertrags begangen werden.

Artikel 24.

Jeder vertragschließende Teil gewährt volle Straffreiheit den Angehörigen seiner bewaffneten Macht in Ansehung der Arbeiten, die sie als Kriegsgefangene des anderen Teiles geleistet haben. Das Gleiche gilt für die von den beiderseitigen Zivilangehörigen während ihrer Internierung oder Verschickung geleisteten Arbeiten.

Artikel 25.

Jeder vertragschließende Teil gewährt volle Straffreiheit den Bewohnern seiner von dem anderen Teile besetzten Gebiete für ihr politisches und militärisches Verhalten während der Zeit der Besetzung.

Abgesehen von den im Absatz 1 bezeichneten Fällen gewährt jeder Teil volle Straffreiheit den Angehörigen der Gebiete, die nach den Artikeln III, VI des Friedensvertrags der russischen Staatshoheit nicht mehr unterstehen oder von den russischen Truppen zu räumen sind, für ihr politisches und militärisches Verhalten bis zur Ratifikation des Friedensvertrags.

Artikel 26.

Soweit nach den Bestimmungen der Artikel 23 bis 25 Straffreiheit gewährt wird, werden neue Strafverfahren nicht eingeleitet, die anhängigen Strafverfahren eingestellt und die erkannten Strafen nicht vollstreckt.

this party and for infractions against the exceptional laws decreed to the detriment of enemy aliens.

§ 4.

The immunity from penalty foreseen in §§ 1 to 3 does not extend to acts committed after the ratification of the Peace Treaty.

ARTICLE 24.

Each contracting party grants complete immunity from penalty to those persons belonging to its armed forces with regard to work which they performed as war prisoners of the other party. The same applies to the work performed by the civilians of both parties during their internment or deportation.

ARTICLE 25.

Each contracting party grants complete immunity from penalty to the inhabitants of its territories occupied by the other party, for their political and military conduct during the time of the occupation.

Apart from the cases specified in paragraph 1, each party grants full immunity from penalty to the nationals of the territories which according to Articles III and VI of the Peace Treaty are no longer subject to Russian sovereignty, and which are to be evacuated by the Russian troops, for their political and military conduct up to the time of the ratification of the Peace Treaty.

ARTICLE 26.

In so far as according to the provisions of Articles 23-25, immunity from penalty is granted, no new penal proceedings will be instituted, the pending penal proceedings will be discontinued; penalties imposed will not be carried out.

Kriegsgefangene, die sich wegen Kriegs- oder Landesverrats, vorsätzlicher Tötung, Raubes, räuberischer Erpressung, vorsätzlicher Brandstiftung oder Sittlichkeitsverbrechen in Untersuchungs- oder Strafhaft befinden, können bis zu ihrer Entlassung, die möglichst mit dem ersten Austausch der Diensttauglichen zu erfolgen hat, in Haft behalten werden. Auch behält sich Deutschland bis zum Abschluß des allgemeinen Friedens das Recht vor, gegenüber Personen, denen es Straffreiheit gewährt, die im Interesse seiner militärischen Sicherheit erforderlichen Maßnahmen zu treffen.

Über Personen, denen Straffreiheit gewährt wird, und über ihre Familien dürfen auch sonstige Rechtsnachteile nicht verhängt werden; soweit dies bereits geschehen ist, sind sie in den früheren Stand wieder einzusetzen.

Artikel 27.

Die vertragsschließenden Teile behalten sich vor, weitere Vereinbarungen zu treffen, wonach jeder Teil wegen der zu seinen Ungunsten begangenen Handlungen Freiheit von Strafen und sonstigen Rechtsnachteilen gewährt.

Achtes Kapitel.

Artikel 28.

Auf die Rauffahrteischiffe der vertragsschließenden Teile und auf deren Ladungen findet ohne Rücksicht auf entgegenstehende Präsenurteile das Sechste Haager Abkommen über die Behandlung der feindlichen Rauffahrteischiffe beim Ausbruch der Feindseligkeiten vom 18. Oktober 1907 mit nachstehenden Maßgaben Anwendung.

Prisoners of war who are under preliminary arrest or in prison for military or State treason, for premeditated murder, robbery, predatory extortion, premeditated arson, or crime against morality, will be detained up to the time of their release, which shall coincide as far as possible with the first exchange of those unfit for military service. Germany also reserves unto herself the right, up to the conclusion of the peace treaty, to take such measures against persons to whom she grants immunity from penalty as are in the interest of her military security.

Nor may other prejudices be decreed either against persons to whom immunity from penalty is granted, or against their families; in so far as this may already have been done, such persons are to be restored to their former status.

ARTICLE 27.

The contracting parties reserve unto themselves the right to adopt further agreements, in accordance with which each party grants immunity from penalties and other prejudices for acts committed to its disadvantage.

EIGHTH CHAPTER.

ARTICLE 28.

Regardless of contrary prize decisions, the Sixth Hague Convention anent the treatment of enemy merchant ships at the outbreak of hostilities of 18 October, 1907,¹ is applicable to the merchant ships of the contracting parties and to their cargoes, on the basis of the following regulations.

¹JAMES BROWN SCOTT (ed.), *The Hague Conventions and Declarations of 1899 and 1907* (2nd ed., New York, Oxford University Press, American Branch [Carnegie Endowment for International Peace], 1915), p. 141.

Die Erlaubnis zum Auslaufen im Sinne des Artikel 2 Abs. 1 des Abkommens kann nur dann als erteilt angesehen werden, wenn sie auch von den übrigen feindlichen Seemächten anerkannt war. Kauffahrteischiffe, die gemäß Artikel 2 Abs. 2 des Abkommens angefordert worden sind, müssen unter Entschädigung für die Zeit der Benutzung entweder zurückgegeben oder im Falle des Verlustes in Geld ersetzt werden. Für nicht angeforderte Schiffe hat der Flaggenstaat die Aufwendungen zur Instandhaltung, nicht aber Hafengelder und sonstige Liegekosten zu erstatten. Die nach ihrer Bauart zur Umwandlung in Kriegsschiffe geeigneten Kauffahrteischiffe werden abweichend vom Artikel 5 des Abkommens wie andere Kauffahrteischiffe behandelt.

Die Bestimmungen dieses Artikels finden auch auf solche Kauffahrteischiffe Anwendung, die bereits vor Ausbruch des Krieges angefordert oder aufgebracht waren.

Artikel 29.

Die als Beute aufgebrachten Kauffahrteischiffe der vertragschließenden Teile sollen, wenn sie vor der Unterzeichnung des Friedensvertrags durch rechtskräftiges Urteil eines Preisengerichts kondemniert worden sind und nicht unter die Bestimmungen der Artikel 28, 30 fallen, als endgültig eingebracht angesehen werden. Im übrigen sind sie zurückzugeben oder, soweit sie nicht mehr vorhanden sind, in Geld zu ersetzen.

Die Bestimmungen des Absatz 1 finden auf die als Beute aufgebrachten Schiffsladungen von Angehörigen der vertragschließenden Teile entsprechende Anwendung. Doch sollen Güter von Angehörigen des einen Teiles, die auf Schiffen feindlicher Flagge in die Ge-

The permit to leave port, in the meaning of Article 2, Paragraph 1, of the Convention can only be regarded as having been secured in case it has been recognized also by the other enemy maritime Powers. Merchant ships which in accordance with Article 2, Paragraph 2 of the Convention have been requisitioned must be returned with payment in compensation for the time during which they are used, or in case of loss, will be compensated for in money. For non-requisitioned ships, the State whose flag they fly must reimburse the expenses incurred to keep them in good condition, but not any harbor dues and other expenses of anchorage. Merchant ships which because of their construction are fit to be converted into warships will be treated as other merchant ships, regardless of Article 5 of the Convention.

The provisions of this article are applicable also to such merchant ships as were requisitioned or seized before the outbreak of the war.

ARTICLE 29.

Merchant ships of the contracting parties which have been seized as prizes shall, in case they have been condemned before the signature of the Peace Treaty through a legal decision of a prize court and provided they do not come under the provisions of Articles 28 and 30, be regarded as finally seized. In all other cases they are to be returned or, in so far as they no longer exist, to be compensated for in money.

The provisions of paragraph 1 are properly applicable to cargoes seized as prizes belonging to the contracting parties. But goods of nationals of one party which on board ships flying the enemy flag have come into the

malt des anderen Theiles geraten sind, in allen Fällen den Berechtigten herausgegeben oder, soweit dies nicht möglich ist, in Geld ersetzt werden.

Artikel 30.

Kauffahrteischiffe eines vertragschließenden Theiles, die in neutralen Hoheitsgewässern von Streitkräften des anderen Theiles aufgebracht, mit Beschlag belegt oder versenkt wurden, sind ebenso wie ihre Ladungen ohne Rücksicht auf entgegenstehende Preisurtheile zurückzugeben oder, soweit sie nicht mehr vorhanden sind, in Geld zu ersetzen; für die Zeit bis zur Rückgabe oder Ersatzleistung ist Entschädigung zu gewähren.

Artikel 31.

Kauffahrteischiffe, die nach den Artikeln 28 bis 30 zurückzugeben sind, sollen sofort nach der Ratifikation des Friedensvertrags in dem Zustand und in dem Hafen, in dem sie sich befinden, dem Flaggenstaat zur Verfügung gestellt werden. Befindet sich ein solches Schiff am Tage der Ratifikation auf einer Reise, so muß es nach deren Beendigung und nach Löschung der an dem bezeichneten Tage vorhandenen Ladung, spätestens aber nach einem Monat zurückgegeben werden; für die Zwischenzeit ist die höchste Tageszeitfracht zu vergüten.

Hat der Zustand eines nach Artikel 28 zurückzugebenden Schiffes während der Zeit der Anforderung eine über die gewöhnliche Abnutzung hinausgehende Verschlechterung erfahren, so ist eine entsprechende Entschädigung zu leisten. Das Gleiche gilt für ein nach Artikel 30 zurückzugebendes Schiff, selbst wenn es nicht angefordert wurde. Für Verschlechterungen oder Verluste, die nach Einstellung der Feindseligkeiten durch das Verhalten des rückgabepflichtigen

power of the other party, will in all cases be returned to those entitled to them, or, in so far as this is not possible, be compensated for in money.

ARTICLE 30.

Merchant ships of a contracting party which were stopped, seized, or sunk in neutral territorial waters by the forces of the other party, are to be returned together with their cargoes, regardless of contrary prize decisions, or in so far as they no longer exist, to be compensated for in money. For the time up to their return or payment of compensation, an indemnity is to be granted.

ARTICLE 31.

Merchant ships which, according to Articles 28-30 are to be returned, shall immediately after the ratification of the peace treaty be placed at the disposal of the State whose flag they fly, in the condition and in the port in which they are at the time. If on the day of the ratification such a ship is engaged in a journey, it must, at the end of such journey and after discharging the cargo on board on the day indicated, be returned at the latest within one month; for the interval of time, the highest daily freight rate is to be paid.

If during the time of the requisition, the condition of a ship to be returned in accordance with Article 28 has sustained deterioration exceeding that of ordinary use, adequate indemnification is then to be made. The same applies to a ship to be returned in accordance with Article 30, even in case it was not requisitioned. For depreciations or losses which after the cessation of hostilities have been caused through the

Teiles herbeigeführt worden sind, ist in allen Fällen Entschädigung zu gewähren.

Als Ersatz für ein nicht mehr vorhandenes Schiff ist der Verkaufswert, den es am Tage der Ratifikation des Friedensvertrags haben würde, zu zahlen. Als Entschädigung für die Benutzung ist die übliche Tageszeitfracht zu entrichten.

Artikel 32.

Als bald nach der Ratifikation des Friedensvertrags soll zur Durchführung der in den Artikeln 28 bis 31 enthaltenen Bestimmungen eine Kommission aus je zwei Vertretern der vertragschließenden Teile und einem neutralen Obmann an einem noch zu bestimmenden Orte zusammentreten; um die Bezeichnung des Obmanns wird der Präsident des Schweizerischen Bundesrats gebeten werden.

Die Kommission hat insbesondere die Frage, ob im Einzelfalle die Voraussetzung für die Rückgabe oder den Ersatz eines Schiffes oder für die Zahlung einer Entschädigung vorliegen, zu entscheiden und die Höhe der zu zahlenden Beträge, und zwar in der Währung des Flaggenstaats, festzusetzen. Die Beträge sind innerhalb eines Monats nach der Festsetzung der Regierung des Flaggenstaats für Rechnung der Berechtigten zur Verfügung zu stellen.

Neuntes Kapitel.

Organisation des Spitzbergen-Archipels.

Artikel 33.

Die vertragschließenden Teile werden darauf hinwirken, daß die auf der Spitzbergenkonferenz im Jahre 1914 in Aussicht genommene internationale Organisation des Spitzbergen-Archipels unter Gleichstellung der beiden Teile durchgeführt wird.

conduct of the party obligated to return it, indemnification is to be granted in all such cases.

The selling value which it would have on the day of the ratification of the peace treaty is to be paid in compensation for a ship which no longer exists. The usual daily freight rate is to be paid in indemnification for the use of it.

ARTICLE 32.

Immediately after the ratification of the peace treaty and for the execution of the provisions contained in Articles 28-31, a Commission consisting of two representatives each of the contracting parties and a neutral umpire is to meet in a place still to be determined; for the designation of the umpire, a request to that end will be addressed to the President of the Swiss Federal Council.

It devolves especially upon the Commission to decide whether or not, in each specific case, the conditions exist for the return or compensation of a ship or for the payment of an indemnity, and to determine the amount of sums to be paid, namely in the currency of the State whose flag it flies. Within one month after such determination, the amounts are to be placed at the disposal of the Government of the State whose flag such ship flies, and to the credit of those entitled thereto.

NINTH CHAPTER.

ORGANIZATION OF THE SPITZBERGEN ARCHIPELAGO.

ARTICLE 33.

The contracting parties will direct their efforts to the end that the international organization of the Spitzbergen Archipelago contemplated in the Spitzbergen Conference of the year 1914 will be carried out on a footing of equality between the two parties.

Zu diesem Zwecke werden die Regierungen der beiden Teile die Königlich-Norwegische Regierung bitten, die Fortsetzung der Spitzbergenkonferenz tunlichst bald nach Abschluß des allgemeinen Friedens herbeizuführen.

Zehntes Kapitel.

Schlußbestimmungen.

Artikel 34.

Dieser Zusatzvertrag, der einen wesentlichen Bestandteil des Friedensvertrags bildet, soll ratifiziert und die Ratifikationsurkunden sollen zugleich mit den Ratifikationsurkunden des Friedensvertrags ausgetauscht werden.

Artikel 35.

Der Zusatzvertrag tritt, soweit darin nicht ein Anderes bestimmt ist, gleichzeitig mit dem Friedensvertrag in Kraft.

Zur Ergänzung des Zusatzvertrags, insbesondere zum Abschluß der darin vorbehaltenen weiteren Vereinbarungen, werden binnen vier Monaten nach der Ratifikation Vertreter der vertragschließenden Teile in Berlin zusammenzutreten. Dabei soll auch die Anwendung der Bestimmungen des Zusatzvertrags auf die deutschen Schutzgebiete geregelt werden.

Zu Urkund dessen haben die Bevollmächtigten diesen Zusatzvertrag eigenhändig unterzeichnet.

Ausgefertigt in doppelter Urschrift in Brest-Litowsk 3. März 1918.

R. v. Kühlmann,
Bukarest 7. März 1918.
v. Rosenberg.
Hoffmann.
Horn.

Brest-Litowsk am 3. März 1918.

Г. Сокольниковъ.
Л. Караханъ.
Г. Петровский.
Г. Чичеринъ.

To this end, the Governments will request the Royal Norwegian Government to bring about the resumption of the Spitzbergen Conference as soon as possible after the conclusion of the general peace.

TENTH CHAPTER.

FINAL PROVISIONS.

ARTICLE 34.

This additional treaty, which forms an essential element of the Peace Treaty, shall be ratified, and the documents of ratification thereof shall be exchanged simultaneously with the documents of ratification of the Peace Treaty.

ARTICLE 35.

In so far as it is not stipulated to the contrary therein, the additional treaty goes into force simultaneously with the Peace Treaty.

In order to complete the additional treaty, especially with regard to the conclusion of further agreements therein reserved, representatives of the contracting parties will meet in Berlin within the four months following the ratification. At the same time the application of the provisions of the additional treaty to the German Protectorates shall be regulated.

In witness thereof the Plenipotentiaries have signed this additional treaty with their own hand.

Executed in duplicate in Brest-Litovsk, 3 March, 1918.

R. v. KÜHLMANN,
Bucharest, 7 March, 1918.
v. ROSENBERG.
HOFFMAN.
HORN.

Brest-Litovsk, 3 March, 1918.

Г. Сокольниковъ.
Л. Караханъ.
Г. Петровский.
Г. Чичеринъ.

11. RUSSIA—GERMANY.

NOTIFICATION REGARDING GERMANY'S RATIFICATION OF THE PEACE TREATY WITH RUSSIA AND OF THE TREATY SUPPLEMENTARY TO THE PEACE TREATY, 7 JUNE, 1918.

[German text as published in the Reichs-Gesetzblatt, No. 77, 11 June, 1918.]

[Translation.]

Die vorstehend abgedruckten, am 3./7. März 1918 in Brest-Litowsk und Bukarest unterzeichneten Verträge, nämlich:

1. Friedensvertrag zwischen Deutschland, Österreich-Ungarn, Bulgarien und der Türkei einerseits und Rußland andererseits,
2. Deutsch-Russischer Zusatzvertrag zu dem Friedensvertrage zwischen Deutschland, Österreich-Ungarn, Bulgarien und der Türkei einerseits und Rußland andererseits

sind ratifiziert worden. Der Austausch der Ratifikationsurkunden ist am 29. März 1918 in Berlin erfolgt.

Berlin, den 7. Juni 1918.

Der Reichskanzler
In Vertretung von Kühlmann

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The treaties printed above, signed 3/7 March, 1918, in Brest-Litovsk and Bucharest, namely:

1. Peace Treaty between Germany, Austria-Hungary, Bulgaria, and Turkey on the one hand, and Russia on the other hand,
2. Russo-German Supplementary Treaty to the Peace Treaty between Germany, Austria-Hungary, Bulgaria, and Turkey on the one hand, and Russia on the other hand,

have been ratified. The exchange of ratifications was effected on 29 March, 1918, in Berlin.

Berlin, 7 June, 1918.

The Imperial Chancellor;
by VON KÜHLMANN

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12. RUSSIA—AUSTRIA-HUNGARY.

APPENDIX III TO THE TREATY OF PEACE BETWEEN RUSSIA AND THE CENTRAL POWERS. SIGNED AT BREST-LITOVSK, 3 MARCH, 1918.¹

[Text reconstructed from Appendix II to the Treaty of Peace, with differences as set forth in *State Department Weekly Reports, Central Powers, No. 40*, 8 April, 1918.]

In regard to the economic relations between Austria-Hungary and Russia the following is agreed upon:

1. The Austro-Hungarian-Russian treaty concerning trade and shipping of 2/15 February, 1906, is not renewed.

The contracting parties obligate themselves to commence negotiations regarding conclusion of a new commercial treaty as soon as possible after the conclusion of a general peace between Austria-Hungary on the one part, and the European countries at present at war with her and the United States of America and Japan on the other part.

2. As the basis of the commercial corelationship up to the term mentioned, and in any case up to the thirty-first of December, 1919, shall be considered the regulations contained in the present appendix, which regulations form an integral part of the present peace treaty. Both contracting parties, are, however, entitled to repudiate these regulations beginning from the thirtieth of June, 1919, on condition of giving six months' notice. In case of this right of repudiation being utilized before the thirty-first of December, 1922, then, for a term of three years, reckoning from the date of the cessation of the activity of the stipulations contained in the present appendix, the principle of the most favored nation shall be established on the territory of the opposite party, for the subjects, for commercial, industrial and financial companies, including insurance companies, for the produce of agriculture and industries, and for vessels of both contracting parties.

The principle of the most favored nation, stipulated in the foregoing regulations, retains force in the event of changes in customs relations in one or both of the contracting countries, as well as any of the separate states constituting part of the same.

3. Furthermore, in the course of this period, Russia will neither prohibit the export of rough and unworked lumber, nor levy export duty on the same, in so far as it is not especially mentioned in number six of the schedule of export duties; neither shall it prohibit the export of, or levy export duty on, ores of all kinds, bones, rags, refuse of all kinds, and rubber waste.

¹ Ratifications exchanged at Berlin, 4 July (*Neue Freie Presse*, 6 July, 1918, morning edition.)

4. Russia shall not claim the advantages which Austria-Hungary will grant to Germany or any other country allied with her by her customs union, and adjoining Austria-Hungary either immediately or through another country allied with her or with Germany by customs union.

Colonies, outlying possessions and territories under protectorate, in this respect are placed on the same basis as the mother country.

Austria-Hungary will not claim the advantages which Russia will grant to another country connected with her by customs union, and adjoining Russia either immediately or through another country allied with her by customs union, or to the Colonies, outlying possessions or territories under the protectorate of a country allied with her by customs union.

5. In so far as in neutral countries there are located goods exported from Austria-Hungary or Russia and subject to prohibition of import into the territory of the other contracting party either directly or through the intermedium of another country, such limitations as to the disposition of such goods shall be cancelled as regards the contracting parties. Both contracting parties, therefore, obligate themselves to advise immediately the Governments of neutral countries of the above-stated cancellations of the limitations mentioned.

6. Privileges granted by one of the contracting parties during the time of the war to other countries in the form of concessions or other state measures, must be revoked or extended to the opposite party by granting equal rights.

7. In so far as in the tariff appendix A, or elsewhere there are no stipulations to the contrary, the general Russian customs tariff of the 13/26 January, 1903, shall be applied for the whole period of activity of the present provisorium as well as of the most-favored nation treatment granted for both by clause 2.

8. The agreements which existed between Austria-Hungary and Russia on the thirty-first of July, 1914, in regard to Russian sugar remain in force during the time of the present provisorium and during the mutual application of the most-favored nation principle in accordance with clause 2. The regulations contained in the notes exchanged 2/15 February, 1906, regarding fowls and raw animal products must be applied in the same way during the time of this provisorium.

9. The contracting parties are agreed that, with the conclusion of peace, the war terminates also in the field of economy and finance. They engage not to participate either directly or indirectly in measures having for their aim the continuance of hostilities in economic or financial spheres, and to hinder such measures within the boundaries of the territories of their State by all means in their power.

In the course of the intermediate period required for the removal of the consequences of war and for the organization of new relations, the contracting parties obligate themselves not to create in so far as it is possible, any difficulties in the way of the acquisition of necessary goods by introducing high import duties, and they express their willingness to enter immediately into negotiations for the purpose of maintaining and enlarging as far as feasible, the customs exemptions established during the time of the war.

13. RUSSIA—AUSTRIA-HUNGARY.

LEGAL-POLITICAL TREATY SUPPLEMENTARY TO THE TREATY OF PEACE BETWEEN RUSSIA AND THE CENTRAL POWERS. SIGNED AT BREST-LITOVSK, 3 MARCH, 1918.¹

[The German text is composed from the texts published in the *Fremden-Blatt* (Vienna), 16 March, 1918, and the morning and evening editions of the *Pester Lloyd*, 16 March, 1918. The preamble and Articles 4 (Paragraphs 1-2, 6-10, 12), 5, 9, and 11, are from the *Fremden-Blatt*; Articles 1, 2, 3, 6, 7, 8, 10, 12, are from the *Pester Lloyd*, morning edition; parts of Article 4 (Paragraphs 3, 4, 5, 11, 13, 14) are from the *Pester Lloyd*, evening edition.]

[Translation.]

Laut Artikel XII des am 3. März 1918 unterzeichneten Friedensvertrages zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei einerseits und Rußland andererseits sind

Die Bevollmächtigten Oesterreich-Ungarns, nämlich:

Minister des Aeußern Graf Czernin,
Botschafter v. Mérey,
Ministerpräsident Dr. Ritter v. Seidler,
Ministerpräsident Dr. Wekerle
und

Die Bevollmächtigten der Russisch föderativen Sowjetsrepublik, nämlich:

die Mitglieder des Zentral-Exekutiv-Ausschusses der Räte der Arbeiter-, Soldaten- und Bauerndeputierten Grigori Jakowlewitsch Sokolnikow und Lew Michailowitsch Karachan, sowie

According to Article XII of the Treaty of Peace signed on 3 March, 1918, between Germany, Austria-Hungary, Bulgaria, and Turkey, on the one hand, and Russia, on the other hand,

The plenipotentiaries of Austria-Hungary, to wit:

The Minister of Foreign Affairs, Count Czernin, Ambassador v. Mérey, President of the Ministry, Dr. Ritter v. Seidler, President of the Ministry, Dr. Wekerle; and

The plenipotentiaries of the Russian Federal Soviet Republic, to wit:

The Members of the Central Executive Committee of the Councils of Workingmen's, Soldiers' and Peasants' Deputies, Grigory Iakovlevich Sokolnikow, and Lew Michailovich Karachan; also

¹ Ratifications exchanged at Berlin, 4 July, 1918 (*Neue Freie Presse*, 6 July, 1918, morning edition).

der Gehilfe des Volkskommissärs für Auswärtige Angelegenheiten Georgi Wassiliemitsch Tschitscherin, und

der Volkskommissär für innere Angelegenheiten Grigori Iwanowitsch Petrowsky,

The Assistant of the People's Commissioner for Foreign Affairs, Georgi Vassilievich Tchitcherine; and

The People's Commissioner for Internal Affairs, Grigory Ivanovich Petrovsky,

übereingekommen, die Herstellung der öffentlichen und privaten Rechtsbeziehungen den Austausch der Kriegsgefangenen und Zivilinternierten, die Amnestiefrage sowie die Frage der Behandlung der in die Gewalt des Gegners geratenen Handelschiffe im Verhältnisse zwischen der österreichisch-ungarischen Monarchie, beziehungsweise Oesterreich und Ungarn einerseits und Rußland andererseits unverzüglich zu regeln und zu diesem Zwecke einen Zusatzvertrag zu dem Friedensvertrage abzuschließen.

have agreed to regulate immediately the establishment of public and private legal relations, the exchange of war prisoners and of interned civilians, the question of amnesty and the matter of treatment of merchant vessels that have come into the power of the Austro-Hungarian Monarchy, that is to say, Austria and Hungary on the one hand, and Russia on the other hand, and to this end to conclude a supplementary treaty to the Peace Treaty.

Artikel 1.

ARTICLE 1.

Beide Teile verpflichten sich zur Ersatzleistung für alle Schäden, die den diplomatischen und Konsularbeamten des anderen Teiles zugefügt oder an seinen Botschafts- und Konsulatsgebäuden angerichtet worden sind.

Both contracting parties pledge themselves to indemnify all damages that may have been occasioned to the diplomatic and consular officials of the other party, or to their embassies and consulates.

Artikel 2.

ARTICLE 2.

Die Summen, die der eine Teil in den von ihm okkupierten Gebieten in Form von Gehältern usw. an Pensionisten, Witwen usw. des anderen Teiles ausbezahlt hat, werden ersetzt.

Amounts that one party has expended within the territories occupied by such party under the denomination of salaries, etc., granted to the pensioners, widows, etc., will be refunded.

Artikel 3.

ARTICLE 3.

Die Verträge, Abkommen und Vereinbarungen, die vor der Kriegserklärung in Kraft gewesen sind, treten wieder in Kraft; soweit sie für eine bestimmte Zeit unkündbar sind, wird diese um die Kriegsdauer verlängert. Binnen sechs Monaten können beide Teile die Verträge oder deren Einzelbestimmungen mitteilen, die nach ihrer Auffassung mit den während des Krieges

All treaties, agreements, and conventions that were in force before the declaration of war, will again go into force; in so far as they can not be denounced for a fixed period, they will be extended to cover the period of the war. Within a period of six months either party may communicate to the other party the text of the treaties, or their

eingetretenen Veränderungen im Wiederanspruch stehen. Die nötigen neuen Verträge sollen binnen sechs Monaten ausgearbeitet werden. Wenn sie binnen drei Monaten nicht zustande kommen, steht es jedem Teile frei, von den Vertragsbestimmungen zurückzutreten, die er schon vorher namhaft gemacht hat.

separate provisions, which, in its judgment, are incompatible with the changes that have arisen during the war. The new treaties shall be drawn up within a period of six months. If they have not been completed within a period of three months, both parties are entitled to cancel the treaty provisions which it has already published.

Artikel 4.

ARTICLE 4.

Geldforderungen, deren Bezahlung im Laufe des Krieges auf Grund einer mit Rücksicht auf den Kriegszustand getroffenen Bestimmung verweigert werden konnte, brauchen nicht vor Ablauf von sechs Monaten nach der Ratifikation des Friedensvertrages bezahlt zu werden. Sie sind von der ursprünglichen Fälligkeit an für die Dauer des Krieges und der anschließenden sechs Monate ohne Rücksicht auf Zahlungsverbote und Moratorien mit fünf vom Hundert für das Jahr zu verzinsen; bis zur ursprünglichen Fälligkeit sind gegebenenfalls die vertragsmäßigen Zinsen zu zahlen.

Pecuniary claims whose payment could be refused in the course of the war by virtue of a provision made as a result of the state of war need not be paid before the expiration of six months after the ratification of the treaty of peace. Regardless of moratoriums and ordinances prohibiting payment, they are payable with interest at 5% per annum, from the original date when payment was due, for the duration of the war and the additional six months; in case interest was stipulated up to the time when payment was due, such interest, in the given case, must be paid.

Die vertragsschließenden Teile behalten sich vor, nähere Bestimmungen auf dem Gebiete des Wechsel- und Scheckrechtes sowie der Valutageschäfte zu vereinbaren.

The contracting parties reserve the right to make further arrangements relative to legislation on drafts and cheques, as well as on financial transactions.

Für die Abwicklung der Außenstände und sonstigen privatrechtlichen Verbindlichkeiten sind die staatlich anerkannten Gläubigerschutzverbände zur Verfolgung der Ansprüche der ihnen angeschlossenen natürlichen und juristischen Personen als deren Bevollmächtigte wechselseitig anzuerkennen und zuzulassen.

For the liquidation of outstanding debts and other obligations pertaining to private law, the national recognized associations for the protection of creditors are to be recognized and admitted as reciprocally empowered agents for the prosecution of the claims of natural and juridical persons associated with them.

Die Bestimmungen dieses Uebereinkommens finden auf den Wertpapierverkehr, sowie auf Verpflichtungen aus Inhaberpapieren keine Anwendung; die

The provisions of this agreement do not apply to paper securities nor to obligations of holders of notes payable to bearer, because the regulation of the

Regelung der hiebei in Betracht kommenden Fragen bleibt einer besonderen Vereinbarung vorbehalten.

Wegen Ordnung der gegenseitigen staatlichen Verbindlichkeiten aus dem öffentlichen Schuldendienste, ferner aus Abrechnungen der Eisenbahn-, Post- und Telegraphenverwaltungen und dergleichen werden die vertragsschließenden Teile sich in besonderen Abkommen verständigen.

Die vertragsschließenden Teile sind darüber einig, daß vorbehaltlich der Bestimmungen des Punktes 6 Urheberrechte und gewerbliche Schutzrechte, Konzessionen und Privilegien sowie ähnliche Ansprüche auf öffentlich-rechtlicher Grundlage, die durch im Kriege getroffene Bestimmungen beeinträchtigt worden sind, wiederhergestellt werden. Dem Berechtigten werden die von ihm für die Zeit der Entziehung der Rechte geschuldeten Gebühren erlassen oder, falls er sie bereits bezahlt hat, zurück-erstattet; hat der Staat aus der Benützung der Rechte durch Dritte Vermögensvorteile gezogen, welche die Gebühren übersteigen, so ist dem Berechtigten der Mehrbetrag herauszugeben. Soweit der Staat Rechte, die ihm übereignet worden sind, benützt hat, ist der Berechtigte angemessen zu entschädigen.

Jeder vertragsschließende Teil wird den Angehörigen des anderen Teiles, die aus Anlaß des Krieges eine gesetzliche Frist für die Vornahme einer zur Begründung oder Erhaltung eines gewerblichen Schutzrechtes erforderlichen Handlung versäumt haben, unbeschadet wohl-erworbener Rechte Dritter, für die Nachholung der Handlung eine Frist von mindestens einem Jahre nach der Ratifikation des Friedensvertrages gewähren. Gewerbliche Schutzrechte der Angehörigen des einen Teiles sollen in den Gebieten des anderen Teiles wegen

questions arising in this respect is reserved for a special agreement.

As regards the settlement of the national obligations of the two Governments arising from the public debt, and from the accounts of the railway, postal, and telegraph administrations, etc., the contracting parties will come to an understanding in special agreement.

The contracting parties are agreed that under reservation of the provisions of paragraph 6, copyright and industrial patents, concessions and privileges, as well as other similar claims on the basis of the principles of public law, that have been affected by provisions made during the war, shall again be put into force. Rightful claimants shall be exempted from paying dues for the period during which their rights were withheld from them, or, in case such dues have already been paid, they will be returned. If the State has derived property advantages from the fact that third parties have enjoyed said rights, and if the said property advantages exceed the dues in value, the surplus shall be paid to the rightful claimant. In so far as the State has enjoyed rights which were assigned to it, the rightful claimant shall be justly indemnified.

Each contracting party shall grant to the nationals of the other party, who because of the war have failed to observe a period stipulated for taking action relative to the acquisition or retention of an industrial patent, a period of at least one year after the ratification of the Treaty of Peace for taking such action, without prejudice to the lawfully acquired rights of third parties. Industrial patent rights of the nationals of either party shall not lapse in the territory of

Nichtausübung nicht vor Ablauf von vier Jahren nach der Ratifikation verfallen.

Die Bestimmung über die Wiederherstellung der Privatrechte findet auf Konzessionen und Privilegien sowie ähnliche Ansprüche auf öffentlich-rechtlicher Grundlage keine Anwendung, soweit diese auf Grund einer für alle Landeseinwohner und für alle Rechte der gleichen Art geltenden Gesetzgebung inzwischen abgeschafft oder vom Staate oder von Gemeinden übernommen worden sind und in deren Besitz verbleiben; in diesen Fällen regelt sich die Entschädigung des Berechtigten nach den Bestimmungen des Artikels 5, Absatz 1.

Die vertragschließenden Teile behalten sich vor, wegen der Priorität gewerblicher Schutzrechte besondere Bestimmungen zu vereinbaren.

Gelder und Wertpapiere, die sich bei einer zentralen Hinterlagungsstelle, einem öffentlichen Treuhänder oder einer sonstigen staatlich beauftragten Sammelstelle befinden, sind binnen drei Monaten nach der Ratifikation des Friedensvertrages dem Berechtigten zur Verfügung zu stellen; mit den Geldern sind Zinsen von vier vom Hundert seit der Einzahlung bei der Sammelstelle, mit den Wertpapieren sind die eingezogenen Zinsen und Gewinnanteile herauszugeben.

Die Fristen für die Verjährung von Rechten sollen in den Gebieten jedes der vertragschließenden Teile gegenüber den Angehörigen des anderen Teiles, falls diese Fristen zur Zeit des Kriegsausbruches noch nicht abgelaufen waren, frühestens ein Jahr nach der Ratifikation des Friedensvertrages ablaufen. Das gleiche gilt von den Fristen zur Vorlegung von Zinscheinen und Gewinnanteilscheinen sowie von ausgelosten oder sonst zahlbar gewordenen Wertpapieren.

the other party until the expiration of four years after the ratification.

The provision relative to the restoration of rights of private individuals shall not affect concessions and privileges nor similar demands involving public law, in so far as such rights have been abolished by legislation covering all inhabitants and all rights pertaining to them, or in so far as these rights have been assumed by the State or by the commune and remain in possession of the latter; in this case the indemnity of the rightful claimant shall be judged according to the provisions of Article 5, Paragraph 1.

The contracting parties reserve the right to make special provisions with regard to the priority of industrial patent rights.

Currency and paper securities, which are in the hands of a central depositing institution, a guarantor, or some other similar institution designated by the State for that purpose, shall within three months after the ratification of the Peace Treaty be placed at the disposal of the rightful claimant; together with the said currency, interest at the rate of 4%, computed from the time of deposit in the institution, shall be paid; the securities are to be accompanied by the interest which is due on them and the dividends.

Within the territory of each contracting party the periods for the prescription of rights, in so far as concerns the nationals of the other party, shall expire, not earlier than one year after the ratification of the peace treaty, in case they had not already lapsed before the war. The same principle applies to the periods for the presentation of interest certificates or dividend certificates, as well as to securities redeemed or that have become payable.

Die Wiedereinsetzung in den vorigen Stand ist zu bewilligen, wenn der Gläubiger infolge des Krieges eine Klagefrist nicht einhalten konnte, oder wenn der Beklagte infolge der Verkehrsunterbrechung außerstande war, sich in dem Verfahren gehörig vertreten zu lassen.

Ueber die Tätigkeit der Stellen, die auf Grund einer mit Rücksicht auf den Kriegszustand erlassenen Bestimmung mit der Beaufsichtigung, Verwahrung, Verwaltung oder Liquidation von Vermögensgegenständen oder der Annahme von Zahlungen befaßt worden sind, insbesondere über die Einnahmen und Ausgaben, ist den Berechtigten auf Verlangen unverzüglich Auskunft zu erteilen. Ersatzansprüche wegen der Tätigkeit dieser Stellen oder wegen der auf ihre Veranlassung vorgenommenen Handlungen können nur gemäß den Bestimmungen des Artikels 5, Absatz 1, geltend gemacht werden. Soweit die veräußerten Vermögensgegenstände auf Grund einer für alle Landeseinwohner und für alle Gegenstände der gleichen Art geltenden Gesetzgebung inzwischen vom Staate oder von Gemeinden übernommen worden sind und in deren Besitz verbleiben, regelt sich die Entschädigung des Berechtigten nach den Bestimmungen des Artikels 5, Absatz 1; auch kann bei einer Wiederaufhebung der Uebernahme der im vorhergehenden Absätze vorgesehene Antrag auf Rückgewährung innerhalb eines Jahres nach der Wiederaufhebung gestellt werden.

Die beaufsichtigten, verwahrten oder verwalteten Vermögensgegenstände sind auf Verlangen des Berechtigten unverzüglich freizugeben; bis zur Uebernahme durch den Berechtigten ist für eine Wahrung seiner Interessen zu sorgen.

The resumption of the previous status is to be consented to when, in consequence of the war the creditor was unable to stay the period granted to enter complaint, or else when the defendant was prevented, by an interruption of the communications, from having himself properly represented in the proceedings relative thereto.

Information concerning the activity of the institutions which on the basis of a provision of the nature specified in Paragraph 1, have been entrusted with the supervision, safe-guarding, administration, or liquidation of properties or with the acceptance of payments, and information concerning the proceeds and expenses, is to be freely given to rightful claimants on demand. Demands for indemnity arising out of the activity of these institutions, or transactions made under its direction, may only be presented in accordance with the stipulations of Article 5, Paragraph 1. In so far as alienated property has been taken over by the State or by the commune, on the basis of legislation affecting all inhabitants and all chattels of the same category, and remains in the possession of the State or commune, the indemnity of the rightful claimants is to be computed on the basis of the provisions of Article 5, Paragraph 1; furthermore, in case of annulment of the assumption, the petition for the return of the property provided for in the preceding section, may be made within one year after the said annulment.

The supervised, safe-guarded, or administered properties are, upon the demand of the rightful claimant, to be released immediately; until the transfer to the person entitled thereto has been effected, the safe-guarding of his interests is to be attended to.

Grundstücke oder Rechte an einem Grundstück, Bergwerksgerechtfame sowie Rechte auf die Benutzung oder Ausbeutung von Grundstücken, Unternehmungen oder Beteiligungen an einem Unternehmen, insbesondere Aktien, die veräußert oder dem Berechtigten sonst durch Zwang entzogen worden sind, sollen dem früheren Berechtigten auf einen innerhalb eines Jahres nach der Ratifikation des Friedensvertrages zu stellenden Antrag gegen Rückgewährung der ihm aus der Veräußerung oder Entziehung etwa erwachsenden Vorteile frei von allen inzwischen begründeten Rechten Dritter wieder übertragen werden.

Artikel 5.

Die vertragschließenden Teile sind darüber einig, daß den beiderseitigen Angehörigen die Schäden ersetzt werden, die sie infolge einer aus Rücksicht auf den Kriegszustand erlassenen Bestimmung durch die zeitweilige oder dauernde Entziehung von Urheberrechten, gewerblichen Schutzrechten, Konzessionen, Privilegien und ähnlichen Ausprüchen oder durch die Beaufsichtigung, Verwahrung, Verwaltung oder Veräußerung von Vermögensgegenständen erlitten haben, soweit der Schaden nicht durch Wiedereinsetzung in den voreign Stand ersetzt wird. Dies gilt auch von Aktionären, die wegen ihrer Eigenschaft als feindliche Ausländer von einem Bezugsrecht ausgeschlossen worden sind.

Zur Feststellung der zu ersetzenden Schäden soll alsbald nach der Ratifikation des Friedensvertrages an einem zu bestimmenden Orte eine Kommission zusammentreten, die zu je einem Drittel aus Vertretern der beiden Teile und aus neutralen Mitgliedern gebildet wird; um die Bezeichnung der neutralen Mitglieder, darunter des Vorsitzenden, wird der Präsident des schweizerischen Bundesrates gebeten werden. Die Kommission stellt die für ihre Entscheidung

Parcels of land or rights to a parcel of land, mining privileges as well as rights to the use or the exploitation of parcels of land, enterprises or participation in an enterprise, especially shares which have been affected or forcibly taken from the person entitled thereto, shall be returned to the former owner upon a claim to that end made within one year after the ratification of the peace treaty, by deducting any profit that may have accrued to him as a result of the said alienation or subtraction, and shall be exempt from all rights established in the interval by third parties.

ARTICLE 5.

The contracting parties are agreed that the nationals of both parties are to be indemnified for the damages which they have suffered in consequence of decrees issued on account of the war with respect to temporary or permanent withdrawal of copyrights, industrial patent rights, concessions, privileges, and similar rights, or relative to supervision, safe-guarding, administration, or alienation of property, in so far as reparation does not involve restoration to the former condition. Similarly for stockholders who because of their status as enemy aliens were excluded from rights of financial transactions.

For the purpose of determining the amount of damages, a commission shall meet immediately after the ratification of the Peace Treaty, at a place to be decided upon later, which is to consist of one third each of representatives of both contracting parties and of neutral members; the President of the Swiss Confederation shall be requested to name the neutral members, among them the chairman. The commission shall formu-

gen maßgebenden Grundsätze auf; auch erläßt sie die zur Erledigung ihrer Aufgaben erforderliche Geschäftsordnung und die Bestimmungen über das dabei einzuschlagende Verfahren. Ihre Entscheidungen erfolgen in Unterkommissionen, die aus je einem Vertreter der beiden Teile und einem neutralen Obmanne gebildet werden. Die von den Unterkommissionen festgestellten Beträge sind innerhalb eines Monats nach der Feststellung zu bezahlen. Jeder vertragsschließende Teil wird die von ihm in seinen Gebieten bei Angehörigen des anderen Teiles angeforderten Gegenstände, soweit dies noch nicht geschehen ist, unverzüglich bezahlen.

Wegen der Regelung der Entschädigung für solche Vermögenswerte von Angehörigen des einen Teiles, die — abgesehen von den im Punkt 4, Absatz 3, und Punkt 7, Absatz 3 des Artikels 4 bezeichneten Fällen — im Gebiete des anderen Teiles ohne ausreichenden Ersatz enteignet worden sind, bleibt eine besondere Vereinbarung vorbehalten.

Artikel 6.

Ueber den im Artikel VI des Friedensvertrages vorgesehenen Austausch der Kriegsgefangenen werden die nachstehenden Bestimmungen getroffen:

1. Die beiderseitigen Kriegsgefangenen werden, soweit sie nicht im Gebiete des Aufenthaltsstaates zu bleiben oder sich in ein anderes Land zu begeben wünschen, mit aller Beschleunigung in ihr Heimatland entlassen werden.

Der bereits im Gange befindliche Austausch verwundeter und kranker Kriegsgefangenen wird möglichst beschleunigt werden.

Rußland wird auf seinem Gebiete österreichisch-ungarische Kommissionen zum Zwecke der Fürsorge für österreichisch-ungarische Kriegsgefangene zulassen und nach Kräften unterstützen.

late the rules governing its own decisions; it shall also determine the order of its business and the provisions relative to its proceedings. Its decisions are to be rendered in sub-commissions which shall be formed of one representative each of the contracting parties and a neutral umpire. The amounts determined by the sub-commissions shall be paid within one month after their determination. Each contracting party shall pay without delay for articles which in its own territory it requisitioned from nationals of the other party.

With respect to the payment of indemnity for property of nationals of one of the parties, which was requisitioned in the territories of the other party without sufficient reason, excepting in cases foreseen by Article 4, Section 3, Paragraph 4, and Section 3, Paragraph 7,¹ a special agreement is reserved.

ARTICLE 6.

Concerning the exchange of prisoners of war foreseen in Article VI of the Treaty of Peace, the following provisions are adopted:

1. Prisoners of war on each side are, provided they do not elect to remain in the country of their present sojourn or to betake themselves to another country, to be returned to their own country with all possible dispatch.

Exchange of wounded and sick prisoners of war already under way is to be expedited as much as possible.

Russia is to admit to its territory and assist to the utmost the Austro-Hungarian Commission for the care of Austro-Hungarian prisoners of war.

¹ This division is not made in excerpt referred to above, pp. 145-149.

Die Kosten der Beförderung der Kriegsgefangenen bis zur Grenzübergabestation¹ trägt der Staat, der die Kriegsgefangenen zurückgibt.

2. Bei der Entlassung erhalten die Kriegsgefangenen das ihnen von den Behörden des Aufenthaltsstaates abgenommene Privateigentum sowie den noch nicht ausbezahlten oder verrechneten Teil ihrer Bezüge oder ihres Arbeitsverdienstes; diese Verpflichtung bezieht sich nicht auf Schriftstücke militärischen Inhalts.

3. Eine aus Vertretern der beiden Teile zu bildende Kommission soll alsbald nach Unterzeichnung des Friedensvertrages an einem zu bestimmenden Ort zustammentreten, um die Einzelheiten des Austausch festzusetzen.

4. Die nach völkerrechtlichen Grundsätzen zu erstattenden Aufwendungen für die beiderseitigen Kriegsgefangenen werden im Hinblick auf die Gefangenenzahlen gegeneinander aufgerechnet.

The cost of conveying prisoners of war to frontier stations shall fall on the State returning the prisoners.

2. Upon their release, prisoners of war shall receive the private property taken from them by the authorities of the State where they are now held, as well as the part of their earnings not yet paid or the part still credited to them; this obligation does not refer to written documents of a military content.

3. A commission composed of representatives of both parties shall meet immediately after the ratification of the Treaty of Peace, in a place still to be determined to arrange the details of the exchange.

4. Expenses to be refunded according to the principles of international law for expenses incurred by either State in the care of prisoners of war are to be balanced in proportion to the number of prisoners.

Artikel 7.

ARTICLE 7.

Ueber die Heimkehr der beiderseitigen Zivilangehörigen werden die nachstehenden Bestimmungen getroffen:

1. Die beiderseitigen internierten oder verschickten Zivilangehörigen werden, soweit sie nicht in den Gebieten des Aufenthaltsstaates zu bleiben oder sich in ein anderes Land zu begeben wünschen, mit aller Beschleunigung unentgeltlich heimbefördert werden.

Concerning the repatriation of civilian nationals of either party, the following provisions are adopted:

1. Interned or deported civilian nationals of either party are, provided they do not elect to remain in the country of their present sojourn or betake themselves to another country, to be returned to their own country with all dispatch and without expense to themselves.

The agreements reached in Petrograd anent the mutual repatriation of civilian nationals are to be carried out with due dispatch.

Questions left undecided in the conference in Petrograd shall be settled by the commission provided for in Article 6, Paragraph 3.

Die in Petersburg über die Heimkehr der beiderseitigen Zivilangehörigen getroffenen Vereinbarungen werden mit möglichster Beschleunigung durchgeführt werden.

Die im Artikel 6, Punkt 3, erwähnte Kommission soll die bei den Verhandlungen in Petersburg offen gebliebenen Fragen regeln.

¹ P. L. has Grenzübergabestation.

2. Die Angehörigen des einen der vertragschließenden Teile, die bei Kriegsausbruch in den Gebieten des anderen Teiles ihren Wohnsitz oder eine gewerbliche oder Handelsniederlassung hatten und sich nicht in diesen Gebieten aufhalten, können dorthin zurückkehren, sobald sich der andere Teil nicht mehr im Kriegszustande befindet. Die Rückkehr darf nur aus Gründen der inneren oder äußeren Sicherheit des Staates versagt werden.

Als Ausweis genügt ein von den Behörden des Heimatstaates ausgestellter Paß, wonach der Inhaber zu den im vorhergehenden Absatz bezeichneten Personen gehört; ein Sichtvermerk auf dem Paß ist nicht erforderlich.

3. Die Angehörigen jedes der vertragschließenden Teile sollen in den Gebieten des anderen Teiles für die Zeit, während deren dort ihr Gewerbe- und Handelsbetrieb oder ihre sonstige Erwerbstätigkeit infolge des Krieges geruht hat, keinerlei Auflagen, Abgaben, Steuern oder Gebühren für den Gewerbe- oder Handelsbetrieb oder die sonstige Erwerbstätigkeit unterliegen. Beträge, die hiernach nicht geschuldet werden, aber bereits erhoben sind, sollen binnen sechs Monaten nach der Ratifikation des Friedensvertrages zurückerstattet werden.

Auf Handels- oder sonstige Erwerbsgesellschaften, an denen Angehörige des einen Teiles als Gesellschafter, Aktionäre oder in sonstiger Weise beteiligt sind und deren Betrieb in den Gebieten des anderen Teiles infolge des Krieges geruht hat, finden die Bestimmungen des vorhergehenden Absatzes entsprechende Anwendung.

Artikel 8.

Die Grabstätten der gegenseitigen Heeresangehörigen werden geachtet und unterhalten. Die nähere Regelung die-

2. Nationals of the one contracting party who at the outbreak of the war had their domicile in the territories of the other party or who, though non-resident, had employment or a commercial establishment there may return thither, as soon as the other contracting party is no longer in a state of war. Such return may be denied only on grounds of the internal or external security of the State.

As identification a passport issued by authorities of the home State, showing the holder thereof to be the person specified, will suffice; it will not require a visé.

3. Nationals of each contracting party shall, within the territories of the other party and for the time during which their employment, or commercial enterprises, or any other of their industrial activities has elapsed, in consequence of the war, not be subject to any kind of assessments, rates, taxes, or dues for their employment, commercial enterprises, or other industrial activity. Amounts which, in consequence, are not owed, but have already been levied, shall be reimbursed within six months after the ratification of the peace treaty.

The provisions of the preceding paragraph are similarly applicable to commercial and other industrial companies in which nationals of the one party are interested as associates, share-holders, or in any other manner, and whose enterprise within the territory of the other party has ceased in consequence of the war.

ARTICLE 8.

Graves of combatants of either army are to be held inviolate and cared for. The more detailed contractual settlement of this matter

fer Angelegenheit obliegt einer bald einzusetzenden gemischten und Spezialkommission.

Artikel 9.

Den Angehörigen jedes vertragsschließenden Teiles, die aus den Gebieten des anderen Teiles stammen, soll es während einer Frist von zehn Jahren nach der Ratifikation des Friedensvertrages freistehen, im Einvernehmen mit den Behörden dieses Teiles nach dem Stammlande zurückzuwandern. Die zur Rückwanderung berechtigten Personen sollen auf Antrag die Entlassung aus ihrem bisherigen Staatsverbande erhalten. Auch soll ihr schriftlicher oder mündlicher Verkehr mit den diplomatischen und konsularischen Vertretern des Stammlandes in keiner Weise gehindert oder erschwert werden. Die Rückwanderer sollen für die ihnen während des Krieges wegen ihrer Abstammung zugefügten Unbilden eine billige Entschädigung erhalten und durch die Ausübung des Rückwanderungsrechtes keinerlei vermögensrechtliche Nachteile erleiden. Sie sollen bejagt sein, ihr Vermögen zu liquidieren und den Erlös sowie ihre sonstige bewegliche Habe mitzunehmen; ferner dürfen sie ihre Pachtverträge unter Einhaltung einer Frist von sechs Monaten kündigen, ohne daß der Verpächter wegen vorzeitiger Auflösung des Pachtvertrages Schadenersatzansprüche geltend machen kann.

Artikel 10.

Jeder vertragsschließende Teil gewährt volle Straffreiheit den dem anderen Teile angehörenden Kriegsgefangenen und seinen internierten oder verschifften Zivilangehörigen für alle von ihnen begangenen gerichtlich oder disziplinarisch strafbaren Handlungen. Neue Strafverfahren werden nicht eingeleitet, die anhängigen Strafverfahren werden eingestellt und die erkannten Strafen erlassen. Die vertragsschließenden Teile

will devolve upon a special mixed commission shortly to be appointed.

ARTICLE 9.

To nationals of the one contracting party who were born in the territories of the other contracting party an interval of ten years after the ratification of the Treaty of Peace is permitted, within which, with the consent of the latter contracting party, they may return to the land of their origin. The repatriated are, on their petition, to be granted release from their present citizenship. Likewise shall their written or verbal intercourse with the diplomatic or consular representatives of the land of their origin in no manner be hindered or embarrassed. The repatriated shall receive adequate compensation for any disadvantages suffered, in consequence of the war, on account of their national origin, and shall in no wise be prejudiced in their property rights as the result of the exercise of their prerogative of repatriation. They shall be entitled to liquidate their property and take with them the proceeds thereof and other movable possessions. Finally, they may terminate a lease contract upon service of a six months' notice, without the lessor proceeding against them for breach of contract.

ARTICLE 10.

Each contracting party grants complete immunity to the prisoners of war of the other party, and to its interned or deported civilian nationals, for all committed acts punishable by the courts or in virtue of disciplinary measures. New penal proceedings shall not be instituted, pending proceedings shall be discontinued, and penalties already imposed shall be remitted. The contracting par-

gemähren ihren Angehörigen Straffreiheit für die Betätigung in der Kriegsindustrie des Feindes, zu der sie während ihrer Kriegsgefangenschaft herangezogen worden sind.

Artikel 11.

Auf die Handelschiffe der vertragsschließenden Teile und auf deren Ladungen findet ohne Rücksicht auf entgegenstehende Preisurteile das sechste Haager Abkommen über die Behandlung der feindlichen Handelschiffe beim Ausbruche der Feindseligkeiten vom 18. Oktober 1907 mit nachstehenden Maßgaben Anwendung.

Die Erlaubnis zum Auslaufen im Sinne des Artikels 2, Absatz 1, des Abkommens kann nur dann als erteilt angesehen werden, wenn sie auch von den übrigen feindlichen Seemächten anerkannt war. Handelschiffe, die gemäß Artikel 2, Absatz 2, des Abkommens angefordert worden sind, müssen unter Entschädigung für die Zeit der Benützung entweder mit ihrem ganzen Inventar einschließlich Bordpapieren, Bordgeldern und Mannschaftseffekten zurückgegeben oder im Falle des Verlustes in Geld ersetzt werden. Für nichtangeforderte Schiffe hat der Heimatstaat die Aufwendungen zur Instandhaltung, nicht aber Hafengelder und sonstige Liegekosten zu erstatten. Die nach ihrer Bauart zur Umwandlung in Kriegsschiffe geeigneten Handelschiffe werden abweichend vom Artikel 5 des Abkommens wie andere Handelschiffe behandelt. Die Bestimmungen dieses Artikels finden auch auf solche Handelschiffe Anwendung, die bereits vor Ausbruch des Krieges am Auslaufen verhindert, angefordert oder aufgebracht waren, unbeschadet der aus dieser Völkerrechtsverletzung abzuleitenden Ersatzansprüche.

ties guarantee to their own nationals immunity from penalty for their activity in war industries to which they were called during their military imprisonment.

ARTICLE 11.

Regardless of the decision of a Prize Court, merchant ships of the contracting parties as well as their cargoes shall be governed by the provisions of the Sixth Hague Conference, of 18 October, 1907,¹ relative to the treatment of hostile merchant ships at the outbreak of war.

Permission to effect a clearance in the sense of Article 2, Paragraph 1, of the Conference, will only be considered valid when the same has been recognized by the other hostile naval Powers. Merchant ships which, in accordance with Article 2, Paragraph 2, of the Conference, were requisitioned must either be returned with indemnity for the period of their use together with their entire inventory, inclusive of ship papers, ship money, and the personal effects of the crew, or, in the event of the loss of these, restitution therefor must be made in money. In the case of non-requisitioned ships the homeland is responsible for expenses of maintenance, but not for harbor dues or expenses of demurrage. Merchant ships which by virtue of their construction may be converted into vessels of war, shall, notwithstanding Article 5 of the Conference, be treated like other merchant ships. The provisions of this article also affect such merchant vessels which before the opening of hostilities were unable to leave port, were requisitioned, or were captured, notwithstanding the claims to indemnity arising from this violation of international law.

¹JAMES BROWN SCOTT (ed.), *The Hague Conventions and Declarations of 1899 and 1907* (2nd ed., New York, Oxford University Press, American Branch [Carnegie Endowment for International Peace], 1915), p. 141.

Die als Preisen aufgebrauchten Handelsschiffe der vertragsschließenden Teile sollen, wenn sie vor der Unterzeichnung des Friedensvertrages durch rechtskräftiges Urteil eines Briengerichtes fondeniert worden sind und nicht unter die Bestimmungen des vorhergehenden Absatzes fallen, als endgültig eingezogen angesehen werden; im übrigen sind sie zurückzugeben oder, soweit sie nicht mehr vorhanden sind, in Geld zu ersetzen. Diese Bestimmungen finden auf die als Preisen aufgebrauchten Schiffsladungen von Angehörigen der vertragsschließenden Teile entsprechende Anwendung. Doch sollen Güter von Angehörigen des einen Teiles, die auf Schiffen feindlicher Flagge in die Gewalt des andern Teiles geraten sind, in allen Fällen den Berechtigten herausgegeben oder, soweit dies nicht möglich ist, in Geld ersetzt werden.

Handelsschiffe des einen der vertragsschließenden Teile, die in neutralen Hoheitsgewässern von Streitkräften des andern Teiles aufgebracht, mit Beschlagnahme belegt oder versenkt wurden, sind ebenso wie ihre Ladungen ohne Rücksicht auf entgegenstehende Preisurteile zurückzugeben oder, soweit sie nicht mehr vorhanden sind, in Geld zu ersetzen; für die Zeit bis zur Rückgabe oder Ersatzleistung ist Entschädigung zu gewähren.

Handelsschiffe, die nach den vorstehenden Bestimmungen zurückzugeben sind, müssen nach protokollarischer Tatbestandsaufnahme, welche durch den zur Uebernahme des Schiffes Bevollmächtigten und ein Organ der Hafenbehörde zu erfolgen hat, unter Haftung für jeden willkürlichen oder verschuldeten Verzug sofort nach der Ratifikation des Friedensvertrages in dem Zustande und in dem Hafen, in dem sie sich befinden, dem Heimatstaat zur Verfügung gestellt werden. Der verschickten Besatzung ist freie Fahrt zu ihrem Schiffe sowie jegliche Förderung zu gewähren. Befindet sich ein solches Schiff am Tage

Merchant vessels of the contracting parties, captured as prizes, shall be considered definitively captured, if they have been condemned by a valid decision of a Prize Court and do not belong to the category mentioned in the preceding section; otherwise such ships must be returned, or, if they no longer exist, restitution therefor must be made in money. These provisions are valid also for cargoes captured as prizes. Goods belonging to nationals of one party, which came into the power of the other party on vessels of hostile nationality, shall in all cases be returned to the rightful claimants, and, as far as this is possible, restitution therefor shall be made in money.

Merchant ships of one of the contracting parties which were captured, confiscated, or sunk in territorial waters of a neutral by the fighting forces of the other party, shall be returned with their cargoes notwithstanding the decisions of a Prize Court that may have been rendered against them; in case they no longer exist, restitution therefor shall be made in money; for the period until their return or restitution an indemnity shall be paid.

Merchant ships which are to be returned according to the preceding provision must, after a protocol has been made of the case by the person empowered to take possession of the ship and the representative of the harbor authorities and immediately after the ratification of the Peace Treaty, be placed at the disposal of the home-land in the condition and in the harbor in which they are, and they are held accountable for every arbitrary or punishable act. The deported crew shall receive free passage to its ship as well as assistance in every way. If such

der Ratifikation auf einer Reise, so muß es nach deren Beendigung und nach Lösung der an dem bezeichneten Tage vorhandenen Ladung, spätestens aber nach einem Monate, zurückgegeben werden; für die Zwischenzeit ist die höchste Tageszeitfracht zu vergüten.

Hat der Zustand eines nach Absatz 2 zurückzugebenden Schiffes während der Zeit der Anforderung eine über die gewöhnliche Annützung hinausgehende Verschlechterung erfahren, so ist eine auch den Zeitverlust bis zur Instandsetzung berücksichtigende Entschädigung zu leisten. Das Gleiche gilt für ein nach Absatz 4 zurückzugebendes Schiff, selbst wenn es nicht angefordert wurde. Für Verschlechterungen oder Verluste, die nach Einstellung der Feindseligkeiten durch das Verhalten des rückgabepflichtigen Teiles herbeigeführt worden sind, ist in allen Fällen Entschädigung zu gewähren.

Als Ersatz für ein nicht mehr vorhandenes Schiff ist der Verkaufswert, den es am Tage der Ratifikation des Friedensvertrages haben würde, sowie eine angemessene Vergütung für den Verdienstentgang bis zur Indienststellung des zu beschaffenden Ersatzschiffes zu zahlen. Als Entschädigung für die Benützung ist die übliche Tageszeitfracht zu entrichten. Für nicht mehr vorhandene Ladung und Vorräte ist der Marktwert vom Tage der Ratifikation des Friedensvertrages zu ersetzen. Als bald nach der Ratifikation des Friedensvertrages soll zur Durchführung der vorstehenden Bestimmungen eine Kommission aus je zwei Vertretern der vertragschließenden Teile und einem neutralen Obmann an einen zu bestimmenden Orte zusammentreten; um die Bezeichnung des Obmanns wird der Präsident des Schweizerischen Bundesrates gebeten werden.

a ship is engaged in a voyage on the day of ratification, it must be returned after the completion thereof and after the unloading of the cargo which it is carrying at the said time; at latest, however, they shall be returned after one month; for the intervening time indemnity is to be paid for the highest daily average freight.

If the condition of the ship which is to be returned according to the provisions of paragraph 2 has deteriorated materially in value during the time of its requisition, indemnity is to be paid also for the time necessary for making repairs. Similarly for a ship returned according to the provisions of paragraph 4, even if it was not requisitioned. For deterioration or losses caused by the returning party after the cessation of hostilities, indemnity is to be paid in all cases.

Indemnity for a ship which no longer exists is to be paid for on the basis of its market value on the day of the ratification of the Peace Treaty, and an adequate indemnity is to be allowed for the time lost until another ship can be supplied to take its place. The customary daily average freight shall be considered indemnity for the use of the ship. In case the cargo and the supplies are no longer in existence, their market value on the day of the ratification of the Peace Treaty shall be indemnified. Immediately after the ratification of the Peace Treaty a commission consisting of two representatives of each of the contracting parties as well as a neutral umpire shall meet at a place to be later determined for the purpose of executing the above provisions. The President of the Swiss Confederation shall be requested to designate the umpire.

Die Kommission hat insbesondere die Frage, ob im Einzelfalle die Voraussetzungen für die Rückgabe oder den Ersatz eines Schiffes oder für die Zahlung einer Entschädigung vorliegen, zu entscheiden und die Höhe der zu zahlenden Beträge, und zwar in der Währung des Heimatstaates, festzusetzen. Die Beträge sind innerhalb eines Monats nach der Festsetzung der Regierung des Heimatstaates für Rechnung der Berechtigten zur Verfügung zu stellen. Für jeden Verzug in der Leistung der Entschädigung sind die landesüblichen Zinsen zu zahlen.

Artikel 12.

Der Zusatzvertrag, der einen wesentlichen Bestandteil des Friedensvertrages bildet, soll zugleich mit der Ratifizierung des Friedensvertrages in Berlin ratifiziert werden. Er tritt mit diesem gleichzeitig in Kraft. Zur Ergänzung des Zusatzvertrags,¹ insbesondere zum Abschlusse der darin vorbehaltenen weiteren Vereinbarungen werden tunlichst bald nach der Ratifikation Vertreter der vertragschließenden Teile an einen noch zu bestimmenden Orte zusammentreten.

Der Vertrag wurde in doppelter Urschrift in Brest-Litovsk am 3. März 1918 ausgefertigt.

The commission shall decide in each case whether the return or the restitution of a ship or payment of indemnity is in order. It shall also determine the amount to be paid, in each case in the currency of the homeland. The said amounts shall be placed at the disposal of the government of the homeland on account of the rightful claimant, within one month after the rendition of the decision. In case of delayed payment, the customary interest shall be forthcoming.

Article 12.

The supplementary treaty, which forms an essential part of the Peace Treaty, shall be ratified simultaneously with the Peace Treaty at Berlin. It goes into effect at the same time as the latter. For the elaboration of the supplementary treaty, especially for the settlement of the provisions temporarily left undetermined therein, representatives of the contracting parties will meet as soon as possible after the ratification at a place still to be determined.

The treaty was executed in duplicate at Brest-Litovsk this 3rd day of March, 1918.

¹ P. L. has Zusatzantrag.

14. RUSSIA—BULGARIA.

APPENDIX IV TO THE TREATY OF PEACE BETWEEN RUSSIA AND THE CENTRAL POWERS. SIGNED AT BREST-LITOVSK, 3 MARCH, 1918.¹

[Text as transmitted to the Department of State by the American consul at Moscow.]

With regard to the economic relations between Bulgaria and Russia, the following agreement is established:

ARTICLE 1.

The contracting parties pledge themselves to begin negotiations with regard to the conclusion of a new commercial treaty as soon as possible after general peace between Bulgaria on the one hand and the countries which are at present in a state of war with her on the other hand has been signed.

ARTICLE 2.

Until the appointed time, and in any case until 31 December, 1919, each of the contracting parties gives to the citizens of the other party the same rights with regard to trade and navigation as it gives to the citizens of the most favored nation. These regulations extend more especially:

(a) To the import and export, the return of exports and the carriage of merchandise, to the customs duties and customs formalities, to the interior taxes, to the taxes on consumption and similar taxes, and to the prohibition of transportation;

(b) To the actions of the administration of government monopolies or monopolies under government control of one of the contracting parties, with regard to the purchasers or the suppliers of the other party as far as fixing the prices and other business matters are concerned.

ARTICLE 3.

During the entire period during which the principle of the most favored nation is effective, neither party will establish to the loss of the other party higher import and export duties on one frontier than on any other.

¹ Ratifications exchanged at Berlin, 9 July (*Daily Review of the Foreign Press* (British) 13 July, 1918, 602).

ARTICLE 4.

Neither of the parties will lay any claim to the privileges which one of the parties affords, or may in the future afford, to any other State based on existing or future customs union, or which she allows in case of limited transactions via her frontier.

ARTICLE 5.

The contracting parties agree that after 30 June, 1919, each of them may refuse to acknowledge the agreement upon the condition of warning the other party six months in advance.

15. RUSSIA—BULGARIA.

LEGAL-POLITICAL TREATY SUPPLEMENTARY TO THE TREATY OF PEACE BETWEEN RUSSIA AND THE CENTRAL POWERS, SIGNED AT BREST-LITOVSK, 3 MARCH, 1918.¹

[Text as transmitted to the Department of State by the American consul at Moscow.]

Since the conclusion of supplementary treaties between the contracting parties has been provided for in Article XII of the peace treaty signed to-day at Brest-Litovsk between Bulgaria, Germany, Austria-Hungary, and Turkey on the one hand and Russia on the other hand,

the Bulgarian plenipotentiaries, namely:

Ambassador Andrew Toshev, Colonel Peter Gantshev, Doctor Theodor Anastassoff,

and the Russian plenipotentiaries, namely:

Sokolnikov, Karachan, Chicherin, Petrovsky, have agreed that all questions mentioned in Article XII of the peace treaty should be settled in the present supplementary treaty and have fixed the following regulations:

ARTICLE 1.

With the restoration of consular intercourse according to Article XII of the peace treaty, each of the contracting parties will admit consuls of the other party to every place on its territory, in so far as single places or regions had not already been excepted before the war, and in so far as these exceptions are maintained toward any third power.

Each party has the right, in consideration of war necessity, to admit consuls of the other party to certain places only after the final settlement of general peace.

ARTICLE 2.

Each of the contracting parties will compensate all damages which have been caused on its territory during the war to movable or immovable property by the local government organs, or by its subjects through acts in violation of international law.

¹ Ratiications exchanged at Berlin, 9 July (*Daily Review of the Foreign Press* (British) 13 July, 1918, p. 602).

ARTICLE 3.

Since all covenants, agreements and treaties which before the war were effective between Bulgaria and Russia are to be considered null and void with the declaration of war, the Governments of the contracting parties undertake to enter into consular and other agreements which will regulate their mutual legal and commercial relations. These agreements will be settled within the term provided for in Appendix IV to the peace treaty between the Central Governments and Russia.

ARTICLE 4.

The postal and telegraphic relations between Bulgaria and Russia will be restored forthwith after the ratification of the present treaty, and this according to the regulations of the postal and telegraphic convention and the convention and rules of the international post and telegraph union.

ARTICLE 5.

All temporary laws, regulations and ordinances which were in force during the war on the territory of one of the contracting parties, and which concerned citizens of the other party, will be abrogated with the ratification of the peace treaty.

ARTICLE 6.

All obligations of private and corporate persons and of societies which are subjects of one of the contracting parties, and which are on the territory of the other party, will be restored to their status of before the war.

Regarding the obligations of their subjects, both parties agree to apply the regulations which are specified in Paragraphs 2 and 3 of Article 2, Chapter 3, and in Article 5, Chapter 3, of the German-Russian Supplementary Treaty signed in Brest-Litovsk on March 3, 1918.

Moreover, all such privileges as each of the contracting parties would give to its own subjects will be equally bestowed upon the subjects of both parties. This applies also to such privileges as have been abrogated during the war by one of the agreeing parties and then so restored after the end of the war.

ARTICLE 7.

The subjects of the contracting parties are allowed to return to their native country, having the right to liquidate their property and to take with them the proceeds therefrom, and any other movable property.

ARTICLE 8.

To all persons who have been prejudiced in their rights in consequence of the military laws mentioned in Article 5, such rights must as far as possible be restored.

After the ratification of the present treaty both parties will simultaneously start the restitution of all property alienated as a result of martial law. Moreover, the contracting parties undertake to compensate mutually and simultaneously all damages suffered on their territory by subjects of the other side during the war; provided that such damages are related to their life and their health in consequence of measures taken against them, or are related to their property in consequence of liquidation, sequestration, arrest, requisition, or any other act in violation of international law. The manner and rate of compensation for the damages suffered in consequence of the above mentioned circumstances with regard to the principles which should be applied, as well as to the kind and variety of damages, will be regulated under the same conditions as provided for in Articles 13, 14, and 15 of Chapter 4 of the German-Russian Supplementary Treaty of March 3, 1918.

ARTICLE 9.

All war prisoners, invalids, or persons unfit for military service will be forthwith disbanded to their native country. All remaining war prisoners, as well as all persons arrested in consequence of military or public measures, will be exchanged as soon as possible after the signing of the present treaty. The exchange will be performed by special commissaries appointed by both parties.

The civilian prisoners will be liberated immediately. The contracting party which has arrested or interned these prisoners will pay the expenses for their journey from their present residence to their home.

Both contracting parties engage themselves to compensate all expenses which have been incurred by the other party for their imprisoned subjects.

ARTICLE 10.

Each of the contracting parties grants immunity to all war prisoners and interned civilians, as well as to subjects of the other party, according to the regulations specified in Article 20 of the German-Ukrainian Supplementary Treaty signed at Brest-Litovsk on 9 February, 1918.

ARTICLE 11.

The present supplementary treaty, in so far as no contrary regulation will be agreed upon, becomes effective simultaneously with the Peace Treaty signed in Brest-Litovsk on 3 March, 1918, and shall be considered as an essential constituent part of the latter. The present supplementary treaty must also be ratified and the ratification documents must be exchanged in Berlin simultaneously with the ratification documents of the Peace Treaty as soon as possible.

In witness whereof the plenipotentiaries of both parties have signed the present treaty and have affixed their seals. Executed in double original at Brest-Litovsk, 3 March, 1918.

16. RUSSIA—TURKEY.

APPENDIX V TO THE TREATY OF PEACE BETWEEN RUSSIA AND THE CENTRAL POWERS, SIGNED AT BREST-LITOVSK, 3 MARCH, 1918.¹

[Text as transmitted to the Department of State by the American consul at Moscow.]

With regard to the economic relations between Turkey and Russia, the following agreement is established:

ARTICLE 1.

The contracting parties pledge themselves to begin negotiations with regard to the conclusion of a new commercial treaty as soon as possible after general peace between Turkey on the one hand, and the countries which are at present in a state of war with her on the other hand, has been signed.

ARTICLE 2.

Until the appointed time, and in any case until 31 December, 1919, each of the contracting parties gives to the citizens of the other party the same rights with regard to trade and navigation as it gives to the citizens of the most favored nation. These regulations extend more especially:

(a) To the import and export, the return of exports and the carriage of merchandise, to the customs duties and customs formalities, to the interior taxes, to the taxes on consumption and similar taxes, and to the prohibition of transportation;

(b) To the actions of the administration of government monopolies or monopolies under government control of one of the contracting parties, with regard to the purchasers or the suppliers of the other party as far as fixing the prices and other business matters are concerned.

ARTICLE 3.

During the entire period during which the principle of the most favored nation is effective, neither party will establish to the loss of the other party higher import and export duties on one frontier than on any other.

¹ Ratifications exchanged at Berlin, 12 July, 1918 (*Neue Freie Presse*, 13 July, 1918, evening edition).

ARTICLE 4.

Neither of the parties will lay any claim to the privileges which one of the parties affords, or may in the future afford, to any other state based on existing or future customs union, or which she allows in case of limited transactions via her frontier.

ARTICLE 5.

The contracting parties agree that after 30 June, 1919, each of them may refuse to acknowledge the agreement upon the condition of warning the other party six months in advance.

17. RUSSIA—TURKEY.

LEGAL-POLITICAL TREATY SUPPLEMENTARY TO THE TREATY OF PEACE BETWEEN RUSSIA AND THE CENTRAL POWERS. SIGNED AT BREST-LITOVSK, 3 MARCH, 1918.¹

[English text from the *State Department Weekly Reports, Central Powers, No. 44, 6 May, 1918.*]

Provision having been made by certain articles of the joint treaty of peace signed on this day at Brest-Litovsk by the Russian Republic on the one hand and the Ottoman Empire, Germany, Austria-Hungary, and Bulgaria on the other hand for the conclusion of special arrangements between the contracting states concerned, the Plenipotentiaries of the Russian Republic, namely:

M. G. J. Sokolnikow, member of the Central Executive Committee of the Council of Soldiers, Workmen, and Peasants;

M. G. J. Petrovski, Commissioner of the People for Home Affairs;

M. G. W. Tschitscherine, Commissioner of the People for Foreign Affairs;

M. L. M. Karachan, member of the Central Executive Committee of the Council of Soldiers, Workmen, and Peasants;

And the Plenipotentiaries of the Ottoman Empire, namely:

His Highness, Ibrahim Hakky Pasha, former Grand Vizier, Senator, Ambassador of His Imperial Majesty the Sultan at Berlin;

His Excellency Zeki Pasha, General of Cavalry and Aide de Camp to His Imperial Majesty the Sultan;

Have agreed to regulate by a supplementary treaty all matters relating thereto and drawn up to that effect the following provisions:

ARTICLE I.

The following provisions have been made to regulate the details of execution and the delivery of occupied territory dealt with in Paragraph 2 of Article 4 of the joint treaty of peace.

1. To that end the Russian Republic undertakes to withdraw to the other side of the boundary line as it was before the war all its forces now in the said provinces as well as all its officers, both civil and military, in a period of from six to eight weeks from the signature of the present treaty.

2. The commanders in chief of the Russian and Turkish armies operating on the Asiatic front shall determine in accordance with the

¹ Ratifications exchanged at Berlin, 12 July, 1918 (*Neue Freie Presse*, 13 July, 1918, evening edition).

provisions of paragraph 1 the modus of evacuation and withdrawal of the Russian troops beyond the frontier, as also the means apt to insure its safety.

3. At the time of the evacuation of the occupied territory, Russia will insure safety therein until it is again occupied by Ottoman troops. It shall take appropriate measures to prevent acts of vengeance, plunder, crimes, or other trespasses from being committed; to conserve intact and preserve from destruction the structures and buildings in the said territory, inclusive of military establishments, as well as all furniture and equipment. The army commanders of the contracting parties will settle those important points on the spot.

It is understood that the portable and other railroads laid in the said territory, as also the rolling stock and bridges, shall be allowed to stand as they are so as to make the revictualing of the population easier. The same will apply to military establishments.

4. The Russian Republic will use one division to guard the frontier along a distance of about five hundred kilometers or more, will demobilize all the remainder of the army and carry it to the interior of the country.

5. The Russian Republic undertakes to demobilize and dissolve the Armenian bands whether of Russian or Turkish nationality now in the Russian and Ottoman occupied provinces and entirely to disband them.

6. The two contracting parties will conclude an agreement for the settlement of the revictualing of the inhabitants of the said provinces until normal conditions are restored.

7. The Russian Republic shall not concentrate troops along the border or in Caucasia exceeding one division, not even for drills, until general peace is established.

If it should become necessary to resort to such a concentration for reasons of public safety in the interior, a previous notice must be given to the powers of the Quadruple Alliance.

On the other hand, Turkey is compelled by the necessity of carrying on the war against its other adversaries to keep its army on a war footing.

ARTICLE II.

Within three months after the ratification of the present treaty two Turkish-Russian Joint Commissioners shall be appointed by the contracting parties; one of these will be charged with the duty of reestablishing the dividing line between Turkish and Russian territory from the point where the three boundaries, Turkish, Russian, and Persian, meet to the point where the line strikes the boundary of the three Sandjaks of Kars, Erdehan, and Batum. Along that stretch the boundary line as it was before the war will be followed; the monuments that may have been destroyed in the course of the war operations shall be rebuilt and repaired in accordance with the maps and protocols of the boundary commission of 1880.

The second commission will mark the boundary between Russia and the three Sandjaks to be evacuated in accordance with Paragraph 3 of Article IV of the joint treaty of peace. The frontier shall be restored there as it existed before the Turkish-Russian war of 1877 and 1878.

ARTICLE III.

The inhabitants and communes in the territory of either contracting party, holding property and usufruct rights on real property lying on the other side of the border will enjoy, operate, or lease, manage or convey such property by themselves or by proxy.

The said inhabitants or representatives of the said communes will be allowed freely to cross the boundary line upon presentation of passes issued to them by the proper authorities of their domicile and authenticated by those of the other party.

Facilities in crossing the line free of duty will be granted to local agricultural products, farming implements, food stuffs, fertilizers, seed, building material, and cattle for farm work, carried by the said inhabitants or representatives of communes.

The contracting parties reserve for a future special arrangement the settlement of the details of the provisions set forth in the foregoing two paragraphs.

ARTICLE IV.

The contracting parties undertake to grant on and after the ratification of the present treaty, exequaturs to the Consuls General, consuls and vice consuls of career of either party in all ports, cities, or other places in the territory of the others, except those where objection may be seen to recognizing such officers, provided the same exception applies to all foreign powers.

With regard to the privileges, powers, and duties of the said officers during the transitory period referred to in Article VI, the same rules shall, on condition of reciprocity, apply to them as apply to like officers of the most favored nation.

ARTICLE V.

Each contracting party undertakes to pay an indemnity for all the damages and losses caused during the war within the territories by its agents or people to the consular buildings and furniture as well as to the consular officers and employees of the other party.

ARTICLE VI.

All the treaties, conventions, undertakings, or other instruments and agreements previously existing between the contracting parties having been made null and void, *pro facto*, by the very occurrence of the war, the Imperial Ottoman Government and the Government of the Russian Republic undertake to conclude a consular convention and such other instruments as they may deem necessary for the adjustment of their juridical relations. These instruments shall be perfected within the time set by Appendix V to the joint treaty of peace for the conclusion of a treaty of commerce and navigation. The transitory period in which to apply the provisions in the last paragraph of Article IV as also the right of denouncement granted to the parties will be the same as those stated in the said appendix.

ARTICLE VII.

The post and telegraph relations between the Ottoman Empire and Russia will be re-established immediately upon the ratification of the present treaty in accordance with the postal and telegraphic conventions, arrangements, and regulations of the international union.

ARTICLE VIII.

In pursuance of the principle laid down in Article VII of the joint treaty of peace the two contracting parties declare that they consider to be null and void all previous international instruments intended to create spheres of influence and exclusive interests in Persia. The two Governments will withdraw their troops from the Persian territory. To that end they shall communicate with the Government of that country about the details of the evacuation and the measures apt also to insure for the political independence and territorial integrity of that country the respect of the several states.

ARTICLE IX.

All laws, regulations, and ordinances enforced in the territory of one of the contracting parties against the citizens or subjects of the other party by reason of the state of war existing in their country and intended to change these personal rights in any way (war laws) become inoperative after the ratification of the joint treaty of peace.

The juristic persons and corporations recognized by the local laws of one of the parties as belonging to the nationality of the other party shall be considered in this respect as citizens or subjects of the said other party.

ARTICLE X.

All debts due to private or juristic persons or corporations, citizens, or subjects of one of the parties within the territory of the other party are restored to their ante bellum status.

The contracting parties agree to apply to the debts due to their respective citizens or subjects the provisions found in Sections 2 and 3 of Article 2 of the Russo-German Supplementary Treaty signed at Brest-Litovsk on 3 March, 1918. (Chapter 3).

The citizens or subjects of either party shall in addition enjoy the greater facilities which each of the parties may see fit to adopt in behalf of its own nationals who may have been unable on account of the war events, to secure in good time the safeguard of their rights.

ARTICLE XI.

Russian subjects of the Moslem faith will be allowed to emigrate to Turkey after disposing of their property and to carry their patrimony with them.

ARTICLE XII.

Persons whose rights have been invaded under the war laws mentioned in Article VIII, will, as far as possible, be reinstated in the

said rights. After ratification of the present treaty both sides shall simultaneously return the property seized under the said laws. In addition each party undertakes simultaneously to pay indemnity for the damage caused to the subjects of the other party in their lives or health as a result of the measures taken against them and in their property as a result of liquidation, seizure, requisition, or forcible disposition of their real and personal estates. The mode of appraising the losses sustained by reason of the circumstances above enumerated and all matters connected therewith, as also the procedure to be followed in the premises shall be settled by the contracting parties under the same conditions as those determined by Articles 2, 3, and 4 (Chapter 4) of the supplementary German-Russian treaty of 3 March, 1918.

ARTICLE XIII.

Prisoners of war who are invalid or unfit for military service shall be immediately sent home. The other prisoners of war and all other persons arrested as a measure of military or public order shall be exchanged as soon as possible after the signature of the present treaty; the exchange will be effected through special commissioners appointed by both parties.

The transportation of prisoners of war to a port of departure or to the frontier will be at the expense of the captor state. Civilian prisoners will be immediately released. The contracting party which arrested or interned them shall bear the cost of transportation from the place where they are held or interned to the residence from which they were taken.

ARTICLE XIV.

Each contracting party will apply to the prisoners of war and interned civilians in its territory, and also to the citizens or subjects of the other party, the amnesty clauses inserted in Article 1 (Chapter 7) of the supplementary German-Russian treaty signed at Brest-Litovsk on 3 March, 1918.

ARTICLE XV.

The present supplementary treaty shall go into effect, in so far as it is not otherwise provided, at the same time as the joint treaty of peace signed at Brest-Litovsk on 3 March, 1918.

It will be ratified and the ratifications will be exchanged at Berlin at the same time as those of the above-mentioned joint treaty.

In faith whereof the Plenipotentiaries have signed the present supplementary treaty and affixed their seals thereto.

Done in duplicate at Brest-Litovsk, 3 March, one thousand nine hundred and eighteen.

18. RUSSIA—CENTRAL POWERS.

RUSSIAN DELEGATES' PROTEST AGAINST THE TREATY OF PEACE OF BREST-LITOVSK, 3 MARCH, 1918.

[Text Issued by the Russian Government Wireless on 9 March, 1918, as given in the (*British*)
Daily Review of the Foreign Press, 12 March, 1918, p. 119.]

To all; to Paris, Vienna, Berlin, Sebastopol, Odessa, Kharkov, Nikolaiev, Tashkent, Arkhangelsk, Kazan, Irkutsk.

The Russian Peace Delegation made the following Declaration before signing the Peace Treaty at the Session of the conference at Brest-Litovsk on 3 Mar.:—

The Workmen's and Peasants' Government of the Russian Republic was forced, after the offensive of the German troops against Russia, when the latter had declared the war to be at an end and had commenced the demobilization of its armies, to accept an ultimatum presented by Germany on 24 Feb. We have been delegated to sign these conditions, which have been forced upon us by violence.

The negotiations which have been carried out so far at Brest-Litovsk between us, on the one part, and Germany and her allies, on the other, have shown strongly and clearly enough that the "peace by agreement" as it is termed by the German representatives, is really and definitely an annexationist and imperialistic peace. The Brest-Litovsk conditions at the moment are considerably worse than this. The peace which is being concluded here at Brest-Litovsk is not a peace based upon a free agreement of the peoples of Russia, Germany, Austria-Hungary, and Turkey, but a peace dictated by force of arms. This is the peace which Russia, grinding its teeth, is compelled to accept. This is a peace which, whilst pretending to free Russian border provinces, really transforms them into German provinces and deprives them of the right of free self-determination, such as was recognized by the Workmen's and Peasants' Government of Revolutionary Russia, as due to them. This is a peace which, whilst pretending to reestablish order, gives armed support in these regions to exploiting classes against the working classes, and is helping again to put upon them the yoke of oppression which was removed by the Russian Revolution. This is a peace which gives back the land to the landlords, and again drives the workers into the serfdom of the factory owners. This is a peace which for a long time to come imposes upon the workers of Russia in a still more aggravated form the old commercial treaty which was concluded in 1904 in the interests of German agrarians, and which is at the same time guaranteeing to German and Austro-Hungarian capitalists interest on the debts of the Tsarist Government, which have been repudiated by

Revolutionary Russia. Finally, as if it was the purpose explicitly to emphasize the character of the German armed offensive, the German ultimatum is attempting to muzzle the Russian Revolution by forbidding all agitation directed against the Governments of the Quadruple Alliance and their military authorities. But even this does not suffice. Under the same pretence of reestablishing order, Germany is also occupying by arms regions in which the population is purely Russian and is establishing there a regime of military occupation in disregard to revolutionary institutions. For the Ukraine and Finland Germany is requesting the non-intervention of Revolutionary Russia, and at the same time is intervening actively with the object of supporting the counter-revolutionary forces against the workmen and peasants.

In the Caucasus, in direct contradiction to the conditions of the ultimatum of 21 Feb., as formulated by the German Government itself, Germany is breaking away for the benefit of Turkey regions of Ardahan, Kars, and Batum, which never have been taken by Turkish troops during this war, and with complete disregard of the real wishes of the populations of these regions. The most cynical and violent territorial seizures, the occupation of the most important strategical points, can have but one purpose: to prepare a new offensive against Russia and to defend capitalistic interests against the Workmen's and Peasants' Revolution. Such is the real object of the offensive undertaken by the German troops on 18 Feb. without the seven days' notice which was agreed upon in the armistice treaty concluded between Russia and the Central Powers. This advance was not stopped, in spite of the Declaration of the Council of the People's Commissioners that they accepted the German ultimatum of 21 Feb. This advance was not stopped in spite of the fact that the conference of Brest-Litovsk was resumed, and in spite of an official protest by the Russian Delegation. Through this, all the conditions of peace presented by Germany and by her allies are transformed into an ultimatum presented by them to Russia and supported in the interests of such a peace treaty, with the threat of immediate armed violence. Nevertheless, in the present situation Russia has no alternative choice. After having demobilized her armies, the Russian Revolution has by the same act given its fate into the hands of the German people. The Russian Delegation has already declared openly at Brest-Litovsk that no honest man can believe that the war against Russia can now be termed a defensive war. Germany has taken the offensive under the pretense of reestablishing order, but in reality with the purpose of strangling the Russian Workers' and Peasants' Revolution. For the benefit of world-imperialism German militarism has succeeded at the present time in moving its troops against the masses of the workmen and peasants of the Russian Republic. The German proletariat has not as yet shown itself powerful enough to stop this offensive movement. We do not doubt for one moment that this triumph of the imperialist and the militarist over the international proletarian Revolution is only a temporary and passing one. Under the present conditions the Soviet Government of the Russian Republic being left to its own forces, is unable to withstand the armed onrush of German imperialism, and is compelled, for the sake of saving Revolutionary Russia, to accept the

conditions put before it. We, being empowered by our Government to sign the treaty of peace, are compelled, in spite of our protest, to negotiate under the absolutely exceptional conditions of continued hostilities against nonresisting Russia. We can not submit to any further shooting of Russian workmen and peasants who have refused to continue the war. We declare openly before the workmen, peasants, and soldiers of Russia and Germany, and before the laboring and exploited masses of the whole world, that we are forced to accept the peace dictated by those who at the moment are the more powerful, and that we are going to sign immediately the treaty presented to us as an ultimatum, but that at the same time we refuse to enter into any discussion of these terms.

19. RUSSIA—CENTRAL POWERS.

PROTEST OF GREAT BRITAIN, FRANCE, AND ITALY AGAINST THE TREATY OF PEACE OF BREST-LITOVSK BETWEEN RUSSIA AND THE CENTRAL POWERS. ISSUED BY THE BRITISH FOREIGN OFFICE, 18 MARCH, 1918.

[Text as published in London Times, 19 March, 1918, p. 6.]

The Prime Ministers and Foreign Ministers of the Entente, assembled in London, feel it to be their bounden duty to take note of the political crimes which, under the name of a German peace, have been committed against the Russian people.

Russia was unarmed. Forgetting that for four years Germany had been fighting against the independence of nations and the rights of mankind, the Russian Government in a mood of singular credulity expected to obtain by persuasion that "democratic peace" which it had failed to obtain by war.

The results were that the intermediate armistice had not expired before the German command, though pledged not to alter the disposition of its troops, transferred them en masse to the western front, and so weak did Russia find herself that she dared to raise no protest against this flagrant violation of Germany's plighted word.

What followed was of like character, when "the German peace" was translated into action. It was found to involve the invasion of Russian territory, the destruction or capture of all Russia's means of defense, and the organization of Russian lands for Germany's profit—a proceeding which did not differ from "annexation" because the word itself was carefully avoided.

Meanwhile, those very Russians who had made military operations impossible found diplomacy impotent. Their representatives were compelled to proclaim that while they refused to read the treaty presented to them, they had no choice but to sign it; so they signed it, not knowing whether in its true significance it meant peace or war, nor measuring the degree to which Russian national life was reduced by it to a shadow.

For us of the Entente Governments the judgments which the free peoples of the world will pass on these transactions would never be in doubt. Why waste time over Germany's pledges, when we see that at no period in her history of conquest—not when she overran Silesia nor when she partitioned Poland—has she exhibited herself so cynically as a destroyer of national independence, the implacable enemy of the rights of man and the dignity of civilized nations.

Poland, whose heroic spirit has survived the most cruel of national tragedies, is threatened with a fourth partition, and to aggravate her wrongs devices by which the last trace of her independence is to be crushed are based on fraudulent promises of freedom.

What is true of Russia and Poland is no less true of Roumania, overwhelmed like them in a flood of merciless passion for domination.

Peace is loudly advertised, but under the disguise of verbal professions lurk the brutal realities of war and the untempered rule of a lawless force.

Peace treaties such as these we do not and can not acknowledge. Our own ends are very different. We are fighting, and mean to continue fighting, in order to finish once for all with this policy of plunder and to establish in its place the peaceful reign of organized justice.

As incidents of this long war unroll themselves before our eyes, more and more clearly do we perceive that the battles for freedom are everywhere interdependent; that no separate enumeration of them is needed, and that in every case the single but all-sufficient appeal is to justice and right.

Are justice and right going to win? In so far as the issue depends on battles yet to come the nations whose fate is in the balance may surely put their trust in the armies, which, even under conditions more difficult than the present, have shown themselves more than equal to the great cause intrusted to their valor.

Meetings of the Supreme War Council and important political conferences under the Presidency of Premier David Lloyd George were held in Downing Street Thursday, Friday, and Saturday. They were attended by the Premiers of France and Italy and other Ministers, with their military and expert advisers.

20. RUSSIA—GERMANY.

SUPPLEMENTARY TREATY TO THE TREATY OF PEACE BETWEEN RUSSIA AND THE CENTRAL POWERS. SIGNED AT BERLIN, 27 AUGUST, 1918.¹

[German text as published in the *Deutscher Reichsanzeiger*, 7 September, 1918.]

[Translation.]

Die Kaiserlich Deutsche Regierung und die Regierung der Russischen Sozialistischen Föderativen Sowjet-Republik, von dem Wunsche geleitet, gewisse im Anschluß an den Friedensvertrag zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei einerseits und Rußland andererseits vom 3./7. März, 1918 aufgetauchte politische Fragen im Geiste freundschaftlicher Verständigung und wechselseitigen Entgegenkommens zu lösen und damit die durch den Friedensschluß angebahnte Wiederherstellung guter und vertrauensvoller Beziehungen zwischen den beiden Reichen zu fördern, sind übereingekommen, zu diesem Zwecke einen Ergänzungsvertrag zu dem Friedensvertrag abzuschließen, und haben zu ihren Bevollmächtigten ernannt:

die Kaiserlich Deutsche Regierung:

den Staatssekretär des Auswärtigen Amtes, Kaiserlichen Wirklichen Geheimen Rat, Konteradmiral a. D. Herrn Paul von Hintze und

den Direktor im Auswärtigen Amte, Kaiserlichen Wirklichen Geheimen Rat, Herrn Dr. Johannes Kriege;

Guided by the wish to solve certain political questions which have arisen in connection with the Peace Treaty of 3/7 March, 1918, between Germany, Austria-Hungary, Bulgaria, and Turkey, for the one part, and Russia, for the other part, in the spirit of friendly understanding and mutual conciliation, and, in so doing, to promote the restoration of good and confidential relations between the two Empires, for which a way was paved by the conclusion of peace, the German Imperial Government and the Government of the Russian Socialist Federal Soviet-Republic have agreed to conclude a supplementary treaty to the Peace Treaty with this object, and have appointed as their plenipotentiaries:

For the Imperial German Government:

The Secretary of State for Foreign Affairs, the Imperial Privy Councillor, Rear Admiral Paul von Hintze, retired; and

The Director in the Foreign Office, the Imperial Privy Councillor, Dr. Johannes Kriege;

¹ Ratifications exchanged at Berlin, 6 September, 1918. (*Frankfurter Zeitung*, 2 morning edition, 7 September, 1918.)

die Regierung der Russischen Sozialistischen Föderativen Sowjets= Republik:

ihren diplomatischen Vertreter bei der Kaiserlich Deutschen Regierung Herrn Adolf Ioffé.

Die Bevollmächtigten haben sich, nachdem sie einander ihre Vollmachten mitgeteilt und diese in guter und gehöriger Form befunden haben, über folgende Bestimmungen geeinigt:

Erstes Kapitel.

Demarkations- und Grenzkommissionen.

Artikel 1.

Für alle Fronten, an denen deutsche und russische Truppen einander gegenüberstehen, soweit dies noch nicht geschehen ist, sofort deutsch-russische Kommissionen zur Festlegung von Demarkationslinien gebildet werden; das Nähere hierüber werden die beiderseitigen Truppenbefehlshaber vereinbaren.

Die Demarkationslinien sollen so gezogen werden, daß zwischen den beiderseitigen Fronten neutrale Zonen bestehen, die von den beiderseitigen Heeresangehörigen mit Ausnahme der Parlamentäre nicht betreten werden dürfen. Soweit zwischen den beiderseitigen Fronten nicht bereits ein geregelter Verkehr besteht, wird ein solcher von den Demarkationskommissionen eingerichtet werden.

Artikel 2.

Die deutsch-russische Kommission zur Festlegung der im Artikel III Abs. 1 des Friedensvertrags vorgesehenen Grenzlinie soll auch die im Artikel VI Abs. 2 dieses Vertrags vereinbarte Ostgrenze Estlands und Livlands genauer festlegen.

Nach der im Absatz 1 vorgesehenen Festlegung der Ostgrenze Estlands und

For the Government of the Russian Socialist Federal Soviet Republic:

Its diplomatic representative accredited to the German Imperial Government, M. Adolf Ioffé.

After exchanging their credentials, and finding them in correct and proper form, the plenipotentiaries agreed to the following provisions:—

PART I.

DEMARCATIIONS AND FRONTIER COMMISSIONS.

ARTICLE 1.

In so far as this has not yet been done, Russo-German Commissions will immediately be formed to fix demarcation lines for all fronts where German and Russian troops face one another. Exact details as to this shall be agreed on by the commanders of the troops on each side.

These demarcation lines shall be so drawn that there are neutral zones between the respective fronts, which zones must not be trodden by any members of the respective armies, with the exception of parlementaires. In so far as there is not regular traffic between the respective fronts, such traffic will be established by the demarcation commissions.

ARTICLE 2.

The Russo-German Commission for fixing the frontier line, provided for in Article 3, Paragraph 1, of the Peace Treaty, shall also fix the eastern frontiers of Esthonia and Livonia, agreed on in Article 6, Paragraph 2, of that Treaty, more exactly.

After the fixing of the eastern frontier of Esthonia and Livonia,

Livlands wird Deutschland das von ihm besetzte Gebiet östlich dieser Grenze unverzüglich räumen.

Artikel 3.

Deutschland wird das von ihm besetzte Gebiet östlich der Beresina nach Maßgabe der Barzahlungen, die Rußland nach Artikel 2 des Deutsch-Russischen Finanzabkommens vom heutigen Tage zu leisten hat, schon vor Abschluß des allgemeinen Friedens räumen; die näheren Bestimmungen hierüber, insbesondere die Festsetzung der einzelnen zu räumenden Abschnitte, bleiben der im Artikel 2 Abs. 1 dieses Ergänzungsvertrags erwähnten Kommission überlassen.

Die vertragschließenden Teile behalten sich vor, wegen der vor Abschluß des allgemeinen Friedens zu bewirkenden Räumung des Besetzungsgebiets westlich der Beresina nach Maßgabe der Erfüllung der übrigen von Rußland übernommenen finanziellen Verpflichtungen weitere Vereinbarungen zu treffen.

Zweites Kapitel.

Löslösungsbestrebungen im Russischen Reiche.

Artikel 4.

Deutschland wird sich, soweit nicht im Friedensvertrag oder in diesem Ergänzungsvertrag ein Anderes bestimmt ist, in die Beziehungen zwischen dem Russischen Reiche und seinen Teilgebieten in keiner Weise einmischen, also insbesondere die Bildung selbständiger Staatswesen in diesen Gebieten weder veranlassen noch unterstützen.

Drittes Kapitel.

Nordrussische Gebiete.

Artikel 5.

Rußland wird alsbald alle verfügbaren Mittel anwenden, um in Wah-

provided for in paragraph 1, Germany will evacuate the territory occupied by her east of this frontier without delay.

ARTICLE 3.

Germany will evacuate the territory occupied by her east of the Beresina, even before the conclusion of general peace, in proportion as Russia makes the cash payments stipulated in Article 2 of the Russo-German Financial Agreement of this date; further provisions as to this, particularly the fixing of the individual sectors to be evacuated, are left to the Commission referred to in Article 2, Paragraph 1, of this Supplementary Treaty.

The contracting parties reserve the right to make further agreements with regard to the effecting of the evacuation of the occupied territory west of the Beresina before the conclusion of general peace, in accordance with the fulfilment by Russia of the remaining financial obligations undertaken by her.

PART II.

SEPARATIST MOVEMENTS IN THE RUSSIAN EMPIRE.

ARTICLE 4.

In so far as is not otherwise prescribed in the Peace Treaty or in this Supplementary Treaty, Germany will in no wise interfere in the relations between the Russian Empire and parts of its territory, and will thus in particular neither cause nor support the formation of independent States in those territories.

PART III.

NORTH RUSSIAN TERRITORY.

ARTICLE 5.

Russia will at once employ all the means at her disposal to

zung seiner Neutralität die Entente-Streitkräfte aus den nordrussischen Gebieten zu entfernen.

Deutschland übernimmt die Gewähr dafür, daß während dieser Operationen von finnischer Seite irgendwelche Angriffe auf russisches Gebiet, insbesondere auf St. Petersburg, nicht erfolgen.

Artikel 6.

Nach Räumung der nordrussischen Gebiete seitens der Entente-Streitkräfte werden die örtliche russische Küstenschifffahrt innerhalb der 3 Meilen Grenze der Nordküste sowie die Segelfischerei innerhalb eines Streifens von 30 Meilen entlang dieser Küste von der Sperrgebietsdrohung ausgeschlossen werden. Die Organe der deutschen Seekriegsleitung werden in einer noch näher zu vereinbarenden Weise Gelegenheit erhalten, sich davon zu überzeugen, daß diese Vergünstigung nicht zur Beförderung von Bannware mißbraucht wird.

Viertes Kapitel.

Estland, Livland, Kurland und Litauen.

Artikel 7.

Indem Rußland den in Estland und Livland bestehenden tatsächlichen Verhältnissen Rechnung trägt, verzichtet es auf die Staatshoheit über diese Gebiete sowie auf jede Einmischung in deren innere Verhältnisse. Ihr künftiges Schicksal wird im Einvernehmen mit ihrer Bevölkerung bestimmt werden.

Aus der ehemaligen Zugehörigkeit zu Rußland werden Estland und Livland keinerlei Verpflichtungen gegenüber Rußland erwachsen.

Artikel 8.

Zur Erleichterung des russischen Handelsverkehrs über Estland, Livland, Kurland und Litauen wird nachstehendes vereinbart.

expel the Entente forces from North Russian territory in observance of her neutrality.

Germany guarantees that during these operations there shall be no Finnish attack of any kind on Russian territory, particularly on St. Petersburg.

ARTICLE 6.

When the Entente forces shall have evacuated North Russian territory, the local Russian coast shipping within the three-mile limit from the north coast, and the fishing boats within a stretch of thirty miles along this coast, shall be relieved of the barred zone menace. The German naval command shall have an opportunity, in a way to be further agreed upon, of convincing itself that this concession shall not be taken advantage of to forward contraband goods.

PART IV.

ESTHONIA, LIVONIA, COURLAND, AND LITHUANIA.

ARTICLE 7.

Russia, taking account of the condition at present existing in Esthonia and Livonia, renounces sovereignty over these regions, as well as all interference in their internal affairs. Their future fate shall be decided in agreement with their inhabitants.

No obligations of any kinds towards Russia shall accrue to Esthonia and Livonia through their former union with Russia.

ARTICLE 8.

To facilitate Russian trade through Esthonia, Livonia, Courland, and Lithuania the following is agreed:—

§ 1.

In Estland, Livland, Kurland und Litauen soll der Durchgangsverkehr von Waren nach und von Rußland auf den Zollstraßen völlig frei sein, ohne daß die durchzuführenden Waren irgendwelchen Durchgangsabgaben oder allgemeinen Transportsteuern unterworfen werden dürfen.

§ 2.

Auf den Rußland mit Reval, Riga und Windau verbindenden Eisenbahnlinien sollen die Frachttarife für die im Durchgangsverkehr mit Rußland zu befördernden Waren möglichst niedrig gehalten werden. Ueber den Stand vom 1. August 1914 dürfen sie nur im Durchschnitt des Betrags erhöht werden, in welchem eine allgemeine Erhöhung der Frachttarife der in Betracht kommenden Linien zwecks Deckung der Unterhaltungs- und Betriebskosten, einschließlich der Verzinsung und angemessenen Tilgung des Anlagekapitals, erforderlich wird. Auch dürfen sie nicht höher sein als die Frachttarife für die auf der gleichen Strecke und in derselben Richtung beförderten gleichartigen Güter, die aus dem Inland kommen oder zum Verbleib dortselbst bestimmt sind.

§ 3.

Die Schifffahrt auf der Düna zwischen Rußland und dem offenen Meere sowie zwischen allen Plätzen an der livländisch-kurländischen Düna und an der russischen Düna soll unter der Bedingung, daß die allgemein gültigen polizeilichen Vorschriften beachtet werden, zur Beförderung von Waren und Reisenden frei sein, ohne daß ein Unterschied zwischen den Schiffen und den Angehörigen des einen und des anderen Teiles gemacht werden darf. Sie soll keiner Abgabe unterliegen, die sich lediglich auf die Tatsache der Befahrung gründet. Sie soll keiner Stations-, Stapel-, Niederlage-, Umschlags- oder Aufenthaltsverpflichtung unterworfen werden.

§ 1.

In Esthonia, Livonia, Courland, and Lithuania the through transport of goods to and from Russia on routes liable to the payment of duty shall be absolutely free, and the goods to be transported shall not be subject to any transit duties or general transport dues.

§ 2.

On the railways connecting Russia with Reval, Riga, and Windau, the freight tariffs on the goods to be forwarded in through trade with Russia are to be kept as low as possible. They may only be raised above the rates in force on 1 August, 1914, by taking the average of the amount by which a general rise in the freight tariffs of the lines in question may be necessary to cover the cost of working and upkeep, including the payment of interest, and timely redemption of the capital invested. Neither must they be higher than the freight tariffs for goods of the same kind of inland origin or destination, which are forwarded over the same lines and in the same direction.

§ 3.

Shipping on the Dvina between Russia and the open sea, as well as between all places on the Livonian-Courland Dvina, and on the Russian Dvina, is, subject to prevailing police regulations, to be free for the transport of goods and passengers, without any discrimination in regard to the ships and the subjects of the one or the other party. It is not to be subject to any tax based solely on the fact of the navigation. It is not to be subject to any stations, slips, depôt, turnover, or harborage dues.

Ausschließliche Schifffahrtsvergünstigungen dürfen weder an irgendwelche Gesellschaften oder Körperschaften noch an Privatpersonen verliehen werden.

Abgaben für die Benutzung von Werken und Einrichtungen, die zur Erleichterung des Verkehrs oder zur Verbesserung und Erhaltung der Schiffbarkeit des Stromes geschaffen sind oder künftig geschaffen werden, dürfen nur gleichmäßig nach veröffentlichten Tarifen und nur in einer Höhe erhoben werden, die erforderlich ist, die Herstellungs- und Unterhaltungskosten, einschließlich der Verzinsung und Tilgung des Anlagekapitals, zu decken. Die Herstellungs- und Unterhaltungskosten für Werke und Einrichtungen, die nicht nur zur Erleichterung des Verkehrs und zur Verbesserung und Erhaltung der Schiffbarkeit des Stromes, sondern auch zur Förderung anderer Zwecke und Interessen bestimmt sind, dürfen nur zu einem verhältnismäßigen Anteil durch Schifffahrtsabgaben aufgebracht werden.

Die Bestimmungen der Absätze 1 bis 3 finden auch auf die Flößerei Anwendung.

§ 4.

Rußland soll bei Reval, Riga und Windau zweckmäßig belegene Freihafengebiete zugewiesen erhalten, in denen die Lagerung und Umpackung der aus Rußland eintreffenden oder für Rußland bestimmten Waren ungehindert stattfinden und die Abfertigung des Austritts aus dem russischen Zollgebiet und des Eintritts in dasselbe durch russische Beamte stattfinden kann.

§ 5.

Die mit den Bestimmungen der §§ 1 bis 4 zusammenhängenden Einzelfragen, insbesondere die Einschränkungen, die diese Bestimmungen etwa in Kriegszeiten aus Rücksichten der Kriegsnotwendigkeit oder aus zwingenden gesundheitlichen Gründen erleiden können, sollen durch eine besondere Vereinbarung geregelt werden.

Exclusive shipping privileges must not be granted either to companies or corporations, or to private persons of any kind.

Taxes for the use of works and institutions which are created, or may be created in future, to facilitate traffic, or to improve and maintain the navigation of the river, may only be raised uniformly in accordance with published tariffs and to the extent necessary to cover the cost of restoration and upkeep, inclusive of payment of interest and redemption of the capital invested. The cost of restoring and keeping up works and institutions which are not for the facilitation of traffic and the improvement and maintenance of the navigation of the river, but are intended to further other objects and interests, may be raised only to a proportionate extent by shipping dues.

The provisions of paragraphs 1 to 3 preceding apply also to rafts.

§ 4.

At Reval, Riga, and Windau, Russia shall have suitably situated free port zones assigned to her, in which the storing and unpacking of goods coming from or intended for Russia, can take place without hindrance, and the work of dispatching goods from or to the Russian Customs zone can be done by Russian officials.

§ 5.

The individual questions connected with the provisions of §§ 1 to 4, particularly the restrictions to which these provisions may be subjected in war time out of consideration for war necessity or for urgent sanitary reasons, shall be regulated by a special agreement.

Artikel 9.

ARTICLE 9.

Das Wasser des Peipussees darf nach keiner Seite dergestalt künstlich abgeleitet werden, daß eine Senkung des Wasserspiegels eintritt. Auch darf auf diesem See keine Raubwirtschaft in Ansehung des Fischbestandes betrieben werden; eine nähere Vereinbarung hierüber bleibt vorbehalten.

Die Wasserkräfte der Narova sollen auch für die Elektrizitätsversorgung des Petersburger Gouvernements nach Maßgabe einer darüber zu treffenden besonderen Abmachung tunlichst nutzbar gemacht werden.

The water of Lake Peipus is not to be artificially diverted on either side to such a degree as to lower the water level. No methods of fishing calculated to diminish the stock of fish will be permitted; a further agreement as to this is reserved.

The water power of the Narova is to be made available as soon as possible for the supply of electricity for the St. Petersburg municipality according to a special agreement to be made regarding this.

Artikel 10.

ARTICLE 10.

In Ansehung Estlands, Livlands, Kurlands und Litauens sollen mit Rußland unter anderem Vereinbarungen über folgende Punkte getroffen werden:

1. über die Staatsangehörigkeit der bisherigen russischen Bewohner dieser Gebiete, wobei ihnen jedenfalls ein Options- und Abzugsrecht gewährt werden muß;

2. über die Herausgabe des in Rußland befindlichen Eigentums von Angehörigen dieser Gebiete, insbesondere von öffentlich-rechtlichen Verbänden, Anstalten und Stiftungen sowie des in den Gebieten befindlichen Eigentums russischer Staatsangehörigen;

3. über die Auseinandersetzung wegen des Vermögens der durch die neuen Grenzen zerschnittenen Kommunalbezirke;

4. über die Auseinandersetzung wegen der Archive, wegen der Akten der Gerichts- und Verwaltungsbehörden, wegen der Gerichts- und Verwaltungsdepots sowie wegen der Personenstandsregister;

5. über die Behandlung der neuen Grenzen;

6. über die Wirkung der Gebietsveränderungen auf die Staatsverträge.

With regard to Esthonia, Livonia, Courland, and Lithuania, agreements, among others, are to be concluded with Russia, as to the following points:

1. With regard to the nationality of the former Russian inhabitants of these territories, as to which they must in any case be allowed the right of option and departure;

2. With regard to the return of the property in Russia belonging to subjects of these territories, particularly that belonging to publicly recognized societies, establishments, and institutions, as well as the property in these territories which belongs to Russian subjects;

3. With regard to an arrangement concerning the property of the communal districts cut up by the new frontiers;

4. With regard to an arrangement concerning the archives, the documents of the legal and administrative authorities, the legal and administrative trusts, and the register of births, marriages, deaths, etc.;

5. With regard to the regulation of the new frontiers;

6. With regard to the effect of the territorial alterations on the State treaties.

Fünftes Kapitel.

PART V.

Russische Schwarzmeergebiete mit Ausnahme Kaukasiens.

RUSSIAN BLACK SEA TERRITORY WITH EXCEPTION OF THE CAUCASUS.

Artikel 11.

ARTICLE 11.

Deutschland wird, vorbehaltlich der Bestimmungen im Artikel 12, die von ihm besetzten russischen Schwarzmeergebiete außerhalb Kaukasiens nach der Ratifikation des zwischen Rußland und der Ukraine abzuschließenden Friedensvertrags räumen.

With reservation of the provisions of Article 12, Germany will evacuate the Russian Black Sea territory occupied by her outside the Caucasus after the ratification of the treaty of peace to be concluded between Russia and the Ukraine.

Artikel 12.

ARTICLE 12.

Die Teile des Besetzungsgebiets, die nicht zu dem im dritten ukrainischen Universal vom 7. November 1917 erwähnten Gebiete gehören, werden von den deutschen Streitkräften spätestens beim Abschluß des allgemeinen Friedens geräumt werden, sofern bis dahin der Friede zwischen Rußland und der Ukraine nicht zustande gekommen sein sollte.

The parts of the occupied territory which do not belong to the districts referred to in the third Ukrainian Universal of 7 November, 1917,¹ shall be evacuated by the German forces at latest on the conclusion of the general peace, in so far as the peace between Russia and the Ukraine shall not have come into being before then.

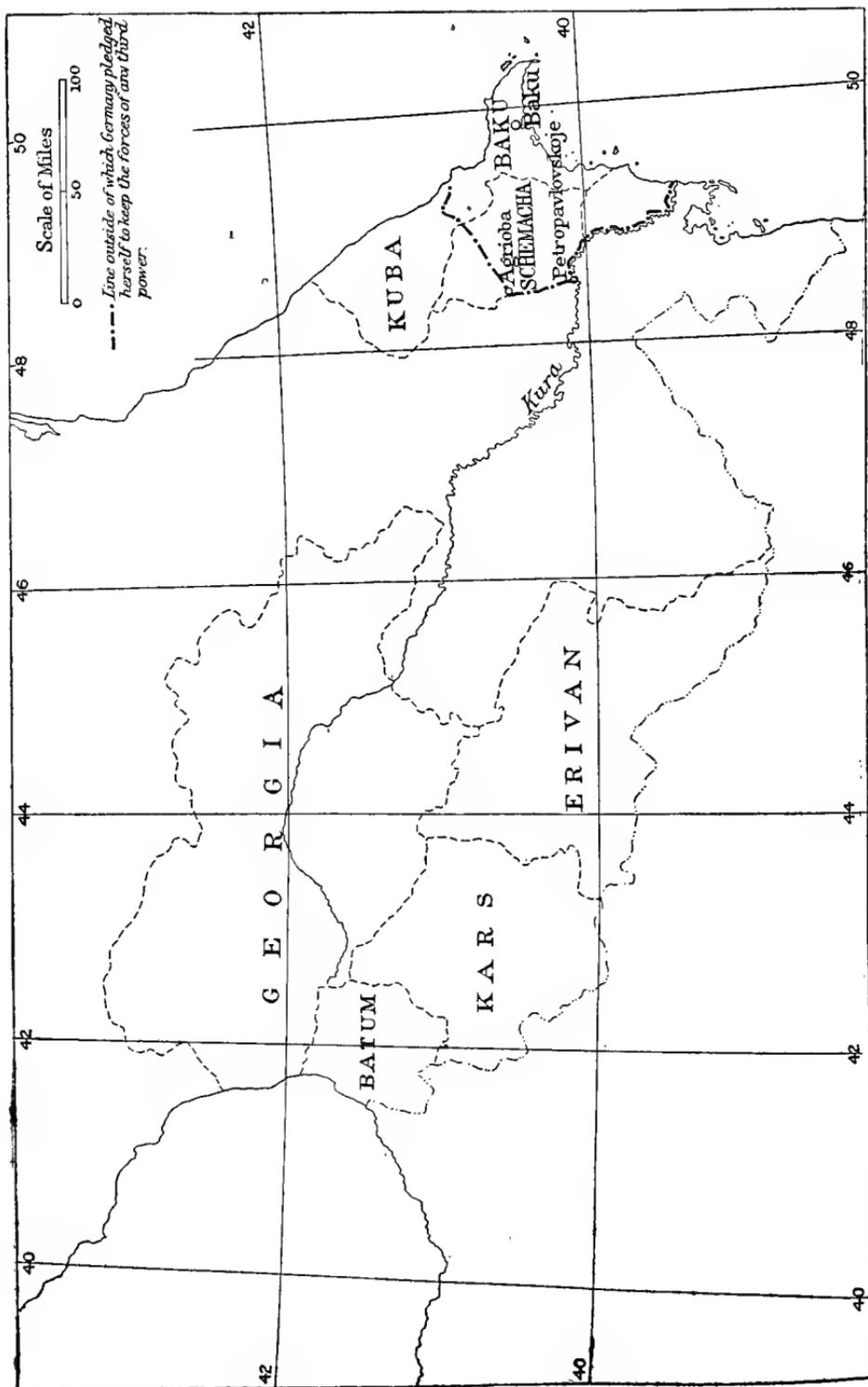
Die Räumung der Eisenbahnlinie Rostow—Woronesch sowie des östlich davon gelegenen Besetzungsgebiets und eines westlich davon gelegenen angemessenen Grenzstreifens mit Einschluß der Stadt Rostow wird erfolgen, sobald dies russischerseits verlangt werden wird. Bis zur Räumung wird Deutschland auf dem im Besetzungsgebiet gelegenen Teile dieser Bahn die Beförderung von Getreide und anderen Waren für die russische Regierung unter Aufsicht russischer Beamten zulassen; das gleiche gilt für die im Besetzungsgebiet gelegenen Teile der Eisenbahnlinien Taganrog—Rostow und Taganrog—Kursk während der Dauer der Besetzung.

The evacuation of the railway line Rostov-Voronesh, as well as of the occupied territory east of it, and a suitable frontier district west of it, including the town of Rostov, will follow as soon as this is demanded on the Russian side. Until the evacuation, Germany will permit the forwarding of grain and other goods for the Russian Government, under the supervision of Russian officials, on those portions of the railway situated in the occupied territory; the same applies for the portions of the railway line Taganrog-Rostov and Taganrog-Kursk, lying in the occupied territory, for the duration of the occupation.

Solange das Donezbecken gemäß Artikel 11, Artikel 12 Abs. 1 durch deutsche Truppen besetzt bleibt, erhält Rußland von den dort geförderten

So long as the Donetz Basin is occupied by German troops in accordance with Article 11 and Article 12, Paragraph 1, Russia

¹ Old style (20 November, new style). See *Texts of the Ukraine "Peace,"* (Washington, Government Printing Office, 1918), p. 1.



THE CAUCASUS REGION.

Kohlenmengen monatlich eine dreifach größere Tonnenzahl, als es gemäß Artikel 14 Abs. 2 aus dem Bafugebiet Kohöl oder Kohölprodukte an Deutschland überläßt, und eine vierfach größere Tonnenzahl für die darunter befindlichen Benzinfieferungen; soweit die Kohlenförderung im Donezbecken hierzu nicht ansreicht oder für andere Zwecke verwendet werden muß, wird sie durch deutsche Kohlen ergänzt werden.

shall receive monthly from the quantities of coal extracted there a three-times greater number of tons than it lets Germany have of crude oil or crude oil products from the Baku district in accordance with Article 14, Paragraph 2, and a four-times greater number of tons for the consignments of benzine contained therein. In so far as the coal supply in the Donetz Basin is not sufficient for this, or must be used for other purposes, it will be supplemented by German coal.

Sechstes Kapitel.

Raufastien.

Artikel 13.

Rußland erklärt sich damit einverstanden, daß Deutschland Georgien als selbständiges Staatswesen anerkennt.

Artikel 14.¹

Deutschland wird keiner dritten Macht bei etwaigen militärischen Operationen in Kaufastien außerhalb Georgiens oder der im Artikel IV Abs. 3 des Friedensvertrags erwähnten Bezirke Unterstützung leisten. Auch wird es dafür eintreten, daß in Kaufastien Streitkräfte einer dritten Macht die nachstehende Linie nicht überschreiten: Kuban von der Mündung bis zum Orte Petropawlowskoje, von da an Grenze des Kreises Schemakha bis zum Orte Agrioba; weiter gerade Linie bis zu den Punkte, wo sich die Grenzen der Kreise Baku, Schemakha und Kuban treffen, dann Nordgrenze des Kreises Baku bis zum Meere.

PART VI.

THE CAUCASUS.

ARTICLE 13.

Russia agrees to Germany's recognizing Georgia as an independent State.

ARTICLE 14.

Germany will give no assistance to any third Power in any military operations in the Caucasus outside Georgia or the districts mentioned in Article 4, Paragraph 3, of the Peace Treaty. She will also take measures to prevent the military forces of any third Power in the Caucasus overstepping the following lines: The Kuban, from its mouth to Petropavlovskoje; from there onwards, the boundaries of the district Shemakha to Agrioba; thence a straight line to the point where the boundaries of the districts of Baku, Shemakha, and Kuban meet; thence along the northern boundary of the district of Baku to the sea.

¹ The German text contains a couple of garbled geographical names. "Kuban," where first mentioned (line 10 of this Article), is evidently a mistake for the (River) Kurá. In the second place in which it occurs (line 15) "Kuban" is certainly a misprint for (the district, or *uiczd*) of Kubá. The significance of this Article is that Germany (a) virtually gives Turkey *carte blanche* for military operations in Georgia and the three districts of Kars, Erdehan, and Batum (mentioned in Article 4 of the Peace Treaty), (b) promises not to assist Turkey in military operations in the Caucasus outside the territories just mentioned, and (c) agrees actually to oppose any third Power's carrying operations into a district bounded by the line defined in this Article. This line is so drawn as to form a small semicircle around Baku, extending southward as far as the River Kurz, westward as far as the frontier of the *uiczd* of Shemakha, northward as far as the frontier of the *uiczd* of Kubá. The obvious purpose here was to safeguard the oil wells of Baku, the output of which was to be placed by the Soviet government at the disposal of Germany, as the rest of the Article shows.

Rußland wird im Bakugebiet die Gewinnung von Kohöl und Kohölprodukten nach Kräften fördern und von den gewonnenen Mengen ein Viertel, jedoch monatlich mindestens eine noch zu vereinbarende bestimmte Tonnenzahl an Deutschland überlassen; soweit die im Bakugebiet gewonnenen Mengen zur Lieferung dieser Tonnenzahl nicht ausreichen oder für andere Zwecke verwendet werden müssen, werden sie durch anderwärts gewonnene Mengen ergänzt werden. Der Kaufpreis wird auf den Preis der gemäß Artikel 12 Abs. 3 an Rußland zu überlassenden Kohlenmengen und im übrigen auf die gemäß Artikel 3 § 2 des Deutsch-Russischen Finanzabkommens vom heutigen Tage russischerseits an Deutschland zu liefernden Warenbeträge verrechnet.

Siebentes Kapitel.

Behandlung der nach Friedensschluß von deutschen Streitkräften beschlagnahmten russischen Kriegsschiffe und russischen Vorräte.

Artikel 15.

Deutschland erkennt das Eigentum Rußlands an den nach der Ratifikation des Friedensvertrags von deutschen Streitkräften beschlagnahmten russischen Kriegsschiffen an, vorbehaltlich der Auseinandersetzung Rußlands mit der Ukraine und Finnland über das Staatsvermögen des ehemaligen russischen Kaiserreichs.

Die beschlagnahmten Kriegsschiffe bleiben bis zum Abschluß des allgemeinen Friedens unter deutscher Aufsicht.

Artikel 16.

Deutschland erkennt den Anspruch Rußlands auf Vergütung für die russischen Vorräte an, die nach Friedensschluß außerhalb der Ukraine und Finn-

Russia will do her utmost to further the production of crude oil and crude oil products in the Baku district, and will supply to Germany a quarter of the amount produced, or at least a number of tons, to be agreed upon later, per month. In so far as the quantities produced in the Baku district are not sufficient to supply this number of tons, or must be used for other purposes, they will be supplemented by quantities produced elsewhere. The price will be reckoned by the price of the coal Russia is to be allowed to have in accordance with Article 12, Paragraph 3, and, moreover, by the amount of goods to be supplied by Russia to Germany, in accordance with Article 3, § 2, of the Russo-German Financial Agreement of this date.

PART VII.

TREATMENT OF RUSSIAN WARSHIPS AND RUSSIAN STORES SEIZED BY GERMAN MILITARY FORCES AFTER THE CONCLUSION OF PEACE.

ARTICLE 15.

Germany recognizes Russia's ownership of the Russian warships seized by German forces after the ratification of the Peace Treaty, subject to Russia coming to terms with Finland and the Ukraine as to the national capital of the former Russian Empire.

The warships seized will remain under German care until the conclusion of the general peace.

ARTICLE 16.

Germany admits Russia's claim to be compensated for the Russian stores which have been seized outside the Ukraine and Finland

lands von deutschen Streitkräften beschlagnahmt worden sind. Diese Vergütung wird bei der Auseinandersetzung über die finanziellen Verpflichtungen Deutschlands und Rußlands aus dem Zusatzvertrag zum Friedensvertrag verrechnet.

by German forces after the conclusion of peace. This compensation will be reckoned when Germany's and Russia's financial obligations arising from the Supplementary Treaty to the Peace Treaty are discussed.

Achtes Kapitel.

Schlußbestimmungen.

Artikel 17.

Dieser Ergänzungsvertrag soll ratifiziert und die Ratifikationsurkunden sollen bis zum 6. September 1918 in Berlin ausgetauscht werden.

Der Vertrag tritt am Tage des Austausches der Ratifikationsurkunden in Kraft.

Zu Urkund dessen haben die Bevollmächtigten diesen Ergänzungsvertrag unterzeichnet und mit ihren Siegeln versehen.

Ausgefertigt in doppelter Urschrift in Berlin, am 27. August 1918.

(L. S.) von Sinke.

(L. S.) Kriege.

(L. S.) A. Joffé.

PART VIII.

FINAL PROVISIONS.

ARTICLE 17.

This Supplementary Treaty shall be ratified, and the ratification documents shall be exchanged not later than 6 September, 1918, in Berlin.

The Treaty comes into force on the day the ratification documents are exchanged.

In witness whereof the plenipotentiaries have signed and sealed this Supplementary Treaty.

Executed in duplicate in Berlin on this 27th day of August, 1918.

[L. S.] VON HINTZE.

[L. S.] KRIEGE.

[L. S.] A. IOFFÉ.

21. RUSSIA—GERMANY.

FINANCIAL AGREEMENT SUPPLEMENTING THE RUSSO-GERMAN SUPPLEMENTARY TREATY TO THE TREATY OF PEACE BETWEEN RUSSIA AND THE CENTRAL POWERS. SIGNED AT BERLIN, 27 AUGUST, 1918.

[German text as published in the Deutsche Reichsanzeiger, 7 September, 1918.]

[Translation.]

Auf Grund des Artikels 35 Abs. 2 des Deutsch-Russischen Zusatzvertrags zu dem Friedensvertrag zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei einerseits und Rußland andererseits sind die Bevollmächtigten des Deutschen Reichs, nämlich

der Staatssekretär des Auswärtigen Amtes, Kaiserlicher Wirklicher Geheimer Rat, Konteradmiral a. D. Herr Paul von Hintze und

der Direktor im Auswärtigen Amte, Kaiserlicher Wirklicher Geheimer Rat, Herr Dr. Johannes Kriege,

sowie der Bevollmächtigte der Russischen Sozialistischen Föderativen Sowjets-Republik, nämlich

der diplomatische Vertreter der Sowjets-Republik bei der Kaiserlich Deutschen Regierung, Herr Adolf Ioffé,

On the basis of Article 35, Paragraph 2, of the Russo-German Supplementary Treaty to the Peace Treaty between Germany, Austria-Hungary, Bulgaria, and Turkey, for the one part, and Russia, for the other part, the plenipotentiaries for the German Empire, namely:

The Secretary of State for Foreign Affairs, the Imperial Privy Councillor, Rear-Admiral Paul von Hintze, retired; and

The Director in the Foreign Office, the Imperial Privy Councillor, Dr. Johannes Kriege;

as well as the plenipotentiary of the Russian Socialist Federal Soviet-Republic, namely:

The diplomatic representative of the Soviet-Republic accredited to the German Imperial Government, M. Adolf Ioffé;

übereingekommen, die finanziellen Verpflichtungen Deutschlands und Rußlands aus dem Deutsch-Russischen Zusatzvertrag, die Herausgabe der beiderseitigen Bankdepots und Bankguthaben sowie den Ausgleich gewisser Verschiedenheiten der beiderseitigen Wirtschaftssysteme zu regeln und zu diesem Zwecke unter Berücksichtigung der ruß-

have agreed to regulate the financial obligations of Germany and Russia arising from the Russo-German Supplementary Treaty, the reciprocal return of bank deposits and bank balances due, as well as the adjustment of certain differences in the mutual economic system, and for these purposes to

fischen Bestimmungen über die Annullierung der russischen Staatsanleihen und Staatsgarantien sowie über die Rationalisierung gewisser in Rußland befindlicher Vermögenswerte ein Ergänzungsabkommen zu dem Deutsch-Russischen Zusatzvertrag zu treffen.

Die Bevollmächtigten haben sich, nachdem sie einander ihre Vollmachten mitgeteilt und diese in guter und gehöriger Form besunden haben, über folgende Bestimmungen geeinigt:

Erstes Kapitel.

Finanzielle Verpflichtungen Deutschlands und Rußlands aus dem Deutsch-Russischen Zusatzvertrag zu dem Friedensvertrage.

Artikel 1.

Folgende Bestimmungen des Deutsch-Russischen Zusatzvertrags zu dem Friedensvertrag zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei einerseits und Rußland andererseits werden aufgehoben: Artikel 2, Artikel 8, soweit er sich auf den russischen öffentlichen Schuldendienst mit Einschluß staatlicher Garantien bezieht, Artikel 9 § 1 Abs. 2, soweit er nicht vom Erlaß geschuldeter Gebühren handelt, Artikel 9 § 3 Halbsatz 2, Artikel 12 Abs. 2 Satz 2 Halbsatz 1, Artikel 13 bis 15, Artikel 16 Abs. 1, Artikel 16 Abs. 2, soweit er sich auf russische Enteignungen vor dem 1. Juli 1918 bezieht, und Artikel 17 § 3, § 4 Abs. 2.

Artikel 2.

Rußland wird zur Entschädigung der durch russische Maßnahmen geschädigten Deutschen unter Berücksichtigung der entsprechenden russischen Gegenforderungen und unter Anrechnung des

conclude a supplementary agreement to the Russo-German Supplementary Treaty, taking into consideration the Russian decisions with regard to annulling the Russian State loans and State guarantees, and as to the nationalization of certain financial property in Russia.

After exchanging their credentials, and finding these in correct and proper form, the plenipotentiaries agreed to the following provisions:

PART I.

GERMANY'S AND RUSSIA'S FINANCIAL OBLIGATIONS ARISING FROM THE RUSSO-GERMAN SUPPLEMENTARY TREATY TO THE PEACE TREATY.

ARTICLE 1.

The following provisions of the Russo - German Supplementary Treaty to the Peace Treaty between Germany, Austria-Hungary, Bulgaria, and Turkey, for the one part, and Russia, for the other part, shall be null and void: Article 2; Article 8, in so far as it relates to the Russian National Debt, including State guarantees; Article 9, § 1, Paragraph 2, in so far as it does not deal with remission of obligations incurred; Article 9, § 3, Clause 2; Article 12, Paragraph 2, Clause 2, Subclause 1; Articles 13 to 15; Article 16, Paragraph 1; Article 16, Paragraph 2, in so far as it relates to Russian expropriations before 1 July, 1918; and Articles 17, § 3, and § 4, Paragraph 2.

ARTICLE 2.

Russia shall pay Germany a sum of 6,000,000,000 Marks as compensation for the loss to Germans caused by Russian measures, having regard to the corre-

Wertes der nach Friedensschluß von deutschen Streitkräften in Rußland beschlagnahmten Borräte einen Betrag von 6 Milliarden Mark an Deutschland zahlen.

Artikel 3.

§ 1.

Die Bezahlung der im Artikel 2 erwähnten 6 Milliarden Mark erfolgt in nachstehender Weise.

Ein Betrag von $1\frac{1}{2}$ Milliarden Mark wird durch Ueberweisung von
245 564 Kilogramm Feingold und

545 440 000 Rubel in Banknoten
und zwar

363 628 000 Rubel in Stücken zu
50, 100 oder 500 Rubel,

181 812 000 Rubel in Stücken zu
250 oder 1000 Rubel,

bezahlt werden.

Die Ueberweisung erfolgt in fünf Teilbeträgen, nämlich

1. einem am 10. September 1918 zu zahlenden Betrage von
42 860 Kilogramm Feingold und

90 900 000 Rubel in Banknoten, und
zwar

60 600 000 Rubel in Stücken zu
50, 100 oder 500 Rubel,

30 300 000 Rubel in Stücken zu
250 oder 1000 Rubel.

2. vier am 30. September, 31. Oktober
30. November und 31. Dezember
1918 zu zahlenden Beträgen
von je

50 676 Kilogramm Feingold und

113 635 000 Rubel in Banknoten,
und zwar

75 757 000 Rubel in Stücken zu
50, 100 oder 500 Rubel,

37 878 000 Rubel in Stücken zu
250 oder 1000 Rubel.

sponding Russian counter-claims, and taking into account the value of the stores seized by German military forces after the conclusion of peace.

ARTICLE 3.

§ 1.

The payment of the 6,000,000,000 Marks mentioned in Article 2 shall be effected in the following manner:—

A sum of 1,500,000,000 Marks shall be paid by the transfer of
245,564 kilogrammes of fine
gold, and

545,440,000 Roubles in bank
notes, consisting of

363,628,000 Roubles in notes
of 50, 100, or 500 Roubles,
and

181,812,000 Roubles in notes
of 250 or 1,000 Roubles.

The transfer shall be effected by five instalments, namely:—

1. An amount payable 10 September, 1918, of
42,860 kilogrammes of fine gold,
and,

90,900,000 Roubles in bank
notes, consisting of

60,600,000 Roubles in notes
of 50, 100, or 500 Roubles,
and

30,300,000 Roubles in notes
of 250 or 1,000 Roubles;

2. Four amounts payable 30 September, 31 October, 30 November, and 31 December, 1918, each of

50,676 kilogrammes of fine gold,
and

113,635,000 Roubles in bank
notes, consisting of

75,757,000 Roubles in notes
of 50, 100, or 500 Roubles,
and

37,878,000 Roubles in notes
of 250 or 1,000 Roubles.

Die Teilbeträge sind in Orscha oder Pskow den Beauftragten der Deutschen Regierung zu übergeben; die Beauftragten werden beim Empfang eine vorläufige Quittung ausstellen, die nach Abschluß der Prüfung und Zählung des Goldes und der Noten durch eine endgültige Quittung ersetzt werden soll.

§ 2.

Ein Betrag von 1 Milliarde Mark soll durch Lieferung russischer Waren nach Maßgabe der darüber zu treffenden besonderen Vereinbarung getilgt werden. Die Waren sind im Werte von je 50 Millionen Mark bis zum 15. November und 31. Dezember 1918, im Werte von je 150 Millionen Mark bis zum 31. März, 30. Juni, 30. September und 31. Dezember 1919, im Werte von 300 Millionen Mark bis zum 31. März 1920 zu liefern; soweit die Lieferungen bis zu diesen Terminen nicht erfolgen können, würde der jeweils fehlende Betrag alsbald entweder in deutschen Reichsbanknoten zum Nennwert oder in Feingold und Rubelnoten nach dem Verhältnis drei zu zwei, und zwar zu einem jeweils festzusetzenden Kurse, zu begleichen sein

§ 3.

Ein Betrag von $2\frac{1}{2}$ Milliarden Mark wird bis zum 31. Dezember 1918 durch Uebergabe von Titeln einer vom 1. Januar 1919 an mit 6 vom Hundert verzinslichen und mit $\frac{1}{2}$ vom Hundert zuzüglich der ersparten Zinsen zu tilgenden Anleihe gedeckt werden, die von der Russischen Regierung im Nennbetrag der bezeichneten Summe in Deutschland aufgenommen wird, und deren Bedingungen als Bestandteil dieser Vereinbarung gelten sollen.

Als Sicherheiten für die im Absatz 1 bezeichnete Anleihe sollen bestimmte Staatseinnahmen, insbesondere auch die Pachtgebühren für gewisse an

The instalments shall be handed over to the representatives of the German Government at Orscha or Pskov. The representatives will, on receipt, furnish a provisional discharge, which, after the examination and checking of the gold and the notes, shall be replaced by a final discharge.

§ 2.

A sum of 1,000,000,000 Marks shall be cancelled by delivery of Russian commodities in accordance with the special agreement to be made in regard thereto. The commodities are to be delivered to the value of 50,000,000 Marks each time by 15 November and 31 December, 1918, to the value of 150,000,000 Marks each time by 31 March, 30 June, 30 September, and 31 December, 1919, and to the value of 300,000,000 Marks by 31 March, 1920. In so far as the deliveries cannot be effected within these periods, the amount lacking on each occasion shall be made up forthwith either in German Imperial bank notes at their face value or in fine gold and Rouble notes in the proportion of three to two at the rate of exchange then obtaining.

§ 3.

An amount of 2,500,000,000 Marks shall up to 31 December, 1918, be met by handing over securities of a loan at 6 per cent from 1 January, 1919, with a sinking fund of $\frac{1}{2}$ per cent, which will be taken up in Germany by the Russian Government to the nominal value of the sum mentioned, and the terms of which shall form an essential part of this agreement.

As security for the loan referred to in paragraph 1 preceding specific national revenues shall be pledged, in particular the rental

Deutsche zu erteilende wirtschaftliche Konzessionen haften; die Sicherheiten sind im einzelnen durch eine besondere Vereinbarung festzusetzen, dergestalt, daß die veranschlagten Jahreseinkünfte aus ihnen den Jahresbetrag der Verzinsung und Tilgung um mindestens 20 vom Hundert übersteigen.

§ 4.

Wegen des Restbetrags von 1 Milliarden Mark bleibt, soweit seine Zahlung nicht mit Zustimmung Deutschlands von der Ukraine und Finnland bei ihrer Vermögensauseinandersetzung mit Rußland übernommen wird, eine besondere Vereinbarung vorbehalten.

Artikel 4.

In Rußland befindliche Vermögensgegenstände von Deutschen, die vor dem 1. Juli 1918 zugunsten des Staates oder einer Gemeinde enteignet oder sonst der Verfügungsmacht des Eigentümers entzogen worden sind, sollen diesem auf Antrag gegen Rückgewährung der Entschädigungssumme, die er aus dem im Artikel 2 bezeichneten Betrag erhalten hat, und unter Berücksichtigung etwaiger Verbesserungen oder Verschlechterungen wieder übertragen werden, wenn die Vermögensgegenstände nicht im Besitze des Staates oder der Gemeinde verbleiben oder wenn eine Enteignung oder sonstige Entziehung gleichartiger Vermögensgegenstände gegenüber Landeseinwohnern oder Angehörigen eines dritten Landes nicht erfolgt ist oder wieder aufgehoben wird; der Antrag auf Rückübertragung ist innerhalb eines Jahres nach dem Zeitpunkt, wo diese beansprucht werden kann, zu stellen.

Artikel 5.

Unberührt bleiben die Bestimmungen des Artikel 8 des Zusatzvertrags zu dem Friedensvertrag, soweit er sich nicht auf den russischen öffentlichen Schuldendienst

dues for certain economic concessions to be granted to Germans. The securities are to be settled in detail by a special agreement in such a form that the estimated income from them exceeds the yearly sum required for interest and sinking-fund by at least 20 per cent.

§ 4.

With regard to the balance of 1,000,000,000 Marks, in so far as its payment is not in agreement with Germany, taken over by the Ukraine and Finland in their financial agreement with Russia, a special agreement shall be concluded.

ARTICLE 4.

Property of Germans situated in Russia which before 1 July, 1918, was appropriated to the use of the State or of a Commune, or otherwise withdrawn from the owner's power of disposal, shall be handed back to him on request, subject to the return of the compensation received by him out of the sum mentioned in Article 2, and with due regard to possible improvements or damage, if the property has not remained still in the possession of the State, or of the Commune, or if an appropriation or other withdrawal of similar property has not been effected in regard to inhabitants of the country or subjects of a third Power. The request for a return must be made within a year from the period when it can be claimed.

ARTICLE 5.

The following provisions of the Supplementary Treaty of the Peace Treaty remain unaffected: Those of Article 8, in so far as they do not relate to the Russian

bezieht, des Artikel 16 Abs. 2, soweit er sich auf russische Enteignungen nach dem 1. Juli 1918 bezieht, des Artikel 19 Abs. 1 Satz 2, des Artikel 22 Satz 1 und der Artikel 28 bis 32. Wegen der Zahlung und Sicherstellung der finanziellen Verpflichtungen aus diesen Bestimmungen bleibt, soweit die Regelung nicht bereits im Dritten Kapitel dieses Abkommens erfolgt ist, eine weitere Vereinbarung vorbehalten.

Artikel 6.

Die vertragschließenden Teile werden einander für die Feststellung der ihren Angehörigen im Machtbereich des anderen Teiles erwachsenen Zivilschäden alle möglichen Auskünfte erteilen, auch den Ersuchen um Erhebung der sich auf diese Schäden beziehenden Beweise entsprechen.

Zweites Kapitel.

Herausgabe der beiderseitigen Bankdepots und Bankguthaben.

Artikel 7.

Jeder vertragschließende Teil wird dafür Sorge tragen, daß die in seinem Gebiete bei Bank- und Geldinstituten verwahrten Vermögensgegenstände (Bankdepots) von Angehörigen des anderen Teiles, mit Einschluß der für sie bei einer zentralen Hinterlegungsstelle, einem öffentlichen Treuhänder oder einer sonstigen staatlich beauftragten Sammelstelle hinterlegten Gelder und Wertpapiere, den Berechtigten auf Verlangen ausgehändigt werden, und daß diese sie frei von staatlichen Abgaben und Gebühren in das Gebiet ihres Heimatstaats ausführen können.

Jeder Teil wird die in seinem Gebiete befindlichen Bankdepots ohne weiteres als Depots von Angehörigen des anderen Teiles im Sinne des Absatz 1 betrachten, wenn sie auf den Namen eines solchen Angehörigen hinterlegt sind.

Public Debt; those of Article 16, Paragraph 2, in so far as they relate to Russian expropriations after 1 July, 1918; those of Article 19, Paragraph 1, Clause 2; those of Article 22, Clause 1; and those of Articles 28 to 32. In regard to the payment and assurance of the financial obligations arising out of these provisions, in so far as the settlement has not been already effected in Part III of this Convention, a further agreement shall be concluded.

ARTICLE 6.

The contracting parties will mutually furnish all possible information for the establishment of the civil damages suffered by their nationals within the sphere of the other party, and will respond to requests for the production of proofs relating to such damages.

PART II.

SURRENDER OF BANK DEPOSITS AND CREDITS.

ARTICLE 7.

Each contracting party shall take care that the assets within its territory, lodged with banking and financial institutions (bank deposits) by subjects of the other party, including the moneys and certificates deposited on their behalf with a central deposit office, a public trustee, or other State-empowered collecting office, shall be made over on demand to the authorized persons with the right to dispatch them to the territory of their native country free of States taxes and duties.

Each party shall, without further formality, treat the bank deposits of subjects of the other party in the sense of paragraph 1, if they are deposited in the name of such subjects. If not so de-

In sonstigen Fällen ist besonders nachzuweisen, daß es sich um Depots von Angehörigen des anderen Teiles handelt; etwaige Meinungsverschiedenheiten hierüber werden auf Antrag durch eine Kommission entschieden, die aus je einem Vertreter der beiden Regierungen und einem neutralen Obmann besteht.

Kommissionen der im Absatz 2 bezeichneten Art sollen alsbald nach dem Inkrafttreten dieser Vereinbarung in Berlin, Moskau und St. Petersburg gebildet werden; die Obmänner sollen vorbehaltlich der Genehmigung der Königlich Schwedischen Regierung von den Schwedischen Konsuln an diesen Plätzen ernannt werden.

Artikel 8.

Jeder vertragschließende Teil wird dafür Sorge tragen, daß die in seinem Gebiete befindlichen Bank- und Geldinstitute fällige Geldforderungen (Bankguthaben) von Angehörigen des anderen Teiles alsbald nach dem Inkrafttreten dieser Vereinbarung den Berechtigten auf Verlangen auszahlen, ohne sich auf die im Artikel 7 § 3 Abs. 1 Satz 1 des Zusatzvertrages zu dem Friedensvertrag vorgesehene Stundung zu berufen. Auch soll es den Berechtigten freistehen, die abgehobenen Beträge frei von staatlichen Abgaben und Gebühren in das Gebiet ihres Heimatstaats auszuführen.

Auf die im Absatz 1 bezeichneten Bankguthaben finden die Bestimmungen des Artikel 7 Abs. 2, 3 entsprechende Anwendung.

Artikel 9.

Zur möglichsten Beschleunigung der in den Artikeln 7, 8 vorgesehenen Herausgabe der beiderseitigen Bankdepots und Bankguthaben wird jeder vertragschließende Teil alsbald einen Staatskommissar bestellen, bei dem die Angehörigen dieses Teiles ihre Ansprüche bis zum 31. Januar 1919 anmelden können. Die beiden Kommissare werden einander diese Anmeldungen das

posited, it must be shown that the deposits are those of subjects of the other party. Possible differences of opinion in regard hereto shall be decided by a commission consisting of a representative of both Governments and a neutral chairman.

Commissions of the kind specified in paragraph 2 shall be set up in Berlin, Moscow, and St. Petersburg immediately after this agreement comes into force. The chairman shall, subject to the consent of the Royal Swedish Government, be appointed by the Swedish consuls in these places.

ARTICLE 8.

Each contracting party shall take care that the money claims (bank credits) payable by banking and financial institutions within its territory to subjects of the other party shall immediately after the coming into force of this agreement be paid out on demand to the authorized persons without reference to the period of grace provided by Article 7, § 3, Paragraph 1, Clause 1. Those entitled may also dispatch the sums obtained to their own country free of State taxes and duties.

The provisions of Article 7, Paragraphs 2 and 3 apply in corresponding manner to the banks credits referred to in Paragraph 1 of this Article.

ARTICLE 9.

In order to accelerate to the utmost the delivery provided by Articles 7 and 8, of bank deposits and credits on both sides, each contracting party shall forthwith appoint a State Commissioner, with whom their respective subjects may lodge their claims up to 31 January, 1919. The two Commissioners shall give each

erfte Mal spätestens am 25. September 1918, das zweite Mal spätestens am 15. November 1918 und das dritte Mal spätestens am 15. Februar 1919 mitteilen und dafür Sorge tragen, daß die danach herauszugebenden Bankdepots und Bankguthaben am 25. Oktober 1918, am 31. Dezember 1918 und am 31. März 1919 und, sofern die Ansprüche nach Artikel 7 Abs. 2, Artikel 8 Abs. 2 durch eine gemischte Kommission zu prüfen sind, alsbald nach der Entscheidung der Kommission deutscherseits in Berlin, russischerseits in Moskau übergeben werden.

Jeder vertragsschließende Teil wird dafür Sorge tragen, daß die Herausgabe, sofern nicht Rechte der Banken oder Dritter an den Bankdepots oder Bankguthaben entgegenstehen, gegen glaubige Quittung der Person erfolgt, auf deren Namen das Depot oder Guthaben geführt oder die durch eine Entscheidung der im Artikel 7 Abs. 2 vorgeesehenen Kommission als berechtigt anerkannt wird. Nimmt eine andere Person das Depot oder Guthaben auf Grund eines erbrechtlichen Titels oder einer Rechtsnachfolge in das Gesamtvermögen einer juristischen Person in Anspruch, so kann die Quittung von dieser anderen Person erteilt werden, wenn sie dem gleichen vertragsschließenden Teile wie der ursprünglich Berechtigte angehört und ihre Berechtigung durch eine Erklärung des Staatskommissars dieses Teiles bescheinigt wird. In allen sonstigen Fällen ist dem Bank- oder Geldinstitute, bei dem sich das Depot oder Guthaben befindet, die Berechtigung besonders nachzuweisen.

Die Berechtigten, die ihre Ansprüche ohne Vermittelung des Staatskommissars geltend machen wollen, können sich, soweit es sich um Angehörige Deutschlands handelt, erst nach dem 25.

other notice of these claims for the first time by 25 September, 1918, at the latest; for the second time by 15 November, 1918, at the latest; and for the third time by 15 February, 1919, at the latest; and shall take care that the bank deposits and credits to be made over shall be given up on 25 October, 1918, 31 December, 1918, and 31 March, 1919, and, in so far as the claims under Article 7, Paragraph 2, and Article 8, Paragraph 2, have to be examined by a mixed commission, they shall be given up immediately after the decision of the Commission, on the side of Germany in Berlin, and on the side of Russia in Moscow.

Each contracting party shall take care that the delivery, in so far as the rights of banks of third parties to the bank deposits or credits are not in conflict, shall be effected against an authenticated release of the person in whose name the deposit or credit stood, or who is recognized as authorized by a decision of the Commission referred to in Article 7, Paragraph 2. Should another person claim the deposit or credit on the ground of an hereditary title or a legal succession to the whole assets of a juridical person, the release can be furnished by this other person if he is a subject of the same contracting party as the original claimant, and if his title is supported by a declaration from the State Commissioner of that party. In all other cases definite evidence of the title must be given to the banking or financial institution with which the deposit or credit rests.

The rightful claimants, who desire to make good their claims without the intervention of the State Commissioner, may apply direct to the banking and financial institutions, in the case of German

Oktober 1918 und, soweit es sich um Angehörige Rußlands handelt, erst nach dem 31. Dezember 1918 unmittelbar an die Bank- und Geldinstitute wenden.

subjects, only after 25 October, 1918, and in the case of Russian subjects, only after 31 December, 1918.

Artikel 10.

ARTICLE 10.

Auf die in Rußland befindlichen Bankdepots und Bankguthaben von Angehörigen Kurlands, Livlands, Estlands und Litauens, insbesondere auf die aus diesen Gebieten während des Krieges weggeführten Gelder, Wertpapiere und sonstigen Wertsachen, sowie auf die in diesen Gebieten befindlichen Bankdepots und Bankguthaben russischer Staatsangehörigen mit Einfluß der russischen Staatsbank als Rechtsnachfolgerin der nationalisierten russischen Privatbanken finden die Bestimmungen der Artikel 7, 8 entsprechende Anwendung.

The provisions of Articles 7 and 8 find corresponding application to the bank deposits and credits in Russia of subjects of Courland, Livonia, Esthonia, and Lithuania, in particular to the moneys, certificates, and other valuables abstracted in these districts during the war, as also to the bank deposits and credits in these districts of Russian subjects, including the Russian State Bank as successor in title to the nationalized Russian private banks.

Drittes Kapitel.

PART III.

Ausgleich gewisser Verschiedenheiten der beiderseitigen Wirtschaftssysteme.

ADJUSTMENT OF CERTAIN DIFFERENCES IN THE ECONOMIC SYSTEM OF BOTH SIDES.

Artikel 11.

ARTICLE 11.

Vermögensgegenstände von Deutschen werden künftig in Rußland nur dann enteignet oder sonst der Verfügungsmacht des Eigentümers entzogen werden, wenn die Enteignung oder sonstige Entziehung auf Grund einer für alle Landesbewohner und Angehörigen eines dritten Landes und für alle Gegenstände der gleichen Art geltenden Gesetzgebung zugunsten des Staates oder einer Gemeinde erfolgt und der Eigentümer sofort in bar entschädigt wird.

Property of Germans shall in future be expropriated in Russia, or otherwise withdrawn from the owner's power of disposal, only under the proviso that the expropriation or other withdrawal is carried out in favor of the State or a Commune under legislation applying to all inhabitants and subjects of a third country and to all articles of a similar kind, and the further proviso that the owner is immediately compensated in cash.

Die Höhe der nach Absatz 1 zu zahlenden Entschädigung wird durch zwei Sachverständige festgestellt werden, von denen der eine von der russischen Regierung, der andere von dem Berechtigten ernannt wird; sollte zwischen ihnen eine Einigung nicht erfolgen, so würden sie einen dritten Sachverständigen als Obmann zuziehen, um dessen Benennung

The amount of the compensation to be paid, in accordance with paragraph 1, shall be fixed by two experts, of whom one shall be appointed by the Russian Government, and the other by the rightful claimant. Should no agreement be reached between them, they shall call in a third expert as chairman, whom the

in Ermangelung anderweitiger Verständigung der zuständige schwedische Konsul gebeten werden soll.

Artikel 12.

Ein Vermögensgegenstand, der gemäß Artikel 11 enteignet oder sonst der Verfügungsmacht des Eigentümers entzogen worden ist, soll diesem auf Antrag gegen Rückgewährung der ihm gezahlten Entschädigung und unter Berücksichtigung etwaiger Verbesserungen oder Verschlechterungen wieder übertragen werden, wenn der Vermögensgegenstand nicht in Besitz des Staates oder der Gemeinde verbleibt oder wenn die Enteignung oder sonstige Entziehung gleichartiger Vermögensgegenstände gegenüber Landeseinwohnern oder Angehörigen eines dritten Landes wieder aufgehoben wird; der Antrag auf Rückübertragung ist innerhalb eines Jahres nach dem Zeitpunkt, wo diese beantragt werden kann, zu stellen.

Artikel 13.

Soweit in Rußland befindliche Vermögensgegenstände von Deutschen nach dem 1. Juli 1918 und vor dem Inkrafttreten dieser Vereinbarung enteignet oder sonst der Verfügungsmacht des Eigentümers entzogen worden sind, finden die Bestimmungen des Artikels 11 Abs. 2 und des Artikels 12 entsprechende Anwendung.

Der Antrag auf Rückübertragung kann in den Fällen des Absatz 1 auch dann gestellt werden, wenn eine Enteignung oder sonstige Entziehung gleichartiger Vermögensgegenstände gegenüber Landeseinwohnern oder Angehörigen eines dritten Landes nicht erfolgt ist; ein solcher Antrag ist innerhalb eines Jahres nach dem Inkrafttreten dieser Vereinbarung zu stellen.

Artikel 14.

Deutsche Gläubiger können für ihre vor dem 1. Juli 1918 entstandenen Forderungen alsbald nach ihrer Fällig-

competent Swedish consul shall be asked to appoint in default of agreement to the contrary.

ARTICLE 12.

Property, which in accordance with Article 11 has been expropriated, or otherwise withdrawn from the owner's power of disposal, shall be handed back to him on request against return of the compensation paid to him, and with regard being had to possible improvement or damage, if the property no longer remains the public possession of the State or of the Commune, or if the expropriation or other withdrawal of similar property is annulled as regards inhabitants of the country or subjects of a third Power; the request for transfer must be made within a year of the time when it can be claimed.

ARTICLE 13.

The provisions of Article 11, Paragraph 2, and Article 12 find corresponding application, insofar as property of Germans in Russia has been expropriated or otherwise withdrawn from the owner's power of disposal after 1 July, 1918, and before the coming into force of this agreement.

The request for transfer can be made, in the cases mentioned in paragraph 1, even when an expropriation or other withdrawal of similar property has not been carried out in regard to inhabitants of the country, or subjects of a third Power. Such a request must be made within a year after the coming into force of this agreement.

ARTICLE 14.

German creditors, in respect of their claims arising before 1 July, 1918, may, immediately after these have fallen due, require

keit Befriedigung aus Guthaben ihrer Schuldner bei russischen Banken verlangen, wenn ihre Forderung sowohl von dem Schuldner wie von der Bank als richtig anerkannt wird. Das Anerkenntnis des Schuldners wird durch eine rechtskräftige gerichtliche Entscheidung ersetzt; bestreitet die Bank die Richtigkeit der Forderung, so entscheiden darüber die in Artikel 7 Abs. 3 vorgesehenen Kommissionen in Moskau und St. Petersburg.

Artikel 15.

Die deutsch-russische Nachlasskonvention vom 12. November/31. Oktober 1874 bleibt mit den Maßgaben in Kraft, daß in Ansehung aller seit der Neuordnung des Erbrechts in Rußland eingetretenen Erbfälle die für bewegliches Eigentum vorgesehenen Bestimmungen auch für unbewegliches Eigentum gelten, daß von der Erbschaft eine Steuer nur vom Heimatstaat des Erblassers erhoben werden darf, und daß, solange in Rußland das Erbrecht abgeschafft oder wesentlich eingeschränkt ist, eine Kündigung der Konvention nicht erfolgen kann.

Im übrigen behalten sich die vertragschließenden Teile vor, einzelne Bestimmungen der Nachlasskonvention, die sich in der Praxis nicht bewährt haben, durch neue, den jetzigen Verhältnissen mehr entsprechende Bestimmungen zu ersetzen.

Viertes Kapitel.

Schlußbestimmungen.

Artikel 16.

Dieses Abkommen soll ratifiziert und die Ratifikationsurkunden sollen bis zum 6. September 1918 in Berlin ausgetauscht werden.

them to be satisfied from their creditors' balances with Russian banks, if their claim is recognized as valid by both the debtor and the bank. The debtor's acknowledgment may be replaced by a judicial decision having the force of law; if the bank contests the validity of the claim, the commissions in Moscow and St. Petersburg referred to in Article 7, Paragraph 3, shall decide in regard thereto.

ARTICLE 15.

The Russo-German Deceased Estates Convention of 12 November/31 October, 1874,¹ shall remain in force, with the proviso that, in regard to all cases of inheritance since the new law of inheritance in Russia, the provisions for movable property shall apply to immovable property also, and the proviso that a duty on the inheritance may be levied only by the country of the deceased, and the further proviso, that, inasmuch as the law of inheritance in Russia is annulled or essentially limited, the Convention cannot be annulled.

The contracting parties further reserve the right to supersede certain provisions of the Deceased Estates Convention which have not been observed in practice by new ones more in harmony with existing conditions.

PART IV.

FINAL PROVISIONS.

ARTICLE 16.

The Convention shall be ratified and the ratification documents exchanged in Berlin by 6 September, 1918.

¹ 65 *British and Foreign State Papers*, p. 250.

Das Abkommen tritt am Tage des Austausch der Ratifikationsurkunden in Kraft.

Zu Urkund dessen haben die Bevollmächtigten dieses Abkommen unterzeichnet und mit ihren Siegeln versehen.

Ausgefertigt in doppelter Urschrift in Berlin am 27. August 1918.

(L. S.) von Hintze.
 (L. S.) Kriege.
 (L. S.) A. Ioffé.

The Convention comes into force at the date of the exchange of the ratification documents.

In witness whereof the plenipotentiaries have signed and sealed this Agreement.

Executed in duplicate in Berlin this 27th day of August, 1918.

[L. S.] VON HINTZE
 [L. S.] KRIEGE.
 [L. S.] A. IOFFÉ.

22. RUSSIA—GERMANY.

CIVIL-LAW AGREEMENT SUPPLEMENTING THE RUSSO-GERMAN SUPPLEMENTARY TREATY TO THE TREATY OF PEACE BETWEEN RUSSIA AND THE CENTRAL POWERS. SIGNED AT BERLIN, 27 AUGUST, 1918.

[*German text as published in the Deutscher Reichsanzeiger, 7 September, 1918.*]

[*Translation.*]

Auf Grund des Artikels 35 Abs. 2 des Deutsch-Russischen Zusatzvertrags zu dem Friedensvertrag zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei einerseits und Rußland andererseits sind die Bevollmächtigten des Deutschen Reichs, nämlich

In virtue of Article 35, Paragraph 2, of the Russo-German Supplementary Treaty to the Peace Treaty between Germany, Austria-Hungary, Bulgaria, and Turkey, for the one part, and Russia for the other part, the plenipotentiaries of the German Empire, namely:

der Staatssekretär des Auswärtigen Amts, Kaiserlicher Wirklicher Geheimer Rat, Konteradmiral a. D. Herr Paul von Hintze und

The Secretary of State for Foreign Affairs, the Imperial Privy Councillor, Rear Admiral Paul von Hintze, retired; and

der Direktor im Auswärtigen Amt, Kaiserlicher Wirklicher Geheimer Rat Herr Dr. Johannes Kriege

The Director in the Foreign Office, the Imperial Privy Councillor, Dr. Johannes Kriege,

sowie der Bevollmächtigte der Russischen Sozialistischen Föderativen Sowjetsrepublik, nämlich

as well as the plenipotentiary of the Russian Socialist Federal Soviet-Republic, namely:

der diplomatische Vertreter der Sowjetsrepublik bei der Kaiserlich Deutschen Regierung, Herr Adolf Ioffé,

The diplomatic representative of the Soviet-Republic accredited to the German Imperial Government, M. Adolf Ioffé,

übereingekommen, zur Ausführung der privatrechtlichen Bestimmungen des Deutsch-Russischen Zusatzvertrags die Rechtsverhältnisse aus Wechseln, Schecks und Valutageschäften (Artikel 7 § 2 Abs. 2), die gewerblichen Schutzrechte (Artikel 9), die Verjährungsfristen (Artikel 10) sowie die schiedsgerichtliche

have agreed to regulate the legal position arising out of bills of exchange, cheques, and exchange business (Article 7, § 2, Paragraph 2), industrial patents (Article 9), the terms of limitation (Article 10), as well as the decision of civil and commercial legal disputes by

Entscheidung zivil- und handelsrechtlicher Streitigkeiten zu regeln und zu diesem Zwecke ein Ergänzungsabkommen zu dem Deutsch-Russischen Zusatzvertrag zu treffen.

Die Bevollmächtigten haben sich, nachdem sie einander ihre Vollmachten mitgeteilt und diese in guter und gehöriger Form befunden haben, über folgende Bestimmungen geeinigt:

Erstes Kapitel.

Rechtsverhältnisse aus Wechseln und Schecks.

Artikel 1.

Hat die Vorlegung eines Wechsels zur Zahlung oder die Protesterhebung oder die Vornahme einer anderen zur Erhaltung der Wechselrechte erforderlichen Handlung während des Krieges infolge gesetzlicher Vorschriften oder infolge höherer Gewalt nicht erfolgen können, so soll die Handlung zu Gunsten der Angehörigen der vertragsschließenden Teile als rechtzeitig vorgenommen gelten, wenn sie vor Ablauf des achten Monats nach der Ratifikation des Friedensvertrags oder, sofern in diesem Zeitpunkt die Verhinderung noch fortbauerte, innerhalb zweier Monate nach Wegfall des Hindernisses, jedoch spätestens binnen sechs Monaten nach der Ratifikation des Friedensvertrags zwischen Deutschland und der letzten mit Deutschland im Kriege befindlichen Großmacht nachgeholt wird.

Ist durch eine aus Anlaß des Krieges für den Zahlungsort ergangene gesetzliche Bestimmung eine neue Frist für die Vorlegung des Wechsels zur Zahlung und solcher Protesterhebung eingeführt worden, so soll eine Vorlegung und Protesterhebung, die innerhalb der neuen Frist und vor Ablauf des achten

Courts of Arbitration, in order to carry out the civil law provisions of the Russo-German Supplementary Treaty, and for this purpose to conclude a supplementary agreement to the Russo-German Supplementary Treaty.

The plenipotentiaries have agreed to the following provisions, after having exchanged their credentials, and having found these in due and proper form:

PART I

LEGAL POSITIONS ARISING FROM BILLS OF EXCHANGE AND CHEQUES.

ARTICLE I.

If the presentation of a bill of exchange for payment, or the protest, or the taking of other action necessary to uphold the exchange rights, has not been possible during the war, in consequence of legal instructions, or of *force majeure*, the action in favor of the subjects of the contracting parties shall be considered as having been taken in good time if subsequently undertaken before the expiration of the eighth month after the ratification of the Peace Treaty, or, in so far as the hindrance still continued at this date, within two months after the abolition of the hindrance, in any case, at latest, within six months after the ratification of peace between Germany and the last Great Power to be at war with Germany.

If, owing to a legal decision arising out of the war applying to the place of payment, a new period has been instituted for the presentation for payment of a bill of exchange and for the raising of protest, then a presentation and protest made within the new period of grace and before the expiration of the eighth month after

Monats nach der Ratifikation des Friedensvertrags zwischen Deutschland und Rußland erfolgt, zu Gunsten der Angehörigen der vertragschließenden Teile auch dann als rechtzeitig vorgenommen gelten, wenn der Inhaber des Wechsels an der Vornahme innerhalb der alten Frist nicht verhindert war.

Artikel 2.

Bei Wechseln, die gemäß Artikel 7 § 3 Abs. 1 des Zusatzvertrags nicht vor Ablauf von sechs Monaten nach der Ratifikation des Friedensvertrags bezahlt zu werden brauchen, gilt die Vorlegung zur Zahlung sowie die Protesterhebung mangels Zahlung als rechtzeitig vorgenommen, wenn sie während des siebenten oder achten Monats nach der Ratifikation oder, sofern die Vornahme der Handlung innerhalb dieser Frist durch höhere Gewalt verhindert wird, innerhalb zweier Monate nach dem Wegfall des Hindernisses, jedoch spätestens binnen sechs Monaten nach der Ratifikation des Friedensvertrags zwischen Deutschland und der letzten mit Deutschland im Kriege befindlichen Großmacht erfolgt.

Artikel 3.

Als Verhinderung durch höhere Gewalt im Sinne der Artikel 1, 2 ist es insbesondere anzusehen, wenn der unmittelbare Postverkehr mit dem Orte, wo die Handlung vorgenommen werden muß, unterbrochen ist.

Artikel 4.

Wird in den Fällen der Artikel 1, 2 nach Ablauf von 6 Monaten seit der Ratifikation des Friedensvertrags der Wechsel nicht zur Zahlung vorgelegt, so kann sich der Schuldner von der Wechselverpflichtung dadurch befreien, daß er die Wechselsumme nebst den aufgelaufenen Zinsen bei der nach den Landesgesetzen

the ratification of the Peace Treaty between Germany and Russia, in favor of subjects of the contracting parties, shall also be considered as having been made in good time, if the holder of the bill was prevented from taking action within the old period of grace.

ARTICLE 2.

In case of bills of exchange, which, in accordance with Article 7, § 3, Paragraph 1 of the Supplementary Treaty, need not be paid before the expiration of six months after the ratification of the Peace Treaty, the presentation for payment, as well as the protest in default of payment, shall be considered as having been made in good time, if they are made during the seventh or eighth month after the ratification, or, in so far as taking action was prevented within this period of grace, by *force majeure*, within two months after the abolition of the hindrance, in any case, at least within six months after the ratification of the Peace Treaty between Germany and the last Great Power to be at war with Germany.

ARTICLE 3.

In particular, interruption of direct postal communication with the place where the action must be taken, shall be regarded as a hindrance through *force majeure*, in the sense of Articles 1 and 2.

ARTICLE 4.

If in the cases of Articles 1 and 2, the bill of exchange is not presented on the expiration of six months after the ratification of the Peace Treaty, the debtor may free himself from the obligation of the bill of exchange by depositing the amount, together with the accrued interest, with the quar-

des Zahlungsorts zuständigen amtlichen Stelle auf Gefahr und Kosten des Wechselinhabers hinterlegt.

Artikel 5.

Auf Rechtsverhältnisse aus Schecks finden die Bestimmungen der Artikel 1 bis 4 entsprechende Anwendung.

Zweites Kapitel.

Rechtsverhältnisse aus Valutageschäften.

Artikel 6.

Verpflichtungen aus Termingeschäften in Valuten, insbesondere in Geldsorten, Wechseln, Schecks und Auszahlungen, die bei Kriegsausbruch zwischen den beiderseitigen Staatsangehörigen schwebten, sollen zu den vereinbarten Bedingungen innerhalb der für die Bezahlung von Geldforderungen zwischen Deutschland und Rußland festgesetzten Zeit erfüllt werden. Handelt es sich bei den Termingeschäften um die Währung eines Staates, mit dem Deutschland sich noch im Kriegszustande befindet, so hat die Erfüllung binnen 6 Monaten nach der Ratifikation des Friedensvertrags mit diesem Staate zu erfolgen.

Drittes Kapitel.

Gewerbliche Schutzrechte.

Artikel 7.

Zur Zahlung der für gewerbliche Schutzrechte durch ihre Wiederherstellung gemäß Artikel 9 § 1 Abs. 1 des Zusatzvertrags fällig gewordenen Gebühren soll den Angehörigen jedes vertragschließenden Teiles in dem Gebiete des anderen Teiles unter Wegfall der gesetzlich vorgeschriebenen Fristen und Zuschläge eine Frist von sechs Monaten nach dem Inkrafttreten des gegenwärtigen Abkommens zustehen.

ters recognized as officially competent by the laws of the land in which the place of payment is situated, at the risk and cost of the holder of the bill.

ARTICLE 5.

The provisions of Articles 1-4 apply to the legal position arising from cheques.

PART II.

LEGAL POSITION ARISING FROM EXCHANGE TRANSACTIONS.

ARTICLE 6.

Obligations arising out of short-dated transactions in exchange, particularly in any sort of money, bills, cheques, and payments which were pending between subjects of the respective States when war broke out, must be fulfilled in accordance with the terms of such agreements, within the time fixed between Germany and Russia for the payment of money demands. If, in the short-dated transactions, it is a question of a bill of exchange drawn on a State with which Germany is still at war, then the obligation must be fulfilled within six months after the ratification of the peace treaty with this State.

PART III.

INDUSTRIAL PATENTS.

ARTICLE 7.

For payment of the charges for patents which have fallen due through their restoration, conformably with Article 9, § 1, Paragraph 1 of the Supplementary Treaty, the subjects of each contracting party shall have a period of six months' grace in the territory of the other party, after the present agreement comes into force, the legally prescribed periods of grace and additions being abolished.

In gleicher Weise wird die Zahlung der vor dem Inkrafttreten des Abkommens fällig gewordenen weiteren Gebühren befristet.

Artikel 8.

Die im Artikel 9 § 2 Abs. 1 des Zusatzvertrags vorgesehene Frist für die Nachholung einer aus Anlaß des Krieges veräumten Handlung wird bis zum Ablauf eines Jahres nach der Ratifikation des Friedensvertrags zwischen Deutschland und der letzten mit Deutschland im Kriege befindlichen Großmacht verlängert.

Artikel 9.

Wenn in dem Gebiet eines der vertragschließenden Teile ein gewerbliches Schutzrecht, das nach Kriegsgesetzen nicht angemeldet werden konnte, von demjenigen, der es während des Krieges in dem Gebiet des anderen Teiles vorchriftsmäßig angemeldet hat, innerhalb eines Jahres nach der Ratifikation des Friedensvertrags zwischen Deutschland und der letzten mit Deutschland im Kriege befindlichen Großmacht unter Inanspruchnahme der Priorität der früheren Anmeldung angemeldet wird, so soll die Anmeldung allen inzwischen eingereichten Anmeldungen vorgehen und durch inzwischen eingetretene Tatsachen nicht unwirksam gemacht werden können.

Artikel 10.

Durch die Bestimmung des Artikel 9 werden die in den jetzigen oder künftigen Gesetzen jedes Teiles enthaltenen Vorschriften nicht berührt, wonach der Schutz der Gegenstände der angemeldeten Art versagt oder im öffentlichen Interesse beschränkt oder entzogen werden kann oder gegenüber Dritten, die in der Zeit zwischen dem Eingang der früheren und dem der späteren Anmeldung den Gegenstand in gutem Glauben benutzt haben, keine Wirkung hat.

A period of grace will be allowed in the same way for the payment of the further charges which have fallen due before this agreement comes into force.

ARTICLE 8.

The period of grace provided in Article 9, § 2, Paragraph 1 of the Supplementary Treaty for recovering an action lost through delay caused by war, will be prolonged till the expiration of a year after the ratification of the Peace Treaty between Germany and the last of the Great Powers to be at war with Germany.

ARTICLE 9.

When a patent which could not be announced by the laws of war is announced in the territory of one of the contracting parties within a year after the ratification of peace between Germany and the last Great Power to be at war with Germany, by those who had announced it in due form, during the war, in the territory of such other party, claim being made to the priority announcement, the announcement shall take precedence of all the announcements submitted in the meantime, and shall not be rendered ineffective by any facts which have intervened in the meantime.

ARTICLE 10.

The provisions of Article 9 shall not affect the instructions contained in the present or future laws of each party, according to which protection for objects of the kind notified is denied, or is limited in the public interest, or may be withdrawn, or has no effect as against third parties, who may have made use of the object, in good faith, in the time between the reception of the earlier and that of the later announcement.

Artikel 11.

Die Russische Regierung erklärt sich bereit, demnächst mit der Deutschen Regierung in Verhandlungen über den gegenseitigen Schutz des gewerblichen Eigentums einzutreten.

Viertes Kapitel.

Verjährungsfristen.

Artikel 12.

In Ergänzung der Bestimmungen des Artikel 10 des Zusatzvertrags wird über die Erweiterung der Verjährungs- und Vorlegungsfristen vereinbart, daß, wenn der Berechtigte durch höhere Gewalt verhindert ist, sein Recht bis zum Ablauf der erweiterten Frist geltend zu machen, die Frist sich zugunsten der Angehörigen der vertragschließenden Teile, vorbehaltlich weitergehender Vorschriften der Landesgesetze, bis zum Ablauf von zwei Monaten seit Wegfall des Hindernisses, jedoch nicht über sechs Monate nach der Ratifikation des Friedensvertrags zwischen Deutschland und der letzten mit Deutschland im Kriege befindlichen Großmacht verlängert.

Die vertragschließenden Teile sind darüber einig, daß die im Absatz 1 und im Artikel 10 des Zusatzvertrags vorgesehene Fristverlängerung auch für die Frist zur Klageerhebung aus Wechseln und Schecks gilt.

Fünftes Kapitel.

Schiedsgerichte für zivil- und handelsrechtliche Streitigkeiten.

Artikel 13.

Zivil- und handelsrechtliche Streitigkeiten zwischen den beiderseitigen Staats-

ARTICLE 11.

The Russian Government declares its readiness shortly to enter into negotiations with the German Government respecting mutual protection of industrial ownership.

PART IV.

PERIOD OF LIMITATION.

ARTICLE 12.

In application of the provisions of Article 10 of the Supplementary Treaty, it is agreed, with regard to extension of the prescribed limits within which application may be made, that when the claimant is prevented by *force majeure* from taking proceedings before the expiration of the extended period of grace, the period shall be prolonged in favor of subjects of the contracting parties, subject to further reaching instructions of the law of the country, until the expiration of two months after the abolition of the hindrance—in any case, not for longer than six months after the ratification of the peace treaty between Germany and the last of the Great Powers to be at war with Germany.

The contracting parties agree that the prolongation of the period of grace provided in paragraph 1 and Article 10 of the Supplementary Treaty shall be in force also for the period during which proceedings may be taken arising from bills of exchange and cheques.

PART V.

COURTS OF ARBITRATIONS FOR CIVIL AND COMMERCIAL DISPUTES.

ARTICLE 13.

According to the following provisions, civil and commercial dis-

angehörigen können nach Maßgabe der nachstehenden Bestimmungen der Zuständigkeit der nationalen Gerichte entzogen und der Entscheidung von Schiedsgerichten unterbreitet werden.

Artikel 14.

Die Schiedsgerichte sind zuständig für Rechtsstreitigkeiten zwischen den beiderseitigen Staatsangehörigen, sofern es sich handelt um

1. vermögensrechtliche Ansprüche aus Verträgen, die vor dem 1. August 1914 geschlossen sind;

2. Ansprüche aus Wechseln oder Schecks, die vor dem 1. August 1914 ausgestellt sind;

3. Ansprüche aus Urheberrechten oder gewerblichen Schutzrechten, die vor dem 1. August 1914 begründet sind.

Artikel 15.

Im Sinne des Artikel 14 sind Deutschen oder Russen gleich zu achten juristische Personen und Gesellschaften, die in Deutschland oder Rußland ihren Sitz haben. Ausgenommen sind juristische Personen und Gesellschaften, die wegen feindlicher Kapitalbeteiligung, Leitung oder Aufsicht unter Zwangsverwaltung oder Liquidation stehen.

Durch eine nach dem 29. März 1918 eingetretene Rechtsnachfolge in den Anspruch oder die Schuld wird die Zuständigkeit des Schiedsgerichts weder begründet noch ausgeschlossen.

Artikel 16.

Das Schiedsgericht kann nur angerufen werden, wenn einer der im Artikel 14 bezeichneten Ansprüche auf dem Wege der Klage oder der Widerklage geltend gemacht wird und eine Partei die Verhandlung vor dem Schiedsgericht beantragt.

putes may be withdrawn from the competence of the national courts and be submitted to courts of arbitration for decision.

ARTICLE 14.

The courts of arbitration shall be competent to decide legal disputes between subjects of the respective States, in so far as it is a question of:

1. Claims in respect of money matters, arising out of agreements concluded before 1 August, 1914;

2. Claims arising out of bills of exchange or cheques drawn before 1 August, 1914;

3. Claims arising out of copyright or patents established before 1 August, 1914.

ARTICLE 15.

In the sense of Article 14, Germans or Russians shall mean juridical persons or companies situated in Germany or Russia. Those juridical persons or companies shall be excepted which are under compulsory administration, or in liquidation on account of enemy share in their capital, enemy management, or supervision.

The competence of the Court of Arbitration will neither be established nor excluded by a succession to the claims or debt arising subsequently to 29 March, 1918.

ARTICLE 16.

The Court of Arbitration can only be appealed to when one of the claims indicated in Article 14 has been tried by means of an action or counter action, and one party moves that the transaction should come before the Court of Arbitration.

Der Kläger kann den Antrag auf Verhandlung vor dem Schiedsgericht nur durch Einreichung der Klageschrift bei dem Schiedsgericht stellen. Erhebt er die Klage bei dem ordentlichen Gerichte, so verliert er das Recht auf Anrufung des Schiedsgerichts.

Der Beklagte hat den Antrag in der Klagebeantwortung, spätestens aber zwei Monate nach Zustellung der Klage, zu stellen. Wird in einem Verfahren vor dem ordentlichen Gericht eine Widerklage erhoben, so hat der Kläger den Antrag, über die Widerklage vor dem Schiedsgericht zu verhandeln, bei der Beantwortung der Widerklage, spätestens aber zwei Monate nach Erhebung der Widerklage, zu stellen.

Das ordentliche Gericht hat Anträge auf Verhandlung vor dem Schiedsgericht diesem vorzulegen und dessen Entscheidung abzuwarten. Das Schiedsgericht kann einen Antrag trotz Versäumung der im Absatz 3 vorgesehenen Frist von zwei Monaten zulassen, wenn die Einhaltung der Frist in Folge höherer Gewalt nicht möglich war.

Die Entscheidung des Schiedsgerichts, daß seine Zuständigkeit bestehe oder nicht bestehe, ist für die Gerichte Deutschlands und Rußlands bindend.

Artikel 17.

Die zur Entscheidung berufenen Scheidungsgerichte werden in Berlin und Moskau errichtet.

Das Schiedsgericht in Berlin ist zuständig, wenn der Beklagte seinen Wohnsitz in Deutschland hat oder wenn er seinen Wohnsitz außerhalb Deutschlands und Rußlands hat und ein deutscher Staatsangehöriger ist.

Das Schiedsgericht in Moskau ist zuständig, wenn der Beklagte seinen Wohnsitz in Rußland hat oder wenn er seinen Wohnsitz außerhalb Rußlands und Deutschlands hat und ein russischer Staatsangehöriger ist.

The plaintiff can only move that the transaction should come before the Court of Arbitration by submitting a declaration to the said Court. If he lodges the complaint with the regular Court he loses the right to appeal to the Court of Arbitration.

The defendant must make the proposal in answering the charge, at latest two months after the complaint has been lodged. If, in an action before the regular Court, a counter charge is lodged, the plaintiff must make the proposal to bring the counter charge before the Court of Arbitration when answering the counter charge, at the latest, however, two months after the counter charge is lodged.

The regular Court has to submit proposals to bring the matter before the Court of Arbitration to such Court, and await its decision. The Court of Arbitration may permit a proposal notwithstanding the lapse of the two months' grace provided for in Paragraph 3, if it was not possible, in consequence of *force majeure*, to observe the period of grace.

The decision of the Court of Arbitration as to the existence or non-existence of its competence is binding for the Courts of Germany and Russia.

ARTICLE 17.

The Courts of Arbitration appointed to arbitrate will be erected in Berlin and Moscow.

The Court of Arbitration in Berlin is competent, if the defendant is a German subject, whether his domicile be in Germany or outside of Germany and Russia.

The Court of Arbitration in Moscow is competent if the defendant is a Russian subject, whether his domicile be in Russia or outside of Russia and Germany.

Ist infolge mehrfacher Wohnsitze des Beklagten die Zuständigkeit beider Schiedsgerichte begründet, so hat der Kläger die Wahl, welches Schiedsgericht er anrufen will. Das gleiche gilt, wenn von mehreren Beklagten, die in Ansehung des Streitgegenstandes in Rechtsgemeinschaft stehen, der eine in Deutschland, der andere in Rußland seinen Wohnsitz hat.

Artikel 18.

Das Schiedsgericht hat seine Zuständigkeit, insbesondere die Staatsangehörigkeit der Parteien, und die Richtigkeit der Parteibehauptungen, worauf die Zuständigkeit gestützt wird, gegebenenfalls von Amts wegen zu prüfen.

Artikel 19.

Die Schiedsgerichte in Berlin und Moskau werden, wie folgt, gebildet:

Deutschland und Rußland ernennen für jedes Schiedsgericht je einen Richter und einen Stellvertreter. Die Dänische Regierung wird gebeten werden, aus der Zahl ihrer Staatsangehörigen gleichfalls für jedes Schiedsgericht einen Richter und einen Stellvertreter zu ernennen. Die Ernennung der Richter erfolgt auf die Dauer von drei Jahren. Zum Richter kann nur ernannt werden, wer die Befähigung hat, in seinem Heimatstaat Mitglied eines Kollegialgerichts höherer Instanz zu sein.

Neben den Richtern werden auf gutachtlichen Vorschlag des zur Vertretung des Handelsstandes berufenen Organs für jedes Schiedsgericht zwei Handelsrichter bestellt, und zwar je einer von Deutschland und Rußland.

Den Regierungen der beteiligten Staaten bleibt es vorbehalten, eine Vermehrung der Richterkräfte zu vereinbaren.

If the competence of both Courts of Arbitration is established in consequence of the defendant having several residences, then the plaintiff has the choice which Court of Arbitration he will appeal to. The same applies when, of several defendants who are legally associated in respect of the subject of dispute, the one has his domicile in Germany, the other in Russia.

ARTICLE 18.

If necessary the Court of Arbitration must officially test its competence, particularly the nationality of the parties, and the correctness of the statements made by the parties on which its competence is based.

ARTICLE 19.

The Courts of Arbitration in Berlin and Moscow shall be formed as follows:

Germany and Russia each to appoint a judge and a deputy for each Court of Arbitration. The Danish Government shall be asked equally to appoint from amongst the number of its subjects, for each Court of Arbitration, a judge and a deputy. The appointment of the judges shall be for three years. Only those can be appointed who are qualified to be members of a higher court of appeal in their own country.

In addition to the judges, two commercial judges shall be appointed for each Court of Arbitration, if advised and proposed by the organs appointed to represent the commercial class, Germany and Russia each appointing one.

The right of agreeing to add to the number of judges shall be reserved to the Governments of the States concerned.

Artikel 20.

Jeder vertragsschließende Teil gewährt den Richtern und Handelsrichtern, die nicht seine eigenen Angehörigen sind, die diplomatischen Vorrechte und Befreiungen.

Artikel 21.

Bei jedem Schiedsgerichte führt der von der Dänischen Regierung bezeichnete Richter die Geschäfte des Präsidenten.

Der Präsident ernennt die erforderlichen Gerichtsschreiber, Kanzlei- und Unterbeamten, und zwar auf Vorschlag der Regierung des Landes, wo das Schiedsgericht seinen Sitz hat.

Artikel 22.

Die Kosten der Schiedsgerichte tragen Deutschland und Rußland zu gleichen Theilen.

Artikel 23.

Das Schiedsgericht entscheidet in der Besetzung mit einem dänischen, einem deutschen und einem russischen Richter; der dänische Richter führt den Vorsitz. Auf Antrag einer Partei hat der Vorsitzende außerdem einen deutschen und einen russischen Handelsrichter zuzuziehen. Auf Antrag beider Parteien entscheidet das Schiedsgericht in der Besetzung mit einem deutschen und einem russischen Handelsrichter sowie einem dänischen Richter als Vorsitzendem.

Artikel 24.

Die Gerichtssprache ist für das Schiedsgericht in Berlin die deutsche, für das Schiedsgericht in Moskau die russische Sprache. Sind nicht sämtliche Personen der Sprache mächtig, in der verhandelt und beraten wird, so ist ein Dolmetscher zuzuziehen.

ARTICLE 20.

Each contracting party shall concede diplomatic privileges and exemption to the judges and commercial judges who are not its own subjects.

ARTICLE 21.

The judge appointed by the Danish Government shall act as President of each Court of Arbitration.

The President shall appoint the necessary clerks of the Court, staff, and subordinate officials, at the suggestion of the Government of the country, where the Court of Arbitration has its domicile.

ARTICLE 22.

The costs of the Courts of Arbitration shall be borne by Germany and Russia in equal shares.

ARTICLE 23.

The Court of Arbitration, in making its decisions, shall consist of one Danish, one German, and one Russian judge; the Danish judge shall preside. On the motion of one party, the president shall call in a German and Russian commercial judge in addition. On the motion of both parties the Court of Arbitration, in making its decision, shall consist of a German and a Russian commercial judge, as well as a Danish judge as president.

ARTICLE 24.

The language of the court shall be, for the Court of Arbitration in Berlin, the German, for the Court of Arbitration in Moscow, the Russian language. If all the persons have not full command of the language in which the proceedings and deliberations are carried on, an interpreter shall be called in.

Artikel 25.

Das Schiedsgericht hat diejenigen Regeln des internationalen Privatrechts anzuwenden, die kraft Gesetzes oder Gerichtsgebrauch vor dem 1. August 1914 an seinem Sitze gegolten haben. Nach diesen Regeln ist insbesondere, soweit nicht die Bestimmung des Artikels 10 des Zusatzvertrags oder die dazu vereinbarten Ergänzungen Platz greifen, die Frage zu beurteilen, ob ein geltend gemachter Anspruch verjährt ist.

Artikel 26.

Das Schiedsgericht hat bei der Anwendung der Gesetze und bei der Auslegung der Rechtsgeschäfte auf die Anschauungen des ehrbaren und entgegenkommenden Handels Rücksicht zu nehmen und unter freier Würdigung des gesamten Inhalts der Verhandlungen und des Ergebnisses einer etwaigen Beweisaufnahme zu entscheiden.

Artikel 27.

Das Schiedsgericht entscheidet auf Grund mündlicher Verhandlung.

Die Verhandlung wird vom Vorsitzenden geleitet; sie ist öffentlich.

Ueber jede Verhandlung ist eine Niederschrift aufzunehmen und von dem Vorsitzenden und dem Gerichtsschreiber zu unterzeichnen.

Artikel 28.

Zu der Verhandlung sind die Parteien zu laden. Der Ladung bedarf es nicht, wenn der Verhandlungstermin in ihrer oder ihrer Vertreter Gegenwart verkündet ist.

Artikel 29.

Die Frist zwischen der Zustellung der Klageschrift und dem ersten Verhandlungstermin (Einlassungsfrist) soll min-

ARTICLE 25.

The Court of Arbitration must apply those rules of international civil law which were in force in its domicile before 1 August, 1914, by virtue of the law or of legal practice. According to these rules, the question has in particular to be judged, whether a claim pleaded is barred by the statute of limitations, in so far as the provisions of Article 10 of the Supplementary Treaty, or the amplifications to it agreed on, do not take effect.

ARTICLE 26.

In applying the laws, and interpreting judicial matters, the Court of Arbitration must take the views of honorable and fair trade dealing into consideration, and judge with due attention to the whole content of the proceedings and the effect of any special agreement.

ARTICLE 27.

The Court of Arbitration shall give judgment on the basis of verbal proceedings.

The trial shall be conducted by the president: it shall be public.

A record shall be taken down of every hearing, and be signed by the president and the clerk of the court.

ARTICLE 28.

The parties are to be summoned to the trial. No summons shall be required when the date of the trial is announced in their presence, or in the presence of their representatives.

ARTICLE 29.

The period of grace between the serving of the writ and the first date fixed for the trial (*Einlassungsfrist*) shall be at least six

defiens sechs Wochen, die Frist zwischen der Zustellung der Ladung und einem späteren Termine (Ladungsfrist) mindestens einen Monat betragen. Das Schiedsgericht kann die Einlassungsfrist und die Ladungsfrist auf Antrag aus besonderen Gründen abkürzen. Ist die Einlassungsfrist oder die Ladungsfrist nicht gewahrt, so kann die Verlegung des Termins beantragt werden.

Artikel 30.

Ist die Ladung oder die Verfündung des Termins ordnungsmäßig erfolgt, so kann auch in Abwesenheit der ausgebliebenen Partei verhandelt und entschieden werden.

Artikel 31.

Das Schiedsgericht kann deutsche und russische Gerichte innerhalb ihrer Zuständigkeit im unmittelbaren Geschäftsverkehr um die Bewirkung von Zustellungen und Erhebung von Beweisen ersuchen. Es kann seinerseits Zustellungen bewirken; auch kann es Zeugen und Sachverständige, die vor ihm erscheinen, eidlich oder uneidlich vernehmen sowie Parteide und Versicherungen an Eidesstatt abnehmen.

Das Schiedsgericht kann Zeugen und Sachverständigen, die vor ihm erscheinen, die Erstattung ihrer Auslagen und eine Entschädigung für Zeitverräumnis zubilligen; es kann ihnen auch einen Vorschuß gewähren.

Artikel 32.

Die Parteien können sich in dem Verfahren vor dem Schiedsgericht durch einen Bevollmächtigten, insbesondere durch den Beauftragten eines staatlich anerkannten Gläubigerschutzverbandes vertreten lassen.

Das Schiedsgericht entscheidet nach freiem Ermessen, ob die Kosten der Parteivertreter der obliegenden Partei zu erstatten sind.

weeks, the period of grace between serving the summons and a later date (*Ladungsfrist*) shall amount to at least one month. The Court of Arbitration can curtail both the *Einlassungsfrist* and the *Ladungsfrist* if this is moved for special reasons. If the *Einlassungsfrist* and *Ladungsfrists* are not observed, a postponement of the date may be moved.

ARTICLE 30.

If the summons has been duly served, or the appointed date duly announced, the case can be tried and judgment given, even in the absence of the parties who failed to appear.

ARTICLE 31.

The Court of Arbitration may have direct business dealings with German and Russian Courts of Justice within their competence, in order to request them to effect deliveries, and collect evidence. It may effect deliveries on its own account; it may also hear witnesses and experts who appear before it, on oath or not on oath, as well as to accept *ex parte* affidavits and solemn affirmations in place of an oath.

The Court of Arbitration may allow witnesses and experts who appear before it the reimbursement of their expenses and compensation for loss of time; it may also allow them an advance.

ARTICLE 32.

The parties may in the proceedings before the Court of Arbitration be represented by an authorized agent, in particular by the commissioner of the Association for Protection of Creditors recognized by the State.

The Court of Arbitration shall be free to decide whether the costs of the representatives of the successful party are to be allowed.

Artikel 33.

Die Parteien und ihre Vertreter sind befugt, beim Schiedsgericht alle Rechtsbehelfe vorzubringen, die sie zur Verteidigung ihrer Sache für nützlich halten.

Nachdem die Parteien oder ihre Vertreter alle Aufklärungen zugunsten ihrer Sache vorgetragen und über das Beweisergebnis verhandelt haben, spricht der Vorsitzende den Schluß der Verhandlung aus.

Artikel 34.

Jede Entscheidung des Schiedsgerichts ergeht nach der Mehrheit der Stimmen der Mitglieder.

Artikel 35.

Die Urteile sind von den Schiedsrichtern unter Angabe des Tages der Abfassung zu unterschreiben, in öffentlicher Sitzung des Schiedsgerichts zu verkünden, und den Parteien zuzustellen. Sie sind mit Gründen zu versehen.

Artikel 36.

Das ordnungsmäßig verkündete und den Parteien zugestellte Urteil entscheidet das Streitverhältnis endgültig.

Artikel 37.

Alle Streitfragen, die etwa zwischen den Parteien wegen der Auslegung des Urteils entstehen, unterliegen der Beurteilung des Schiedsgerichts, das das Urteil erlassen hat.

Artikel 38.

Die Urteile sind in den Gebieten der vertragschließenden Teile wie inländische Urteile vollstreckbar.

Artikel 39.

Für das Verfahren vor dem Schiedsgericht werden Gebühren erhoben, die

ARTICLE 33.

The parties and their representatives are entitled to adopt before the Court of Arbitration all legal resources they may consider necessary to defend their cause.

After the parties or their representatives have brought forward all the evidence in their favor, and discussed the result, the president shall state the conclusion reached.

ARTICLE 34.

Every decision of a Court of Arbitration is arrived at by a majority of votes of the members.

ARTICLE 35.

The findings are to be signed by the arbitration judges, stating the date of their drawing up, and are to be published and delivered to the parties at a public sitting of the Court of Arbitration. Reasons for the decision must be given.

ARTICLE 36.

The judgment duly published and delivered to the parties finally decides the matter at issue.

ARTICLE 37.

All disputes that may arise between the parties owing to the wording of the judgment are subject to the ruling of the Court of Arbitration which has delivered the judgment.

ARTICLE 38.

The judgments are enforceable in the territories of the contracting parties in the same way as local judgments.

ARTICLE 39.

For the proceedings before the Court of Arbitration fees shall be

zur Deckung der Kosten verwendet werden. Das Schiedsgericht entscheidet darüber, welche Partei die Gebühren zu entrichten und die baren Auslagen zu tragen hat, und setzt auf Antrag ihre Höhe fest; die Entscheidung ist in den Gebieten der vertragschließenden Teile vollstreckbar.

Das Schiedsgericht kann die Gerichtskosten niederschlagen, wenn die Partei glaubhaft macht, daß sie ohne Beeinträchtigung des für sie und ihre Familie notwendigen Unterhalts zur Zahlung der Kosten außerstande ist.

Artikel 40.

Rechtsstreitigkeiten, die zur Zeit der Ratifikation dieses Abkommens bei einem deutschen oder russischen ordentlichen Gericht anhängig, aber noch nicht rechtskräftig entschieden sind, können, soweit die Voraussetzungen der Artikel 14, 15 gegeben sind, auf Antrag einer Partei bei dem Schiedsgericht erneut anhängig gemacht werden. Der Antrag ist bei dem Schiedsgericht einzureichen und hemmt bis zu seiner Erledigung alle in dem Verfahren laufenden Fristen.

Ueber den Antrag entscheidet das Schiedsgericht. Wird nachgewiesen, daß ein Antrag bei dem Schiedsgericht eingereicht ist, so hat das ordentliche Gericht dessen Entscheidung abzuwarten. Der Beschluß des Schiedsgerichts ist den Parteien zuzustellen. Nach der Zustellung des Beschlusses, der den Antrag für zulässig erklärt, kann die Zwangsvollstreckung aus den Entscheidungen des ordentlichen Gerichts nur mit Zustimmung des Schiedsgerichts begonnen oder weitergeführt werden.

Das Schiedsgericht kann bei seiner Entscheidung das Ergebnis des bisherigen Verfahrens nach seinem Ermessen berücksichtigen. Mit der Zustellung der Entscheidung des Schiedsgerichts verlieren die in der Sache ergangenen Entscheidungen des ordentlichen Gerichts, soweit sie der Ent-

charged to cover the costs. The Court decides which party has to pay the fees and bear the cash expenses, and, on request, fixes their amount. The decision is enforceable in the territories of the contracting parties.

The Court may reduce the court fees if the party shows that he is not in a position to pay the costs without prejudice to the necessary support of himself and his family.

ARTICLE 40.

Legal disputes which at the time of the ratification of this Convention are pending before a German or Russian regular court, but have not yet been decided, may, in so far as the provisions of Articles 14 and 15 apply, on the request of a party be again brought before the Court of Arbitration. The request must be preferred before the Court of Arbitration, and until disposed of puts a stop to all periods running in the proceedings.

The Court of Arbitration decides as to the request. When notified that a request has been lodged before the Court of Arbitration, the ordinary court must await its decisions. The conclusion of the Court of Arbitration must be delivered to the parties. After the delivery of a conclusion accepting the request, the enforcement of decisions of the ordinary court may be begun or continued only with the consent of the Court of Arbitration.

The Court of Arbitration may, in its decision, have regard to the result of the former proceedings, in so far as it sees fit. With delivery of the decision of the Court of Arbitration the decisions reached in the matter by the ordinary court lose their force so far as they conflict with the decision

scheidung des Schiedsgerichts widersprechen, ihre Kraft. Das Schiedsgericht befindet über die Rückgewähr einer auf Grund eines vorläufig vollstreckbaren Urteils des ordentlichen Gerichts freiwillig gewährten oder beigegebenen Leistung. Die in dem Verfahren vor dem ordentlichen Gericht entstandenen Kosten gelten als Teil der Kosten des schiedsgerichtlichen Verfahrens.

Artikel 41.

Der Antrag auf Verhandlung vor dem Schiedsgericht kann nach Maßgabe des Artikel 40 auch nach Eintritt der Rechtskraft des Urteils des ordentlichen Gerichts gestellt werden, wenn das Urteil erst nach dem 31. Juli 1914 ergangen ist und das Schiedsgericht auf Antrag die Wiedereinsetzung in den vorigen Stand gewährt.

Der Antrag auf Wiedereinsetzung muß binnen sechs Monaten nach dem Inkrafttreten dieses Abkommens bei dem Schiedsgericht gestellt werden. Er kann nur auf die Behauptung gegründet werden, daß die Partei infolge ihrer Zugehörigkeit zu einer feindlichen Macht oder infolge der kriegerischen Ereignisse die Gelegenheit zu ausreichender Rechtsverfolgung oder Rechtsverteidigung nicht gehabt hat. Die Behauptung ist glaubhaft zu machen.

Artikel 42.

Dem ordentlichen Gericht im Sinne des Artikel 40 steht ein von den Parteien vereinbartes Schiedsgericht (Schiedskommission) gleich. Der Erlaß eines Schiedsspruches¹ steht dem Antrag auf Verhandlung vor den Schiedsgerichten in Berlin und Moskau nicht entgegen, solange seine Vollstreckbarkeit nicht durch Entscheidung des ordentlichen Gerichts rechtskräftig ausgesprochen ist. Ist eine solche Entscheidung nach dem 31. Juli 1914 ergangen, so findet gegen diese

of the Arbitration Court. The Court of Arbitration shall consider the return of payment voluntarily made, or enforced, on the ground of a judgment of a regular court enforceable for the time being. The costs incurred in the proceedings before the regular court rank as a portion of the costs of the arbitration proceedings.

ARTICLE 41.

The request for the Court of Arbitration to deal with a matter may be made in accordance with Article 40, even after the judgment of the regular court has become enforceable, if the judgment has been delivered only after 31 July, 1914, and the Court of Arbitration on request grants reinstatement to the former position.

The request for reinstatement must be lodged with the Court of Arbitration within six months of the coming into force of this Convention. It can be based only on the claim that the party concerned, in consequence of his being a subject of an enemy Power, or owing to occurrences in the war, has not had sufficient opportunity to prosecute or defend his rights. The claim must be authenticated.

ARTICLE 42.

A Court of Arbitration (Arbitration Commission) agreed upon by the parties is equivalent to the regular court in the sense of Article 40. The pronouncement of an award does not conflict with a request for proceedings before the Courts of Arbitration in Berlin and Moscow, so long as it has not been declared enforceable by decision of the regular court. If such a decision has been given after 31 July, 1914, as against

Entscheidung und den Schiedsspruch die Wiedereinsetzung in den vorigen Stand nach Maßgabe des Artikel 41 statt.

this decision and the award, replacement in the former position in accordance with Article 41 shall be carried out.

Artikel 43.

ARTICLE 43.

Jedes Schiedsgericht erläßt eine Geschäftsordnung und teilt sie dem anderen Schiedsgericht mit.

Each Court of Arbitration shall issue an order of procedure, and communicate it to the other Court of Arbitration.

In der Geschäftsordnung werden insbesondere Bestimmungen getroffen:

In the order of procedure special provisions shall be made with regard to:

1) über Ladungen und Zustellungen;
2) über die Gebühren des Schiedsgerichts und der Parteivertreter;

(1) Summonses and pleadings;
(2) Court and counsel's fees;

3) über die Erstattung der Auslagen der Zeugen und Sachverständigen, über die Entschädigung für ihre Zeitverluste sowie über die ihnen hierauf zu gewährenden Vorzuschüsse;

(3) Reimbursement of expenses of witnesses and experts, and compensation for their loss of time as well as the advances to be made them in this connection:

4) über die Form der Ausfertigung der Entscheidungen;

(4) The manner of issuing award;

5) über die etwaige Bildung von Abteilungen und über die Verteilung der Geschäfte, namentlich auch über die Reihenfolge, in der die Handelsrichter einzuberufen sind.

(5) The possible formation of divisions and the allotment of business, and particularly the order of succession in which the commercial umpires are to be called in.

Artikel 44.

ARTICLE 44.

Der Deutschen und der Russischen Regierung bleibt es vorbehalten, Ergänzungen und Aenderungen der vorstehenden Grundsätze zu vereinbaren, falls dies sich später als zweckmäßig erweisen sollte.

The German and Russian Governments reserve the right to arrange for supplementing and altering the foregoing principles in case this should appear desirable later on.

Artikel 45.

ARTICLE 45.

Die Vereinbarung über das Schiedsgericht kann von Deutschland und Rußland am 1. Juli jeden Kalenderjahrs, jedoch nicht vor dem 1. Juli 1921, zum 31. Dezember gekündigt werden. Die Zuständigkeit des Schiedsgerichts für die Erledigung der bei ihm anhängigen Rechtsstreitigkeiten wird durch die Kündigung nicht berührt.

The agreement as to the Court of Arbitration may be denounced by Germany or Russia on 1 July of any calendar year, but not before 1 July, 1921, the notice to expire taking effect on 31 December. The competence of the Court of Arbitration to dispose of the disputes pending before it shall not be affected by the notice.

Sechstes Kapitel.

PART VI.

Schlußbestimmungen.

FINAL PROVISIONS.

Artikel 46.

ARTICLE 46.

Dieses Abkommen soll ratifiziert und die Ratifikationsurkunden sollen bis zum 6. September 1918 in Berlin ausgetauscht werden.

Die Artikel 1 bis 12 des Abkommens treten mit dem Austausch der Ratifikationsurkunden, die Artikel 13 bis 45 zwei Monate nach dem Austausch in Kraft. Der Deutschen und der Russischen Regierung bleibt es vorbehalten, für das Inkrafttreten der Artikel 13 bis 45 einen späteren Zeitpunkt zu vereinbaren, wenn ein regelmäßiger Personen- und Nachrichtenverkehr zwischen Deutschland und Rußland nicht rechtzeitig hergestellt sein sollte.

Zu Urkund dessen haben die Bevollmächtigten dieses Abkommen unterzeichnet und mit ihren Siegeln versehen.

Ausgefertigt in doppelter Urschrift in Berlin am 27. August 1918.

(L. S.) von Hintze.
(L. S.) Kriege.
(L. S.) A. Ioffé.

This Convention shall be ratified, and the documents of ratification exchanged in Berlin by 6 September, 1918.

Articles 1 to 12 of the Convention come into force with the exchange of the documents of ratification, Articles 13 to 45 two months after the exchange. The German and Russian Governments reserve the right to agree upon a later period for the coming into force of Articles 13 to 45, if regular intercourse should not be established between Germany and Russia.

In witness whereof the plenipotentiaries have signed and sealed this agreement.

Executed in duplicate in Berlin this 27th day of August, 1918.

[L. S.] VON HINTZE.
[L. S.] KRIEGE.
[L. S.] A. IOFFÉ.

23. RUSSIA—GERMANY.

MEMORANDUM ON THE RUSSO-GERMAN BOUNDARY AS ESTABLISHED BY THE TREATY OF PEACE OF BREST-LITOVSK.

By MARK JEFFERSON.

The Brest-Litovsk boundary line begins in the north at the entrance to the Gulf of Finland, which it controls by the possession of the islands Ösel, Mohn, and Dagö, very nearly in the latitude of Stockholm, Helsingfors, and St. Petersburg. The distance from Stockholm to Dagö is 175 miles, from Helsingfors 100, from St. Petersburg 250.

Russia's aspirations toward the sea receive a fearful blow by the loss of Riga and Libau. After centuries of isolation lessened by steady expansion towards the oceans, she finds herself for the first time in her history driven inland again by the loss of the best part of her best coast.

The line comes ashore, the text says, in a segmental curve. From the Vorwaerts map that appears to mean an arc of a circle, which has Riga near its center and a radius of rather more than 20 miles (32 kilometers). To keep this curve and to follow the Vorwaerts map it is necessary to regard the text statement that it comes ashore a little to the northwest of the mouth of the Livonian Aa as an error. The word should be northeast. It is an important problem in drawing boundary lines to decide how near they may be tolerated to a large town. It appears to have been in the German mind that a distance of 20 miles, or perhaps it would be better to say a proximity of 20 miles, is not intolerable. It looks as if they could have insisted on 30 miles had they thought it vital.

The boundary line is about 740 miles long, somewhat longer than the distance by road from Land's End to John o' Groats; 150 miles of this is by sea (240 k.), 177 on dry land (283 k) and 400 along rivers (637 k). So that we may say the boundary has been placed mainly along rivers, more than half its total length; and two thirds of its length ashore follows stream courses. A little east of Riga at Üxküll the line is specified as crossing the Düna from north to south and to run thence eastward along the southern bank of the river for 178 miles (285 k). The remaining 220 miles of the river boundaries (352 k) are merely said to follow the course of the stream, as if mid-channel were meant. But all these other stream courses are small upper courses near headwaters where the rivers cannot have cut deeply into the surface, where it is probable that the rivers are not navigable nor their course in gorges. In other words in those regions the rivers are not very significant features of the landscape.

Only on the Dūna are we dealing with the lower, navigable course of a large deep stream. The whole course of the stream above Ūxkūll is made Russian, possibly as a sort of compensation from the Germans to the Russians who are deprived of Riga and the river mouth. It is clear moreover that the Germans on the south bank are in an excellent position to dispute the navigation of the river any day they please to. The rest of the boundary down to the border of the new republic of Ukraine is along small streams by tiny hamlets, or across watersheds that are poorly drained. From the Dūna it turns to the southwest across the Baltic belt of morainal lakes between and roughly parallel to the two great lines of railway, from Warsaw to St. Petersburg, which is left in German hands as far north as Dūnaburg (Dwinsk), and that from Warsaw to Moscow which remains Russian. There appear to be no large towns, which probably means no notable development of resources, in the portions of Kowna (?), Vilna, and Grodno, which the Russians were allowed to keep. The country is pretty level, of sandy soil throughout and severe climate. Attempts have been made in the past to put German colonists upon it but they have never been willing to stay. It has seemed to them that it was too hard to conduct agriculture here. Yet a considerable proportion of the large landholders are German.

In the south the line ends at the boundary of the Ukraine. It is to be noted from this boundary location that the Germans regard small streams or swamps in such country as this as suitable for boundary. And while we might question the frankness and sincerity of a statement by them to this effect, we may have more confidence in the present inference as representing their views.

24. ESTHONIA.

PROTEST TO THE GERMAN GOVERNMENT BY REPRESENTATIVES OF THE PROVISIONAL ESTHONIAN GOVERNMENT, AGAINST THE TREATY OF BREST-LITOVSK. SIGNED AT COPENHAGEN, 3 JULY, 1918.

[Translation from a copy transmitted to the Department of State.]

According to the Treaty of Brest-Litovsk the Soviet Government of Russia accorded the German Empire the right to occupy Livonia and Esthonia with a German police force, until safety should be assured them by their own national institutions, and until a political order should be reestablished. In this agreement affecting Esthonian territory the signatories did not trouble themselves as to the wishes of the Esthonian people, although a declaration was sent to the Russian Soviet Government as well as to the German Imperial Government by the authorized delegates of the democratic representation of the Esthonian people, to the effect that United Esthonia, on the basis of the right of peoples to self-determination, has declared itself an independent neutral state. Since both the Russian Soviet Government and the German Imperial Government have solemnly recognized the principle of the self-determination of peoples, they can make no arrangements for Esthonia's political fate.

Therefore we solemnly submit herewith a protest against the violation in the Brest-Litovsk Treaty of the rights of the independent neutral Esthonian Republic.

The Imperial Chancellor, Count Hertling, declared to the representatives of the German people that military action in Livonia and Esthonia was "a helping measure undertaken in the name of humanity": that the German police force in the country "would bring about peace and order only in the interests of the peace-loving population."

But, in fact, the German police power in United Esthonia, in complete contradiction with the Brest-Litovsk Treaty and with the declaration of the Imperial Chancellor on 25 February, and 18 March, 1918, in the Reichstag, and of the Under-Secretary of State von dem Busche in the Main Committee of the Reichstag, has set up in the country an unlimited military dictatorship without any legal right and without any justification based on facts.

By a vote of the General Esthonian Assembly (Landtag), which, as the legal representative of United Esthonia, proclaimed the political independence of Esthonia on 28 November, 1917, a Provisional Esthonian Government was formed. Before the invasion of German troops on 24 February, 1918, this Provisional Govern-

ment, supported by national Esthonian troops, and in fulfilment of the vote of 28 November, proclaimed the republican form of government in Esthonia, and at once reestablished political order in most of the districts of the country. The German Military Authority, however, has disarmed the Esthonian national troops, suspended the Esthonian Government and set aside the general administrative and local self-governing institutions in town and country, which had been created by the Esthonian Assembly, in order to assume to itself all their functions; in doing this it has created in the towns and districts certain committees, to whose membership the Military Authority has appointed mainly representatives of the small and disappearing German minority—a minority which according to the latest statistical reckonings does not exceed 2½ per cent of the population. The German language is even compulsory for private correspondence. The German language has likewise been thrust into the first place in the schools. Even in the elementary schools (Volksschule) obligatory instruction in the German language has been established; even for the one-class elementary schools several hours of German instruction weekly are prescribed. Since the majority of the elementary teachers are not in a position to undertake instruction in German, a great number of elementary schools have had to abandon their teaching. Furthermore the Military Authority has arranged for the immediate Germanization of the University of Dorpat.

By means of the most arbitrary regulations, imposing enormous fines of money, and even of hard labor and death by shooting, the Military Authority has suppressed all free expression of opinion and all political activity in Esthonia. Instead it has energetically promoted in the country a systematic falsification of the wishes of the Esthonian people and a deliberate misrepresentation of public opinion. Almost all the Esthonian newspapers were prohibited immediately after the invasion of the German troops. The few newspapers which have received authorization since then have had to work under unheard-of repressive measures. It is not only that the Esthonian papers have been placed under the strictest preventive censorship and that the censorship is exercised by precisely those Baltic Germans who have hitherto stood hostile toward everything Esthonian: but the editors are forced to print one-sided pro-German articles which are supplied to them from official military sources, as if the articles were the editors' own expressions of opinion; they cannot even indicate the real origin of the articles. And if a newspaper will not yield to this demand, it is mercilessly suppressed by the Military Authority, as recently happened in the case of the only authorized Esthonian newspaper in Reval.

Respected representatives of the Esthonian educated classes are imprisoned without any legal grounds, simply because they have dared in a most moderate way stand for the observation of the principle of the reign of law by appealing to international law.

In this unlimited reign of terror even the conservative party of Esthonian landlords has been compelled to cease its political activities "until the advent of freer times." Later all political organizations were suppressed by the Military Authority in Livonia, while the other societies were allowed to continue their activity only under the heaviest conditions.

The German Military Power in Esthonia, however, does not content itself with the terrorization of the free expression of opinions, but lends its active support to attempts at a gross misrepresentation of the wishes of the Esthonian people, and to a forcing from the Esthonian population of a pro-German attitude in matters relating to the political future of Esthonia—an attitude which is in direct opposition to the general political ideals of the Esthonian people. Thus the history of the meeting of the United Diet [Vereinigte Landrat] of Livonia, Esthonia, Desel, and the town of Riga shows a series of the most brutal acts of violence. As representatives of the Esthonian people there were summoned to the Council only a few delegates of the communal elders of the peasant communes, as if there was not also an overwhelming Esthonian majority in all the towns of Esthonia. And this representation of communal elders was also created under such circumstances that all the Esthonian communal elders of the Livonian National Assembly [Landesversammlung] unanimously declared publicly that they could not regard themselves as the lawful representatives of the Esthonian people, because they were not selected through regular elections, but were ordered to come together.

Subsequently, in order to give the lacking authoritativeness to the acts of the United Diet, called together in this way, in regard to the annexation of Esthonia to the German Empire, representatives of the German nobility, of the German pastors, and of other Baltic German groups, with the active support of the military power, started a secret collecting of signatures among the Esthonian population in favor of a closer political connection between Esthonia and the German Empire; in doing this every means was used to terrorize the people in order to secure the desired result.

Heavy rests the hand of the German police force as regards economic matters in the country. Publicly the categorical assertion has been made by the German military authority that Esthonia would be freed from all requisitions for the support of the German Army of Occupation, since the economic condition of the country was unspeakably bad as a result of the disorders of war and the Bo'shevist disturbances. Nevertheless the local agricultural population has had to suffer in the highest degree from general requisitions of victuals and forage "for the good of the towns;" but the town population has not been provided even with the most necessary supplies. This contradiction is explained by the fact that an enormous dispatch of the most necessary victuals from Esthonia to Germany has been made possible through the Post Office—not to mention other means.

The Imperial Chancellor, Count Hertling, in a more precise interpretation of the Brest-Litovsk Treaty expressly declared in the Reichstag on 18 March, 1918: "We are not thinking of establishing ourselves permanently [uns festsetzen] in Esthonia or Livonia; we wish only to live on good friendly terms after the war with the political forms which are coming into existence there." But the commanding general in Esthonia, General Freiherr von Seckendorff, at the time of the formal opening of the Esthonian Diet, called together by the Military Authority, declared at Reval on 9 April of this year, with especial emphasis, according to the official report: "German troops will not leave Esthonia; they will stay here for permanent protection." And

the highest commander, General Count Kirchbach, emphasized the same thing in different words in an official letter to the Esthonian organization of Narva.

The conduct of the German Military Authority in United Esthonia means, both in form and also in practice, an unheard of violation of the most elementary demands of international law and an arbitrary trampling upon the principle of the right of peoples to self-determination, a right which has repeatedly been recognized in an unequivocal manner by the German Imperial Government and by the representatives of the German people.

Therefore, we consider it our duty to hand to the German Government a most decided protest and to request the German Military Authority to take measures without delay, so that violence done to the Esthonian people by the German military force shall come to an end, and United Esthonia, as a self-governing and independent State, shall be able to take in hand the management of its own existence.

Above all, the Provisional Esthonian Government must be allowed to exercise again its functions, in order that, with the aid of the Esthonian troops which are to be again organized, it may take care of the political organization in the country and that it may without delay call together a general Esthonian Assembly [Landtag] and, in accordance with its orders, take steps at once for the bringing together as soon as possible of the Esthonian Constituent Assembly, the elections to which were interrupted in many districts in the country by the Bolsheviks, to decide definitely the political foundations and the form of government in United Esthonia.

The evidence, on which the foregoing statements rest, is to be found in the enclosed documents.

Copenhagen, 3 July, 1918.

In the name of the Esthonian People and of United Esthonia.

The authorized representatives of the General Esthonian Assembly and of the Esthonian Government.

F. KULL.
K. MENNING.
M. MARTNA.
J. TÖNISSON.

25. MEMORANDUM.

STATUS OF THE RUSSIAN FLEET, 14 SEPTEMBER, 1918.

The following information as to the present status of the former Russian Navy has been derived from all available sources. The reports on this subject have been many, and often conflicting, and of doubtful authenticity; all such reports have been carefully collated, and reliance has been placed only upon those which seemed worthy of credence. It is believed that the conclusions thus formed are in general correct, but it is impossible to guarantee the accuracy of each detail of information herein set forth.

At the time of the October Revolution, 1917, the Russian Navy was divided into four main forces, namely:

1. The Baltic Fleet.
2. The Black Sea Fleet.
3. The Arctic and White Sea Squadron.
4. The Pacific Squadron.

In addition to these principal forces, a flotilla of gunboats and special service vessels were operating independently (1) in the Danube River and (2) in the Caspian Sea. The present status and disposition of these several forces will now be considered separately:

1. BALTIC FLEET.

DREADNAUGHTS.

Gangut.....	}	New dreadnaughts, all at Cronstadt, in the hands of the Soviet Government.
Poltava.....		
Petro Pavlosk.....		
Sevastopol.....		

BATTLESHIPS.

Respublika.....	}	Older battleships. Reported to be at Cronstadt, all in the hands of the Soviet Government.
Andrei Pervozvanni.....		
Grazhdanin.....			At Petrograd.

BATTLE CRUISERS.

Izmail.....	}	These four battle cruisers were building at Petrograd; at least two were nearing completion in January, 1918. They are all in the hands of the Soviet Government.
Kinburn.....		
Borodino.....		
Navarin.....		

ARMORED CRUISERS.

Gromoboi.....	}	These cruisers have been reported at Cronstadt or Petrograd, in the hands of the Soviet Government. However, there is a well-founded report that the Admiral Makharoff struck a mine and sunk off Revel, 9 April, 1918, but this is unconfirmed. There is also an unconfirmed report that the Rurik was caught in the ice near Revel and fell into the hands of the Germans in March, 1918.
Bayan.....		
Admiral Makharoff.....		
Rurik.....		
Varyag.....		Dismantled at Liverpool, June, 1917.

LIGHT CRUISERS.

Aurora.....	}	All these cruisers are reported to be at Cronstadt or Petrograd, in the hands of the Soviet Government.
Bogatir.....		
Oleg.....		
Rossiya.....		
Diana (mine layer).....		

LIGHT CRUISERS BUILDING.

Admiral Butakov.....	}	These were building at Petrograd and nearly completed in January, 1918. They are doubtless in the hands of the Soviet Government.
Admiral Spiridov.....		
Admiral Creig.....	}	Of the same class, were building and nearly completed at Revel. These doubtless fell into the hands of the Germans when they occupied that port early in 1918.
Admiral Sviectlana.....		

TORPEDO CRAFT.

In January, 1918, the Baltic Fleet included about 86 destroyers, of which 14 were large new vessels ranging from 1,200 to 1,600 tons. There were also a number of small torpedo boats. A large number of the destroyers, perhaps 30, were unable, on account of the ice, to leave Helsingfors when the Germans occupied that port in April, 1918; they have since been disarmed and probably stripped. They are under control of the German-Finnish Government. The remainder of the destroyers and torpedo boats are reported at Cronstadt or Petrograd, while some are said to have taken refuge in Lake Ladoga. All of these are, of course, under control, such as it is, of the Soviet Government. Sixteen destroyers under construction at Revel are doubtless in the hands of the Germans; 10 are under construction at Petrograd.

SUBMARINES.

In January, 1918, the Baltic Fleet included probably 32 submarines. Six or eight of these fell into the hands of the Germans at Revel, and about 15 at Helsingfors. The remainder are reported at Petrograd or Cronstadt under control of the Soviet Government. It is possible that several were blown up by their own crews at Hango just before the German occupation of that port. Seven British submarines that had been operating with the Russian Fleet in the Baltic were thus destroyed outside of Helsingfors by order of the Admiralty between 3 and 8 April, 1918. A number of unfinished submarines may have fallen into the hands of the Germans at Revel. There are also a few unfinished in Petrograd.

AUXILIARIES.

An immense train of auxiliaries is thought to be for the most part in Cronstadt and Petrograd under the control of the Soviet Government, but a few fell into the hands of the Germans at Revel and Abo, and a considerable number remained at Helsingfors until after the German occupation. The latter have been seized by the Finnish Government.

SUMMARY.

All dreadnaughts, battleships, unfinished battle cruisers, and cruisers are in the hands of the Soviet Government with the possible exception of the cruiser *Admiral Makharoff*, which may have been sunk by a mine, and of the cruiser *Rurik*, which may have remained in Revel and fallen into the hands of the Germans. The cruisers *Admiral Greig* and *Svietlana*, building at Revel, are in the hands of the Germans. Torpedo craft, submarines, and auxiliaries are partly in Soviet hands, partly in German or Finnish hands, and partly destroyed as above set forth.

The fleet in the hands of the Soviet Government is completely demoralized; many of the ships have been stripped by their crews; discipline is practically nonexistent, and in all cases the crews have been much depleted.

The Baltic Fleet can not be considered as a fighting force; it is practically at the mercy of any enemy force that may occupy Cronstadt or Petrograd.

2. BLACK SEA FLEET.

DREADNAUGHTS.

Volya (formerly Imperator Alexander III).	}	Before the occupation of Sevastopol by the Germans 4 May, 1918, this ship, a new dreadnaught, escaped from Sevastopol to Novorossisk, but upon the demand of the Germans she was returned to Sevastopol early in June, 1918, and is now in their hands.
Swobodnaya Rossiva (formerly Imperatriza Ekaterina II).		This ship likewise escaped to Novorossisk in May, 1918, but when the Germans ordered her to be delivered to them in Sevastopol in June, 1918, she was blown up by her crew and sunk.
Imperatriza Maria		Blown up and sunk through an internal explosion at Sevastopol 19 October, 1916, but salvage operations begun by the Russians and continued by the Germans resulted in successfully raising her in July, 1918. She is now in the hands of the Germans in Sevastopol and thought to be undergoing repair.
Demokratiya (formerly Imperator Nicolai I).		This ship, the last of her class, was laid down at Nicolaieff in 1914 and launched October, 1916. She must have been nearly completed when she fell into the hands of the Germans upon their occupation of Nicolaieff in March, 1918.

PRE-DREADNAUGHT BATTLESHIPS.

Rostislav	}	All these older battleships fell into the hands of the Germans when they occupied Sevastopol, 4 May, 1918. They were said to be flying the Ukrainian flag at the time. They were immediately unmanned, and remain at Sevastopol in the hands of the Germans.
Sinop		
Georgi Pobodonosetz		
Tri Sviatitelya		
Boretz Za Svobodo		
Ioann Zlatoust		
Evstafi		

CRUISERS, LIGHT.

Pamyat Merkuriya	}	In the hands of the Germans at Sevastopol.
Ochakov		
Almaz (yacht)		
Prut (ex Turkish Medjidieh):	}	This ship, formerly the Turkish cruiser "Medjidieh" was sunk by a mine in the Baltic Sea, 3 April, 1915; she was salvaged by the Russians and renamed "Prut;" she fell into the hands of the Germans in Sevastopol May, 1918, and has since been turned over to Turkey, and has arrived at Constantinople.
Four large auxiliary cruisers:		Also probably fell into the hands of the Germans at Sevastopol, May, 1918.

LIGHT CRUISERS, BUILDING.

Admiral Lazareff	} These four scout cruisers were building at Nicolaieff, and fell into the hands of the Germans when they occupied that port, 15 March, 1918.
Admiral Makhimoff	
Admiral Kornilov	
Admiral Istonin	

TORPEDO CRAFT.

At the time of the negotiation of the Treaty of Brest-Litovsk, the Black Sea Fleet included 27 destroyers, 17 of which were of large modern type, the remainder being small second-class boats with maximum speed of 14 knots. Some of these destroyers fell into the hands of the Germans upon the occupation of Sevastopol, 4 May, 1918, while the remainder fled to Novorossisk. When in June the Germans demanded the return of the latter to Sevastopol, in accordance with the terms of the Treaty of Brest-Litovsk, nine or ten were blown up by their own crews, while the remainder returned to Sevastopol in accordance with the German demands. Therefore, at least, 17 or 18 of these boats are now in the hands of the Germans, but no information is available to identify them.

In March, 1918, four large modern destroyers building at Nicolaieff, and almost completed, also fell into the hands of the Germans upon their occupation of that port.

SUBMARINES.

At least 14, and possibly 16, submarines comprising the whole Black Sea Flotilla, fell into the hands of the Germans at Sevastopol, 4 May, 1918. There also fell into their hands at Nicolaieff, in March, 1918, two other nearly completed submarines, as well as the parts for six more, in packing cases.

GUNBOATS.

Donetz	} All in the hands of the Germans at Sevastopol.
Teretz	
Mubanstz	

MISCELLANEOUS.

A large number of miscellaneous auxiliaries fell into the hands of the Germans at Sevastopol, but the available information is not sufficient to give an accurate list of these.

SUMMARY.

In German hands:

Built	} 2 dreadnaughts. 7 battleships. 4 light cruisers. 4 auxiliary cruisers. 17-18 destroyers. 14-16 submarines. 3 gunboats. Miscellaneous auxiliaries.
Building	

It is reported that the Germans have demobilized the Russian crews of all the ships in their control, and are refitting the entire Black Sea Fleet and manning all the ships with full complements drawn from the German Navy.

(3) ARCTIC AND WHITE SEA SQUADRON

BATTLESHIP.

Chesma ----- Guardship, Kola Inlet; demobilized; care and maintenance party left.

CRUISER.

Askold ----- At Murmansk; shortly to be commissioned with British personnel.

DESTROYERS.

Two of the White Sea destroyers are repairing at Liverpool; the remaining four are at Murmansk, each boat with a crew of six men. All four boats are in charge of one officer.

SUBMARINES.

One at Archangel and one at Alexandrovsk.

AUXILIARIES.

A very considerable train of merchant cruisers, transports, and fleet auxiliaries are in the various White Sea and Murman ports.

SUMMARY.

All the White Sea and Arctic forces, although largely demobilized, are under allied and American control.

(4). PACIFIC SQUADRON.

DESTROYER FLOTILLA.

Twelve destroyers at Vladivostok were ordered demobilized by the Soviet Government, 22 February, 1918, and in July, 1918, these boats were disarmed. Two destroyers of this flotilla are at Hongkong, as is the auxiliary cruiser *Orel*.

AUXILIARIES.

A number of mine layers and other auxiliaries form part of this force, but no satisfactory information is now available concerning them.

RIVER GUNBOATS.

A flotilla of 28 gunboats was formerly maintained on the Amur River. It is known that most of these have had their engines and guns removed by the Bolsheviki; but no further reliable information is available.

SUMMARY.

From the foregoing it would appear that the Pacific Squadron can no longer be considered as a fighting force.

DANUBE RIVER FORCES.

A number of barges, river gunboats, and auxiliaries were formerly detailed for duty on the Danube River in connection with two naval brigades. All the vessels of this force are probably in the hands of the Germans.

CASPIAN SEA FORCE.

Two gunboats and four auxiliaries were formerly maintained on the Caspian Sea. No information is available as to the fate of these vessels.

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OF THE
UKRAINE "PEACE"

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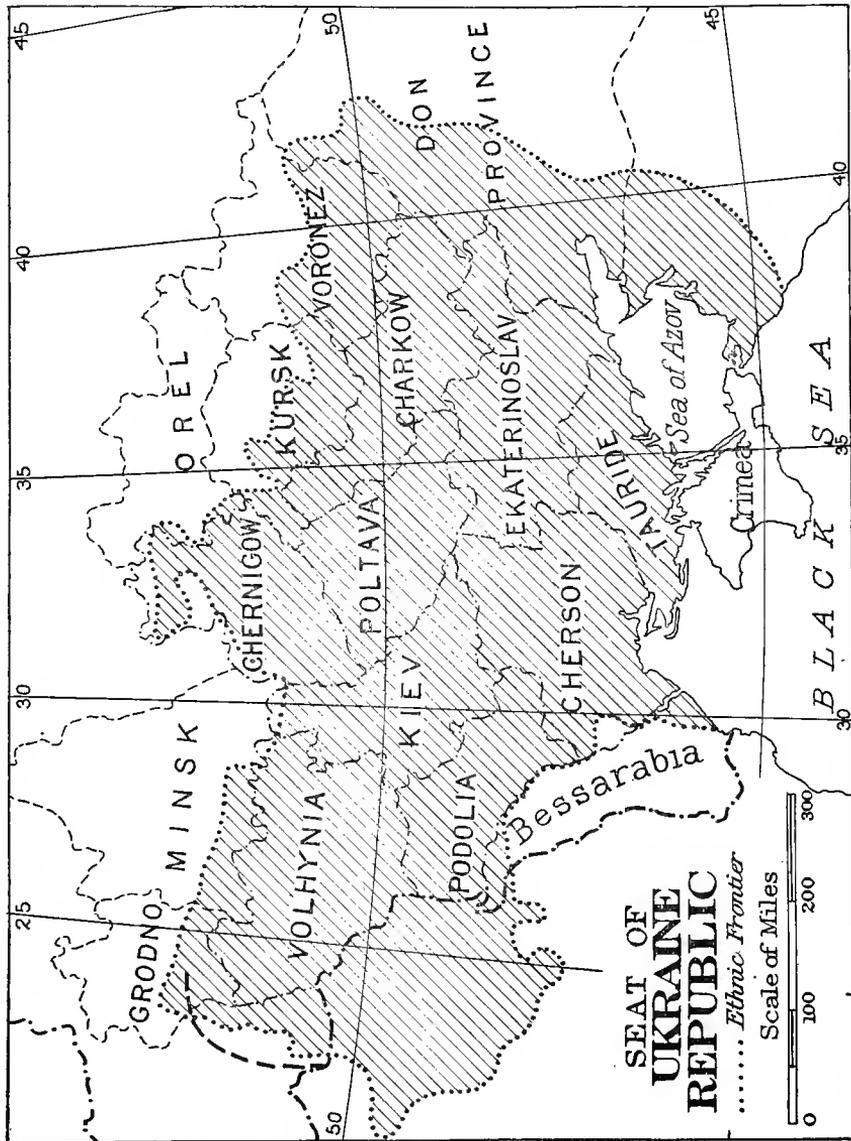


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In the ruled area Ukrainian (Ruthenian) speech predominates. The broken line in the northwest is fixed as a boundary of Ukraine by the Treaty of Brest Litovsk. Bessarabia and the Crimea are also external territory. In other bordering regions ethnic frontiers were to be considered when final boundaries were drawn.

1. UKRAINE.

UNIVERSAL OF THE UKRAINIAN NATIONAL COUNCIL, 20 NOVEMBER, 1917.

[*Text as published in Current History, March 1918, p. 428, purporting to be a translation from the Nova Rada, 21 November, 1917.*]

Ukrainian people and all peoples of the Ukraine!

An hour of trials and difficulties has come for the land of the Russian Republic. In the north in the capitals (Petrograd and Moscow) a bloody internecine struggle is in progress. A Central Government no longer exists, and anarchy, disorder, and ruin are spreading throughout the State.

Our country also is in danger. Without a strong, united and popular Government, Ukrainia also may fall into the abyss of civil war, slaughter, and destruction.

People of Ukrainia, you, together with the brother peoples of Ukrainia, have intrusted us with the task of protecting rights won by struggle, of creating order and of building up a new life in our land. And we, the Ukrainian Central Rada, by your will, for the sake of creating order in our country and for the sake of saving the whole of Russia, announce that henceforth Ukrainia becomes the Ukrainian National Republic. Without separating from the Russian Republic, and preserving its unity, we take up our stand firmly on our lands that with our strength we may help the whole of Russia, and that the whole Russian Republic may become a federation of free and equal peoples.

Until the Ukrainian Constituent Assembly meets, the whole power of creating order in our lands, of issuing laws, and of ruling belongs to us, the Ukrainian Central Rada, and to our Government—the General Secretariat of Ukrainia.

Having strength and power in our native land, we shall defend the rights of the revolution, not only in our own lands, but in all Russia as well.

Therefore we announce: To the territory of the National Ukrainian Republic belong the lands where the majority of the population is Ukrainian: Kiev, Podolia, Volhynia, Tchernigov, Poltava, Kharkov, Yekaterinoslav, Kherson, Tauris (without the Crimea). The further delimitation of the frontiers of the Ukrainian National Republic, viz., the addition of part of Kursk, Kholm, Voronez, and the neighboring provinces and districts, where the majority of the population is Ukrainian, is to be settled according to the organized wishes of the peoples.

To all the citizens of these lands we announce: Henceforth in the territory of the Ukrainian National Republic *the existing rights of ownership* to the lands of large proprietors and other lands not worked by the owners which are fit for farming, and also to lands belonging to the royal family, to monasteries, to the Crown and to the Church, *are abolished*. Recognizing that these lands are the property of the whole working people, and must pass to the people without compensation, the Ukrainian Central Rada instructs the General Secretary for Land Questions to work out immediately a law for the administration of these lands by Land Committees, chosen by the people, until the meeting of the Ukrainian Constituent Assembly.

The labor question in the Ukrainian National Republic must immediately be regulated. For the present we announce: In the territory of the National Ukrainian Republic henceforth *an eight hours' day* is ordained in the factories and workshops.

The hour of trial and danger which all Russia and our Ukraina is now experiencing necessitates the proper regulation of labor, and a fair distribution of food supplies and a better organization of work. Therefore, we instruct the General Secretary for Labor, together with representatives of labor, to establish from today State control over production in Ukraina, respecting the interests both of Ukraina and also the whole of Russia. For four years on the front blood has been shed, and the strength of all the peoples of the world has been wasting away. By the wishes and in the name of the Ukrainian Republic we, the Ukrainian Central Rada, firmly insist on the establishment of peace as soon as possible. For this end we make resolute efforts to compel, through the Central Government, both allies and enemies to enter immediately upon peace negotiations.

Likewise we shall insist that at the Peace Congress the rights of the Ukrainian people in Russia and outside Russia shall not be infringed in the treaty of peace. But until peace comes, every citizen of the Republic of Ukraina, together with the citizens of all the peoples of the Russian Republic, must stand firmly in their positions both at the front and in the rear.

Recently the shining conquests of the revolution have been clouded by the reestablishment of the death penalty. We announce: Henceforth in the lands of the Republic of Ukraina the death penalty is abolished. To all who are imprisoned and arrested for political offenses hitherto committed, as well as those already condemned or awaiting sentence, and also those who have not yet been tried, full amnesty is given. A law will immediately be passed to this effect.

The courts in Ukraina must be just and in accordance with the spirit of the people.

With this aim we order the General Secretary for Judicial Affairs to make every attempt to establish justice and to execute it according to rules understood by the people.

We instruct the General Secretary for Internal Affairs as follows: To make every effort to strengthen and extend the rights of local self-government, which shall be the organs of the highest local administrative authority, and until the establishment of the closest connection with the organs of revolutionary democracy, which are to be the

best foundation of a free democratic life. Also in the Ukrainian National Republic all the liberties won by the Russian revolution are to be guaranteed, namely, freedom of the press, of speech, of religion, of assembly, of union, of strikes, of inviolability of person and of habitation, the right and the possibility of using local dialects in dealing with all authorities.

The Ukrainian people, which has fought for many years for its national freedom and now has won it, will firmly protect the freedom of national development of all nationalities existing in Ukraina. Therefore, we announce that to the Great Russian, Jewish, Polish, and other peoples of Ukraina we recognize national personal autonomy for the security of their rights and freedom of self-government in questions of their national life, and we instruct our General Secretary for Nationality Questions to draw up in the near future a measure for national personal autonomy.

The food question is the foundation of the power of the State at this difficult and responsible moment. The Ukrainian National Republic must make every effort to save itself both at the front and in those parts of the Russian Republic which need our help.

CITIZENS! In the name of the National Ukrainian Republic in federal Russia, we, the Ukrainian Central Rada, call upon all to struggle resolutely with all forms of anarchy and disorder, and to help in the great work of building up new State forms, which will give the great and powerful Russian Republic health, strength, and a new future. The working out of these forms must be carried out at the Ukrainian and all-Russian Constituent Assemblies.

The date for the election of the Ukrainian Constituent Assembly is fixed for 9 January, 1918, and the date for its summoning 22 January, 1918.

A law will be immediately published regulating the summoning of the Ukrainian Constituent Assembly.

2. UKRAINE—CENTRAL POWERS.

THE TREATY OF PEACE BETWEEN UKRAINE AND THE CENTRAL POWERS.¹ SIGNED AT BREST-LITOVSK, 9 FEBRUARY, 1918.

[German text as published in the *Deutscher Reichsanzeiger*, 10 February, 1918, evening edition.]

[Translation.]

Da das ukrainische Volk sich im Laufe des gegenwärtigen Weltkrieges als unabhängig erklärt und den Wunsch ausgedrückt hat, zwischen der ukrainischen Volksrepublik und den mit Rußland im Krieg befindlichen Mächten den Friedenszustand herzustellen, haben die Regierungen Deutschlands, Oesterreich-Ungarns, Bulgariens und der Türkei beschlossen, mit der Regierung der ukrainischen Volksrepublik einen Friedensvertrag zu vereinbaren; sie wollen damit den ersten Schritt tun zu einem dauerhaften und für alle Teile ehrenvollen Weltfrieden, der nicht nur den Schrecknissen des Krieges ein Ende setzen, sondern auch zur Wiederherstellung der freundschaftlichen Beziehungen zwischen den Völkern auf politischem, rechtlichem, wirtschaftlichem und geistigem Gebiete führen soll.

Zu diesem Zweck sind die Bevollmächtigten der vorbezeichneten Regierungen, nämlich

für die Kaiserlich deutsche Regierung: der Staatssekretär des Auswärtigen Amtes, Kaiserlicher Wirklicher Geheimer Rat Herr Richard von Kühlmann,

für die K. u. K. gemeinsame österreichisch-ungarische Regierung: der Minister des Kaiserlich und Königl-

WHEREAS the Ukrainian People has, in the course of the present world war, declared its independence, and has expressed the desire to establish a state of peace between the Ukrainian People's Republic and the Powers at present at war with Russia, the Governments of Germany, Austria-Hungary, Bulgaria, and Turkey have resolved to conclude a Treaty of Peace with the Government of the Ukrainian People's Republic; they wish in this way to take the first step towards a lasting world peace, honorable for all parties, which shall not only put an end to the horrors of the war, but shall also conduce to the restoration of friendly relations between the peoples in the political, legal, economic, and intellectual spheres.

To this end the Plenipotentiaries of the above-mentioned Governments, viz:

For the Imperial German Government: Imperial Actual Privy Councillor Richard von Kühlmann, Secretary of State for Foreign Affairs;

For the Imperial and Royal Joint Austro-Hungarian Government: His Imperial and Royal

¹ Ratifications exchanged between Bulgaria and Ukraine, 15 July, 1918, at Vienna, (*Deutscher Reichsanzeiger*, 17, July, 1918); between Germany and Ukraine, 24 July, 1918, at Vienna, (*Neue Freie Presse*, 25 July, 1918, morning edition); between Turkey and Ukraine, 23 August, 1918, (*Daily Review of the Foreign Press*, 27 August, 1918, p. 192).

lichen Hauses und des Aeußern, Seiner K. u. K. Apostolischen Majestät Geheimer Rat, Ottokar Graf Czernin von und zu Chudnitz,

für die Königlich bulgarische Regierung: der Ministerpräsident Herr Dr. Wassil Radoslawoff, der Gesandte Herr Andrea Toschew, der Gesandte Herr Ivan Stohanowitsch, der Militärbevollmächtigte Herr Oberst Peter Gantschew, Herr Dr. Theodor Anastassoff,

für die Kaiserlich Osmanische Regierung: Seine Hoheit der Großwesir Talaat Pascha, der Minister des Aeußern Ahmet Nessimi Bey, Seine Hoheit Ibrahim Haffi Pascha, der General der Kavallerie Ahmet Izzet Pascha,

für die Regierung der ukrainischen Volksrepublik: die Mitglieder der ukrainischen Zentralrada Herr Alexander Schewrijuk, Herr Mykola Ljubynskij und Herr Mykola Lewytskij,

zur Einleitung von Friedensverhandlungen in Brest-Litowsk zusammengetreten und haben sich nach Vorlage ihrer in guter und gehöriger Form befundenen Vollmachten über folgende Bestimmungen geeinigt:

Artikel I.

Deutschland, Oesterreich = Ungarn, Bulgarien und die Türkei einerseits und die ukrainische Volksrepublik andererseits erklären, daß der Kriegszustand zwischen ihnen beendet ist. Die vertragschließenden Parteien sind entschlossen, mit einander fortan in Frieden und Freundschaft zu leben.

Artikel II.

1.) Zwischen Oesterreich - Ungarn einerseits und der ukrainischen Volksrepublik andererseits werden, insoweit diese beiden Mächten an einander grenzen werden, jene Grenzen bestehen, welche vor Ausbruch des gegenwärtigen Krieges zwischen der österreichisch-ungarischen Monarchie und Rußland bestanden haben.

Apostolic Majesty's Privy Councillor Ottokar Count Czernin von und zu Chudnitz, Minister of the Imperial and Royal House and Minister for Foreign Affairs;

For the Royal Bulgarian Government: Dr. Vassil Radoslawoff, President of the Council of Ministers; the Envoy M. Andrea Toschew; the Envoy M. Ivan Stoyanowich; the Military Plenipotentiary, Colonel Peter Gantschew, and Dr. Theodor Anastassoff;

For the Imperial Ottoman Government: His Highness the Grand Vizier, Talaat Pasha; Ahmet Nessimi Bey, Minister for Foreign Affairs; His Highness Ibrahim Hakki Pasha, and General of Cavalry Ahmet Izzet Pasha;

For the Government of the Ukrainian People's Republic: M. Alexander Sevryuk, M. Mykola Lubynski, and M. Mykola Levytski, members of the Ukrainian Central Rada;

have met at Brest-Litovsk, and having presented their full powers, which were found to be in due and proper form, have agreed upon the following points:

ARTICLE I.

Germany, Austria Hungary, Bulgaria, and Turkey on the one hand, and the Ukrainian People's Republic on the other hand, declare that the state of war between them is at an end. The contracting parties are resolved henceforth to live in peace and amity with one another.

ARTICLE II.

1. As between Austria-Hungary on the one hand, and the Ukrainian People's Republic on the other hand, in so far as these two Powers border upon one another, the frontiers which existed between the Austro-Hungarian Monarchy and Russia prior to the outbreak of the present war will be preserved.



The Ukrainian Boundary as described in the Peace Treaty of Brest-Litovsk, 9 February, 1918, Article II, Paragraph 2.

2.) Weiter nördlich wird die Grenze der ukrainischen Volksrepublik von Tarnograd angefangen im allgemeinen in der Linie Bilgoraj = Szoczebrzsyn = Krasnostow = Pugaszow = Radzin = Meschiretschie = Sarnaki = Melnik = Wysekow = Witowsk - Kameniez - Witowsk = Pruschany = Wydonowiskojezje verlaufen. Im einzelnen wird diese Grenze nach den ethnographischen Verhältnissen und unter Berücksichtigung der Wünsche der Bevölkerung durch eine gemischte Kommission festgesetzt werden.

3.) Für den Fall, daß die ukrainische Volksrepublik noch mit einer anderen der Mächte des Vierbundes gemeinsame Grenzen haben sollte, werden hierüber besondere Vereinbarungen vorbehalten.

2. Further north, the frontier of the Ukrainian People's Republic, starting at Tarnograd, will in general follow the line Bilgoraj, Szoczebrzeszyn, Krasnostav, Pugashov, Radzin, Miedzheche, Sarnaki, Melnik, Vysokie-Litovsk, Kameniec-Litovsk, Prujany, and Vydonovsk Lake.¹ This frontier will be delimited in detail by a mixed commission, according to the ethnographical conditions and after taking the wishes of the inhabitants into consideration.

3. In the event of the Ukrainian People's Republic having boundaries coterminous with those of another of the Powers of the Quadruple Alliance, special agreements are reserved in respect thereto.

Artikel III.

ARTICLE III.

Die Räumung der besetzten Gebiete wird unverzüglich nach der Ratifikation des gegenwärtigen Friedensvertrages beginnen.

The evacuation of the occupied territories shall begin immediately after the ratification of the present Treaty of Peace.

The manner of carrying out the evacuation and the transfer of the evacuated territories shall be determined by the Plenipotentiaries of the interested parties.

Die Art der Durchführung der Räumung und die Uebergabe der geräumten Gebiete werden durch Bevollmächtigte der interessierten Teile bestimmt werden.

Artikel IV.

ARTICLE IV.

Die diplomatischen und konsularischen Beziehungen zwischen den vertragsschließenden Teilen werden sofort nach der Ratifikation des Friedensvertrages aufgenommen werden.

Diplomatic and consular relations between the contracting parties shall commence immediately after the ratification of the Treaty of Peace.

Wegen möglichst weitgehender Zulassung der beiderseitigen Konsuln bleiben besondere Vereinbarungen vorbehalten.

In respect to the admission of consuls on the widest scale possible on both sides special agreements are reserved.

Artikel V.

ARTICLE V.

Die vertragsschließenden Teile verzichten gegenseitig auf den Ersatz ihrer Kriegskosten, das heißt der staatlichen Aufwendungen für die Kriegführung sowie auf den Ersatz der Kriegsschäden, das heißt derjenigen

The contracting parties mutually renounce repayment of their war costs, that is to say, their State expenditure for the prosecution of the war, as well as payment for war damages, that

¹ See map opposite.

Schäden, die ihnen und ihren Angehörigen in den Kriegsgebieten durch militärische Maßnahmen mit Ein- schluß aller in Feindesland vorgenommenen Requisitionen entstanden sind.

Artikel VI.

Die beiderseitigen Kriegsgefangenen werden in ihre Heimat entlassen werden, soweit sie nicht mit Zustimmung des Aufnahmestaates in seinen Gebieten zu bleiben oder sich in ein anderes Land zu begeben wünschen. Die Regelung der hiermit zusammenhängenden Fragen erfolgt durch die in Artikel VIII vorgesehenen Einzelverträge.

Artikel VII.

Ueber die wirtschaftlichen Beziehungen zwischen den vertragsschließenden Teilen wird folgendes vereinbart:

I.

Die vertragsschließenden Teile verpflichten sich gegenseitig, unberzüglich die wirtschaftlichen Beziehungen anzuknüpfen und den Warenaustausch auf Grund folgender Bestimmungen zu organisieren:

Bis zum 31. Juli des laufenden Jahres ist der gegenseitige Austausch der Ueberschüsse der wichtigsten landwirtschaftlichen und industriellen Produkte zur Deckung der laufenden Bedürfnisse nach Maßgabe der folgenden Bestimmungen durchzuführen:

a. die Mengen und die Art der Produkte, deren Austausch im vorhergehenden Absatz vorgesehen ist, werden auf jeder Seite durch eine Kommission festgestellt, die aus einer gleichen Anzahl von Mitgliedern beider Seiten besteht und sofort nach Unterzeichnung des Friedensvertrages zusammentritt.

b. die Preise der Produkte beim erwähnten Warenaustausch werden auf Grund gegenseitiger Vereinbarung durch eine Kommission festgestellt, die aus der gleichen Zahl von Mitgliedern der beiden Seiten besteht.

is to say, damages sustained by them and their nationals in the war areas through military measures, including all requisitions made in enemy territory.

ARTICLE VI.

Prisoners of war of both parties shall be released to their homeland in so far as they do not desire, with the approval of the State in whose territory they shall be, to remain within its territories or to proceed to another country. Questions connected with this will be dealt with in the separate treaties provided for in Article VIII.

ARTICLE VII.

It has been agreed as follows with regard to economic relations between the contracting parties:

I.

The contracting parties mutually undertake to enter into economic relations without delay and to organise the exchange of goods on the basis of the following stipulations:

Until 31 July of the current year a reciprocal exchange of the surplus of their more important agricultural and industrial products, for the purpose of meeting current requirements, is to be effected according to the following provisions:

(a.) The quantities and classes of products to be exchanged in accordance with the preceding paragraph shall be settled on both sides by a commission composed of an equal number of representatives of both parties, which shall sit immediately after the Treaty of Peace has been signed.

(b.) The prices of products to be exchanged as specified above shall be regulated on the basis of mutual agreement by a commission composed of an equal number of representatives of both parties.

c. die Verrechnung erfolgt in Gold auf folgender Basis: 1000 deutsche Reichsmark in Gold der ukrainischen Volksrepublik = 462 Rubel Gold des früheren russischen Kaiserreichs (1 Rubel = $\frac{1}{15}$ Imperial) oder 1000 österreichische und ungarische Kronen Gold = 393 Karbowanjec 76 grosch Gold der ukrainischen Volksrepublik = 393 Rubel 78 Kopeken Gold des früheren russischen Kaiserreichs (1 Rubel = $\frac{1}{15}$ Imperial).

d. der Austausch der Waren, die durch die in Absatz a vorgesehene Kommission festgestellt werden, erfolgt durch die staatlichen Zentralstellen oder durch vom Staate kontrollierte Zentralstellen.

Der Austausch jener Produkte, welche durch die oben vorgesehenen Kommissionen nicht festgestellt werden, erfolgt im Wege des freien Verkehrs unter den Bedingungen des provisorischen Handelsvertrages, der in der folgenden Ziffer II vorgesehen ist.

II.

Soweit nicht in Ziffer I anderes vorgesehen ist, sollen den wirtschaftlichen Beziehungen zwischen den vertragsschließenden Teilen provisorisch bis zum Abschluß eines endgültigen Handelsvertrags, jedenfalls aber bis zum Ablauf von mindestens sechs Monaten nach Abschluß des Friedens zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei einerseits und den zurzeit mit ihnen im Kriege befindlichen europäischen Staaten, den Vereinigten Staaten von Amerika und Japan andererseits folgende Bestimmungen zu Grunde gelegt werden:

A.

Für die wirtschaftlichen Beziehungen zwischen dem Deutschen Reiche und der

(c.) Calculations shall be made in gold on the following basis: 1,000 German Imperial gold Marks shall be equivalent to 462 gold Roubles of the former Russian Empire (1 Rouble = $\frac{1}{15}$ Imperial), or 1,000 Austrian and Hungarian gold Kronen shall be equivalent to 393 Karbowanjec 76 Grosh gold of the Ukrainian People's Republic, or to 393 Roubles 78 Copecks in gold of the former Russian Empire (1 Rouble = $\frac{1}{15}$ imperial).

(d.) The exchange of the goods to be determined by the commission mentioned under (a) shall take place through the existing Government central offices or through central offices controlled by the Government.

The exchange of such products as are not determined by the above-mentioned commissions shall be effected on a basis of free trading, arranged for in accordance with the conditions of the provisional commercial treaty, which is provided for in the following Section II.

II.

In so far as is not otherwise provided for under Section I hereof, economic relations between the contracting parties shall be carried on provisionally in accordance with the stipulations specified below until the conclusion of the final Commercial Treaty, but in any event until a period of at least six months shall have elapsed after the conclusion of peace between Germany, Austria-Hungary, Bulgaria, and Turkey on the one hand, and the European States at present at war with them, the United States of America and Japan on the other hand:

A.

For economic relations between the German Empire and the

ukrainischen Volksrepublik diejenigen Vereinbarungen, die in den nachstehenden Bestimmungen des deutsch-russischen Handels- und Schifffahrtsvertrages von 1894/1904 niedergelegt sind, nämlich:

Artikel 1-6, 7 einschließlich der Tarife "a" und "b," 8-10, 12, 13-19 ferner in den Bestimmungen im Schlußprotokoll erster Teil, zu Artikel 1 Absatz 1 und 3, zu Artikel 1 und 12 Absatz 1, 2, 4, 5, 6, 8, 9, zu Artikel 3, zu Artikel 5 Absatz 1 und 2, zu Artikel 5, 6, 7, 9 und 10, zu Artikel 6, 7 und 11, zu Artikel 6-9, zu Artikel 6 und 7, zu Artikel 12 Absatz 1, 2, 3, 5, ferner in dem Schlußprotokoll, vierter Teil, die §§ 3, 6, 7, 12, 12^b, 13, 14, 15, 16, 17, 18 (mit Vorbehalt der entsprechenden Aenderung der Behördenorganisationen), 19, 20, 21, 23.

Ukrainian People's Republic, the conditions laid down in the following provisions of the Germano-Russian Commercial and Maritime Treaty of 1894/1904,¹ that is to say:

Articles 1-6 and 7 (including Tariffs "a" and "b"), 8-10, 12, 13-19; further, among the stipulations of the final Protocol (Part I), paragraphs 1 and 3 of addendum to Article 1; paragraphs 1, 2, 4, 5, 6, 8, 9 of addenda to Articles 1 and 12; addendum to Article 3; paragraphs 1 and 2 of addendum to Article 5; addenda to Articles 5, 6, 7, 9, and 10; addenda to Articles 6, 7, and 11; to Articles 6-9; to Articles 6 and 7; paragraphs 1, 2, 3, 5 of addendum to Article 12; further, in the final Protocol (Part IV), §§ 3, 6, 7, 12, 12^b, 13, 14, 15, 16, 17, 18 (with the reservations required by the corresponding alteration in official organizations), 19, 20, 21, and 23.

Dabei besteht Einverständnis über folgende Punkte:

1.) Der allgemeine russische Zolltarif vom 13./26. Januar 1903 bleibt aufrechterhalten.

2.) Der Artikel 5 erhält folgende Fassung:

„Die vertragschließenden Teile verpflichten sich, den gegenseitigen Verkehr durch keinerlei Einfuhr-, Ausfuhr- oder Durchfuhrverbote zu hemmen und die freie Durchfuhr zu gestatten.

„Ausnahmen sind nur für solche Erzeugnisse zulässig, welche auf dem Gebiete eines der vertragschließenden Teile den Gegenstand eines Staatsmonopols bilden oder bilden werden, sowie auch für gewisse Erzeugnisse, für die aus Rücksichten auf die Gesundheit, die Veterinärpolizei und die öffentliche Sicherheit oder aus anderen schwerwiegenden politischen

An agreement has been arrived at upon the following points:

1. The General Russian Customs Tariff of 13/26 January, 1903,² shall continue in force.

2. Article 5 shall read as follows:

“The contracting parties bind themselves not to hinder reciprocal trade by any kind of import, export, or transit prohibitions, and to allow free transit.

“Exceptions may only be made in the case of products which are actually, or which may become, a State monopoly in the territory of one of the contracting parties; as well as in the case of certain products for which exceptional prohibitory measures might be issued, in view of health conditions, veterinary police, and public safety, or on other important po-

¹ 86 *British and Foreign State Papers*, pp. 442, 449, 482; 97 *British and Foreign State Papers*, p. 1040; see *infra*, pp. 87 ff.

² *New General Customs Tariffs for the European Frontiers of Russia, British Parliamentary Papers, (1913) Cd. 1626.*

und wirtschaftlichen Gründen außerordentliche Verbotsmaßregeln insbesondere im Zusammenhang mit der auf den Krieg folgenden Uebergangszeit ergehen könnten.“

3.) Kein Teil wird die Begünstigungen in Anspruch nehmen, welche der andere Teil irgend einem anderen Staate auf Grund einer bestehenden oder künftigen Zollvereinigung, wie sie z. B. zwischen dem Deutschen Reiche und dem Großherzogtum Luxemburg besteht oder im kleinen Grenzverkehr bis zu einer Grenzzone von 15 km Breite gewährt oder gewähren wird.

4.) Artikel 10 erhält folgende Fassung:

„Die Waren aller Art, welche durch das Gebiet eines der beiden Teile durchgeführt werden, sollen wechselseitig von jeder Durchgangsabgabe frei sein, sei es, daß sie unmittelbar durchgeführt werden, sei es, daß sie während der Durchfuhr abgeladen, eingelagert und wieder aufgeladen werden.“

5.) An Stelle des Artikels 12 a soll folgende Bestimmung treten:

„a. Hinsichtlich des gegenseitigen Schutzes des Urheberrechts an Werken der Literatur, Kunst und Photographie sollen im Verhältnis zwischen Deutschland und der ukrainischen Volksrepublik die Bestimmungen des zwischen dem Deutschen Reiche und Rußland geschlossenen Vertrages vom 28. Februar 1913 gelten.

„b. Hinsichtlich des gegenseitigen Schutzes der Warenbezeichnungen sollen die Bestimmungen der Deklaration vom 23./11. Juli 1873 auch in Zukunft maßgebend sein.“

6.) Die Bestimmung des Schlußprotokolls zu Artikel 19 erhält folgende Fassung:

„Die vertragschließenden Teile werden einander im Eisenbahntarif-

litical and economic grounds, especially in connection with the transition period following the war.“

3. Neither party shall lay claim to the preferential treatment which the other party has granted, or shall grant, to any other State, arising out of a present or future Customs Union (as, for instance, the one in force between the German Empire and the Grand Duchy of Luxembourg), or arising in connection with petty frontier intercourse extending to a boundary zone not exceeding 15 kilometers in width.

4. Article 10 shall read as follows:

“There shall be reciprocal freedom from all transit dues for goods of all kinds conveyed through the territory of either of the parties, whether conveyed direct or unloaded, stored, and reloaded during transit.”

5. Article 12 (a) shall be revised as follows:

“(a.) With regard to the reciprocal protection of copyright in works of literature, art, and photography, the provisions of the Treaty concluded between the German Empire and Russia on 28 February, 1913,¹ shall prevail in the relations between Germany and the Ukrainian People's Republic.

“(b.) With regard to the reciprocal protection of trademarks, the provisions of the Declaration of 23/11 July 1873,² shall be authoritative in the future.”

6. The provision of the final Protocol to Article 19 shall read as follows:

“The contracting parties shall grant each other the great-

¹ 107 *British and Foreign State Papers*, p. 871.

² 63 *British and Foreign State Papers*, p. 58.

wesen, insbesondere durch ¹Erstleistung direkter Tarife, thunlichst unterstützen. Zu diesem Zweck sind beide vertragschließenden Teile bereit, möglichst bald in Verhandlungen miteinander zu treten."

7.) § 5 des 4. Teils des Schlußprotokolls erhält folgende Fassung:

"Es besteht beiderseitiges Einverständnis, das die Zollämter der beiden Länder an allen Tagen des Jahres geöffnet bleiben mit Ausnahme der Sonntage und der gesetzlichen Feiertage.

B.

"Für die wirtschaftlichen Beziehungen zwischen Oesterreich-Ungarn und der ukrainischen Volksrepublik diejenigen Vereinbarungen, die in den nachstehenden Bestimmungen des Oesterreichisch-Ungarischen-Russischen Handels- und Schiffahrtsvertrags vom 15. Februar 1906 niedergelegt sind, nämlich: Artikel 1, 2, 5 einschließlich der Tarife a und b, Artikel 6, 7, 9-13, Artikel 14 Absatz 2 und 3, Artikel 15-24, ferner in den Bestimmungen im Schlußprotokoll zu Artikel 1 und 12 Absatz 1, 2, 4, 5 und 6, zu Artikel 2, zu Artikel 2, 3 und 5, zu Artikel 2 und 5, zu Artikel 2, 4, 5, 7 und 8, zu Artikel 2, 5, 6 und 7, zu Artikel 17 sowie zu Artikel 22 Absatz 1 und 3."

Dabei besteht Einverständnis über folgende Punkte:

1.) Der allgemeine russische Zolltarif vom 13./26. Januar 1903 bleibt aufrechterhalten.

2.) Artikel 4 erhält folgende Fassung:

"Die vertragschließenden Teile verpflichten sich, den gegenseitigen Ver-

est possible support in the matter of railway tariffs, more especially by the establishment of through rates. To this end both contracting parties are ready to enter into negotiations with one another at the earliest possible moment."

7. § 5 of Part 4 of the final Protocol shall read as follows:

"It has been mutually agreed that the customs-houses of both countries shall remain open on every day throughout the year, with the exception of Sundays and legal holidays.

B.

"For economic relations between Austria-Hungary and the Ukrainian People's Republic, the agreements shall be valid which are set forth in the following provisions of the Austro-Hungarian-Russian Commercial and Maritime Treaty of 15 February, 1906,¹ being Articles 1, 2, and 5 (including Tariffs 'a' and 'b'); Articles 6, 7, 9-13; Article 14, Paragraphs 2 and 3; Articles 15-24; further, in the provisions of the final Protocol, paragraphs 1, 2, 4, 5, and 6 of addenda to Articles 1 and 12; addenda to Article 2; to Articles 2, 3, and 5; to Articles 2 and 5; to Articles 2, 4, 5, 7, and 8; to Articles 2, 5, 6, and 7; to Article 17, and likewise to Paragraphs 1 and 3, Article 22."

An agreement has been arrived at upon the following points:

1. The general Russian Customs Tariff of 13/26 January 1903,² shall remain in force.

2. Article 4 shall read as follows:

"The contracting parties bind themselves not to hinder reciprocal trade between their

¹ 89 *British and Foreign State Papers*, p. 599.

² *New General Customs Tariffs for the European Frontiers of Russia, British Parliamentary Papers, (1903) Cd. 1525.*

kehr zwischen ihren Gebieten durch keinerlei Einfuhr-, Ausfuhr- oder Durchfuhrverbote zu hindern. Ausnahmen hiervon dürfen nur stattfinden:

„a. Bei Tabak, Salz, Schießpulver oder sonstigen Sprengstoffen sowie bei anderen Artifakten, welche jeweils in den Gebieten eines der vertragsschließenden Teile den Gegenstand eines Staatsmonopols bilden;

„b. in Beziehung auf Kriegsbedürfnisse under außerordentlichen Umständen;

„c. aus Rücksichten der öffentlichen Sicherheit, aus Gesundheits- und Veterinärpolizeirücksichten;

„d. bei gewissen Erzeugnissen, für die aus anderen schwerwiegenden politischen und wirtschaftlichen Gründen außerordentliche Verbotsmassregeln, insbesondere im Zusammenhang mit der auf den Krieg folgenden Uebergangszeit ergehen könnten.“

3.) Kein Teil wird die Begünstigungen in Anspruch nehmen, welche der andere Teil irgend einem anderen Staate auf Grund einer bestehenden oder künftigen Zolleinigung, wie sie z. B. zwischen Oesterreich-Ungarn und dem Fürstentum Liechtenstein besteht, oder im kleinen Grenzverkehr bis zu einer Grenzzone von 15 km Breite gewährt oder gewähren wird.

4.) Artikel 8 erhält folgende Fassung:

„Die Waren aller Art, welche durch die Gebiete eines der vertragsschließenden Teile durchgeführt werden, sollen wechselseitig von jeder Durchfuhrabgabe frei sein, sei es, daß sie unmittelbar durchgeführt werden, sei es, daß sie während der Durchfuhr abgeladen, eingelagert und wieder aufgeladen werden.“

5.) Die Bestimmung des Schlußprotokolls zu Artikel 21 erhält folgende Fassung:

territories by any kind of import, export, or transit prohibition. The only permissible exceptions shall be:

“(a.) In the case of tobacco, salt, gunpowder, or any other kind of explosives, and likewise in the case of other articles which may at any time constitute a State monopoly in the territories of either of the contracting parties;

“(b.) With respect to war supplies in exceptional circumstances;

“(c.) For reasons of public safety, public health, and veterinary police;

“(d.) In the case of certain products for which, on other important political and economic grounds, exceptional prohibitory measures might be issued, especially in connection with the transition period following the war.”

3. Neither party shall lay claim to the preferential treatment which the other party has granted or shall grant to any other State arising out of a present or future Customs Union (as, for instance, the one in force between Austria-Hungary and the Principality of Liechtenstein), or arising in connection with petty frontier intercourse, extending to a boundary zone not exceeding 15 kilometers in width.

4. Article 8 shall read as follows:

“There shall be reciprocal freedom from all transit dues for goods of all kinds conveyed through the territory of either of the contracting parties, whether conveyed direct or unloaded, stored, and reloaded during transit.”

5. The provision of the final Protocol to Article 21 shall read as follows:

„Die vertragschließenden Teile werden einander im Eisenbahntariffwesen, insbesondere durch Erfüllung direkter Tarife, tatkraftig unterstützen. Zu diesem Zweck sind beide vertragschließenden Teile bereit, möglichst bald in Verhandlungen mit einander zu treten.“

C.

Was die wirtschaftlichen Beziehungen zwischen Bulgarien und der ukrainischen Volksrepublik betrifft, so sollen sich diese bis zum Abschluß eines definitiven Handelsvertrages nach dem Rechte der meistbegünstigten Nation regeln. Kein Teil wird die Begünstigungen in Anspruch nehmen, welche der andere Teil irgend einem anderen Staate auf Grund einer bestehenden oder künftigen Zolleinigung oder im kleinen Grenzverkehr bis zu einer Grenzzone von 15 Kilometern gewährt oder gewähren wird.

D.

Was die wirtschaftlichen Beziehungen zwischen dem Osmanischen Reiche und der ukrainischen Volksrepublik betrifft, so werden sich beide Teile bis zum Abschluß eines neuen Handelsvertrages gegenseitig dieselbe Behandlung gewähren, welche sie auf die meistbegünstigte Nation anwenden. Kein Teil wird die Begünstigungen in Anspruch nehmen, welche der andere Teil irgend einem anderen Staate auf Grund einer bestehenden oder künftigen Zolleinigung oder im kleinen Grenzverkehr gewährt oder gewähren wird.

III.

Die Gültigkeitsdauer der in Ziffer II des gegenwärtigen Vertrages für die

“The contracting parties shall grant each other the greatest possible support in the matter of railway tariffs, and more especially by the establishment of through rates. To this end both contracting parties are ready to enter into negotiations with one another at the earliest possible moment.”

C.

In regard to the economic relations between Bulgaria and the Ukrainian People's Republic, these shall, until such time as a definitive commercial Treaty shall have been concluded, be regulated on the basis of most-favored-nation treatment. Neither party shall lay claim to the preferential treatment which the other party has granted or shall grant to any other State arising out of a present or future Customs Union, or arising in connection with petty frontier intercourse, extending to a boundary zone not exceeding 15 kilom. in width.

D.

In regard to the economic relations between the Ottoman Empire and the Ukrainian People's Republic, these shall, until such time as a definite commercial Treaty shall have been concluded, be regulated on the basis of most-favored-nation treatment. Neither party shall lay claim to the preferential treatment which the other party has granted or shall grant to any other State arising out of a present or future Customs Union, or arising in connection with petty frontier intercourse.

III.

The period of validity of the provisional stipulations (set forth under Section II hereof) for

wirtschaftlichen Beziehungen zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und dem Osmanischen Reiche einerseits und der ukrainischen Volksrepublik andererseits vorgeesehenen provisorischen Bestimmungen kann im beiderseitigen Einverständnis der Parteien verlängert werden.

Wenn die im ersten Absatz der Ziffer II vorgeesehenen Termine nicht vor dem 30. Juni 1919 eintreten sollten, steht es jedem der beiden vertragschließenden Teile frei, die in der oben genannten Ziffer enthaltenen Bestimmungen vom 30. Juni 1919 an sechsmonatlich zu kündigen.

IV.

a. Die ukrainische Volksrepublik wird keinen Anspruch erheben auf die Begünstigungen, welche Deutschland an Oesterreich-Ungarn oder an ein anderes mit ihm durch ein Zollbündnis verbundenes Land, das an Deutschland unmittelbar oder durch ein anderes mit ihm oder Oesterreich-Ungarn Zollverbündetes Land mittelbar angrenzt, oder welche Deutschland seinen eigenen Kolonien, auswärtigen Besitzungen und Schutzgebieten oder denen der mit ihm Zollverbündeten Länder gewährt.

Deutschland wird keinen Anspruch erheben auf die Begünstigungen, welche die ukrainische Volksrepublik an ein anderes mit ihr durch ein Zollbündnis verbundenes Land, das an die Ukraine unmittelbar oder durch ein anderes mit ihr Zollverbündetes Land mittelbar angrenzt, oder den Kolonien, auswärtigen Besitzungen und Schutzgebieten eines der mit ihr Zollverbündeten Länder gewährt.

b. Im wirtschaftlichen Verkehr zwischen dem Vertragszollgebiet der beiden Staaten der österreichisch-ungarischen Monarchie einerseits und der ukrainischen Volksrepublik anderer-

economic relations between Germany, Austria-Hungary, Bulgaria, and the Ottoman Empire on the one hand, and the Ukrainian People's Republic on the other hand, may be prolonged by mutual agreement.

In the event of the periods specified in the first paragraph of Section II not occurring before 30 June, 1919, each of the two contracting parties shall be entitled, as from 30 June, 1919, to denounce within six months the provisions contained in the above-mentioned section.

IV.

(a.) The Ukrainian People's Republic shall make no claim to the preferential treatment which Germany grants to Austria-Hungary or to any other country bound to her by a Customs Union and directly bordering on Germany, or bordering indirectly through another country bound to her or to Austria-Hungary by a Customs Union, or to the preferential treatment which Germany grants to her own colonies, foreign possessions, and protectorates, or to countries bound to her by a Customs Union.

Germany shall make no claim to the preferential treatment which the Ukrainian People's Republic grants to any other country bound to her by a Customs Union and bordering directly on the Ukraine, or bordering indirectly thereon through any other country bound to her by a Customs Union, or to colonies, foreign possessions, and protectorates of one of the countries bound to her by a Customs Union.

(b.) In economic intercourse between territory covered by the Customs Convention of both States of the Austro-Hungarian Monarchy on the one hand, and the Ukrainian People's Republic

seits wird die ukrainische Volksrepublik keinen Anspruch erheben auf die Begünstigungen, welche Oesterreich-Ungarn an Deutschland oder an ein anderes mit ihm durch ein Zollbündnis verbundenes Land gewährt, das an Oesterreich-Ungarn unmittelbar oder durch ein anderes mit ihm oder Deutschland zollverbündetes Land mittelbar angrenzt. Kolonien, auswärtige Besitzungen und Schutzgebiete werden in dieser Beziehung dem Mutterlande gleichgestellt. Oesterreich-Ungarn wird keinen Anspruch erheben auf die Begünstigungen, welche die ukrainische Volksrepublik an ein anderes mit ihr durch ein Zollbündnis verbundenes Land, das an die Ukraine unmittelbar oder durch ein anderes mit ihr zollverbündetes Land mittelbar angrenzt, oder den Kolonien, auswärtigen Besitzungen und Schutzgebieten eines der mit ihr zollverbündeten Länder gewährt.

V.

a. Soweit in neutralen Staaten Waren lagern, welche aus Deutschland oder der Ukraine stammen, die aber mit der Verpflichtung belegt sind, daß sie weder unmittelbar noch mittelbar nach den Gebieten des anderen ver-
tragschließenden Teiles ausgeführt werden dürfen, sollen derartige Verfügungsbeschränkungen im Verhältnis zu den ver-
tragschließenden Teilen aufgehoben werden. Die beiden ver-
tragschließende Teile verpflichten sich daher, den Regierungen der neutralen Staaten von der vorerwähnten Aufhebung dieser Verfügungsbeschränkung unverzüglich Kenntnis zu geben.

b. Soweit in neutralen Staaten Waren lagern, welche aus Oesterreich-Ungarn oder der Ukraine stammen, die aber mit der Verpflichtung belegt sind, daß sie weder unmittelbar noch mittelbar nach den Gebieten des

on the other hand, the Ukrainian People's Republic shall make no claim to the preferential treatment which Austria-Hungary grants to Germany or to any other country bound to her by a Customs Union and directly bordering on Austria-Hungary, or bordering indirectly thereon through another country which is bound to her or to Germany by a Customs Union. Colonies, foreign possessions, and protectorates shall in this respect be placed on the same footing as the mother country. Austria-Hungary shall make no claim to the preferential treatment which the Ukrainian People's Republic grants to any other country bound to her by a Customs Union and directly bordering on the Ukraine, or bordering indirectly thereon through another country bound to her by a Customs Union, or to colonies, foreign possessions, and protectorates of one of the countries bound to her by a Customs Union.

V.

(a.) In so far as goods originating in Germany or the Ukraine are stored in neutral States, with the proviso that they shall not be exported, either directly or indirectly, to the territories of the other contracting party, such restrictions regarding their disposal shall be abolished so far as the contracting parties are concerned. The two contracting parties therefore undertake immediately to notify the Governments of the neutral States of the above-mentioned abolition of this restriction.

(b.) In so far as goods originating in Austria-Hungary or the Ukraine are stored in neutral States, with the proviso that they shall not be exported, either directly or indirectly, to the terri-

anderen vertragschließenden Teiles ausgeführt werden dürfen, sollen derartige Verfügungsbeschränkungen im Verhältnis zu den vertragschließenden Teilen aufgehoben werden. Die beiden vertragschließenden Teile verpflichten sich daher, den Regierungen der neutralen Staaten von der vorerwähnten Aufhebung dieser Verfügungsbeschränkung unverzüglich Kenntnis zu geben.

Artikel VIII.

Die Herstellung der öffentlichen und privaten Rechtsbeziehungen, der Austausch der Kriegsgefangenen und der Zivilinternierten, die Amnestiefrage sowie die Frage der Behandlung der in die Gewalt des Gegners geratenen Handelsschiffe, werden in Einzelverträgen mit der ukrainischen Volksrepublik geregelt, welche einen wesentlichen Bestandteil des gegenwärtigen Friedensvertrags bilden und, soweit tunlich, gleichzeitig mit diesem in Kraft treten.

Artikel IX.

Die in diesem Friedensvertrag getroffenen Vereinbarungen bilden ein unteilbares Ganzes.

Artikel X.

Bei der Auslegung dieses Vertrags sind für die Beziehungen zwischen Deutschland und der Ukraine der deutsche und der ukrainische Text, für die Beziehungen zwischen Oesterreich-Ungarn und der Ukraine der deutsche, der ungarische und der ukrainische Text, für die Beziehungen zwischen Bulgarien und der Ukraine der bulgarische und der ukrainische Text, und für die Beziehungen zwischen der Türkei und der Ukraine der türkische und der ukrainische Text maßgebend.

Schlussbestimmung.

Der gegenwärtige Friedensvertrag wird ratifiziert werden. Die Ratifika-

tories of the other contracting party, such restrictions regarding their disposal shall be abolished so far as the contracting parties are concerned. The two contracting parties therefore undertake immediately to notify the Governments of the neutral States of the above-mentioned abolition of this restriction.

ARTICLE VIII.

The establishing of public and private legal relations, the exchange of prisoners of war and interned civilians, the amnesty question, as well as the question of the treatment of merchant shipping in the enemy's hands, shall be settled by means of separate Treaties with the Ukrainian People's Republic, which shall form an essential part of the present Treaty of Peace, and, as far as practicable, come into force simultaneously therewith.

ARTICLE IX.

The agreements come to in this Treaty of Peace shall form an indivisible whole.

ARTICLE X.

For the interpretation of this Treaty, the German and Ukrainian text shall be authoritative for relations between Germany and the Ukraine; the German, Hungarian, and Ukrainian text for relations between Austria-Hungary and the Ukraine; the Bulgarian and Ukrainian text for relations between Bulgaria and the Ukraine; and the Turkish and Ukrainian text for relations between Turkey and the Ukraine.

FINAL PROVISION.

The present Treaty of Peace shall be ratified. The ratifica-

tionsurfunden sollen tunlichst bald in Wien ausgetauscht werden.

Der Friedensvertrag tritt, soweit darin nichts anderes bestimmt ist, mit seiner Ratifikation in Kraft.

Zu Urkund dessen haben die Bevollmächtigten diesen Vertrag unterzeichnet und mit ihren Siegeln versehen.

Ausgefertigt in fünffacher Urschrift in Brest-Litowsk am 9. Februar 1918.

(gez. Unterschriften.)

tions shall be exchanged in Vienna at the earliest possible moment.

The Treaty of Peace shall come into force on its ratification, in so far as no stipulation to the contrary is contained therein.

In witness whereof the Plenipotentiaries have signed the present Treaty and affixed their seals to it.

Executed in quintuplicate at Brest-Litovsk this 9th day of February, 1918.

(Signatures follow.)

3. UKRAINE—CENTRAL POWERS.

NOTE TO THE TREATY OF PEACE. SIGNED AT BREST-LITOVSK, 9 FEBRUARY, 1918.

[German text as transmitted to the Department of State, taken from Reichstagsdrucksache, No. 1293.]

[Translation.]

Zu Artikel VII des Friedensvertrages vom 9. Februar 1918.

Es besteht Einverständnis darüber, daß das im zweiten Absätze der Ziffer III des obengenannten Artikels enthaltene Kündigungsrecht hinsichtlich der einzelnen (in Ziffer II unter A, B, C, D angeführten) Vereinbarungen jeder der an diesen einzelnen Vereinbarungen beteiligten Parteien selbständig zusteht.

Es soll daher in diesem Absätze statt „jedem der beiden vertragsschließenden Teile“ heißen: „jedem der fünf vertragsschließenden Teile.“

Brest-Litovsk, am 9. Februar 1918.

М. Севрюк,
R. v. Kühlmann,
Czernin,
Talaat,
Dr. B. Radoslavoff.

To article VII of the Peace Treaty of 9 February, 1918.

It is agreed that the right of denunciation referred to in the second paragraph of No. III of the above mentioned article, concerning the separate agreements (specified in No. II, under A, B, C and D), belongs, independently, to each of the parties concerned in these separate agreements.

Therefore, instead of reading “to each of the two contracting parties,” this paragraph shall read: “to each of the five contracting parties.”

Brest-Litovsk, 9 February, 1918.

AL. SEVRYUK,
R. v. KÜHLMANN,
CZERNIN,
TALAAT,
DR. V. RADOSLAVOFF.

4. UKRAINE—CENTRAL POWERS.

ALLEGED SECRET CLAUSES IN THE TREATY OF PEACE, OF 9 FEBRUARY, 1918.¹

A report from Stockholm states that the following secret clauses were included in the treaty which the Central Powers signed with the Rada of the Ukraine on 9 February, 1918. The object was stated to be the simplification of future relations along racial lines.

(a) All claims to districts to the west of the Dniester river are given up by the Ukraine as well as all Ukraine territory in eastern Galicia.

(b) An adjustment is to be made in Austria in regard to her frontier to the east of Galicia and the district of Lemberg is to be made the western limit of eastern Galicia, the division to be made on language lines.

The apparent object of this is an attempt to avoid the difficulties of the Ruthenian problem in the case of Austrian and Russian Poland being united under Austria. This would be achieved by uniting the eastern part of Galicia to the Ukraine.

¹ This account is given in United States Department of State, Periodical Report on Matters Relating to Russia, No. 11, 20 June, 1918, p. 27.

5. UKRAINE—CENTRAL POWERS.

PROTOCOL REGARDING THE INTERPRETATION OF ARTICLE 2, CLAUSE 2, OF THE TREATY OF PEACE BETWEEN UKRAINE AND THE CENTRAL POWERS. SIGNED AT BREST-LITOVSK, 4 MARCH, 1918.

[German text as published in Norddeutsche Allgemeine Zeitung, 16 March, 1918.]

[Translation.]

Da Zweifel über die Auslegung des Punktes 2, Artikels 2, des am 9. Februar in Brest-Litovsk zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei einerseits und der Ukrainischen Volksrepublik anderseits geschlossenen Friedensvertrages entstanden sind, haben die Regierungen der genannten Mächte beschlossen, diese Zweifel durch eine ergänzende Erklärung zu beseitigen und haben ihre zu den Friedensverhandlungen mit Rußland nach Brest-Litovsk entsandten Bevollmächtigten (folgt die Aufzählung der Bevollmächtigten) beauftragt, nachstehendes zu erklären:

Zur Vermeidung von Mißverständnissen bei Auslegung des Punktes 2 des Artikels 2 des am 9. Februar 1918 in Brest-Litovsk zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei einerseits und der Ukrainischen Volksrepublik anderseits geschlossenen Friedensvertrages wird festgestellt, daß die im zweiten Absatz dieser Vertragsbestimmung vorgesehene gemischte Kommission bei Festsetzung der Grenze nicht gebunden ist, die Grenzlinie durch die Orte Bilgoraj, Szecebrzryn, Pugas-

In view of the fact that doubts have arisen concerning the interpretation of Article 2, Clause 2, of the Peace Treaty concluded at Brest-Litovsk, 9 February, between Germany, Austria-Hungary, Bulgaria, and Turkey, on the one hand, and the Ukrainian People's Republic, on the other hand, the Governments of the said Powers have resolved to remove such doubts through a supplementary explanation, and they have authorized their plenipotentiaries sent to the Brest-Litovsk peace negotiations with Russia (here follow the list of the plenipotentiaries) to declare the following:

In order to remove misunderstandings in the interpretation of Article 2, Clause 2, of the Peace Treaty concluded at Brest-Litovsk 8 February, 1918, between Germany, Austria-Hungary, Bulgaria, and Turkey, on the one hand, and the Ukrainian People's Republic, on the other hand, it is established that the mixed Commission foreseen in the second paragraph of this treaty provision, is not bound, in determining the frontier, to trace the frontier line through the localities of Bilgoraj, Szecebrzryn, Pugas-

zow, Radin, Meshiretschie, Sarnaki zu legen, sondern das Recht besitzt, auf Grund des Artikels 2, Punkt 2, dieses Friedensvertrages die sich aus den ethnographischen Verhältnissen und Wünschen der Bevölkerung ergebende Grenze auch östlich der Linie Bilgoraj, Szczecbrzszyn, Krastnostaw, Pugaszow, Radin, Meshiretschie, Sarnaki zu führen. Die erwähnte gemischte Kommission wird aus Vertretern der vertragsschließenden Teile und aus Vertretern Polens gebildet werden, und es wird jede dieser Parteien die gleiche Anzahl von Delegierten zur Kommission entsenden. Die vertragsschließenden Teile werden einverständlich bestimmen, in welchem Zeitpunkte diese Kommission zusammentreten wird.

Ausgefertigt in fünffacher Urschrift in Brest-Litovsk am 4. März 1918.

zow, Radin, Meshiretschie and Sarnaki, but that it has the right, on the basis of Article 2, Clause 2 of the said Peace Treaty to trace the frontier, resulting from the ethnographic conditions and desires of the population, to the east of Bilgoraj, Szczecbrzszyn, Krastnostaw, Pugaszow, Radin, Meshiretschie, Sarnaki. The said mixed Commission shall be composed of representatives of the contracting parties and of representatives of Poland, and each one of these parties shall designate an equal number of delegates to the Commission. The contracting parties will determine in common the time when the said Commission shall meet.

Done in quintuplicate at Brest-Litovsk, 4 March, 1918.

6. UKRAINE—GERMANY.

LEGAL-POLITICAL TREATY SUPPLEMENTARY TO THE TREATY OF PEACE BETWEEN UKRAINE AND THE CENTRAL POWERS SIGNED AT BREST-LITOVSK, 9 FEBRUARY, 1918.¹

[German text as published in the Norddeutsche Allgemeine Zeitung, 11 February, 1918, evening edition.]

[Translation.]

Auf Grund des Artifels VIII des heute unterzeichneten Friedensvertrags zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei einerseits und der Ukrainischen Volksrepublik andererseits sind

der Bevollmächtigte des Deutschen Reichs, Staatssekretär des Auswärtigen Amts, Kaiserlicher Wirklicher Geheimer Rat, Herr Richard von Kühlmann und

die Bevollmächtigten der Ukrainischen Volksrepublik, nämlich die Mitglieder der Ukrainischen Zentralrada Herr Alexander Sjewrjuk, Herr Mykola Lubynskij und Herr Mykola Lewytskij

übereingekommen, die Herstellung der öffentlichen und privaten Rechtsbeziehungen zwischen Deutschland und der Ukraine, den Austausch der Kriegsgefangenen und Zivilinternierten, die Fürsorge für Rückwanderer, die aus Anlaß des Friedensschlusses zu erlassende Amnestie und die Behandlung der in die Gewalt des Gegners geratenen Rauffahrtsschiffe unverzüglich zu regeln und zu diesem Zwecke einen Zusatzvertrag zu dem Friedensvertrag abzuschließen.

Nachdem die Bevollmächtigten festgestellt hatten, daß die von ihnen bei Unterzeichnung des Friedensvertrags

IN virtue of Article VIII of the Treaty of Peace signed this day between Germany, Austria-Hungary, Bulgaria, and Turkey on the one hand, and the Ukrainian People's Republic on the other hand,

The Plenipotentiary of the German Empire, Imperial Actual Privy Councillor Richard von Kühlmann, Secretary of State for Foreign Affairs; and,

The Plenipotentiaries of the Ukrainian People's Republic, Messrs. Alexander Sevryuk, Mykola Lubynski, and Mykola Levytski, members of the Ukrainian Central Rada,

have agreed to regulate forthwith the establishing of public and private legal relations between Germany and the Ukraine, the exchange of prisoners of war and interned civilians, the provisions for persons returning home, the amnesty to be declared as a consequence of the conclusion of peace, and the treatment of merchantships come into the power of the opponent, and to this end to conclude a Supplementary Treaty to the Treaty of Peace.

The Plenipotentiaries having established the fact that the powers which they presented at the

¹ Ratifications exchanged at Vienna, 24 July, 1918. (*Reichsgesetzblatt*, no. 107, 1918.)

vorgelegten Vollmachten die Erledigung der vorstehend bezeichneten Gegenstände mit umfassen, haben sie sich über folgende Bestimmungen geeinigt:

Erstes Kapitel.

Aufnahme der konsularischen Beziehungen.

Artikel 1.

Bei Aufnahme der konsularischen Beziehungen gemäß Artikel IV des Friedensvertrages wird jeder vertragsschließende Teil die Konsuln des anderen Teiles an allen Plätzen seines Gebietes zulassen, soweit nicht bereits vor dem Kriege für einzelne gemischt-sprachige Plätze oder Gebietsteile Ausnahmen bestanden und diese Ausnahmen nach dem Kriege jeder dritten Macht gegenüber gleichmäßig aufrechterhalten werden.

Jeder Teil behält sich vor, aus Gründen der Kriegsnotwendigkeiten an gewissen Plätzen Konsuln des anderen Teiles erst nach Abschluß des allgemeinen Friedens zuzulassen.

Artikel 2.

Jeder vertragsschließende Teil wird alle Schäden ersetzen, die in seinem Gebiete während des Krieges von den dortigen staatlichen Organen oder der Bevölkerung durch völkerrechtswidrige Handlungen konsularischen Beamten des anderen Teiles zugeführt oder an Konsulatsgebäuden dieses Teiles oder an deren Inventar angerichtet worden sind.

Zweites Kapitel.

Wiederherstellung der Staatsverträge.

Artikel 3.

Die Verträge, Abkommen und Vereinbarungen, die zwischen Deutschland

time of signature of the Treaty of Peace included the settlement of the above-mentioned questions, have come to an agreement upon the following provisions:

CHAPTER I.

INAUGURATION OF CONSULAR RELATIONS.

ARTICLE 1.

On the inauguration of consular relations, according to Article IV of the Treaty of Peace, each of the contracting parties shall admit consuls of the other party to all parts of its territory, in so far as exceptions did not exist before the war regarding certain places or districts where various languages are spoken and in so far as these exceptions shall also be maintained after the war with regard to any third Power.

Each party reserves the right not to admit consuls of the other party to certain places by reason of the exigencies of war until after the conclusion of the general peace.

ARTICLE 2.

Each contracting party shall make compensation for all damages caused to consular officials of the other party within its territory during the war, or to consular buildings occupied by representatives of such party and the contents thereof, by reason of actions contrary to international law committed by its own public authorities or the local population.

CHAPTER II.

REESTABLISHMENT OF STATE TREATIES.

ARTICLE 3.

All treaties, agreements, and arrangements in force between

und Rußland vor der Kriegserklärung in Kraft gewesen sind, treten zwischen den vertragsschließenden Theilen vorbehaltlich abweichender Bestimmungen des Friedensvertrags und dieses Zusatzvertrags bei deren Ratifikation mit der Maßgabe wieder in Kraft, daß, soweit sie für eine bestimmte Zeit unfündbar sind, diese Zeit um die Kriegsdauer verlängert wird.

Die Deutsche Regierung wird der Ukrainischen Regierung binnen vier Wochen nach der Ratifikation des Friedensvertrags die im Absatz 1 bezeichneten Verträge, Abkommen und Vereinbarungen ihrem Wortlaut nach mitteilen.

Artikel 4.

Jeder vertragsschließende Teil kann dem anderen Teile binnen sechs Monaten nach der Unterzeichnung des Friedensvertrags die Verträge, Abkommen oder Vereinbarungen oder deren Einzelbestimmungen mitteilen, die nach seiner Auffassung mit den während des Krieges eingetretenen Veränderungen in Widerspruch stehen. Diese Vertragsbestimmungen sollen tunlichst bald durch neue Verträge ersetzt werden, die den veränderten Ansprüchen und Verhältnissen entsprechen.

Zur Ausarbeitung der im Absatz 1 vorgesehenen neuen Verträge wird binnen sechs Monaten nach der Ratifikation des Friedensvertrags eine aus Vertretern der beiden Teile bestehende Kommission an einem später zu bestimmenden Orte zusammentreten. Soweit sich diese binnen drei Monaten nach ihrem Zusammentritt nicht einigt, steht es jedem Teile frei, von den Vertragsbestimmungen zurückzutreten, die er gemäß Absatz 1 Satz 1 dem anderen Teile mitgeteilt hat; handelt es sich

Germany and Russia before the declaration of war shall once more come into force between the contracting parties immediately after the ratification of the Treaty of Peace and of the present Supplementary Treaty, provided the latter do not contain any provisions to the contrary, and with the stipulation that, if they may not be denounced for a definite period, such period shall be extended to the duration of the war.

The German Government shall forward to the Ukrainian Government, within four weeks of the ratification of the Treaty of Peace, the text of the treaties, agreements, and arrangements specified in paragraph 1 of this Article.

ARTICLE 4.

Each of the contracting parties shall be entitled to communicate to the other party, within six months of the signing of the Treaty of Peace, all such treaties, agreements, and arrangements, or single clauses thereof, which, in its opinion, are incompatible with the altered circumstances caused by the war. These treaty stipulations shall be replaced as soon as possible by new treaties corresponding to the altered views and circumstances.

A Commission composed of representatives of both parties shall meet in some place to be determined later, within six months after the ratification of the Treaty of Peace, for the purpose of drawing up the new treaties provided for in paragraph 1 of this Article. Should the Commission not come to an agreement within three months of its meeting, each party shall be entitled to repudiate such provisions of the Treaty as it shall have communicated to the other party in accordance with the opening sentence of paragraph 1 hereof; in the event

dabei um Einzelbestimmungen, so steht dem anderen Teile der Rücktritt vom ganzen Verträge frei.

Artikel 5.

Die Verträge, Abkommen und Vereinbarungen, an denen außer Deutschland und Rußland dritte Mächte beteiligt sind und in welche die Ukrainische Volksrepublik neben Rußland oder an dessen Stelle eintritt, treten zwischen den vertragsschließenden Teilen vorbehaltlich abweichender Bestimmungen des Friedensvertrags bei dessen Ratifikation oder, sofern der Eintritt später erfolgt, in diesem Zeitpunkt in Kraft. Auf die mit solchen Kollektivverträgen in Zusammenhang stehenden Einzelverträge zwischen den beiden Teilen finden die Bestimmungen des Artikel 3 über die Verlängerung der Geltungsdauer und des Artikel 4 über den Rücktritt keine Anwendung.

Wegen der Kollektivverträge politischen Inhalts, an denen noch andere kriegsführende Mächte beteiligt sind, behalten sich die beiden Teile ihre Stellungnahme bis nach Abschluß des allgemeinen Friedens vor.

Drittes Kapitel.

Wiederherstellung der Privatrechte.

Artikel 6.

Alle in dem Gebiet eines vertragsschließenden Teiles bestehenden Bestimmungen, wonach mit Rücksicht auf den Kriegszustand die Angehörigen des anderen Teiles in Ansehung ihrer Privatrechte irgendwelcher besonderen Regelung unterliegen (Kriegsgesetze), treten mit der Ratifikation des Friedensvertrages außer Anwendung.

of single clauses being in question, the other party shall be free to withdraw from the entire Treaty.

ARTICLE 5.

All treaties, agreements, and arrangements to which third Powers shall be parties in addition to Germany and Russia, and to which the Ukrainian People's Republic becomes a party together with or in the place of Russia, shall come into force between the contracting parties immediately after the ratification of the Treaty of Peace, in so far as no stipulations to the contrary are contained therein, or at the time of becoming a party to such Treaty, should this take place later on. The provisions of Article 3 concerning extension of the period of validity and of Article 4 concerning withdrawal shall not apply in the case of separate treaties between the two parties connected with such collective treaties.

As regards collective treaties of a political nature to which other belligerent Powers are also parties, the two contracting parties reserve their attitude until after the conclusion of a general peace.

CHAPTER III.

REESTABLISHMENT OF PRIVATE RIGHTS.

ARTICLE 6.

All regulations in force within the territory of one of the contracting parties, according to which nationals of the other party shall have been subjected to any special regulations (war laws) governing their civil rights owing to the state of war, shall be abrogated immediately after the ratification of the Treaty of Peace.

Als Angehörige eines vertragsschließenden Teiles gelten auch solche juristische Personen und Gesellschaften, die in seinem Gebiet ihren Sitz haben. Ferner sind den Angehörigen eines Teiles juristische Personen und Gesellschaften, die in seinem Gebiete nicht ihren Sitz haben, insoweit gleichzustellen, als sie im Gebiete des anderen Teiles den für diese Angehörigen geltenden Bestimmungen unterworfen waren.

Artikel 7.

Ueber privatrechtliche Schuldverhältnisse, die durch Kriegsgesetze beeinträchtigt worden sind, wird nachstehendes vereinbart.

§ 1.

Die Schuldverhältnisse werden wiederhergestellt, soweit sich nicht aus den Bestimmungen der Artikel 7 bis 11 ein anderes ergibt.

§ 2.

Die Bestimmung des § 1 hindert nicht, daß die Frage, welchen Einfluß die durch den Krieg geschaffenen Zustände, insbesondere die durch Verkehrshindernisse oder Handelsverbote herbeigeführte Unmöglichkeit der Erfüllung, auf die Schuldverhältnisse ausüben, im Gebiete jedes vertragsschließenden Teiles nach den dort für alle Landeseinwohner geltenden Gesetzen beurteilt wird.

Dabei dürfen die Angehörigen des anderen Teiles, die durch Maßnahmen dieses Teiles behindert worden sind, nicht ungünstiger behandelt werden, als die Angehörigen des eigenen Staates, die durch dessen Maßnahmen behindert worden sind. Auch soll derjenige, der durch den Krieg an der rechtzeitigen Bewirkung einer Leistung behindert war, nicht verpflichtet sein, den dadurch entstandenen Schaden zu ersetzen.

All juridical persons and companies domiciled within the territory of one of the contracting parties shall likewise be regarded as its nationals. Furthermore, similar juridical persons and companies not so domiciled shall enjoy equality with the nationals of such party in so far as they were governed, within the territory of the other contracting party, by the provisions binding on such nationals.

ARTICLE 7.

It has been agreed as follows with regard to debt relations prejudiced by war laws:

§ 1.

Debt relations shall be restored, in so far as the provisions of Articles 7 to 11 do not stipulate otherwise.

§ 2.

The provision of § 1 shall not prevent the question as to what influence war conditions (and particularly the impossibility of discharging liabilities owing to difficulties connected with transport and communications or with commercial prohibitions) have exercised on debt relations, from being determined in the territory of each of the contracting parties according to the laws binding on all the inhabitants thereof.

Nationals of the one party whose activities shall have been hampered by enactments of the other party shall not, however, be less favorably dealt with than nationals of the latter whose activities have been similarly hampered. Neither shall any person prevented by the war from punctually discharging an obligation be compelled to make good the loss resulting therefrom.

§ 3.

Geldforderungen, deren Bezahlung im Laufe des Krieges auf Grund von Kriegsgesetzen verweigert werden konnte, brauchen nicht vor Ablauf von drei Monaten nach der Ratifikation des Friedensvertrags bezahlt zu werden. Sie sind von der ursprünglichen Fälligkeit an für die Dauer des Krieges und der anschließenden drei Monate ohne Rücksicht auf Moratorien mit fünf vom Hundert für das Jahr zu verzinsen; bis zur ursprünglichen Fälligkeit sind gegebenenfalls die vertraglichen Zinsen zu zahlen.

§ 4.

Für die Abwicklung der Außenstände und sonstigen privatrechtlichen Verbindlichkeiten sind die staatlich anerkannten Gläubigerschutzverbände zur Verfolgung der Ansprüche der ihnen angeschlossenen natürlichen und juristischen Personen als deren Bevollmächtigte wechselseitig anzuerkennen und zuzulassen.

Artikel 8.

Die vertragschließenden Teile sind darüber einig, daß nach der Ratifikation des Friedensvertrags die Bezahlung der staatlichen Verbindlichkeiten, insbesondere der öffentliche Schuldendienst, den beiderseitigen Angehörigen gegenüber aufgenommen werden soll.

Im Hinblick auf die von der Ukrainischen Volksrepublik in Aussicht genommene Vermögensauseinandersetzung mit den übrigen Teilen des ehemaligen Russischen Kaiserreichs bleibt die Ausführung des im Absatz 1 aufgestellten Grundsatzes besonderer Vereinbarung vorbehalten. Dabei wird die Ukrainische Volksrepublik den deutschen Staatsangehörigen gegenüber jedenfalls die Verbindlichkeiten über-

§ 3.

Pecuniary claims which the debtor was entitled to refuse to settle during the war, by reason of war laws, need not be met before the expiration of three months after the ratification of the Treaty of Peace. They shall be charged with interest at the rate of 5 per cent per annum from the date of the original obligation for the duration of the war and the three months immediately following, without regard to any moratorium; in particular cases, interest may also become payable up to the original date for payment.

§ 4.

Officially recognized associations for the protection of creditors shall be mutually recognized and permitted to act as authorized representatives of persons and juridical persons associated with and claiming through them for the settlement of outstanding liabilities and other civil engagements.

ARTICLE 8.

The contracting parties are agreed that, after the ratification of the Treaty of Peace, payment of State liabilities, and more especially the service of the public debt, to the nationals of both parties, shall be resumed.

In regard to the property adjustment which the Ukrainian People's Republic proposes to undertake in conjunction with the other parts of the former Russian Empire, the carrying out of the provisions of paragraph 1 of this Article may form the subject of a special agreement. With regard hereto, the Ukrainian People's Republic shall, in any event, take over the obligations to-

nehmen, die für die in der Ukraine vorgenommenen öffentlichen Arbeiten eingegangen oder durch dort befindliche Vermögensgegenstände sichergestellt sind.

wards German subjects incurred for public works undertaken in the Ukraine or secured by property situated there.

Artikel 9.

ARTICLE 9.

Die vertragschließenden Teile sind darüber einig, daß vorbehaltlich der Bestimmungen des Artikels 11 Urheberrechte und gewerbliche Schutzrechte, Konzessionen und Privilegien sowie ähnliche Ansprüche auf öffentlich-rechtlicher Grundlage, die durch Kriegsgesetze beeinträchtigt worden sind, für das Gebiet der Ukraine wiederhergestellt werden.

The contracting parties agree that, save as is otherwise provided by Article 11, copyright, industrial patent rights, concessions and privileges, and other similar claims based on public law, which have been prejudiced by war laws shall again be re-established within Ukrainian territory.

Die Bestimmung des Absatz 1 soll auf Konzessionen, Privilegien und ähnliche Ansprüche keine Anwendung finden, soweit diese auf Grund einer für alle Landesinwohner und für alle Rechte der gleichen Art geltenden Gesetzgebung inzwischen abgeschafft oder vom Staate oder von Gemeinden übernommen worden sind und in deren Besitz verbleiben.

The provisions of paragraph 1 hereof shall not apply to concessions, privileges, and similar claims, in so far as these shall in the meantime have been abolished by legislation binding on all inhabitants of the country and concerning all similar rights, or which shall have been taken over by the State or by communities and remain in their possession.

Die Ausführung der in den Absätzen 1, 2 aufgestellten Grundsätze bleibt besonderer Vereinbarung vorbehalten.

The carrying out of the provisions of paragraphs 1 and 2 is reserved for a special agreement.

Artikel 10.

ARTICLE 10.

Die Fristen für die Verjährung von Rechten sollen im Gebiete jedes vertragschließenden Teiles gegenüber den Angehörigen des anderen Teiles, falls sie zur Zeit des Kriegsausbruchs noch nicht abgelaufen waren, frühestens ein Jahr nach der Ratifikation des Friedensvertrags, ablaufen. Das gleiche gilt von den Fristen zur Vorlegung von Zinsscheinen und Gewinnanteilscheinen sowie von ausgelosten oder sonst zahlbar gewordenen Wertpapieren.

The period within which the rights of nationals of the other party in the territory of each contracting party shall expire shall be at the earliest one year after the ratification of the Treaty of Peace, should it not have expired at the outbreak of war. The same shall apply to periods within which interest cards and dividend warrants are to be presented, as also bonds which have been drawn or otherwise become payable.

Artikel 11.

ARTICLE 11.

Die Tätigkeit der Stellen, die auf Grund von Kriegsgesetzen mit der Aufsichtigung, Bewahrung, Verwal-

The activity of the institutions which, by reason of war laws, shall have undertaken the supervision, custody, administra-

tung oder Liquidation von Vermögensgegenständen oder der Ausnahme von Zahlungen befaßt worden sind, soll unbeschadet der Bestimmungen des Artikels 12 nach Maßgabe der nachstehenden Grundsätze abgewickelt werden.

§ 1.

Die beaufichtigten, verwahrten oder vermaliteten Vermögensgegenstände sind auf Verlangen des Berechtigten unverzüglich freizugeben; bis zur Uebernahme durch den Berechtigten ist für eine Wahrung seiner Interessen zu sorgen.

§ 2.

Die Bestimmungen des § 1 sollen wohlerworbene Rechte Dritter nicht berühren. Zahlungen und sonstige Leistungen eines Schuldners, die von den im Eingang dieses Artikels erwähnten Stellen oder auf deren Veranlassung entgegengenommen worden sind, sollen in den Gebieten der vertragschließenden Teile die gleiche Wirkung haben, wie wenn sie der Gläubiger selbst empfangen hätte.

Privatrechtliche Verfügungen, die von den bezeichneten Stellen oder auf deren Veranlassung oder ihnen gegenüber vorgenommen worden sind, bleiben mit Wirkung für beide Teile aufrechterhalten.

§ 3.

Ueber die Tätigkeit der im Eingang dieses Artikels erwähnten Stellen, insbesondere über die Einnahmen und Ausgaben, ist den Berechtigten auf Verlangen unverzüglich Auskunft zu erteilen.

Artikel 12.

Grundstücke oder Rechte an einem Grundstück, Bergwerksgerechtfame sowie Rechte auf die Benutzung oder Ausbeutung von Grundstücken, Unternehmungen oder Beteiligungen an ei-

tion, or liquidation of property or the receipt of payments, shall be settled on the lines indicated below, without prejudice to the provisions of Article 12.

§ 1.

Property under supervision, custody, or administration shall be released without delay at the request of the person entitled thereto, and, until such person takes it over, care shall be taken to safeguard his interests.

§ 2.

The provisions of § 1 shall not affect the properly acquired rights of third parties. Payments and other obligations of a debtor accepted by the institutions mentioned at the beginning of this Article, or by their order, shall have the same effect within the territories of the contracting parties as though received by the creditor in person.

Arrangements under civil law made by the institutions above mentioned, or by their order or with them, shall be binding in their effect upon both parties.

§ 3.

Upon the request of those entitled thereto, information shall be immediately furnished with regard to the activity of the institutions mentioned at the beginning of this Article, and more especially concerning their income and expenditure.

ARTICLE 12.

Land or rights over land, mining rights, as well as the right of using, exploiting, and working land, undertakings, or participations in an undertaking, espe-

nem Unternehmen, insbesondere Aktien, die infolge von Kriegsgesetzen veräußert oder dem Berechtigten sonst durch Zwang entzogen worden sind, sollen dem früheren Berechtigten auf einen innerhalb eines Jahres nach der Ratifikation des Friedensvertrags zu stellenden Antrag gegen Rückgewähr der ihm aus Anlaß der Veräußerung oder Entziehung etwa erwachsenen Vorteile frei von allen inzwischen begründeten Rechten Dritter wieder übertragen werden.

Die Bestimmungen des Absatz 1 finden keine Anwendung, soweit die veräußerten Vermögensgegenstände auf Grund einer für alle Landeseinwohner und für alle Gegenstände der gleichen Art geltenden Gesetzgebung inzwischem vom Staate oder von Gemeinden übernommen worden sind und in deren Besitze verbleiben; im Falle der Wiederaufhebung der Uebnahme kann der im Absatz 1 vorgesehene Antrag auf Rückgewähr innerhalb eines Jahres nach der Wiederaufhebung gestellt werden.

Viertes Kapitel.

Ersatz für Zivilschäden.

Artikel 13.

Die vertragschließenden Teile sind darüber einig, daß den beiderseitigen Angehörigen die Schäden ersetzt werden, die sie infolge von Kriegsgesetzen durch die zeitweilige oder dauernde Entziehung von Urheberrechten, gewerblichen Schutzrechten, Konzessionen, Privilegien und ähnlichen Ansprüchen oder durch die Beaufsichtigung, Verwahrung, Verwaltung oder Veräußerung von Vermögensgegenständen erlitten haben. Das gleiche gilt für die Schäden, die den Zivilangehörigen jedes Teiles während des Krieges außerhalb der Kriegesgebiete von den staatlichen Organen oder der Bevölkerung des anderen Teiles durch völkerrechtswidrige Gewaltakte an Leben, Gesundheit oder Vermögen zugefügt worden sind.

cially shares which, in consequence of war laws, have been alienated or otherwise compulsorily withdrawn from the rightful owner, shall be reconveyed to such owner upon requisition made by him within one year after the ratification of the Treaty of Peace, against his surrender of any advantages or profits which may have accrued to him by reason of such alienation or withdrawal, free of all rights established by third parties in the meantime.

The provisions of paragraph 1 hereof shall not apply in so far as the alienated property shall in the meantime have been taken over by the State or by communities and be in its possession on the basis of legislation valid for all its inhabitants and for all property of a similar nature; in the event of the cancellation of such transfer, action for restitution in paragraph 1 hereof may be taken within a year after the cancellation.

CHAPTER IV.

COMPENSATION FOR CIVIL DAMAGES.

ARTICLE 13.

The contracting parties have agreed that nationals on both sides shall be compensated for damages suffered in consequence of war laws through the temporary or permanent withdrawal of copyrights, industrial patents, concessions, privileges, and similar rights, or through the control, custody, administration, or sale of property. This shall also apply to damages suffered by civilian nationals of each party outside the war zones during the war, by reason of acts of violence against body, health, or property contrary to international law and caused by its public authorities or its population.

Im Hinblick auf die von der Ukrainischen Volksrepublik in Aussicht genommene Vermögensauseinandersetzung mit den übrigen Teilen des ehemaligen Russischen Kaiserreichs bleibt die Ausführung der in Absatz 1 aufgestellten Grundsätze besonderer Vereinbarung vorbehalten.

Fünftes Kapitel.

Austausch der beiderseitigen Kriegsgefangenen und Zivilinternierten.

Artikel 14.

Ueber den im Artikel VI des Friedensvertrags vorgesehenen Austausch der Kriegsgefangenen werden die nachstehenden Bestimmungen getroffen.

§ 1.

Der bereits im Gange befindliche Austausch dienstuntauglicher Kriegsgefangenen wird mit möglichster Beschleunigung durchgeführt werden.

Der Austausch der übrigen Kriegsgefangenen erfolgt tunlichst bald in bestimmten, noch näher zu vereinbarenden Zeiträumen.

§ 2.

Bei der Entlassung erhalten die Kriegsgefangenen das ihnen von den Behörden des Aufenthaltsstaats abgenommene Privateigentum sowie den noch nicht ausbezahlten oder verrechneten Teil ihres Arbeitsverdienstes; diese Verpflichtung bezieht sich nicht auf Schriftstücke militärischen Inhalts.

§ 3.

Eine aus je vier Vertretern der beiden Teile zu bildende Kommission soll alsbald nach der Ratifikation des Friedensvertrags in Brest-Litovsk zusammentreten, um die im § 1 Abs. 2 vorge-

As regards the property adjustment with other parts of the former Russian Empire contemplated by the Ukrainian People's Republic, the carrying out of the principles laid down in paragraph 1 hereof is reserved for a special agreement.

CHAPTER V.

EXCHANGE OF PRISONERS OF WAR AND INTERNED CIVILIANS.

ARTICLE 14.

The following provisions are made concerning the exchange of prisoners of war provided for in Article VI of the Treaty of Peace:

§ 1.

The exchange of prisoners of war unfit for military service, which is already taking place, shall be carried through with all possible speed.

The exchange of other prisoners of war shall take place as soon as possible, within a fixed period yet to be agreed upon.

§ 2.

Upon being released, prisoners of war shall receive back the private property taken from them by the authorities of the State in whose territory they shall be, and also the portion of their earnings not yet paid out or computed. This obligation shall not apply to written documents of military contents.

§ 3.

A Commission to be formed of four representatives of each party shall meet in Brest-Litovsk as soon as possible after the ratification of the Treaty of Peace, in order to fix the periods provided for in clause 2 of § 1 of this Article

sehenen Zeiträume sowie die sonstigen Einzelheiten des Austausches, insbesondere die Art und Weise der Heimbeförderung, festzusetzen und die Durchführung der getroffenen Vereinbarungen zu überwachen.

§ 4.

Die nach völkerrechtlichen Grundsätzen zu erstattenden Aufwendungen für die beiderseitigen Kriegsgefangenen werden im Hinblick auf die Gefangenenzahlen gegen einander aufgerechnet.

Artikel 15.

Ueber die Heimkehr der beiderseitigen Zivilangehörigen werden die nachstehenden Bestimmungen getroffen.

§ 1.

Die beiderseitigen internierten oder verschickten Zivilangehörigen werden tunlichst bald unentgeltlich heimbefördert werden, soweit sie nicht mit Zustimmung des Aufenthaltsstaats in dessen Gebiete zu bleiben oder sich in ein anderes Land zu begeben wünschen.

Die im Artikel 14 § 3 erwähnte Kommission soll die Einzelheiten der Heimbeförderung regeln und die Durchführung der getroffenen Vereinbarungen überwachen.

§ 2.

Die Angehörigen eines Teiles, die bei Kriegsausbruch in dem Gebiete des anderen Teiles ihren Wohnsitz oder eine gewerbliche oder Handelsniederlassung hatten und sich nicht in diesem Gebiete aufhalten, können dorthin zurückkehren, sobald sich der andere Teil nicht mehr in Kriegszustand befindet. Die Rückkehr kann nur aus Gründen der inneren oder äußeren Sicherheit des Staates verweigert werden.

as well as other details of the exchange, especially the manner of their repatriation, and to supervise the carrying through of the agreement arrived at.

§ 4.

The expenditures incurred for prisoners of war of the one side, of which a return shall be made according to the principles of international law, shall be set against that incurred for those of the other side, having regard to the number of prisoners on both sides.

ARTICLE 15.

The following provisions are made concerning the repatriation of civilian nationals on both sides:

§ 1.

Interned or deported civilian nationals on each side shall, as soon as practicable, be repatriated free of charge, in so far as they do not wish, subject to the consent of the State, within whose territory they shall be, to remain there or go to another country.

The Commission mentioned in § 3 of Article 14 shall settle the details of repatriation and shall supervise the carrying out of the agreements made.

§ 2.

Nationals of one party who were domiciled or industrially or commercially established within the territory of the other party on the outbreak of war and who did not remain there, may return to such territory as soon as the other party is no longer in a state of war. Permission for their return can only be refused on the ground of danger to the State at home or abroad.

Als Ausweis genügt ein von den Behörden des Heimatstaats ausgestellter Paß, wonach der Inhaber zu den im Absatz 1 bezeichneten Personen gehört; ein Sichtvermerk auf dem Passe ist nicht erforderlich.

Artikel 16.

Die Angehörigen jedes vertragsschließenden Teiles sollen im Gebiete des anderen Teiles für die Zeit, während deren dort ihr Gewerbe- oder Handelsbetrieb oder ihre sonstige Erwerbstätigkeit infolge des Krieges geruht hat, keinerlei Auflagen, Abgaben, Steuern oder Gebühren für den Gewerbe- oder Handelsbetrieb oder die sonstige Erwerbstätigkeit unterliegen. Beträge, die hiernach nicht geschuldet werden, aber bereits erhoben sind, sollen binnen sechs Monaten nach der Ratifikation des Friedensvertrags zurückerstattet werden.

Auf Handels- und sonstige Erwerbsgesellschaften, an denen Angehörige des einen Teiles als Gesellschafter, Aktionäre oder in sonstiger Weise beteiligt sind und deren Betrieb im Gebiete des anderen Teiles infolge des Krieges geruht hat, finden die Bestimmungen des Absatz 1 entsprechende Anwendung.

Artikel 17.

Jeder vertragsschließende Teil verpflichtet sich, die auf seinem Gebiete befindlichen Grabstätten der Seeres-angehörigen sowie der während der Internierung oder Verschickung verstorbenen sonstigen Angehörigen des anderen Teiles zu achten und zu unterhalten; auch können Beauftragte dieses Teiles die pflege und angemessene Ausschmückung der Grabstätten im Einvernehmen mit den Landesbehörden besorgen. Die mit der Pflege der Grabstätten zusammenhängenden Einzelfragen bleiben weiterer Vereinbarung vorbehalten.

A passport made out by the authorities of the home Government, stating that the bearer is one of the persons indicated in § 1, shall be sufficient evidence. No *visé* shall be required on such passport.

ARTICLE 16.

Nationals of each contracting party shall not be subject, within the territory of the other party, to any assessment, tax, contribution, or dues upon their industrial or commercial business or other occupation for the period during which such industrial or commercial business or other occupation shall have been dormant in consequence of the war. Amounts already collected, but which are not payable according to this Article, shall be refunded within six months after the ratification of the Treaty of Peace.

The provisions of paragraph 1 shall correspondingly apply to commercial and industrial companies in which the nationals of the one party are interested as members, shareholders, or otherwise, and whose business in the territory of the other party shall have been dormant in consequence of the war.

ARTICLE 17.

Each of the contracting parties undertakes to respect and keep in good order the burial-places, within its territory, of members of the military forces of the other party who fell in the war, as well as of other nationals of such party who died during internment or after deportation; duly authorized persons may tend and suitably decorate the burial-places, with the consent of the local authorities. Particular questions connected with the care of such burial-places are reserved for further agreement.

Sechstes Kapitel.

CHAPTER VI.

Fürsorge für Rückwanderer.

PROVISION FOR THE REPATRIATED.

Artikel 18.

ARTICLE 18.

Den Angehörigen jedes vertragschließenden Teiles, die aus dem Gebiete des anderen Teiles stammen, soll es während einer Frist von zehn Jahren nach der Ratifikation des Friedensvertrages freistehen, im Einvernehmen mit den Behörden dieses Teiles nach ihrem Stammland zurückzuzwandern.

Die zur Rückwanderung berechtigten Personen sollen auf Antrag die Entlassung aus ihrem bisherigen Staatsverband erhalten. Auch soll ihr schriftlicher oder mündlicher Verkehr mit den diplomatischen und konsularischen Vertretern des Stammlandes in keiner Weise gehindert oder erschwert werden.

Nationals of each of the contracting parties racially originating in the territory of the other party may return to their native country within a period of ten years after the ratification of the Treaty of Peace, in agreement with the authorities of such party.

Persons authorized to return shall receive a discharge from their former State allegiance on demand. Their written or verbal communication with the diplomatic or consular representatives of their native country shall not be prevented or rendered difficult in any way.

Artikel 19.

ARTICLE 19.

Die Rückwanderer sollen durch die Ausübung des Rückwandererrechts keinerlei vermögensrechtliche Nachteile erleiden. Sie sollen befugt sein, ihr Vermögen zu liquidieren und den Erlös und vorbehaltlich der Bestimmungen der allgemeinen Landesgesetze auch ihre sonstige bewegliche Habe mitzunehmen; ferner dürfen sie ihre Pachtverträge unter Einhaltung einer Frist von sechs Monaten kündigen, ohne daß der Verpächter wegen vorzeitiger Auflösung des Pachtvertrags Schadenersatzansprüche¹ geltend machen kann.

The repatriated shall suffer no pecuniary or material disadvantage through exercising the right of return. They shall be entitled to realize their property and take the proceeds thereof with them, as also, subject to the provisions of the general law of the land, their movable possessions; further, they shall have the right to terminate their leases upon giving six months' notice to this effect, without the lessor being entitled to claim damages on account of the premature termination thereof.

Siebentes Kapitel.

CHAPTER VII.

Amnestie.

AMNESTY.

Artikel 20.

ARTICLE 20.

Jeder vertragschließende Teil gewährt den Angehörigen des anderen Teiles Straffreiheit nach Maßgabe der nachstehenden Bestimmungen.

Each contracting party grants to nationals of the other party freedom from punishment according to the following provisions.

¹ "N. A. Z." has Schadenersatzansprüche.

§ 1.

Jeder Teil gewährt volle Straffreiheit den dem anderen Teile angehörenden Kriegsgefangenen für alle von ihnen begangenen gerichtlich oder disziplinarisch strafbaren Handlungen.

§ 2.

Jeder Teil gewährt volle Straffreiheit den Zivilangehörigen des anderen Teiles, die während des Krieges interniert oder verschickt worden sind, für die während der Internierung oder Verschickung begangenen gerichtlich oder disziplinarisch strafbaren Handlungen.

§ 3.

Jeder Teil gewährt volle Straffreiheit allen Angehörigen des anderen Teiles für die zu dessen Gunsten begangenen Straftaten und für Verstöße gegen die zum Nachteil feindlicher Ausländer ergangenen Ausnahmegefetze.

§ 4.

Die in den §§ 1 bis 3 vorgesehene Straffreiheit erstreckt sich nicht auf Handlungen, die nach der Ratifikation des Friedensvertrags begangen werden.

§ 5.

Soweit nach den Bestimmungen der §§ 1 bis 4 Straffreiheit gewährt wird, werden neue Strafverfahren nicht eingeleitet, die anhängigen Strafverfahren eingestellt und die erkannten Strafen erlassen. Doch können Kriegsgefangene, die sich wegen Kriegs- oder Landesverrats, vorsätzlicher Tötung, Raubes, räuberischer Erpressung, vorsätzlicher Brandstiftung oder Sittlichkeitsverbrechen in Untersuchungs- oder Strafhaft befinden, bis zu ihrer Entlassung in Haft gehalten werden.

§ 1.

Each party grants complete immunity from punishment to prisoners of war belonging to the other party for all punishable offences against law or discipline.

§ 2.

Each party grants complete immunity from punishment to civilian nationals of the other party interned or deported during the war, for punishable offences against law or discipline committed by them during their internment or after deportation.

§ 3.

Each party grants to all nationals of the other party complete immunity from punishment for offences committed for the benefit of the latter and for contraventions of exceptional laws passed against enemy aliens.

§ 4.

The immunity from punishment provided for in §§ 1 to 3 shall not extend to offences committed after ratification of the Treaty of Peace.

§ 5.

In so far as immunity from punishment is granted according to the provisions of §§ 1 to 4, new penal proceedings shall not be commenced, pending penal proceedings shall be quashed, and punishments enforced shall be remitted. Prisoners of war awaiting trial or undergoing imprisonment on account of military treachery or high treason, premeditated homicide, robbery, predatory extortion, arson, or crimes against morality may, however, be kept in prison until repatriated.

Artikel 21.

Die vertragschließenden Teile gewähren ihren eigenen Angehörigen Straffreiheit nach Maßgabe der nachstehenden Bestimmungen.

§ 1.

Jeder Teil gewährt volle Straffreiheit den Angehörigen seiner bewaffneten Macht in Ansehung der Arbeiten, die sie als Kriegsgefangene des anderen Teiles geleistet haben. Das gleiche gilt für die von den beiderseitigen Zivilangehörigen während ihrer Internierung oder Verschickung geleisteten Arbeiten.

§ 2.

Jeder Teil gewährt volle Straffreiheit den Bewohnern seiner von dem anderen Teil besetzten Gebiete für ihr politisches Verhalten während der Zeit der Besetzung.

§ 3.

Auf die in den §§ 1, 2 vorgesehene Straffreiheit finden die Bestimmungen des Artikels 20 § 5 Anwendung; auch dürfen in diesen Fällen über die beteiligten Personen und ihre Familien weitere Rechtsnachteile nicht verhängt werden.

Artikel 22.

Die vertragschließenden Teile behalten sich vor, über die von jedem Teile zu gewährende Straffreiheit für die zu seinen Ungunsten begangenen Handlungen weitere Vereinbarungen zu treffen.

Achstes Kapitel.

Behandlung der in die Gewalt des Gegners geratenen Kauffahrteischiffe und Schiffsladungen.

Artikel 23.

Kauffahrteischiffe des einen vertragschließenden Teiles, die bei Kriegsaus-

ARTICLE 21.

The contracting parties grant to their own nationals freedom from punishment according to the following provisions.

§ 1.

Each party grants to members of its own armed forces complete immunity from punishment in reference to work done as prisoners of war of the other party. The same shall apply to work done by civilian nationals on both sides during internment or deportation.

§ 2.

Each party grants complete immunity from punishment to inhabitants of such of its territory as shall have been occupied during the war, in respect of their political conduct during such occupation.

§ 3.

The provisions of § 5 of Article 20 shall apply to the immunity from punishment provided for in §§ 1 and 2; moreover, in those cases further legal disadvantages shall not devolve upon the persons concerned and their families.

ARTICLE 22.

The contracting parties reserve to themselves the right to enter into further agreements concerning immunity from punishment to be guaranteed by each party for offenses committed to its prejudice.

CHAPTER VIII.

TREATMENT OF MERCHANT VESSELS AND OF CARGOES WHICH HAVE COME INTO THE OPPONENT'S POSSESSION.

ARTICLE 23.

Merchant vessels of one contracting party which were lying in

bruch in den Häfen des anderen Teiles lagen, werden ebenso wie ihre Ladungen zurückgegeben oder, soweit dies nicht möglich ist, in Geld ersetzt werden. Wegen der Vergütung für die Benutzung solcher Schiffe während des Krieges bleibt im Hinblick auf die von der Ukrainischen Volksrepublik in Aussicht genommenen Auseinanderetzung mit den übrigen Teilen des ehemaligen Russischen Kaiserreichs eine besondere Vereinbarung vorbehalten.

Artikel 24.

Die als Preisen aufgebrauchten Kaufahrtschiffe der vertragschließenden Teile sollen, wenn sie vor der Ratifikation des Friedensvertrags durch rechtskräftiges Urteil eines Preisgerichts kondemniert worden sind und nicht unter die Bestimmungen des Artikels 23 fallen, als endgültig eingezogen angesehen werden; im übrigen sind sie zurückzugeben oder, soweit sie nicht mehr vorhanden sind, in Geld zu ersetzen. Diese Bestimmungen finden auf die als Preisen aufgebrauchten Schiffsladungen von Angehörigen der vertragschließenden Teile entsprechende Anwendung.

Artikel 25.

Die Durchführung der in den Artikeln 23, 24 enthaltenen Bestimmungen, insbesondere die Festsetzung der zu zahlenden Entschädigungen erfolgt durch eine gemischte Kommission, die aus je einem Vertreter der vertragschließenden Teile und einem neutralen Obmann bestehen und binnen drei Monaten nach Unterzeichnung des Friedensvertrags in Odessa oder an einem anderen geeigneten Orte zusammenzutreten wird; um die Bezeichnung des Obmanns wird der Präsident des Schweizerischen Bundesrats gebeten werden.

Artikel 26.

Die vertragschließenden Teile werden alles, was in ihrer Macht liegt, tun, damit die nach Artikel 23, 24 zurückzugebenden Kaufahrtschiffe nebst ihren Ladungen frei nach der Heimat zurückgelangen können.

the ports of the other party at the outbreak of war shall, with their cargoes, be given back or, in so far as this is not possible, be compensated for in money. A special agreement is reserved as regards compensation for the use of such ships during the war, in view of the adjustment intended to be made by the Ukrainian People's Republic with the other parts of the former Russian Empire.

ARTICLE 24.

Merchant ships brought in as prizes shall be definitely confiscated if condemned before the ratification of the Treaty of Peace by the valid judgment of a Prize Court and if they do not come under the provisions of Article 23; in other cases they are to be given back or, if no longer available, are to be compensated for in money. These provisions shall apply to ships' cargoes brought in as prizes and belonging to nationals of the contracting parties.

ARTICLE 25.

The application of the provisions contained in Articles 23 and 24, and more especially the assessing of compensation, shall devolve upon a mixed Commission, which shall consist of one representative of each of the contracting parties and a neutral chairman, and shall sit at Odessa, or some other suitable place; within three months after the date of the ratification of the Treaty of Swiss Peace. The President of the Federal Council shall be requested to nominate the chairman.

ARTICLE 26.

The contracting parties shall do all in their power to facilitate the free return home of the merchant shipping and cargoes returnable under Articles 23 and 24.

Neuntes Kapitel.

CHAPTER IX.

Schlußbestimmungen.

FINAL PROVISIONS.

Artikel 27.

ARTICLE 27.

Dieser Zusatzvertrag, der einen wesentlichen Bestandteil des Friedensvertrags bildet, soll ratifiziert und die Ratifikationsurkunden sollen zugleich mit den Ratifikationsurkunden des Friedensvertrags ausgetauscht werden.

This Supplementary Treaty, which forms an essential part of the Treaty of Peace, shall be ratified and the ratifications exchanged at the same time as the ratifications of the Treaty of Peace.

Artikel 28.

ARTICLE 28.

Der Zusatzvertrag tritt, soweit darin nicht ein anderes bestimmt ist, gleichzeitig mit dem Friedensvertrag in Kraft.

The Supplementary Treaty shall, in so far as it is not otherwise stated, come into force at the same time as the Treaty of Peace.

Zur Ergänzung des Zusatzvertrags, insbesondere zum Abschluß der darin vorbehaltenen weiteren Vereinbarungen werden binnen vier Monaten nach der Ratifikation Vertreter der vertragsschließenden Teile an einem später zu bestimmenden Ort zusammentreten.

The representatives of the contracting parties shall meet together at a place to be determined later for the purpose of making additions to the Supplementary Treaty, and especially for concluding the further agreements reserved by it.

Zu Urkund dessen haben die Bevollmächtigten sowie als Vertreter der deutschen Obersten Heeresleitung der Chef des Generalstabs des Oberbefehlshabers Ost, der Königlich Preussische Generalmajor Herr Max Hoffmann, diesen Zusatzvertrag unterzeichnet und mit amtlichen Siegeln versehen.

In witness whereof the Plenipotentiaries, as well as the Royal Prussian Major-General Max Hoffmann, Chief of General Staff to the Commander-in-Chief in the East, representing the German Chief Army Command, have herewith set their hands and seals of office.

Ausgefertigt in doppelter Urschrift in Brest-Litowsk am 9. Februar 1918.

Done in duplicate at Brest-Litovsk this 9th day of February, 1918.

(Folgen die Unterschriften)

(Signatures follow.)

7. LETTER OF TRANSMITTAL.

CHANCELLOR VON HERTLING'S LETTER TRANSMITTING TO THE REICHSTAG THE TREATIES WITH UKRAINE, 19 FEBRUARY, 1918.

[German text from Reichstagsdrucksache, No. 1293, as transmitted to the Department of State.]

[Translation.]

Berlin, den 19. Februar 1918.

Im Namen Seiner Majestät des Kaisers beehre ich mich, dem Reichstag anbei die deutschen Texte

1. des am 9. Februar 1918 in Brest-Litovsk unterzeichneten Friedensvertrags zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei einerseits und der Ukrainischen Volksrepublik anderseits,

2. des am selben Tage in Brest-Litovsk unterzeichneten Deutsch-Ukrainischen Zusatzvertrags zu dem Friedensvertrag nachdem der Bundesrat seine Zustimmung dazu erteilt hat, zu verfassungsmäßiger Genehmigung vorzulegen.

Den Verträgen wird eine erläuternde Denkschrift angeschlossen.

Der Reichskanzler,
Dr. Graf von Hertling.

Berlin, 19 February, 1918.

In the name of His Majesty the Emperor, I have the honor to submit to the Reichstag the German texts:

1. Of the Peace Treaty of 9 February, 1918 signed at Brest-Litovsk between Germany, Austria-Hungary, Bulgaria, and Turkey, on the one hand, and the Ukrainian People's Republic, on the other hand;

2. Of the German-Ukrainian supplementary treaty to the Peace Treaty, signed on the same day at Brest-Litovsk; for their constitutional sanction, after the Bundesrat has given its approval to them.

The treaties are accompanied by an explanatory memorandum.

The Imperial Chancellor
Dr. Count von HERTLING.

8. MEMORANDUM.

SUBMITTED TO THE REICHSTAG BY CHANCELLOR VON HERTLING WITH THE TREATY OF PEACE AND THE SUPPLEMENTARY TREATY WITH THE UKRAINE, 19 FEBRUARY, 1918.

[German text from Reichstagsdrucksache, No. 1293, as transmitted to the Department of State.]

[Translation.]

Die Ukraine gründet ihr zu neuem Leben erwachtes staatliches Dasein auf das dritte Universal vom 20. November 1917, womit die Zentralrada in Kiew die Errichtung der Ukrainischen Volksrepublik verkündet hat. Das ursprünglich als Teil einer russischen Bundesrepublik gedachte Staatswesen hat sich durch das vierte Universal vom 24. Januar 1918 von dem föderativen Gedanken losgejagt und die Ukrainische Volksrepublik zum selbständigen, von niemand abhängigen, freien und souveränen Staate erklärt. Am 1. Februar 1918 ist die Ukrainische Volksrepublik von den bevollmächtigten Vertretern Deutschlands, Oesterreich-Ungarns, Bulgariens und der Türkei als unabhängiger, freier und souveräner Staat, der selbständig internationale Abmachungen treffen kann, anerkannt worden.

Bei Beginn der Friedensverhandlungen in Brest-Litovsk bildeten die Vertreter der Ukrainischen Regierung einen Teil der Russischen Delegation. Später entsandte die Regierung eine eigene Delegation, mit der alsdann die Friedensverhandlungen selbständig ge-

Ukraine bases her national existence which has come to new life upon the Third Sovereign Manifesto of 20 November, 1917, by which the Central Rada in Kiev has announced the establishment of the Ukrainian People's Republic. The national organization which had originally been thought of as part of a Russian Federal Republic had abandoned the federal conception through the Fourth National Sovereign Manifesto of 24 January, 1918, which declares the Ukrainian People's Republic as an independent, free, and sovereign State, dependent on no one. On 1 February, 1918, the Ukrainian People's Republic has been recognized by the authorized representatives of Germany, Austria-Hungary, Bulgaria, and Turkey as an independent, free, and sovereign State which may conclude independent international agreements.

At the beginning of the peace negotiations in Brest-Litovsk, the representatives of the Ukrainian Government formed a part of the Russian delegation. Subsequently, the Government sent its own delegation, with which the peace negotiations were then con-

führt wurden. Dauf der sachlichen, nicht auf Propaganda, sondern auf eine wirkliche Verständigung gerichteten Haltung der ukrainischen Delegierten gelang es in kurzer Zeit, über die große Anzahl zum Teil höchst verwickelter und schwieriger Fragen, die der erste Friedensschluß in dem gegenwärtigen Weltkrieg aufwarf, zu einer Einigung zu kommen.

Am 9. Februar 1918 haben die Vertreter der Verbündeten Regierungen mit den Bevollmächtigten der Ukrainischen Regierung den Friedensvertrag unterzeichnet. Damit wollten die Vertragsschließenden, wie der Vertrag in seiner Einleitung betont, den ersten Schritt tun zu einem dauerhaften, für alle Teile ehrenvollen Weltfrieden, der nicht nur den Schrecknissen des Krieges ein Ende setzen, sondern auch zur Wiederherstellung der freundschaftlichen Beziehungen zwischen den Völkern auf politischem, rechtlichem, wirtschaftlichem und geistigem Gebiete führen soll.

Die Verhandlungen wurden in drei Kommissionen geführt; einer politischen, einer wirtschaftlichen und einer Rechtskommission. Der politischen Kommission lag besonders die Erörterung der Grenzfragen und der damit in Verbindung stehenden künftigen Gestaltung der politischen Beziehungen zwischen der Ukraine und ihren Nachbarn ob. Die wirtschaftliche Kommission hatte die Wiederanknüpfung der Handelsbeziehungen, die Anbahnung des Güteraustausches namentlich für die Uebergangszeit und die Herstellung eines vorläufigen Handelsvertrags zur Hauptaufgabe. Die Rechtskommission endlich behandelte die Aufnahme der diplomatischen und konsularischen Beziehungen, die Frage der Kriegsschäden und Kriegskosten, die Wiederherstellung der öffentlichen und privaten Rechtsbeziehungen zwischen den vertragschließenden Teilen, den Austausch der Kriegs-

ducted independently. Thanks to the practical attitude of the Ukrainian delegates, an attitude which was not intended for propaganda, but directed to the object of a real understanding, it was possible, in a short time, to come to an agreement concerning the large number of, in part, very complex and difficult questions resulting from the first conclusion of peace in the present world war.

On 9 February, 1918, the representatives of the Allied Governments signed, with the Plenipotentiaries of the Ukrainian Government, the Treaty of Peace. Thereby the contracting parties, as emphasized in the beginning of the treaty, desired to take the first step to a durable world peace, honorable to all parties, a peace which shall not only bring the horrors of war to an end, but which shall also lead to the reestablishment of the amicable relations between the peoples within the political, legal, economic, and intellectual spheres.

The negotiations were conducted in three commissions: a political, an economic, and a juridical commission. It devolved upon the political commission especially to consider the boundary questions and the future form of the political relations connected therewith between the Ukraine and her neighbors. It was the main task of the economic commission to prepare the resumption of the commercial relations, to initiate commercial exchange, especially with regard to the transition period, and to establish a preliminary commercial treaty. Finally, the juridical commission considered the inauguration of diplomatic and consular relations, the matter of war damages and war expenditures, the reestablishment of public and private legal relations between the contracting parties, the exchange of

gefangenen und Zivilinternierten, die Amnestiefrage, die Fürsorge für die Rückwanderer sowie die Frage der Behandlung der in die Gewalt des Gegners geratenen Rauffahrteischiffe.

Während in den wirtschaftlichen und Rechtsfragen vielfach besondere Bestimmungen für die einzelnen Mitglieder des Vierbundes nötig waren, konnten die politischen Fragen nur einheitlich geregelt werden, wobei Oesterreich-Ungarn als nächster Nachbar der Ukraine die meistbeteiligte Macht war. Hieraus ergab sich eine Teilung des Vertragswerkes in einen Hauptvertrag, den eigentlichen Friedensvertrag, der von den Mächten des Vierbundes mit der Ukraine einheitlich geschlossen wurde, und vier einzelne Zusatzverträge, von denen der deutsch-ukrainische Vertrag am gleichen Tage wie der Hauptvertrag unterzeichnet worden ist. Der Hauptvertrag enthält aber außer den rein politischen Artikeln auch das Ergebnis der Verhandlungen der wirtschaftlichen Kommission, das zwar für die einzelnen Mächte des Vierbundes Sonderbestimmungen enthält, aber im Wesentlichen nach einheitlichen Gesichtspunkten festgestellt werden konnte. Dagegen ergaben sich bei den Verhandlungen der Rechtskommission infolge der Verschiedenheit der Rechtsfragen in den einzelnen verbündeten Ländern und ihren Beziehungen zu dem bisherigen Russischen Reiche derartig Unterschiede, daß es geraten schien, die meisten der von ihr behandelten Gegenstände für die Zusatzverträge vorzubehalten.

war prisoners and interned civilians, the subject of amnesty, the provisions for the repatriated as well as the matter of the treatment of merchant ships that had come into the power of the opponent.

Whilst in the economic and juridical questions special provisions were in many respects deemed necessary for the individual members of the Quadruple Alliance, the political questions, on the other hand, could be regulated only in a manner that would be uniform to all the parties interested, in which respect Austria-Hungary was, as the nearest neighbor of the Ukraine, the power most interested. This consideration resulted in a division of the chief work into a general Treaty of Peace which was concluded by the Powers of the Quadruple Alliance with the Ukraine, and four separate supplementary treaties of which the German-Ukrainian treaty was signed on the same day as the chief treaty. But apart from the purely political articles, the chief treaty presents as well the result of the negotiations of the economic commission which, indeed, contains special provisions with regard to the distinct Powers of the Quadruple Alliance, but which in all essential respects could be determined from the point of view of uniformity. On the other hand, in consequence of the diversity of the juridical questions with regard to the individual allied countries and their relations to the former Russian Empire, the negotiations of the juridical commission led to such differences that it seemed advisable to reserve the most of the subjects which it considered for the supplementary treaties.

Das ganze Vertragswerk wird in den nachstehenden Erläuterungen nur soweit in Betracht gezogen, als es für die Beziehungen zwischen Deutschland und der Ukraine maßgebend ist, während die politische Bedeutung des Vertrags für die anderen Vierbundsmächte hier auszuscheiden hat. Auch die ausschließlich das Deutsche Reich betreffenden Bestimmungen können nur zum Teil für die Zuständigkeit der gesetzgebenden Körperschaften des Reichs in Anspruch genommen werden; dennoch wird das ganze Vertragswerk dem Bundesrat zur Zustimmung vorgelegt. Denn wenn auch nach Artikel II der Reichsverfassung der Friedensschluß eine Prerogative des Kaisers ist, so würde doch die Ausführung des Vertragswerkes den Erlaß reichsgesetzlicher Vorschriften erforderlich machen, sofern nicht seine Bestimmungen durch die Zustimmung der gesetzgebenden Körperschaften ohne weiteres Gesetzeskraft erhielten.

Zu den einzelnen Bestimmungen des Vertragswerkes ist folgendes zu bemerken:

A.

Der Hauptvertrag zwischen den Verbündeten Mächten und der Ukrainischen Volksrepublik.

Artikel I.

Durch den Eingangsartikel wird der Kriegszustand zwischen den Mächten des Vierbundes einerseits und der Ukrainischen Volksrepublik anderseits vertragsmäßig aufgehoben und gleichzeitig erklärt, daß in Zukunft zwischen den vertragsschließenden Theilen der Zustand des Friedens und der Freundschaft herrschen soll. Darin liegt einerseits eine nochmalige feierliche Anerkennung der Selbständigkeit und Unabhängigkeit der Ukraine, anderseits wird das neue

The entire construction work of this treaty will, in the following explanations, be considered only in so far as it is obligatory as between Germany and the Ukraine, whilst the political significance of the treaty with regard to the other Powers of the Quadruple Alliance must be left unconsidered. Furthermore, the provisions exclusively concerning the German Empire can be considered only in part with regard to the competence of the law-making bodies of the Empire; nevertheless, the entire work connected with the construction of the treaty will be submitted for the approval of the Federal Council. For, although, in accordance with Article II of the constitution of the Empire, it is the prerogative of the Emperor to conclude peace, the carrying out of the treaty would still require the promulgation of legal imperial ordinances, in so far as the provisions of the treaty did not receive legal force through the approval of the legislative bodies.

The following is to be observed with regard to the separate provisions of the treaty:

A.

THE MAIN TREATY BETWEEN THE ALLIED POWERS AND THE UKRAINIAN PEOPLE'S REPUBLIC.

ARTICLE I.

Through the introductory article, the state of war between the Powers of the Quadruple Alliance, on the one hand, and the Ukrainian People's Republic, on the other hand, is contractually terminated; it also declares that in future peace and amity shall exist between the contracting parties. Therein, on the one hand, we find a further solemn recognition of the autonomy and independence of the Ukraine, and on the

Staatswesen ausdrücklich in den Kreis der Mächte aufgenommen, mit denen Deutschland, Oesterreich-Ungarn, Bulgarien und die Türkei den Austausch geistiger und wirtschaftlicher Güter pflegen, wie er zwischen den Gliedern der Völkergemeinschaft üblich ist. Das Wort Freundschaft bedeutet hier nicht Bündnis; vielmehr hat die ukrainische Delegation erkennen lassen, daß die Ukraine an dem Weltkrieg ferner keinen Teil nehmen, sondern in die Reihe der neutralen Mächte eintreten wolle!

Artikel II.

Dieser Artikel beschäftigt sich mit den Grenzen des Ukrainischen Staates, soweit sie die Mächte des Vierbundes angehen. Die früheren Grenzen Oesterreich-Ungarns gegen Rußland sollen auch der Ukrainischen Volksrepublik gegenüber fortbestehen. Bei den Vereinbarungen für die Grenze weiter nördlich ist versucht worden, einen gerechten Ausgleich zwischen widerstreitenden völkischen und geschichtlichen Gesichtspunkten zu finden. Um Unbilligkeiten nach Möglichkeit zu vermeiden, haben die Vertragsschließenden von der Grenzfestsetzung im einzelnen Abstand genommen, und haben nur allgemeine Richtpunkte für die ethnographischen Verhältnisse angegeben und unter Berücksichtigung der Wünsche der Bevölkerung soll die Grenzlinie durch eine gemischte Kommission festgesetzt werden.

Artikel III.

Um dem jungen Ukrainischen Staate einen Beweis ihres besonderen Vertrauens zu geben, haben sich die Verbündeten entschlossen, mit der Räumung derjenigen nach Artikel 2 an die Ukraine fallenden Gebiete, die zur

other hand, the new national entity is expressly admitted into the circle of Powers with which Germany, Austria-Hungary, Bulgaria, and Turkey carry on an exchange of spiritual and economic goods, as is customary between the members of the international community. Amity does not, in this connection, mean alliance; rather, the Ukrainian delegation has let it be known, that the Ukraine no longer desires to take part in the world war, but desires to join the ranks of the Neutral Powers!

ARTICLE II.

This article deals with the frontiers of the Ukrainian State, in so far as they concern the Powers of the Quadruple Alliance. The former Austro-Hungarian frontiers, with regard to Russia, shall continue intact as regards the Ukrainian People's Republic. In the agreements concerning the frontier line between the north, an attempt has been made to find a just settlement between the conflicting national and historic viewpoints. In order to obviate all unfairness, the contracting parties have desisted from determining the details of the frontier line and have indicated but general directions to meet the ethnographic conditions, and under consideration of the wishes of the population the frontier line will be determined by a mixed commission.

ARTICLE III.

In order to give proof to the young Ukrainian State of their especial confidence, the allies have resolved to begin, immediately after the ratification of the Peace Treaty, the evacuation of those territories which, in accordance with Article II, go to the Ukraine,

Zeit von den Mittelmächten besetzt sind, unverzüglich nach der Ratifikation des Friedensvertrags zu beginnen. Selbstverständlich hat die Volksrepublik gleichzeitig die von ihr besetzten Gebiete der Mittelmächte zu räumen. Die Durchführung der Räumung, die von dem weiteren Verlauf der Kriegsergebnisse nicht unabhängig sein kann, wird unter die Aufsicht der Bevollmächtigten der beteiligten Mächte gestellt.

Artikel IV.

Eine Folge des wiedereingetretenen Friedenszustandes ist die sofortige Aufnahme der diplomatischen und konsularischen Beziehungen. Als selbständiger Staat hat die Ukraine das Recht, Gesandte bei den Oberhäuptern der befreundeten Staaten zu beglaubigen und deren Gesandte bei sich zu empfangen sowie konsularische Vertreter zu bestellen und zuzulassen. Für die Regelung der konsularischen Beziehungen haben sich die vertragschließenden Teile gegenseitig eine möglichst weitgehende Zulassung von Konsuln zugesichert; doch sind hier besondere Vereinbarungen zwischen der Ukraine und den einzelnen Vierbundsmächten vorbehalten, da mit der Verschiedenartigkeit der tatsächlichen Verhältnisse gerechnet werden muß.

Artikel V.

Die verbündeten Mächte haben der Ukraine gegenüber das Friedensangebot aufrecht erhalten, das sie am 25. Dezember 1917 dem gesamten Rußland gemacht hatten; denn obwohl das Angebot den Beitritt der ehemaligen Bundesgenossen Rußlands zu den Friedensverhandlungen voraussetzte und daher bei deren Weigerung hinweggefallen ist, so erschien es doch angezeigt, dem ehrlichen Friedenswillen der Ukrainischen Volksrepublik keine schwereren Bedingungen zu

but which at the time are occupied by the Central Powers. Of course, the People's Republic will have to evacuate at the same time those territories of the Central Powers which it occupies. The carrying out of the evacuation which must, however, be dependent upon the further development of war operations, is placed under the supervision of the Plenipotentiaries of the interested Powers.

ARTICLE IV.

A consequence of the state of peace which has come about, is the immediate inauguration of diplomatic and consular relations. As an independent State the Ukraine has the right to accredit envoys to the chiefs of the friendly States, and to receive their envoys, as well as to appoint and to admit consular representatives. As regards the regulation of consular relations, the contracting parties have mutually insured to one another, admission of such representatives as far-reaching as possible; but in this matter special agreements are reserved between the Ukraine and the distinct Powers of the Quadruple Alliance, in view of the fact that the diversity of actual conditions must be taken into account.

ARTICLE V.

With regard to the Ukraine, the allied Powers have maintained the peace offer which they made to the whole of Russia on 25 December, 1917; for although the offer was conditioned upon the joining of the former allies of Russia in the peace negotiations and nullified in consequence of their refusal to do so, it seemed best, nevertheless, to impose no severer conditions upon the honest desire for peace on the part of the Ukrainian People's Republic

stellen als ursprünglich in Aussicht genommen war. Zu diesen Bedingungen gehörte aber auch der gegenseitige Verzicht auf den Ersatz der Kriegskosten und Kriegsschäden. Der Ukraine gegenüber trifft der Verzicht weniger das Deutsche Reich als die Oesterreichisch-Ungarische Monarchie.

Die Begriffe der Kriegskosten und der Kriegsschäden sind in dem Artikel genau bestimmt. Zu den Kriegsschäden sind auch alle Requisitionen gerechnet, die eine Macht in dem Gebiete der anderen vorgenommen hat. Daraus ergibt sich, daß nach dem Wiedereintritt des Friedens kein vertragschließender Teil dem anderen gegenüber völkerrechtliche Ansprüche aus Requisitionen, die dieser auf feindlichem Gebiete vorgenommen hat, herleiten kann; vielmehr bleibt die Entschädigung der von den Requisitionen betroffenen Angehörigen jedem Vertragspartei überlassen. Nicht berührt werden von dieser Bestimmung die Requisitionen, die jeder Teil in seinem eigenen Gebiete vorgenommen hat und selbstverständlich auch den davon betroffenen Angehörigen des anderen Teiles bezahlen muß.

Artikel VI.

Die Entlassung der Kriegsgefangenen in die Heimat konnte bei der starken Abweichung der Gefangenenzahlen, die zwischen den einzelnen Mächten des Vierbundes auf der Aktiv- und Passivseite herrschte, und bei der Verschiedenheit der Beförderungs- und Verkehrsverhältnisse nicht einheitlich geregelt werden. Im Hauptvertrag ist daher nur der Grundsatz der Rücksendung in die Heimat ausgesprochen worden, mit dem Vorbehalt, daß etwaigen Wünschen der Gefangenen, in dem Aufenthaltsstaat zu bleiben oder sich in ein anderes Gebiet als in die frühere Heimat zu begeben, Rechnung getragen werden kann.

than had been originally proposed. These conditions, however, included the mutual renunciation to compensation for war expenditures and war damages. With regard to the Ukraine, this renunciation rests less heavily upon Germany than upon Austria-Hungary.

The conceptions as to war expenses and war damages are clearly defined in the article. In the war damages are included all requisitions made by one Power within the territory of the other. This results in the fact that upon the resumption of peace relations no contracting party may present international claims arising from requisitions which the latter effected within enemy territory; rather, compensation for requisitions made of the particular nationals, is left to the decision of each contracting party. This provision does not affect the matter of requisitions which each party made within its own territory and for which, of course, it must pay the nationals of the other party who have been affected thereby.

ARTICLE VI.

The release of war prisoners to their homeland could not be uniformly regulated in view of the great difference in the number of prisoners existing between the distinct Powers of the Quadruple Alliance on the credit and debit side, and in view of the diversities in transportation and intercourse relations. In the chief treaty, only the basic principle, for the return of prisoners to their homeland is, in consequence, expressed with the reservation that possible desires on the part of prisoners to remain in the country in which they shall be or to go into a country other than their former homeland, may be taken into account.

Artikel VII.

Der Artikel VII trifft über die Gestaltung der wirtschaftlichen Beziehungen zur Ukraine Bestimmung und zerfällt in mehrere Teile. Zunächst wird durch Ziffer I der Warenaustausch bis zum 31. Juli 1918 geregelt. Dabei handelte es sich darum, für die von uns in erster Linie benötigten ukrainischen Erzeugnisse sowie andererseits für die Waren, welche die Ukraine von den Bierverbandsstaaten dringend beziehen will, eine möglichst einfache und glatte Abwicklung vorzusehen.

Es sollen staatlich organisierte Stellen auf beiden Seiten den Warenaustausch der wichtigsten Gegenstände vermitteln, so daß dieser nach einem bestimmten Plan, unter Berücksichtigung der wirtschaftlichen Bedürfnisse der beteiligten Staaten und unter Berücksichtigung der jeweiligen Transportlage, erfolgen kann. Auf welche Erzeugnisse und auf welche Mengen sich dieser zentralisierte Warenaustausch zu erstrecken hat, wird beiderseits im gemeinschaftlichen Benehmen durch Kommissionen festgesetzt. Soweit diese Kommissionen von einer Zentralisierung des Austausches absehen, erfolgt auch schon während der Zeit bis zum 31. Juli 1918 der Handel im freien Verkehr. Die Preise der zentralisierten auszutauschenden Waren werden ebenfalls durch Kommissionen aus Mitgliedern der beiden Teile festgestellt.

Was die Verrechnung anlangt, so wird hierfür als Basis die alte Goldrelation der deutschen Mark und der österreichisch-ungarischen Kronenwährung zu der russischen Rubelwährung aufrechterhalten. Dabei ist an die Stelle des russischen Goldrubels nunmehr der Goldkarbowanjec getreten, die ukrainische Bezeichnung für die dem russischen Rubel entsprechende Münze. Die betreffende Bestimmung, die nur den Anhaltspunkt für die Verrechnung bildet, bedeutet aber nicht, daß die bare Ab-

ARTICLE VII.

Regarding the form of economic relations with the Ukraine, Article VII adopts provisions and divides them into several parts. In the first place, Section I regulates the exchange of goods up to 31 July, 1918. It was desired in this respect to provide for a simple and an immediate settlement, as far as possible, with regard to the Ukrainian products of which we were in urgent need, and, on the other hand, with regard to those goods which the Ukraine desires to secure at once from the States of the Quadruple Alliance.

Organized governmental places on both sides shall arrange for the exchange of the most important articles so that, by taking into consideration the economic needs of the interested States and the transportation conditions of the moment, this exchange may take place in accordance with a definite plan. To what products and to what quantities of such products this centralized exchange of goods is to extend, will be determined in common agreement through commissions. In so far as such commissions take no account of a centralized exchange, commerce will be freely exercised in the interval up to 31 July, 1918. The prices of the goods offered for exchange will likewise be determined by commissions composed of members of both parties.

As regards the settlement, the old gold ratio of the German Mark and of the Austro-Hungarian Krone value to the Russian value of the Rouble remains the basis. Thereby the gold Karbowanjec, which is the Ukrainian denomination for the corresponding Russian Rouble, has taken the place of the Russian gold Rouble. The particular provision which forms but the basis for the settlement does not, however, mean that the set-

gleichung in Gold zu erfolgen haben wird. Hierüber bleibt vielmehr ein Einvernehmen der ukrainischen und deutschen Finanzstellen vorbehalten.

In Ziffer II, Buchstabe A und Ziffer III sind die Grundlagen enthalten, auf denen sich fernerhin bis zum Abschluß eines definitiven Handelsvertrags der deutsch-ukrainische Warenverkehr abwickeln soll. Dieses Provisorium ist doppelt begrenzt. Es gilt bis zum Abschluß eines endgültigen Handelsvertrags, der spätestens sechs Monate nach Abschluß des Friedens mit den europäischen Staaten, den Vereinigten Staaten von Amerika und Japan erfolgen soll. Es ist aber weiter vorgesehen, daß im beiderseitigen Einverständnis eine Verlängerung des Provisoriums stattfinden kann, daß aber auch, falls der Abschluß eines endgültigen Handelsvertrags nicht bis zum 30. Juni 1919 erfolgt sein sollte, jeder Teil das Recht hat, eine Kündigung des Provisoriums mit sechsmonatiger Frist vorzunehmen.

Was die einzelnen Bestimmungen des Provisoriums anlangt, so ist es im wesentlichen gelungen, den bisherigen deutsch-russischen Handelsvertrag von 1894/1904 einschließlich der Vertragstarife A (russischer Tarif) und B (deutscher Tarif) aufrechtzuerhalten. Soweit einzelne Bestimmungen nicht erneuert worden sind, erklärt sich das teils daraus, daß die Ukraine keine gemeinsamen Grenzen mit uns hat und daher Abreden, die darauf begründet waren, gegenstandslos geworden sind, teils darauf, daß die ukrainischen Unterhändler Bedenken trugen, eingehende Verpflichtungen zu übernehmen, ohne noch ein klares Bild über die künftige innere Organisation und den Aufbau

element is to be effected in actual gold. In this respect an agreement between the Ukrainian and German financial institutions is reserved.

In Section II, Sub-Section A, and in Section III we find the bases in accordance with which from now on until the conclusion of a definitive commercial treaty, the German-Ukrainian traffic in goods shall be carried on. This proviso is limited in two ways. It will hold until after the conclusion of a final commercial treaty which is to take place at the latest, six months after the conclusion of peace with the European States, with the United States of America, and with Japan. It has, however, been further provided that by mutual understanding an extension of the proviso may take place, but also in case the conclusion of a final commercial treaty were not consummated by 30 June, 1919, each party shall have the right to denounce the proviso within a period of six months.

With regard to the particular provisions of the proviso, it was, in all essentials, possible to maintain the Russo-German commercial treaty of 1894-1904¹ which has hitherto existed, inclusive of the contractual tariffs A (Russian tariff) and B (German tariff).² In so far as particular provisions have not been renewed, this is explained partly by the fact that the Ukraine has no common frontiers with us, and, in consequence, conversations that had been had in view of that basis, have become without purpose, and partly on the ground that the Ukrainian negotiators were unwilling to assume absolute obligations without a clear view concerning the future internal organization and

¹ 86 *British and Foreign State Papers*, pp. 442, 449, 482; 97 *British and Foreign State Papers*, p. 1040; see *infra*, pp. 87 ff.

² 97 *British and Foreign State Papers*, pp. 1056, 1080.

des ukrainischen Staatswesens zu haben. In der Anlage ist der Text des alten deutsch-russischen Handelsvertrags zusammengestellt, wie er sich aus dem Friedensvertrag von Brest-Litovsk der Ukraine gegenüber nunmehr ergibt; die in Zukunft der Ukraine gegenüber wegfallenden Bestimmungen sind durch kleinen Druck kenntlich gemacht.

Im einzelnen ist folgendes zu bemerken:

Die Artikel 1 bis 19 des alten Vertrags sind im wesentlichen wiederhergestellt. In den Artikeln 5 und 10 sind die bisherigen Durchfuhrbeschränkungen, durch welche unser Handel, insbesondere nach Persien, bisher eine starke Erschwerung erfahren hatte, weggefallen. Die neue Fassung des zweiten Absatzes des bisherigen Artikel 5 ist lediglich interpretativ, ohne daß die sachliche Tragweite des Artikels eine Aenderung erfahren hätte.

Von Bedeutung ist die Aufrechterhaltung des allgemeinen russischen Zolltarifs von 1903 in Verbindung mit der Erneuerung des Vertragstarifs A. Hierdurch wird unser Handel gegen die etwaige Möglichkeit einer Überspannung des ukrainischen Zollsystems wirksam geschützt. Für Eisenerz ist die Ausfuhrzollfreiheit im Sitzungsprotokoll ausdrücklich festgelegt. Damit dürfte einem dringenden Wunsche der obererschlesischen Industrie Rechnung getragen sein.

Was die Bestimmungen über die Meistbegünstigung anlangt, so sind aus dem bisherigen Artikel II des deutsch-russischen Handelsvertrags die Ausnahmen für den kleinen Grenzverkehr und die zollgeeeinten Gebiete (diese unter gleichzeitiger Verallgemeinerung) beibehalten worden. Dagegen sind die bisherigen Ausnahmen zugunsten der asiatischen Gebiete u. s. w. in Wegfall gekommen.

the development of the Ukrainian commonwealth. In the appendix will be found the text of the old Russo-German commercial treaty as it affects the Ukraine in consequence of the Peace Treaty of Brest-Litovsk; the provisions which in future shall lose their force with regard to the Ukraine are indented and written in single space.

As to certain details, the following is to be noted:

Articles 1 to 19 of the old treaty are in the main reestablished. In Articles 5 and 10, the transit limitations that have heretofore prevailed and by which our commerce, especially to Persia has been greatly obstructed, have been abrogated. The new text of the second paragraph of the former Article 5 is merely interpretative, and the material scope of the article has undergone no change.

The retention of the general Russian Customs Tariff of 1903¹ in connection with the renewal of the contractual tariff A is of importance. Thereby our commerce is protected effectively against a possible, undue extension of the Ukrainian customs system. Freedom to export iron ore is expressly stated in the protocol of the sitting. This may possibly meet an urgent demand of the part of the Upper Silesian industries.

As regards the provisions dealing with the most favored treatment, the exceptions for the petty frontier traffic and territories belonging to a customs union of Article II of the existing Russo-German commercial treaty have been maintained. On the other hand, the exceptions which hitherto prevailed to the advantage of Asiatic territories, etc., have been abrogated.

¹ *New General Customs Tariffs for the European Frontiers of Russia, British Parliamentary Papers, (1903) Cd. 1525.*

Der frühere Artikel 12a, der den Schutz des Urheberrechts an Werken der Literatur, Kunst und Photographie betrifft, war gegenstandslos geworden, indem die darin gegebene Zusage durch Abschluß des Vertrags vom 28. Februar 1913 erfüllt worden war. Durch die jetzige Fassung wird dieser letztere Vertrag wieder in Kraft gesetzt. Das gleiche geschieht für die frühere Vereinbarung über den gegenseitigen Schutz der Warenbezeichnungen.

The former Article 12a dealing with the protection of copyrights in works of literature, art, and photography had become without purpose, because the engagement therein entered into had been made good by the conclusion of the treaty of 28 February, 1913.¹ Through the present text this latter treaty is again put into force. The like is done with regard to the former agreement concerning the reciprocal protection of trademarks.

Im Schlußprotokoll sind folgende Änderungen hervorzuheben:

In the final protocol the following changes deserve attention:

1. Im Schlußprotokoll 1. Teil zu Artikel 12 sind zwar die bisherigen Abreden über die Gleichstellung christlicher und jüdischer Handlungsreisender gestrichen worden; es ist dies aber nur deshalb erfolgt, weil die Verfassung der Ukraine keinerlei Unterschied der Religionen kennt. Seitens der ukrainischen Unterhändler ist ausdrücklich festgestellt worden, daß durch diese Streichung in keinerlei Weise eine unterschiedliche Behandlung christlicher und jüdischer Handlungsreisender begründet werden soll.

1. In Part I of the final protocol to Article 12, the agreements hitherto come to concerning the equal footing of Christians and Jewish commercial travelers have been stricken; this was done, however, only because the constitution of the Ukraine makes no difference in faiths. On the part of the Ukraine negotiators it has been expressly stated that through this commission, no differential treatment, in whatever manner between Christian and Jewish commercial travelers can be made.

2. Im Schlußprotokoll zu Artikel 5 ist der letzte Absatz, der die Ausfuhr von rohem und behauenen Holz betraf, auf ukrainisches Verlangen gestrichen worden. Dies erscheint unbedenklich, da die Ukraine als Holzlieferant für uns nicht in Betracht kommt und zudem dort die Einfuhrung eines Ausfuhrzollens für Holz nicht zu gewärtigen ist.

2. In the final protocol to Article 5, the last paragraph dealing with the exportation of undressed and dressed lumber, has been stricken at the request of Ukraine. This seems unobjectionable because the Ukraine as a furnisher of lumber does not affect us and, in addition, because the introduction of an exportation duty for lumber is not there to be granted.

3. Sehr wichtig ist, daß die bisherigen Bestimmungen im Schlußprotokoll zu Artikel 5, 6, 7, 9 und 10 aufrechterhalten sind, wodurch eine Differenzierung zwischen See und Landzöllen ausgeschlossen wird.

3. It is very important that the former provisions in the final protocol to Articles 5, 6, 7, 9, and 10 have been retained because a differentiation between maritime and land duties is thereby excluded.

4. Die Schlußprotokoll-Bestimmungen zu Artikel 13 und zu Artikel 19 sind nicht wiederhergestellt worden. Der

4. The provisions to Articles 13 and 19 in the Final Protocol have not been reestablished. In so far

¹ 107 *British and Foreign State Papers*, p. 871.

Grund liegt, soweit Artikel 13 in Frage kommt, darin, daß die fraglichen Bestimmungen in erster Linie auf die Verhältnisse an der alten deutsch-russischen Grenze zugeschnitten waren und die Grenzen der Ukraine im Westen und Norden noch zu unbestimmt sind, als daß die ukrainischen Unterhändler Verpflichtungen in dieser Richtung übernehmen konnten, die möglicherweise einer späteren besonderen Vereinbarung über die Binnenschifffahrt im Wege gestanden hätten.

Was die Eisenbahnfrage anlangt (Schlußprotokoll zu Artikel 19), so ist nur der erste Absatz der bisherigen Bestimmungen übernommen worden, an den sich die Erklärung anschließt, die Eisenbahnfragen im Einzelnen durch ein Sonderübereinkommen später regeln zu wollen. Der Grund für diese Beschränkung lag darin, daß die ukrainischen Unterhändler zu wenig eisenbahntechnische Fachkenntnisse besaßen, um die Tragweite etwaiger weitergehende Verpflichtungen übersehen zu können, andererseits aber erst nach Festigung der inneren Verhältnisse der Ukraine die entstehenden Bedürfnisse klarer zutage treten werden, so daß es zweckmäßig erschien, alsdann durch ein Sonderübereinkommen diesen Bedürfnissen Rechnung zu tragen. Nicht unwesentlich ist dabei, daß die Ukraine beabsichtigt, möglichst bald ihr Eisenbahnnetz auf westeuropäische Spur umzunageln, wodurch der Verkehr der Ukraine im Verhältnis zu Mitteleuropa belebt und in neue Richtungen gelenkt werden dürfte.

Der 4. Teil des Schlußprotokolls zum alten deutsch-russischen Handelsvertrag regelte bisher Verkehrsverhältnisse an der gemeinsamen deutsch-russischen Grenze sowie gewisse Erschwerungen, die sich aus der russischen Zollpraxis im Laufe der Zeit ergeben hatten. Soweit

as Article 13 is concerned, the reason for this is that the provisions in question were in the first place adapted to the conditions on the old Russo-German frontier and the boundaries of the Ukraine in the west and north are still too indefinite to permit the Ukrainian negotiators to assume obligations in this respect, obligations which might possibly come into conflict with subsequent special agreements regarding interior navigation.

As regards the railroad question (Final Protocol to Article 19), only the first paragraph of the former provisions has been retained, with the explanation to the end that the railway questions will be settled later on in detail in a special agreement. The reason for this restriction is found in the fact that the Ukrainian negotiators were but little informed about technical railway matters to permit them of overlooking the importance of possible far-reaching obligations, while after the consolidation of internal conditions of the Ukraine, the future needs will appear in clearer light, so that it appeared advisable to take such needs into account in a special agreement which would then be concluded. It is not unimportant to remark that the Ukraine intends, as soon as possible, to change her railway system into one that will correspond with that of western Europe, by which intercourse of the Ukraine in relation to Middle-Europe might be stimulated and started into new directions.

The fourth part of the final protocol to the old Russo-German Commercial Treaty has hitherto regulated the traffic relations along the common Russo-German frontier, as well as certain difficulties which in the course of time had arisen in the Russian customs practice. In so

die gemeinsamen Grenzverhältnisse in Frage kamen, mußten diese Bestimmungen der Ukraine gegenüber wegfallen, dagegen sind in der Hauptsache alle jene Abreden aufrechterhalten worden, die die Zollpraxis betreffen.

In Ziffer IV des Friedensvertrags ist einerseits vorgesehen, daß die Vereinbarungen, die etwa später auf Grund eines Zollbündnisses zwischen Deutschland und Oesterreich-Ungarn erfolgen, nicht unter die Meistbegünstigung fallen sollen. Ebenso sollen aus dem Meistbegünstigungsrecht ausgeschlossen bleiben die späteren Anschlüsse unmittelbar oder mittelbar angrenzender dritter Staaten an ein derartiges Zollbündnis.

Auf der andern Seite sind von der Meistbegünstigung ausgenommen die Begünstigungen, welche sich für die Ukraine auf Grund eines Zollbündnisses mit einem unmittelbar oder mittelbar angrenzenden Lande ergeben. Bei dieser Bestimmung mußte berücksichtigt werden, daß die Verhältnisse in Rußland möglicherweise im Laufe der Zeit noch dazu führen werden, daß die einzelnen russischen Teilstaaten, selbst wenn sie selbständig bleiben, sich unter dem Druck der wirtschaftlichen Notwendigkeit zu einem Zollbund zusammenschließen.

In Ziffer V. des Friedensvertrags ist Vorsorge dafür getroffen, daß im neutralen Ausland lagernde, mit einer Verbleibsklausel (d. h. dem Verbote der Weiterveräußerung an die kriegsführenden feindlichen Staaten) belegte Waren von dieser Klausel befreit und dadurch dem freien Verkehr wieder zugänglich gemacht werden können. Die Bestimmung hat insofern Bedeutung, als derartige mit einer Klausel belegte Waren, insbesondere in Skandinavien, vielfach bereits durch Kauf deutsches Eigentum geworden sind.

far as the common frontier relations came into question, these provisions had to be abandoned with regard to the Ukraine, while on the other hand, and in a general way, all these agreements have been maintained with regard to the customs practice.

In No. IV of the Peace Treaty it is provided, on the one hand, that the agreements which may possibly at a later period be entered into on the basis of a customs union between Germany and Austria-Hungary, shall not come under the provision of the most favored treatment. Likewise the later adhesions, direct or indirect, of third States bordering upon such a customs union are excluded from the privileges of the most favored treatment.

On the other hand, there have been excepted from the most favored treatment those preferences which, concerning the Ukraine, result on the basis of a customs union with a country directly or indirectly bordering thereon. Consideration had to be given in this matter to the possible fact that relations in Russia may in the course of time create such a situation that the distinct Russian component States, even in case they should remain independent, may, under the pressure of economic necessity, form into a customs alliance.

In No. V of the Peace Treaty care has been had to the effect that goods that have been seized and are stored abroad may be released from the prohibition of reselling to the belligerent enemy States and thereby make it possible to engage in free passage. The provision is important only because goods held under such a clause, held especially in Scandinavia, have already in many cases become, through purchase, German property.

Artikel VIII.

ARTICLE VIII.

Dieser Artikel führt diejenigen Fragen auf, die durch Einzelverträge der Vierbundmächte mit der Ukrainischen Volksrepublik geregelt werden sollen. Dabei wird ausdrücklich hervorgehoben, daß auch die Zusatzverträge einen wesentlichen Bestandteil des Friedensvertrags bilden und, soweit dies irgend tunlich ist, gemeinschaftlich mit ihm in Kraft treten sollen. Für den deutschen Zusatzvertrag trifft diese Voraussetzung zu.

This article refers to those questions which are to be settled by separate treaties of the Powers of the Quadruple Alliance with the Ukrainian People's Republic. In this connection it is expressly declared that the supplementary treaties form an essential part of the Peace Treaty, and, in so far as is practicable, that they shall simultaneously go into force with the latter. This condition applies to the German supplementary treaty.

Artikel IX.

ARTICLE IX.

Um klarzustellen, daß die vertragsschließenden Teile die einzelnen Bestimmungen des Friedensvertrags mit Einschluß derjenigen der Zusatzverträge nicht in der Weise behandeln dürfen, als handele es sich um eine Sammlung selbstständiger Einzelverträge, wird ausdrücklich bestimmt, daß die in dem Friedensvertrage getroffenen Vereinbarungen ein unteilbares Ganzes bilden. Die Nichterfüllung einer Bestimmung, die zugunsten der einen Vertragspartei getroffen ist, würde also der Partei berechtigen, die Erfüllung einer zugunsten der anderen Vertragspartei getroffenen Bestimmung zurückzuhalten, auch wenn die beiderseitigen Zusagen nicht auf demselben Gebiete liegen.

In order to make it clear that the contracting parties may not deal with the distinct provisions of the Peace Treaty, inclusive of those of the supplementary treaties, in such a manner as though they constituted a collection of separate treaties, it is expressly specified that the agreements come to in the Peace Treaty form an indivisible whole. Non-fulfillment of a provision agreed to in the interest of one of the parties to the Treaty, would, therefore, confer upon this party the right to withhold fulfillment of a provision in favor of the other party to the Treaty, even in case the mutual arrangements were not coming within the same sphere.

Artikel X.

ARTICLE X.

Der Friedensvertrag ist mehrsprachig abgeschlossen worden. Es gibt keinen ausschließlich maßgebenden Vertragstext; vielmehr finden sich als gleichberechtigte Texte der deutsche, der ungarische, der bulgarische, der türkische und der ukrainische nebeneinander. Damit ist aber nicht gesagt, daß für jede der vertragsschließenden Mächte alle fünf Texte in gleicher Weise maßgebend waren;

The Peace Treaty has been drafted in several languages. There is no text of the Treaty which may be considered as exclusively authoritative; rather, the German, the Hungarian, the Bulgarian, the Turkish, and the Ukrainian texts are on a parity. This does not mean, however, that all five texts are equally authoritative for each of the

vielmehr bestimmt der Artikel X, daß für die Beziehungen zwischen der Ukraine einerseits und den einzelnen Vierbündsmächten andererseits jeweils nur der ukrainische und der für den anderen Vertragssteil gültige Spachttext zugrunde zu legen ist.

Für die Beziehungen zwischen Deutschland und der Ukraine komme es hiernach ausschließlich auf den deutschen und den ukrainischen Text an. Ergeben sich bei der Anwendung Widersprüche zwischen den beiden Texten, so würden diese durch ein Zurückgehen auf den Inhalt der Verhandlungen in Brest-Litowsk zu lösen sein. Dabei wird sich aller Voraussicht nach der deutsche Text auch in den Beziehungen mit den übrigen Vierbündnisstaaten als besonders wichtig herausstellen, da die deutschen Entwürfe den Verhandlungen zugrunde lagen und der deutsche Text als der zuerst vollendete den Gegenstand der Einigung bildete.

Schlussbestimmung.

Die Ratifizierung des Friedensvertrags mußte schon deshalb vorgesehen werden, weil alle beteiligten Regierungen den Vertrag ihren gesetzgebenden Körperschaften vorlegen wollten. Als Ort für den Austausch der Ratifikationsurkunden ist Wien gewählt worden, und zwar nicht nur wegen seiner geographischen Lage, sondern auch deshalb, weil an den politischen Bestimmungen Oesterreich-Ungarn hauptsächlich beteiligt war.

B.

Der Deutsch-Ukrainische Zusatzvertrag.

Dieser Zusatzvertrag zum Friedensvertrag behandelt in neun Kapiteln die Aufnahme der konsularischen Beziehungen, die Wiederherstellung der Staats-

contracting parties. On the contrary, Article X states that for the relations between the Ukraine, on the one hand, and the particular Powers of the Quadruple Alliance, on the other hand, only the Ukrainian text, and the text valid for the other party to the Treaty shall each time be decisive.

For the relations between Germany and the Ukraine, the German and the Ukrainian texts are therefore exclusively authoritative. If in the application of these texts, contradictions arise, these would have to be settled by turning to the contents of the negotiations in Brest-Litovsk. In all probability, the German text will be of special importance in the relations with the other States of the Quadruple Alliance, because the German drafts formed the bases of the negotiations, and because the German text, which was first completed, presents the subject of the agreement.

FINAL PROVISION.

The ratification of the Peace Treaty had to be foreseen if for no other reason than that all interested Governments desired to submit the Treaty to their legislative bodies. Vienna has been chosen as the place for the exchange of the ratification acts, not merely because of its geographic situation, but also because Austria-Hungary took chief place in the political provisions.

B.

THE GERMAN-UKRAINIAN SUPPLEMENTARY TREATY.

In nine chapters, this supplementary treaty to the Peace Treaty deals with the inauguration of consular relations, the reestablishment of political treat-

verträge, die Wiederherstellung der Privatrechte, den Ersatz für Zivilschäden, den Austausch der Kriegsgefangenen und Zivilinternierten, die Fürsorge für Rückwanderer, die Amnestie, die Behandlung der in die Gewalt des Gegners geratenen Kauffahrteischiffe und der Schiffs Ladungen und die Schlußbestimmungen. Die einzelnen Artikel sind so gefaßt, daß sie im wesentlichen ohne weitere Erläuterung verständlich sein dürfen; doch sollen zu den wichtigsten Bestimmungen noch einige Bemerkungen gemacht werden.

Erstes Kapitel.

Die Aufnahme der konsularischen Beziehungen ist im Sinne des Hauptvertrags möglichst weitgehend gedacht, so daß die beiderseitigen Konsuln grundsätzlich überall zugelassen werden müssen. Ausgenommen sind nur solche Plätze oder Gebietsteile, wo erhebliche Teile der Bevölkerung nicht die allgemeine Landessprache sprechen und wo deshalb schon vor dem Kriege keine Konsuln zugelassen waren; diesen Vorbehalt kann aber jeder Vertragsteil dem anderen gegenüber nur insoweit geltend machen, als die Ausnahme auch gegenüber jeder dritten Macht aufrechterhalten wird (Artikel I Abs. 1). Ueberdies mußte Vorkehrung getroffen werden, daß während der Fortdauer des Weltkrieges gewisse von ihm besonders betroffene Gebiete des einen Teiles den Konsuln des anderen Teiles bis zum allgemeinen Frieden verschlossen bleiben können (Artikel I Abs. 2).

Die Schäden, die während des deutsch-russischen Krieges deutschen Konsuln in der Ukraine oder russischen Konsuln ukrainischer Herkunft in Deutschland zugefügt worden sind,

the reestablishment of private rights, compensation for civilian damages, the exchange of war prisoners and interned civilians, provision for those returned home, amnesty, treatment of merchant ships and cargoes that have come into the power of the opponent, and the final provisions. The separate articles are so expressed that in all essential respects they should be readily comprehensible without any further explanation; still, to the most important provisions, a few observations shall here follow.

FIRST CHAPTER.

The inauguration of the consular relations is conceived in the broadest possible manner, in the sense of the chief treaty, so that the respective consuls are, in principle, to be admitted everywhere. Exception is made only with regard to such places or territorial regions, where considerable bodies of the population do not speak the common national language, and where, on that account, and even before the war, no consuls were received; however, each contracting party can only avail itself of this reservation in respect to the other party, in so far as the exception is equally enforced in respect of every third Power (Article I, Paragraph 1). Apart from this, care had to be exercised to the end that while the world war continues, certain territories of the one party which are particularly affected may remain closed, up to the time of general peace, to the consuls of the other party (Article I, Paragraph 2).

Damages occasioned during the Russo-German war to German consuls in the Ukraine, or to Russian consuls of Ukraine origin in Germany, shall be mutually in-

sollen beiderseits ersetzt werden. Dabei begründet es keinen Unterschied, ob die Schäden von den staatlichen Organen des Gebiets oder von der Bevölkerung verursacht worden sind; es genügt, daß die schädigende Handlung völkerrechtswidrig war. Die Ersatzpflicht umfaßt Schäden aller Art; sie erstreckt sich auch auf die Beschädigung von Konsulatsgebäuden und konsularischen Inventar (Artikel 2).

Zweites Kapitel.

Die Wiederherstellung der Staatsverträge ist die Grundlage für die Anknüpfung normaler Rechtsbeziehungen zwischen den beiden vertragschließenden Teilen; sie bot bei den Verhandlungen gewisse Schwierigkeiten, weil die Ukrainischen Delegierten die von der Zaristischen Regierung abgeschlossenen Verträge nur zum kleineren Teil kannten, sich auch bei den feindlichen Beziehungen zu der Regierung der Bolschewiki die erforderliche Kenntnis nicht aus den Petersburger Archiven verschaffen konnten. Wenn gleich daher der Grundsatz der Wiederherstellung angenommen worden ist (Artikel 3 Abs. 1), so mußten doch gewisse Vorbehalte gemacht werden.

Zunächst hat die Deutsche Regierung die Verpflichtung übernommen, der Ukrainischen Regierung binnen bestimmter Frist alle deutsch-russischen Verträge, Abkommen und Vereinbarungen, soweit sie bei Ausbruch des Krieges noch in Geltung waren, wortgetreu mitzuteilen (Artikel 3 Abs. 2); ein Verzeichnis der hiernach in Betracht kommenden Verträge folgt als Anlage. Jeder Teil hat dann sechs Monate Frist, um die Vertragsbestimmungen zu bezeichnen, die er mit Rücksicht auf

demnified. It makes no difference in this connection whether the damages were occasioned by the national authorities of the territory or by the population; it suffices that the act which caused the damage was against international law. The obligation to indemnify includes damages of all kinds; it extends even to the damage caused consular buildings and consular movable property (Article 2).

SECOND CHAPTER.

The reestablishment of political treaties forms the basis for the resumption of normal legal relations between the two contracting parties; in the course of the negotiations this matter presented certain difficulties, because the Ukrainian delegates were but insufficiently acquainted with the treaties concluded by the Czar's Government, and also because in view of the hostile relations with the Government of the bolsheviki, they could not procure the necessary information from the Petrograd archives. If, in spite thereof, the principle of the reestablishment of these political treaties was accepted (Article 3, Paragraph 1), certain reservations had, nevertheless, to be made.

In the first place, the German Government assumed the obligation to communicate to the Ukrainian Government, within a definite time, and in very exact phraseology, all Russo-German treaties, agreements, and conventions, in so far as they were still in force at the outbreak of the war (Article 3, Paragraph 2); a list of the treaties, on the strength of what has been said, appears, therefore, as an annex. Each party has then six months' time to indicate the treaty provisions which in consideration of the

die Aenderung der Verhältnisse für veraltet hält und nicht gelten lassen will (Artikel 4 Abs. 1). Daraufhin soll eine Kommission die als veraltet bezeichneten Bestimmungen durch zeitgemäße Bestimmungen ersetzen; gelangt ihr dies nicht binnen bestimmter Frist, so ist jedem Teile ein Rücktrittsrecht vorbehalten. Wird das Rücktrittsrecht nur für einzelne Bestimmungen eines Vertrags ausgeübt, so kann der andere Teil von dem ganzen Vertrage zurücktreten, weil sonst jeder Teil sich darauf beschränken könnte, die dem anderen günstigen Bestimmungen aufzuheben (Artikel 4 Abs. 2).

Besondere Regeln waren für die sogenannten Kollektivverträge erforderlich. Solche Verträge sind nach der Auffassung der Deutschen Regierung durch den Krieg nicht aufgehoben, weil sie mit den beteiligten neutralen Mächten für beide Kriegspartien fortbestehen; sie sind nur zwischen den Kriegspartien in ihrer Wirkung zeitweilig gehemmt. An sich würden sie daher mit dem Friedensschluß ohne weiters wieder in Kraft treten. Da jedoch die Ukraine bisher nicht als vertragschließende Partei in den Vertragsurkunden auftrat, ist in dem Friedensvertrag ihr ausdrücklicher Eintritt in die Verträge neben Rußland oder an dessen Stelle vorgesehen. Erfolgt der Eintritt vor der Ratifikation, so tritt der Kollektivvertrag zwischen Deutschland und der Ukraine mit dem Austausch der Ratifikationsurkunden in Kraft; erfolgt der Eintritt später, so ist der Zeitpunkt des Eintritts entscheidend. Es versteht sich von selbst, daß die Bestimmungen über die Kündigung der Verträge hier keine Geltung haben (Artikel 5 Abs. 1).

change in the conditions, it regards as obsolete and does not desire to remain in force (Article 4, Paragraph 1). To that end, a commission shall replace the provisions regarded as obsolete, through other provisions in harmony with the spirit of the time; in case it does not succeed in accomplishing this within a definite period, to each party is then reserved the right of withdrawal. If the right of withdrawal is exercised only with regard to particular provisions, the other party may then withdraw from the entire treaty, because otherwise each party might confine itself to abrogate those provisions favorable to the other party (Article 4, Paragraph 2).

Special regulations were necessary for the so-called collective treaties. According to the view of the German Government, such treaties are not abrogated by reason of the war, because they continue for both belligerent parties with the interested neutral Powers; between the belligerent parties they are only temporarily interfered with in their effects. In and by themselves they would, therefore, go again into force upon the conclusion of peace. But, since up to now, the Ukraine did not appear in the treaty acts as a contracting party, her participation in the treaties, besides Russia or in her place, is provided for expressly in the Peace Treaty. If her accession takes place before the ratification, then the collective treaty between Germany and the Ukraine goes into force with the exchange of the ratification acts; if at a later period, the date of her accession is final. It is self-evident that the provisions regarding the denunciation of the treaties are here of no force (Article 5, Paragraph 1).

Ein besonderer Vorbehalt mußte wegen solcher Kollektivverträge gemacht werden, an denen außer Rußland noch andere kriegsführende Parteien beteiligt sind. Hier kann erst der Friedensschluß mit den übrigen beteiligten Mächten endgültig über die Fortdauer oder Aufhebung entscheiden (Artikel 5 Abs. 2).

Drittes Kapitel.

Die Wiederherstellung der Privatrechte bildete eine wichtige Aufgabe der Rechtskommission. Wenn es trotz der Schwierigkeiten, die in der Verschiedenheit der Sprache und des Rechtes sowie in der Neuheit der Aufgabe liegen mußten, zu einem immerhin ausführlichen System der Wiederherstellung gekommen ist, so konnte der Gegenstand doch nicht vollständig erschöpft werden. Es wird daher in verschiedenen Punkten, namentlich auf dem Gebiete der Wechsel und Scheckrechte, der Valutageschäfte, der Prioritätsrechte auf dem Gebiete des geistigen und gewerblichen Rechtsschutzes, der Behandlung gewisser vermalketer Vermögenswerte, noch der Ergänzung bedürfen, für die in den Schlußbestimmungen der Zusammentritt einer besonderen Kommission vorgesehen ist.

Zunächst waren sämtliche Gesetze, Verordnungen und sonstige Bestimmungen aufzuheben, die sich auf dem Gebiete des Privatrechts als Sondergesetze gegen den Feind darstellen. Sie sind in diesen Kapiteln als Kriegsgesetze bezeichnet und ihrem Begriff nach in Artikel VI näher bestimmt. Dabei ist besonders hervorgehoben, daß im Sinne des Zusatzvertrags als Angehörige der eigenen Kriegspartei außer physischen Personen auch juristische Personen und Gesellschaften gelten, und zwar nicht nur,

A special reservation had to be made regarding collective treaties to which, besides Russia, still other belligerents are parties. In this respect, the conclusion of peace with the other interested Powers can only, and finally, decide as to their continuation or abrogation (Article 5, Paragraph 2).

THIRD CHAPTER.

The reestablishment of private rights formed an important task of the juridical commission. Even though a thorough-going system of such reestablishment was brought about, in spite of the difficulties which had their source in the diversity of languages and of law, as well as in the novelty of the problem, still the subject could not be fully exhausted. Therefore, in many points, especially within the sphere of commercial drafts and cheques, of the monetary standards, of the prior rights within the field of intellectual and industrial protection, of the treatment of certain administered properties, supplementary agreements will be necessary for which the meeting of a special commission is foreseen in the final provisions.

In the first place, all laws, ordinances, and other provisions which in the realm of private law appeared as special laws against the enemy, had to be abrogated. In these chapters they have been termed war laws, and according to their comprehension have been more accurately defined in Article VI. In connection with this it should be especially borne in mind that in the sense of the supplementary treaty, besides the physical persons, juridical persons and companies are also regarded as nationals of the particular belligerent, and not merely when

wenn sie in dem Gebiete dieser Kriegspartei ihren Sitz haben, sondern auch wenn sie gleich solchen in dem Gebiete der anderen Partei den Kriegsgesetzen unterworfen sind (Artikel 6 Abs. 2).

Alle Schuldverhältnisse privatrechtlicher Art, mag es sich um Geldschulden oder sonstige Vertragsverhältnisse handeln, werden nach Artikel 7 § 1 wiederhergestellt. Doch sehen die folgenden Paragraphen des Artikels 7 und die Artikel 8 bis 11 gewisse Ausnahmen vor. So sind für die Frage, ob Schuldverhältnisse durch die Kriegszustände aufgehoben oder verändert werden, die allgemeinen Landesgesetze maßgebend (§ 2 Abs. 1); für Deutschland wurden also die Bestimmungen des bürgerlichen Gesetzbuchs über die Unmöglichkeit der Erfüllung und die hierfür maßgebende Rechtsprechung des Reichsgerichts ihre Wirksamkeit behalten. Doch dürfen dabei in Deutschland ukrainische Kriegsgesetze als Aufhebungsgründe nicht anders behandelt werden wie deutsche Kriegsgesetze und umgekehrt (§ 2 Abs. 2).

Soweit hiernach Geldforderungen zu erfüllen sind, deren Zahlung nach Kriegsgesetzen verweigert werden konnte, erhält der Schuldner nach Artikel 7 § 3 eine Zahlungsfrist von drei Monaten seit der Ratifikation des Friedensvertrags. Für die Zeit von der ursprünglichen Fälligkeit bis zur Zahlung sind 5 % Jahreszinsen zu entrichten; bis zur Fälligkeit müssen gegebenenfalls die vertragsmäßigen Zinsen gezahlt werden. Der Zinssatz von 5 % erscheint mit Rücksicht auf die während des Krieges möglich gewesene Nutzung der zurückgehaltenen Gelder, als angemessen und geeignet, einer internationalen Regelung auch bei späteren Friedensschlüssen zur Grundlage zu dienen.

they are domiciled within the territory of this belligerent party, but also in case they are domiciled within the territory of the other party and as such subject to its war laws (Article 6, Paragraph 2).

All debt relations of a private nature, whether monetary obligations or other contractual conditions, are reestablished according to Article 7, § 1. But the following paragraphs of Article 7 and those of Article 8 up to 11, foresee certain exceptions. For those with regard to the question as to whether debt relations are cancelled or changed in virtue of war conditions, the general national legislation is authoritative (§ 2, Paragraph 1); hence the provisions of the civil law dealing with the impossibility of fulfilling an obligation and the authoritative jurisdiction of the Imperial Court retains its effect in regard thereto. But Ukrainian war laws as reasons for abrogation may not, in Germany, be regarded differently than German war laws and vice versa. (§ 2, Paragraph 2.)

Accordingly, in so far as pecuniary obligations whose payment could be refused by reason of war laws, are to be fulfilled, the debtor, on the basis of Article 7, § 3, is given a period of three months to meet such demand, the period being reckoned from the date of the ratification of the Peace Treaty. From the time of the original date when payment was due up to the time of actual payment, an annual interest of 5% is to be paid; up to the time when payment was due, the contractual interest must, in such case, be paid. The interest rate of 5%, in view of the possible use of the money held back during the war, seems adequate and proper to serve as a basis in an international settlement even in consequent peace conclusions.

Mit Rücksicht auf die verschiedenen Gläubigerschutzverbände, die sich zum Teil unter Mitwirkung des Reichs in Deutschland gebildet haben, war es angezeigt, eine besondere Bestimmung aufzunehmen, wonach solchen Verbänden, die von der einen Partei anerkannt sind, von den Behörden der anderen Partei die Vertretung der Interessen ihrer Mitglieder ohne weiteres zu gestatten ist. Selbstverständlich werden die landesrechtlichen Vorschriften über den Anwaltszwang dadurch nicht berührt (Artikel 7 § 4).

Neben den privatrechtlichen sollen auch die staatlichen Verbindlichkeiten wiederhergestellt werden. Dies gilt in erster Linie für den öffentlichen Schuldendienst (Artikel 8 Abs. 1). Hierbei war jedoch der Umstand zu berücksichtigen, daß die Ukraine bisher kein selbständiges Staatsschuldenwesen gehabt hat. Nach allgemeinen völkerrechtlichen Grundsätzen haben Gliedstaaten, die sich von einem größeren Ganzen unabhängig machen, dessen öffentliche Schulden zu einem angemessenen Teile zu übernehmen. Da aber das ganze bewegliche Staatsvermögen Rußlands in den Händen der Petersburger Regierung ist, mußte vor der Festsetzung des von der Ukraine zu übernehmenden Schuldenbetrags der Volksrepublik Gelegenheit gegeben werden, sich über die Verteilung des Aktiv- und Passivvermögens mit den übrigen Teilstaaten des ehemaligen Russischen Reichs auseinanderzusetzen. Durch eine protokollarische Erklärung ist festgelegt worden, daß die Frist zur Auseinandersetzung spätestens mit dem Eintritt des allgemeinen Friedens abläuft; alsdann muß der ukrainische Anteil selbständig festgestellt werden. Schon

With regard to the various associations for the protection of creditors which under the co-operation of the realm have in part been organized in Germany, it was evident that a special provision should be adopted in accordance with which such associations as have been recognized by one party are to be granted forthwith the representation of the interests of their members by the authorities of the other party. It is self-evident that the national laws regarding the compulsory employment of counsel will not be affected thereby (Article 7, § 4).

Apart from the obligations resting on private law, public obligations shall again be resumed. This applies, in the first place, to the public debt service (Article 8, Paragraph 1). But in this connection it was necessary to consider the fact that the Ukraine has hitherto not had any independent national debt. According to the general principles of international law, component members who render themselves independent of a larger entity, must in an equitable manner assume part of the public debt. But as the entire movable national wealth of Russia is in the hands of the Petrograd Government, before the determination of the part of the debt to be taken over by the Ukraine, opportunity had to be given the People's Republic, to take counsel with the other parts of the former Russian empire regarding the apportionment of the active and passive wealth. It has been made clear in a declaration put in the form of a protocol that the period for taking such counsel with one another shall expire at the latest with the inauguration of general peace; the Ukrainian part will then have to be determined independently. But even

jetzt aber ist bestimmt, daß die ukrainische Volksrepublik deutschen Gläubigern gegenüber jedenfalls die Verbindlichkeiten übernimmt, die Rußland für öffentliche Arbeiten in der Ukraine (z. B. Eisenbahnen) eingegangen ist oder durch Verpfändung von Vermögenswerten in der Ukraine gesichert hat (Artikel 8).

Wichtig ist die Einigung darüber, daß Urheberrechte und gewerbliche Rechte, Konzessionen und Privilegien sowie ähnliche Ansprüche auf öffentlich-rechtlicher Grundlage, die durch Kriegsgesetze beeinträchtigt worden sind, für das Gebiet der Ukraine wiederhergestellt werden sollen (Artikel 9 Abs. 1). Damit werden auch die Rechte wiederhergestellt, die Deutschen von der Russischen Regierung verliehen waren, aber im Gebiete der Ukraine ausgeübt wurden. Da die Ukraine bisher keine eigene Gesetzgebung über Urheberrechte und gewerbliche Schutzrechte hatte, bedarf die Ausführung dieser Bestimmungen noch besonderer Vereinbarung (Artikel 9 Abs. 3). Soweit derartige Rechte Vermögensbestandteile eines sequestrierten oder liquidierten Unternehmens waren und von dem zuständigen Verwalter dem Gesetze gemäß veräußert worden sind, wird das vorhererworbene Recht dritter Personengemäß Artikel 11 § 2 geschützt.

Ähnlich verhält es sich mit Grundstücken oder Rechten an einem Grundstück, Bergwerksgerechtigungen, obligatorischen Rechten auf die Benutzung oder Ausbeutung von Grundstücken, mit Unternehmungen oder Beteiligungen an einem Unternehmen, namentlich mit Aktien, die infolge Kriegsgesetzen veräußert oder den Beteiligten sonst durch Zwang entzogen worden sind. Es ist bekannt, daß infolge der russischen Liquidationsgesetze gerade

now it has been decided that the Ukrainian People's Republic will assume, at all events, with regard to German creditors, those obligations which Russia assumed for public works in the Ukraine (for instance railways), or which Russia has guaranteed through the mortgage of valuable property in the Ukraine (Article 8).

Of importance is the agreement to the end that copyright and industrial patents, concessions and privileges as well as any other claims similar thereto on the basis of public law, which were prejudiced through war laws, shall be reestablished for the territory of the Ukraine (Article 9, Paragraph 1). At the same time are also reestablished those rights which had been granted to Germans by the Russian Government, but which were exercised in the Ukraine. In view of the fact that the Ukraine had hitherto no national legislation regarding copyright and industrial patents, the carrying out of these provisions will require further agreements (Article 9, Paragraph 3). In so far as rights of this nature represented parts of property of a sequestered or liquidated enterprise, and were alienated, in lawful fashion, by the competent administrator, the duly acquired rights of third persons are protected in accordance with Article 11 § 2.

The question is very different in regard to parcels of land, the rights to a parcel of land, mining rights, obligatory rights to the use or exploitation of parcels of land, to enterprises, or to participations in an enterprise, especially with shares, which in consequence of war laws were alienated or forcibly taken from those participating in the enterprise. It is well known that in consequence of the Russian laws of liquidation particularly impor-

nach dieser Richtung hin deutschen Beteiligten besonders hohe Werte verloren gegangen sind. Alle diese Werte sollen ihnen ohne Rücksicht auf inzwischen begründete Rechte Dritter in vollem Umfang zurückgewährt werden, so daß sie nur verpflichtet sind, diejenigen Vorteile herauszugeben, die sie etwa aus Anlaß der Veräußerung oder Einziehung ihrer Rechte erhalten hatten (Artikel 12 Abs. 1).

Die Bestimmungen der Artikel 9 und 12 gelten aber nur mit einem gleichartigen Vorbehalt. Nach einem Grundgesetz der Ukrainischen Volksrepublik sind sämtliche Privilegien abgeschafft, Konzessionen vielfach verstaatlicht und die Rechte an Grund und Boden, an den Schätzen unter der Erde und an dem frei aufwachsenden Wald zu Nationaleigentum erklärt worden. Soweit diese Landesgesetzgebung zur Ausführung gelangt und allen Beteiligten gegenüber durchgesetzt werden sollte, wird man sie auch gegenüber den deutschen Berechtigten gelten lassen müssen. Für diesen Fall ist jedoch der Ukrainischen Volksrepublik gegenüber in einer protokolларischen Erklärung deutscherseits ausdrücklich der Standpunkt vertreten worden, daß nach allgemeinen völkerrechtlichen Grundregeln für verstaatlichte Vermögenswerte von Ausländern unter allen Umständen eine angemessene Entschädigung geleistet werden muß. Im übrigen ist vorgesehen, daß im Falle der Wiederaufhebung der Verstaatlichung die deutschen Berechtigten auf Antrag wieder in ihre Rechte eintreten sollen (Artikel 9 Abs. 2, Artikel 12 Abs. 2).

tant values, along this line, were lost by German participants. All such values shall, regardless of well-founded rights of third parties, acquired in the meantime, be returned in their full measure, so that they will be only obligated to surrender those advantages which may have accrued to them as a result of that alienation or subtraction of their rights (Article 12, Paragraph 1).

The provisions of Articles 9 and 12 are valid only with a similar reservation. According to a fundamental law of the Ukrainian People's Republic all privileges are annulled, concessions in many respects have been nationalized, and the rights to landed properties, to the resources of the soil, and the freely growing forests have been declared to be national property. In so far as this national legislation should be carried out and enforced with regard to all parties interested, it will likewise have to be regarded as valid with regard to German claimants. For this particular case, however, and with regard to the Ukrainian People's Republic, a declaration in the form of a protocol expressly records the German point of view that in accordance with the general principles of the law of nations, adequate compensation must be paid in all circumstances for property nationalized and belonging to aliens. It has been foreseen, besides, that in the case of the rescinding of the nationalization of such property, those Germans entitled thereto, may upon their request be restored to their rights (Article 9, Paragraph 2, Article 12, Paragraph 2).

Eine besondere Bestimmung regelt die Verlängerung der Verjährungsfristen sowie der Fristen zur Vorlegung der Zinsscheine und Gewinnanteilscheine und von ausgelösten oder sonst

A special provision regulates the extension of the periods of expiration as well as the periods within which interest certificates and private shares, redeemed notes, or such as have become

zahlbar gewordenen Wertpapieren. Im Hinblick auf die Unsicherheit der Verhältnisse, mit der noch für längere Zeit gerechnet werden muß, sowie im Hinblick auf die Lage der Kriegsgefangenen und Zivilinternierten werden die Fristen bis zum Ablauf eines Jahres nach der Ratifikation des Friedensvertrags erstreckt (Artikel 10).

Schließlich ist noch die Tätigkeit derjenigen Stellen geregelt, die auf jeder Seite kraft der Kriegsgesetze mit der Beaufsichtigung, Verwahrung, Verwastung oder Liquidation von Vermögensgegenständen oder der Annahme von Zahlungen befaßt worden waren. Für die Ukraine kommen hier nur solche Stellen in Betracht, die in ihrem Gebiete eingerichtet worden sind und das verwaltete Vermögen nicht inzwischcn an Zentralstellen des übrigen Rußlands, insbesondere an die russische Staatsbank in St. Petersburg abgeführt haben (Artikel 10). Grundsätzlich sind alle verwalteten Vermögensgegenstände auf Verlangen des Berechtigten unverzüglich freizugeben (§ 1). Der Verwalter kann dabei den Berechtigten zunächst an die Stellen verweisen, bei denen er das Vermögen angelegt hat. Bis zur Uebernahme durch den Berechtigten muß auch nach der Ratifikation des Friedensvertrags für eine behördliche Uebervachtung seiner Interessen gesorgt werden.

Es ist schon darauf hingewiesen, daß die Herausgabe des verwalteten Vermögens, abgesehen von den Bestimmungen des Artikels 12 über Grundbesitz und ähnliche Vermögensgegenstände, wohlervorbene Rechte Dritter unangestastet läßt. Infolgedessen sind auch Zahlungen und ähnliche Leistungen, die öffentliche Verwalter von den Schuldncrn angenommen haben, in dem Gebiete der vertragschließenden Teile ebenso zu behandeln, wie wenn sie der Gläubiger selbst empfangen hätte, und privatrechtliche Verfügungen dieser Verwalter

payable, must be submitted. In view of the uncertainty of conditions which must be had in mind for a long time to come, as well as in view of the situation of the war prisoners and interned civilians, these periods will be extended to the expiration of one year after the ratification of the Peace Treaty (Article 10).

Finally, there has been settled the activity of those institutions which on both sides, in virtue of war laws, have been entrusted with the supervision, safe-guarding, administration, or liquidation of properties. With regard to the Ukraine, only such institutions are referred to as have been established within her territory and as have not in the meantime transferred the administered property to central institutions of the remainder of Russia, especially to the Russian National Bank in St. Petersburg (Article 10). In principle, all administered properties are to be released immediately upon the request of the persons entitled thereto (§1). The administrator can, in this connection, refer the claimant in the first place to those institutions to which the property was entrusted. Until the transfer of the property has been made to the person entitled thereto, his interests shall be cared for even after the ratification of the Peace Treaty.

It has already been stated that apart from the provisions of Article 12 anent ownership of real estate and similar properties, the transfer of the administered properties leaves lawfully acquired rights of third parties unaffected. In consequence thereof, payments and other services which public administrators have assumed in the name of debtors, are to be so dealt with in the territory of the contracting parties, as if the creditor himself had received them, and private dispositions of

bleiben mit Wirkung für beide Teile aufrechterhalten (§ 2). Ueber die Tätigkeit aller Stellen, von denen der Artikel 11 handelt, insbesondere über die Einnahmen und Ausgaben, ist den Berechtigten auf Verlangen unverzüglich Auskunft zu erteilen (§ 3).

such administrators remain effective for both parties (§ 2). As concerns the activity of all institutions treated of under Article 11, especially with regard to the receipts and expenditures, information must be afforded to those entitled thereto when demanded by them (§ 3).

Viertes Kapitel.

FOURTH CHAPTER.

Mit den Bestimmungen des dritten Kapitels, wodurch die privatrechtlichen Schuldverhältnisse neu in Geltung gesetzt und die den Angehörigen der vertragsschließenden Teile gegenseitig entzogenen Vermögenswerte zurückgegeben werden, ist eine völlige Wiederherstellung der Privatrechte noch nicht erreicht. Denn viele dieser Privatrechte können infolge der Kriegereignisse nicht wiederhergestellt werden. An ihre Stelle muß daher der Ersatz für die Nachteile treten, die der Krieg den Berechtigten gebracht hat. Gerade auf dem Gebiete des ehemaligen Russischen Reichs sind diese Nachteile besonders zahlreich und schwerwiegend; es war deshalb eine Hauptaufgabe der deutschen Delegation, den Ersatz für diese sogenannten Zivilschaden in den Verhandlungen durchzusetzen.

Through the provisions of the Third Chapter by which the private debt relations are resumed and properties reciprocally taken from the nationals of the contracting parties have been returned, no complete reestablishment of private rights has yet been effected. For many of these private rights can not be reestablished, in consequence of the events of the war. Prejudices which the war has occasioned to the claimants must therefore be compensated. And it is particularly within the territory of the former Russian realm that these prejudices have been numerous and considerable; it was, therefore, one of the many tasks of the German delegation to bring about in the course of the negotiations the matter of compensation for the so-called civilian damages.

So dringlich diese Aufgabe war, so schwierig war ihre Lösung; denn die ukrainische Delegation verfocht mit Lebhaftigkeit den Gedanken, daß die Maßnahmen, die den Deutschen in Rußland Schaden zugefügt hatten, im wesentlichen auf das Zaristische Regiment und seine Organe zurückzuführen seien, die von der ukrainischen Volksrepublik in ihren Methoden mißbilligt und bekämpft wurden. Aus diesem Grunde wollte die Delegation eine Verpflichtung zum Schadenersatz für die ukrainische Volksrepublik nicht anerkennen; dazu

Urgent as this task was, so was its solution difficult; for the Ukrainian delegation vigorously maintained the idea that the measures in consequence of which losses had been sustained by Germans in Russia had been the essential work of the Czar's Government and of its authorities which had been disapproved and opposed by the actions of the Ukrainian People's Republic. For this reason the delegation would not acknowledge an obligation to compensate damages with regard to the Ukrainian People's Republic; in addition to this there was that other diffi-

sam die schon früher erörterte Schwierigkeit, daß der neue Staat in das Vermögen des Russischen Kaiserreichs noch nicht nachgefolgt ist, daß vielmehr alles bewegliche Reichsvermögen von der Großrussischen Regierung nach St. Petersburg weggeführt worden war.

Wenn es trotzdem gelungen ist, den Grundsatz von der Wiedergutmachung der Zivilschäden zur Anerkennung zu bringen, so ist dies dem Sinne für Recht und Billigkeit zuzuschreiben, der die beteiligten Delegationen gleichermaßen befehle. Es erschien ausgeschlossen, daß das Unrecht ungefühnt bleiben sollte, das friedlichen Privatpersonen durch gehäßige Sondergesetze, durch rechtswidrige Maßnahmen von Behörden oder durch Gewaltakte der Bevölkerung ohne jede Kriegsnotwendigkeit zugefügt worden ist.

Naturgemäß konnte den Deutschen, die in der Ukraine Kriegsschäden erlitten haben, ebensowenig ein unbedingter Ersatz zugesichert werden, wie dies für die Deutschen in der Heimat möglich ist. Der Artikel 13 beschränkt daher den Ersatzanspruch auf die Schäden, die Privatpersonen infolge von Kriegsgesetzen durch die zeitweilige oder dauernde Entziehung von Urheberrechten, gewerblichen Schutzrechten, Konzessionen, Privilegien und ähnlichen Ansprüchen (vergl. Artikel 9) oder durch die Beaufsichtigung, Verwahrung, Verwaltung oder Veräußerung von Vermögensgegenständen (vergl. Artikel 11) erlitten haben, und stellt diesen Schäden diejenigen gleich, die ihnen während des Krieges außerhalb der Kriegsgebiete von den staatlichen Organen oder der Bevölkerung des anderen Teiles durch völkerrechtswidrige Gewaltakte an Leben, Gesundheit oder Vermögen zugefügt worden sind. Nicht

culty to which reference has already been made, to the end that the new State has not yet succeeded to the property of the Russian imperial realm, that, on the contrary, all movable national values have been carried to St. Petersburg by the Government of Great Russia.

If in spite of all this it was found possible to recognize and accept the principle of compensation for civilian damages, this must be attributed to the sense of right and fairness by which the interested delegations were equally animated. It seemed impossible that the wrong could have been left unatoned which had been caused by hateful special laws to the peaceful private individuals, through unlawful measures on the part of the authorities or through acts of violence on the part of the population without any necessity of war.

It goes without saying that the Germans who had suffered war damages in the Ukraine could as little expect to receive absolute compensation, as this is the case for the Germans in their homeland. Article 13, therefore, restricts the claim for compensation to those damages which private individuals have sustained in consequence of war laws by reason of temporary or permanent subtraction of copyright, industrial patents, concessions, privileges, and similar claims (see Article 9), or as a result of the supervision, safe-guarding, administration, or alienation of objects of property (see Article 11), and puts such damages on a par with those which, during the war, and without the war areas have been caused by the national authorities and by the population of the other party through acts of violence against the body, health, or property of the individual and contrary to international law. In

mitumfaßt sind also z. B. die Schäden, die durch die Zahlungsverbote entstanden sind (vergl. Artikel 7 § 3); hier behält es bei der fünfprozentigen Verzinsung sein Bewenden. Auch ist an anderer Stelle ausdrücklich bestimmt, daß derjenige, der durch den Krieg an der rechtzeitigen Bewirkung einer Leistung behindert war, nicht verpflichtet sein soll, den dadurch entstandenen Schaden zu ersetzen (Artikel 7 § 2 Abs. 2 Satz 2). Militärische Maßnahmen oder Gewaltakte, die innerhalb des Kriegsgebiets geschehen sind, werden den betroffenen Privatpersonen der einen Partei von den anderen nicht ersetzt, da sie unter die Kriegsschäden fallen, auf die beide Parteien gemäß Artikel V des Hauptvertrags verzichtet haben. Sind aber die Maßnahmen oder Gewaltakte außerhalb des Kriegsgebiets erfolgt, so kommt es nicht darauf an, ob die staatlichen Organe, von denen sie ausgingen, der früheren oder der gegenwärtigen Regierung angehörten.

Die Durchführung der hier aufgestellten Grundsätze mußte gemäß denselben Erwägungen, die zu dem Vorbehalte des Artikel 8 geführt haben, bis zu dem Zeitpunkt zurückgestellt werden, wo sich die Ukrainische Volksrepublik mit den übrigen Teilen des ehemaligen Russischen Reichs auseinandergesetzt haben wird (Artikel 13 Abs. 2). Auch hier ist als äußerster Termin für die Ueberrahme eines angemessenen Teiles der Ersatzpflicht der allgemeine Friedensschluß protokollarisch festgesetzt worden.

Fünftes Kapitel.

Zur Ausführung des in Art. VI. des Friedensvertrages vorgesehenen Aus-

these provisions there are, therefore, not included, for instance, such damages as have arisen in virtue of ordinances prohibiting payment (see Article 7, § 3); interest at 5% per annum holds throughout for such cases. Elsewhere it has, furthermore, been expressly specified that he who was, by the war, prevented from the due performance of a service shall not be obligated to make good the loss incurred in virtue thereof (Article 7, § 2, Paragraph 2, sentence 2). Military measures or acts of violence which have taken place within the war zone are not compensated for by the one party for damages caused by this party to the private individuals of the other party, because they come under the head of war damages which both parties, according to Article V of the Main Treaty, have renounced. But whenever such measures or acts of violence took place without the war zone, it does not matter whether the national authorities by which they were issued or committed, belonged to the former or to the present Government.

The carrying out of the principles here established had, on the ground of the same considerations which led to the reservation in Article 8, to be postponed to such time when the Ukrainian People's Republic shall have come to an understanding with the other parts of the former Russian realm (Article 13, § 2). In this also the extreme period for the assumption of an adequate portion of the obligation to compensate has been fixed in a protocol at the time of the conclusion of the general peace.

FIFTH CHAPTER.

To carry out the exchange of war prisoners provided for in

tausches der Kriegsgefangenen mußten mehrere Sondervorbehalten für die Beziehungen zwischen Deutschland und der Ukraine getroffen werden. Dabei konnte man sich an die Bestimmungen anschließen, die bereits von der Petersburger Kommission getroffen worden waren, und in der Durchführung begriffen sind (Art. 14 § 1). Diese Bestimmungen beziehen sich aber nur auf die dienstuntauglichen Kriegsgefangenen; wegen der übrigen bedürfte es ergänzender Bestimmungen. In der Hauptsache ist die Aufgabe der Ergänzung einer Kommission übertragen worden, die in Brest-Litowsk zusammentreten soll; sie regelt die Zeiträume, in denen der Austausch vor sich gehen soll, und dessen übrige Einzelheiten. Insbesondere wird sie für eine angemessene und keineswegs menschenwürdige Art der Heimförderung sorgen; auch liegt ihr die Durchführung der getroffenen Vereinbarungen ob (§ 3).

Bei der Entlassung ist den Kriegsgefangenen das Privateigentum zurückzuerstatten, das ihnen von den Behörden des Aufenthaltsstaates abgenommen worden ist; doch sind Schriftstücke militärischen Inhalts ausgenommen, da ihre Befanntgabe in anderen Ländern dem Aufenthaltsstaate nachteilig sein könnte, solange dieser sich noch im Kriege befindet. Der noch nicht ausbezahlte oder verrechnete Teil des Arbeitsverdienstes ist den Kriegsgefangenen gleichfalls bei der Entlassung auszuhändigen (§ 2).

Auf der anderen Seite haben beide Parteien den völkerrechtlichen Grundsatz anerkannt, daß jeder Teil die Aufwendungen für seine kriegsgefangenen Angehörigen, die der andere Teil gemacht hat, diesem ersetzen muß. Von einer Aufstellung der beiderseitigen Aufwendungen und ihrer Verrechnung gegeneinander ist

Article VI of the Peace Treaty, several separate reservations had to be made with regard to the relations between Germany and the Ukraine. To this end those provisions could be retained which had already been adopted by the Petrograd commission and which are under way of execution (Article 14 § 1). These provisions relate, however, only to war prisoners unfit for military service; with regard to the rest, supplementary provisions were necessary. In the main, the task of these supplementary provisions is entrusted to a commission which shall meet in Brest-Litovsk; it determines the periods within which the exchange shall take place, and all other details. In particular, it gives its attention to a proper repatriation which must in no way be contrary to the laws of humanity. The carrying out of the agreements reached is likewise incumbent upon it (§ 3).

Upon releasing the war prisoners, the private property which was taken from them by the authorities of the State where they were held, is to be returned to them; but written documents of military purport are excepted therefrom, because acquaintance with them in other lands might prove prejudicial to the State of their sojourn so long as the latter is still at war. That part of their labor earnings which is not yet paid them or credited to them is also to be handed to the war prisoners upon their release (§ 2).

On the other hand, both parties have recognized the principle of international law in virtue of which each party must refund the expenses incurred by one party for the account of the nationals of the other party who became its war prisoners. A statement of the reciprocal expenditures and their respective settlement had to be

aber im Hinblick auf die Gefangenenzahlen abgesehen worden. Diese Zahlen sind kaum festzustellen; auf deutscher Seite nicht, weil es bisher eine ukrainische Staatsangehörigkeit nicht gab und eine Unterscheidung der russischen Kriegsgefangenen nach der Angehörigkeit zum großrussischen oder zum ukrainischen Staate zur Zeit undurchführbar ist; auf ukrainischer Seite nicht, weil andauernd deutsche Kriegsgefangene aus großrussischen oder sibirischen Gebieten in der Ukraine eintreffen und von dort nach Deutschland heimbeschafft werden sollen. Hiernach ergab sich die Aufrechnung als naturmäßige Lösung.

Auch für die Heimkehr der beiderseitigen Zivilangehörigen hat die nach Art. 14 einzusetzende Kommission die näheren Bestimmungen zu erlassen und ihre Durchführung zu überwachen (Art. 15, § 1 Abs. 2). Die Heimbeförderung soll tunlichst bald unentgeltlich erfolgen, aber nur mit Zustimmung des bisher Internierten oder Verschiedten. Wünscht er in dem Aufenthaltsstaate zu bleiben, so ist ihm dies zu gestatten soweit nicht besondere Gründe für seine Ausweisung vorliegen; auch steht es ihm frei sich in ein drittes Land zu begeben (§ 1, Abs. 1).

Umgekehrt können Zivilangehörige des einen Teiles, die bei Kriegsausbruch in dem Gebiete des anderen Teiles ihren Wohnsitz oder eine gewerbliche oder Handelsniederlassung hatten, dorthin zurückkehren, soweit ihnen nicht aus Gründen der inneren oder äußeren Sicherheit des Staates der Zutritt verweigert wird. Ein solcher Grund wird immer als vorliegend

relinquished with regard to the number of prisoners. It is hardly possible to determine these numbers: it is hardly possible on the part of Germany, because hitherto there had been no Ukrainian nationality and it was impossible to draw a difference between the Russian war prisoners according as they may at the time have belonged either to the Great Russian or to the Ukrainian State; it is hardly possible on the part of the Ukraine because German war prisoners from Great Russian or Siberian territories arrive constantly in the Ukraine and from there are conveyed home to Germany. Hence, the most natural solution of this question was to give no consideration to it and to call the accounts squared.

Likewise with regard to the repatriation of the reciprocal civilian nationals, the commission to be created in accordance with Article 14 is to adopt the detailed provisions and to supervise their execution (Article 15, § 1, Paragraph 2). The repatriation shall as soon as possible and practicable be carried out without any expense to the persons concerned but only with the approval of the person up to that time interned or deported. If he desires to remain in the State of his sojourn, this is to be granted to him, in so far as there are no special reasons for his deportation; he shall also be free to go to other third countries (§ 1, Paragraph 1).

Vice versa, civilian nationals of one party who at the outbreak of the war were domiciled within the territory of the other party or exercised an industrial or commercial occupation, may return thither in so far as on the ground of reasons of internal or external security of the State such admission is refused. Such reason will be regarded as always existent so

erachtet, solange sich der andere Teil noch im Kriegszustande befindet. Für die Rückkehr sind erleichterte Bedingungen wegen des Personenausweises vereinbart (§ 2).

Eine weitere Bestimmung gewährt den Angehörigen des einen Teiles, die im Gebiete des anderen Teils eine Erwerbstätigkeit ausübten und daran infolge des Krieges gehindert worden sind, einen entsprechenden Erlaß von Auflagen, Abgaben, Steuern und Gebühren mit der Maßgabe, daß bereits erhobene Beträge binnen sechs Monaten nach der Ratifikation des Friedensvertrages zurückzuzahlen sind (Art. 16 Abs. 1). Dieser Abgabenerlaß wird in Anwendung des bei der Erläuterung des dritten Kapitels erwähnten, in Art. 6 Abs. 2 enthaltenen Grundsatzes auch solchen Erwerbsgesellschaften gewährt, deren Betrieb im Gebiete des einen Teiles infolge des Krieges geruht hat, weil Angehörige des anderen Teiles daran beteiligt waren (Art. 16 Abs. 2).

Die neueren Friedensverträge enthalten regelmäßig Bestimmungen über die pietätvolle Fürsorge für die Grabstätten der Krieger, die in Feindesland gefallen oder verstorben sind. Bei Aufnahme einer entsprechenden Bestimmung in den gegenwärtigen Vertrag mußte darauf Rücksicht genommen werden, daß auch internierte oder verschickte Zivilangehörige in großer Zahl ihr Grab in Feindesland gefunden haben. Der Artikel 17 enthält lediglich die grundsätzlichen Bestimmungen, während die Regelung der zahlreichen Einzelfragen, z. B. über die Exhumierung, weiterer Vereinbarung vorbehalten bleiben soll.

Sechstes Kapitel.

Nicht nur in Großrußland, sondern auch in der Ukraine sind die sogenannten

long as the other party is still in the state of war. For their return home, conditions facilitating such return have been agreed upon with regard to the deportation of persons (§ 2).

A further provision grants to the nationals of the other party who exercised a gainful occupation within the territory of the other party and who were hindered from exercising it in consequence of the war, an adequate remission of assessments, taxes, rates, and dues, upon the condition that amounts already levied on that account shall be refunded within six months after the ratification of the Peace Treaty (Article 16, Paragraph 1). This remission of taxes will in the application of the principle contained in Article 6, Paragraph 2, in connection with the elucidation of the Third Chapter, be granted likewise to such industrial companies whose operation within the territory of one party ceased in consequence of the war, because nationals of the other party were participating therein (Article 16, Paragraph 2).

The more recent peace treaties regularly contain provisions regarding the pious care for the graves of the warriors who have fallen or died in enemy land. Upon the adoption of an adequate provision in the present Treaty, consideration had also to be given to the fact that even interned or deported civilian nationals, in large numbers, have died in enemy land. Article 17 contains merely the fundamental provisions, while the arrangement of the numerous questions of detail, for instance, concerning exhumation, is reserved for further agreement.

SIXTH CHAPTER.

Not only in Great Russia, but also in the Ukraine, the so-called

deutschen Kolonisten, d. h. Bauern deutschen Stammes, aber russischer Staatsangehörigkeit, wegen ihrer Abstammung in ihren Rechten schwer beschädigt und vielfach mit größter Grausamkeit von Haus und Hof vertrieben worden. Es besteht ein dringendes Interesse des Reichs daran, daß diese Volksgenossen nicht im Elend untergehen, sondern Gelegenheit finden, in der alten Heimat ein neues Leben aufzubauen. Wenn auch der Umstand die Verhandlungen wesentlich erschwerte, daß hier der einen Partei zugemutet wird, über eigene Angehörige eine internationale Verpflichtung gegenüber der anderen Partei einzugehen, so überzeugten sich die ukrainischen Delegierten doch, daß das deutsche Eintreten für das Schicksal der wegen ihres Deutschtums verfolgten russischen Angehörigen der Billigkeit entspricht. Die Fassung des sechsten Kapitels wahrt übrigens die Gegenseitigkeit, da Deutschland selbstverständlich bereit sein muß, Deutschen die Rückwanderung nach der Ukraine zu gestatten, wenn sie etwa wegen ihrer Abstammung aus dem dortigen Gebiete darum nachsuchen.

Im Einzelnen ist Vorsorge getroffen, daß den Rückwanderern von den Behörden ihres bisherigen Staates keine Schwierigkeiten gemacht werden, daß sie mit den diplomatischen und konsularischen Vertretern ihres künftigen Heimatstaats frei verkehren können und wegen der Rückwanderung keinerlei wirtschaftliche Nachteile erleiden. Vor allem dürfen sie ihr Vermögen frei liquidieren und den Erlös oder, soweit die Landesgesetze es gestatten, das Vermögen selbst mit sich nehmen; auch ist dafür gesorgt, daß sie nicht etwa durch den Zwang zur Erhaltung langfristiger

German colonists, that is to say, peasants of German origin, but of Russian nationality, have been severely prejudiced in their rights on account of their origin, and in many cases have been most cruelly driven from their hearth and home. The Empire is greatly desirous that these fellow-countrymen shall not pine away in misery, but have the opportunity to build up a new life in the old home-land. Even although the fact that one party was accused of assuming with regard to its own nationals an international obligation in respect of the other party, and thus tended to increase the difficulties of the negotiations, the Ukrainian delegates became, nevertheless, convinced that the German interest in the lot of those Russian nationals persecuted on account of their German origin, was a fair attitude. The text of the Sixth Chapter guarantees, besides, reciprocity, for Germany must, of course, be ready to grant to Germans their return to the Ukraine, if they so desire because they originated from that territory.

In special respects care has been exercised to the end that the repatriated shall not be interfered with by the authorities of the State in which they had hitherto lived, that they may correspond freely with the diplomatic and consular representatives of their future home-land and that they shall suffer no economic disadvantages because of their return thither. Above all, they may freely dispose of their property and carry away with themselves the value of the sale, or in so far as the national laws permit, carry their property with them; care has been had likewise to the end that for the enforcement of leasing contracts extending over a longer period, they shall not be hindered in the

Pachtverträge in der Ausübung des Rückwanderungsrechts behindert werden (Art. 18, 19).

Das Rückwanderungsrecht kann in einer Frist von zehn Jahren nach der Ratifikation des Friedensvertrages ausgeübt werden. Eine solche Frist erschien erforderlich, weil manche der verschickten Kolonisten erst nach geraumer Zeit von ihrem Rechte Kenntnis erhalten und so in der Lage sein werden, die Vorteile und Nachteile seiner Ausübung gegeneinander abzuwägen (Art. 18 Abs. 1). Mit dem Rückwanderungsrecht ist folgerichtig das Recht auf Entlassung aus dem bisherigen Staatsverbände des bisherigen Heimatstaats zum Ersatz der von der Rückwanderung dem Kolonisten zugefügten Schäden nicht durchsetzen zu lassen. Indes hat die ukrainische Delegation amtlich erklärt, daß die Ukrainische Volksrepublik diese Kolonisten in Ansehung des Ersatzes der ihnen während des Krieges in ungerechter Weise zugefügten Schäden ebenso behandeln würde wie die ukrainischen Staatsangehörigen.

exercise of their right of returning to their respective country (Articles 18, 19).

The right of returning to the respective country can be exercised within a period of ten years after the ratification of the Peace Treaty. Such a period was deemed necessary because many of the deported colonists will learn of their right only after a long time and thus will be able to weigh one against the other the advantages and disadvantages of its exercise (Article 18, Paragraph 1). The right to return home being recognized, it is logical that the right to compensation for damages sustained by the colonists who availed themselves of the right to return home upon the release from their previous allegiance to the previous home State is not to be enforced. Meanwhile, the Ukrainian delegation has officially declared that in view of the compensation for damages unjustly occasioned to them during the war, the Ukrainian People's Republic would treat such colonists as Ukrainian nationals.

Siebentes Kapitel.

SEVENTH CHAPTER.

Die in diesem Kapitel enthaltenen Bestimmungen über die Bewährung von Straffreiheit für gewisse mit den Kriegsereignissen zusammenhängende Handlungen sind von dem Wunsche eingegeben, die freundschaftlichen Beziehungen zwischen dem deutschen und dem ukrainischen Volke zu fördern und die bisherigen Gegensätze soweit irgend möglich in Vergessenheit zu bringen. Und zwar ist im Artikel 20 eine Amnestie für die feindlichen Ausländer und im Art. 21 eine solche für Inländer vorgesehen, während im Art. 22 weitere Vereinbarungen vorbehalten werden. Soweit hiernach die Staatsangehörigkeit von Bedeutung ist, wird für deren Beurteilung der Zeitpunkt des Friedensvertrages maßgebend sein müssen.

The provisions contained in this Chapter regarding the guarantee of freedom from penalty for certain acts connected with war events, are based on the desire to promote friendly relations between the German and the Ukrainian Peoples and to put an end, in so far as is possible to oppositions that have hitherto existed. To that end an amnesty for enemy aliens is foreseen in Article 20 and another such amnesty in Article 21 for the national inhabitants, whilst in Article 22 further agreements are reserved. In so far as according to these, nationality is deemed important, the date of the Peace Treaty will have to be decisive to pass judgment thereon.

Es erscheint als ein Gebot der Menschlichkeit, daß diejenigen strafbaren Handlungen, welche die Kriegsgefangenen oder die internierten oder verschickten Zivilpersonen in dem gegnerischen Lande behangen haben, von den Behörden dieses Landes nach der Herstellung des Friedens nicht weiter verfolgt oder bestraft werden; denn diese Personen haben in der Regel unter den seelischen Eindrücken der Gefangenschaft gehandelt und sind überdies nicht selten verhältnismäßig hart bestraft worden. Diese Erwägungen sind im Art. 20 § 1, 2 berücksichtigt.

Des weiteren liegt es im Wesen des Verständigungsfriedens, daß Angehörige des einen Teiles im Gebiete des anderen Teiles nicht weiter verfolgt werden, wenn sie zugunsten ihres Vaterlandes gehandelt und dabei die Gesetze der Gegenpartei verletzt haben. Der Art. 20 § 3 sieht daher in seinem ersten Teile in solchen Fällen Straffreiheit vor, wobei es gleichgültig ist, ob es sich um eine politische Straftat im technischen Sinne handelt und ob die Tat während des Krieges oder schon vor dem Kriegsausbruch begangen ist. Im zweiten Teile dieses Paragraphen ist ferner Straffreiheit vereinbart für Verstöße gegen die zum Nachteile feindlicher Ausländer ergangenen Ausnahme Gesetze, also insbesondere gegen die im dritten Kapitel behandelten Kriegsgesetze auf dem Gebiete des Privatrechts.

Im § 4 ist bestimmt, daß die Straffreiheit nicht in Anspruch genommen werden kann für Handlungen, die nach der Ratifikation des Friedensvertrags begangen sind.

Der § 5 Satz 1 erläutert die Tragweite der zu gewährenden Straffreiheit. Hiernach ist von der Ratifikation des

It appears as a law of humanity that those punishable acts which prisoners of war or interned or deported civilians have committed in enemy land shall not be further prosecuted or penalized by the authorities of that land after the reestablishment of peace; for such persons have, as a rule, acted under the psychic impression of imprisonment, and besides they have frequently been severely punished according to the seriousness of their action. These considerations have been taken into account in Article 20, §§ 1, 2.

It further lies in the nature of a peace by understanding that nationals of one party should not be further prosecuted within the territory of the other party if they have acted in the interest of their fatherland and, in so doing, violated the laws of the adverse party. Article 20, § 3, therefore, provides in its first part for immunity in such cases, and in this connection it does not matter whether such cases concern political punishable acts in the technical sense and whether or not the deed was committed during the war or even before the outbreak of the war. In the second part of this paragraph freedom from penalty is agreed to for infractions against the exceptional laws issued to the disadvantage of enemy aliens, and especially against the war laws within the sphere of private law treated of in the Third Chapter.

In § 4 it is declared that immunity from penalty may not be claimed for acts that have been committed after the ratification of the Peace Treaty.

In its first sentence, § 5, explains the scope of the exemption from penalty that is to be granted. In accordance therewith, and from the day of the

Friedensvertrages an eine Untersuchungs- oder Strafhaft wegen der unter die Amnestiebestimmungen fallenden Handlungen nicht mehr statthaft. Die Interessen des amnestierenden Staates erscheinen durch die Möglichkeit der Ausweisung der amnestierten Personen im allgemeinen hinreichend gewährleistet. Nur für Kriegsgefangene, deren Abschiebung nicht immer sogleich möglich sein wird, mußte die in Satz 2 enthaltene Sonderbestimmung vorgesehen werden, wonach sie, soweit es sich um bestimmte Straftaten besonders schwerer Natur handelt, bis zu ihrer Entlassung in Haft gehalten werden können. Selbstverständlich bleibt in den Fällen des Artikel 20 die Möglichkeit offen, daß die amnestierten Personen in ihrem Heimatstaate bestraft werden, soweit dessen Gesetze es zulassen.

Die im Art. 21, § 1, 2 angeführten Fälle der Amnestierung von Inländern finden ihre Begründung in der Tatsache, daß es sich um Verfehlungen handelt, die im Machtbereich des Gegners und daher in der Regel mehr oder weniger unter dessen Einfluß begangen sind.

In § 3 sind die Bestimmungen des Art. 20 über die Tragweite der Straffreiheit für anwendbar erklärt. Darüber hinaus ist noch vereinbart, daß über die beteiligten Personen und ihre Familien Rechtsnachteile nicht verhängt werden dürfen. Eine entsprechende Vereinbarung konnte für die Fälle des Art. 20 nicht getroffen werden, weil dadurch das Recht, die für die Staatsicherheit gefährlichen Ausländer auszuweisen, in einer nicht erträglichen Weise beschränkt worden wäre. Uebrigens wären es nach allgemeinen völkerrechtlichen Grundsätzen nicht anhängig, die gemäß Art. 20 amnestierten Ausländer wegen der in

ratification of the Peace Treaty no arrest or imprisonment for acts coming under the provisions of amnesty are any longer admissible. The interests of the State granting amnesty seem to be sufficiently guarded through the possibility of deporting persons granted amnesty. Only with regard to war prisoners whose removal could not always be readily effected, the special provision contained in clause 2 had to be foreseen, and according to this special provision, in so far as concerns definite punishable acts of an especially grievous nature, war prisoners may be held under arrest until the time of their release. It is self-evident that in the cases mentioned under Article 20 there is always the possibility that persons granted amnesty will be punished in their home State in so far as the latter's legislation permits.

Those acts of amnesty granted to the national inhabitants and referred to in Article 21, §§ 1, 2, have their reason in the fact that this concerns contraventions which are committed within the sovereign jurisdiction of the opponent, and, hence, as a rule, more or less under the latter's influence.

In § 3, the provisions of Article 20 regarding the scope of impunity are declared applicable. Over and above this it has been agreed that legal prejudices may not be imposed upon the persons involved and upon their families. An adequate agreement could not be come to with regard to the cases of Article 20, because thereby the right, to deport aliens dangerous to the safety of the State, would have been considerably restricted. Furthermore, according to the general principles of international law, it would not be admissible to prejudice in their private property rights, and

Nede stehenden Handlungen auf administrativem Wege in ihren privaten Vermögensrechten zu beeinträchtigen.

Nicht anwendbar auf die Fälle des Art. 21 ist die Bestimmung des Artikels 20 § 4 über die zeitliche Begrenzung der Straffreiheit, da diese Begrenzung in den Fällen des Art. 21 nicht durch die Ratifikation des Friedensvertrages, sondern durch die Dauer der Kriegsgefangenschaft, Internierung oder Verschickung (§ 1) oder der Okkupation (§ 2) gegeben ist.

Bei den Verhandlungen über die Amnestiefrage bestand Einigkeit darüber, daß es wünschenswert sei, die Straffreiheit noch auf weitere Fälle zu erstrecken. Der Abgrenzung dieser Fälle stellten sich aber Schwierigkeiten entgegen, insbesondere infolge des Umstandes, daß sich beide vertragschließenden Teile noch mit anderen Mächten im Kriegszustande befinden. Der Abschluß weiterer Vereinbarungen über die Straffreiheit wurde daher vorbehalten.

Achtes Kapitel.

Die in die Gewalt des Gegners geratenen Kauffahrteischiffe zerfallen in zwei Hauptgruppen, nämlich die Embargoschiffe, d. h. die Schiffe, die bei Kriegsausbruch in den Häfen des Gegners lagen, und die Preisensschiffe, d. h. die Schiffe, die als Beute aufgebracht und in einem Hafen des Nehmestaats eingebracht oder versenkt worden sind; entsprechendes gilt von den Schiffsladungen. Die Fälle der ersten Gruppe sind im Artikel 23, die der zweiten Gruppe im Artikel 24 geregelt. Die Artikel 25, 26 enthalten Bestimmungen über die Durchführung der getroffenen Vereinbarungen.

through administrative channels, those aliens granted amnesty in virtue of Article 20, for acts as are here referred to.

The provision of Article 20, § 4, dealing with the temporary limitation of impunity is not applicable to the cases coming under Article 21, because this limitation in the cases coming under Article 21 is not due to the ratification of the Peace Treaty, but to the duration of captivity, internment, or to deportation (§ 1) or to occupation (§ 2).

In the course of the negotiations concerning the question of amnesty it was agreed that it would be desirable to extend impunity to still other cases. Difficulties arose, however, with regard to the definition of such cases, especially in consequence of the circumstance that both contracting parties were still at war with other Powers. The conclusion of further agreements regarding impunity was therefore reserved.

EIGHTH CHAPTER.

The merchant ships which have come into the power of the opponent are divided into two main groups, namely, embargo ships, that is to say, those ships which at the outbreak of the war were lying in the harbors of the opponent, and the prize ships, that is to say, the ships which have been seized as prizes, brought to a harbor of the capturing State or been sunk; corresponding considerations apply to ship cargoes. The cases falling within the first group are regulated by Article 23, and those of the second group by Article 24. Articles 25 and 26 contain provisions pertaining to the carrying out of the agreements come to.

Unter Kauffahrteischiffen eines ver-
tragsschließenden Teiles im Sinne
dieses Kapitels sind an sich solche
Kauffahrteischiffe zu verstehen, welche
die Flagge dieses Teiles in dem Zeit-
punkt führten, wo sie in die Gewalt des
Gegners gerieten. Für die ukrainische
Seite wird es überdies darauf an-
kommen, ob ein Kauffahrteischiff rus-
sischer Flagge in einem jetzt zur
Ukraine gehörenden Hafen beheimatet
war.

Die im Artikel 23 vorgesehene Be-
handlung der Embargoschiffe entspricht
dem Sechsten Haager Abkommen über
die Behandlung der feindlichen Kauf-
fahrteischiffe beim Ausbruch der Feind-
seligkeiten vom 18. Oktober 1907.
Was die nach Artikel 2 dieses Abkom-
mens für angeforderte Schiffe zu
zahlende Vergütung betrifft, so mußte
dem Umstand Rechnung getragen wer-
den, daß die Anforderung und Be-
nutzung deutscher Schiffe in den Häfen
des Schwarzen Meeres in der Regel
nicht durch die Ukrainische Regierung,
sondern durch die Regierung des ehe-
maligen Russischen Kaiserreichs erfolgt
ist. Die Regelung der Vergütung
wurde daher einer besonderen Verein-
barung vorbehalten, über deren Zeit-
punkt die gleichen protokolларischen Er-
klärungen abgegeben wurden, wie hin-
sichtlich der entsprechenden Vorbehalte
in den Artikeln 8, 13 des Zusatz-
vertrags. Dabei wurde indes aus-
drücklich festgestellt, daß die Ukrainische
Volksrepublik für deutsche Embargo-
schiffe, die von ihr oder auf ihre Veran-
lassung benutzt worden sind, eine ent-
sprechende Vergütung ohne weiteres
leisten wird.

Die Bestimmungen des Artikel 24
über die als Beute aufgebrachten Kauf-
fahrteischiffe und Schiffsladungen gehen
davon aus, daß es zur Vermeidung
langwieriger Streitigkeiten und Rei-
bungen geboten ist, auf eine Wieder-

Under the term merchant ships
of a contracting party, in the
sense of this Chapter, such mer-
chant ships are meant as flew the
flag of this party at the time when
they came into the power of the
opponent. As regards the Uk-
raine, it will furthermore be ne-
cessary to determine whether a
merchant ship flying the Russian
flag was in home waters when
lying in a harbor now belonging
to the Ukraine.

The treatment foreseen in Arti-
cle 23 with regard to embargo
ships corresponds to the Sixth
Hague Convention of 18 October,
1907, dealing with the treatment
of enemy merchant ships at the
outbreak of hostilities. As regards
the compensation to be paid in
accordance with Article 2 of this
Convention¹ for ships requisitioned,
consideration had to be
given to the fact that the
requisition and use of German
ships in harbors of the Black Sea
took place, as a rule, not through
the Ukrainian Government, but
through the Government of the
former Russian Empire. The set-
tlement of the matter of compen-
sation was, therefore, reserved for
a special agreement with regard
to whose date, the identical pro-
tocol explanations were drafted
even as with regard to the cor-
responding reservation in Arti-
cles 8 and 13 of the supplemen-
tary treaty. It was, at the same
time, expressly established that
for German embargo ships used
by or upon its solicitation, the
Ukrainian People's Republic will
make proper compensation with-
out any further action.

The provisions of Article 24
dealing with merchant ships and
ship cargoes captured as prizes
rest on the idea that it is neces-
sary, in order to avoid wearisome
difficulties and frictions, to re-

¹ James Brown Scott, *The Hague Convention and Declarations of Peace, 1899 and 1907*, (New York, Carnegie Endowment for International Peace, 1915), p. 141.

aufrollung der durch rechtskräftiges Urteil abgeschlossenen prisengerichtlichen Verfahren zu verzichten. Diese Regelung ist auch in den meisten Friedensverträgen der neueren Zeit getroffen worden, beispielsweise im Artikel 13 des Frankfurter Friedens.

Die mannigfachen Fragen technischer Art, die sich bei der Durchführung der Bestimmungen der Artikel 23, 24 voraussichtlich ergeben werden, lassen es zweckmäßig erscheinen, eine gemischte Kommission mit neutralen Vorsitzenden zu ihrer Lösung zu berufen (Artikel 25).

Die außergewöhnlichen Verhältnisse, die der Weltkrieg auf dem Gebiete der Seeschifffahrt geschaffen hat, und die mit dem Abschluß eines Sonderfriedens nicht sogleich verschwinden, werden unter Umständen dazu führen, daß Rauffahrtschiffe einer bisher feindlichen Flagge nicht in der Lage sind, von der vertragsmäßig zugesicherten Befugnis zur Heimreise Gebrauch zu machen, wenn ihnen die Behörden des Aufenthaltsstaats dabei nicht Entgegenkommen beweisen. Dies gilt beispielsweise für die Beschaffung von Bunkerkohlen, die Gewinnung von Lotsen und die zur Vermeidung von unterseeischen Minen erforderlichen Maßnahmen. Im Artikel 26 sichern sich daher die vertragsschließenden Teile gegenseitig jedes mögliche Entgegenkommen in dieser Hinsicht zu.

Neuntes Kapitel.

Von den Schlußbestimmungen ist die des Artikel 27, wonach der Zusatzvertrag einen wesentlichen Bestandteil des Friedensvertrags bildet, und die ihn betreffenden Ratifikationsurkunden zugleich mit den Ratifikationsurkunden des Friedensvertrags ausgetauscht werden sollen, bereits im Zusammenhang

nounce the reopening of any prize proceedings brought to a conclusion through legal judgment. This regulation has likewise been adopted in most of the treaties of modern times, for instance, in Article 13 of the Frankfurt Peace.¹

The multitudinous questions of a technical character which will arise probably in the carrying out of the provisions of Articles 23 and 24 make it appear advisable to appoint, for their solution, a mixed commission with a neutral chairman (Article 25).

The extraordinary conditions which the world war has brought about within the field of maritime navigation and which will not at once disappear with the conclusion of a separate peace, will in certain circumstances bring it about that merchant ships of a hitherto enemy flag will not be in position to make use of the contractual assured authority to sail to home waters, in case the authorities of the State where they are stationed do not readily consent thereto. This, by way of illustration, applies to the securing of bunker coal, the recruiting of pilots and those measures necessary to steer clear of submarine mines. Therefore, in Article 26 the contracting parties mutually assure to one another every possible assistance in this respect.

NINTH CHAPTER.

As regards the final provisions, that of Article 27 according to which the supplementary treaty forms an essential part of the Peace Treaty, and according to which the respective ratification acts shall be exchanged simultaneously with the ratification acts of the Peace Treaty, has already been discussed in connec-

mit den gleichartigen Bestimmungen des Hauptvertrags erörtert worden. Das Gleiche gilt von Artikel 28 Abs. 1, der das gleichzeitige Inkrafttreten des Zusatzvertrags und des Friedensvertrags vorsieht.

Der Zusatzvertrag bedarf aber teils auf Grund besonderer Vorbehalte (vergl. Artikel 9 Abs. 3, Artikel 17, Artikel 22) teils wegen des vorläufigen Charakters der in ihm enthaltenen Regelungen (vergl. z. B. Artikel 7 § 3, Artikel 8, Artikel 11) ergänzender Bestimmungen, die nur auf Grund von Verhandlungen unter Zuziehung von Sachverständigen beider Teile getroffen werden können. Die zu diesem Zwecke einzusetzende Kommission soll nach Artikel 28 Abs. 2 binnen vier Monaten nach der Ratifikation des Friedensvertrags an einem Orte zusammentreten, der mit Rücksicht auf die noch ungeklärten Verhältnisse späterer Bestimmung vorbehalten ist.

tion with the similar provisions of the chief Treaty. The same applies to Article 28, Paragraph 1, which provides for the simultaneous going into force of the supplementary treaty and of the Peace Treaty.

Owing in part to special reservations (see Article 9, Paragraph 3; Article 17; Article 22) and in part to the provisional nature of the regulations contained in it (see for instance, Article 7, § 3; Article 8; Article 2), the supplementary treaty requires complementary provisions which may be reached only on the basis of negotiations with the help of experts of both parties. The commission which is to be established to that end, shall, according to Article 28, Paragraph 2, meet within four months after the ratification of the Peace Treaty at a place which, in view of the still obscure conditions, is reserved for designation in a later provision.

9. UKRAINE—CENTRAL POWERS.

ANNEX TO THE MEMORANDUM ON THE TREATY OF PEACE BETWEEN UKRAINE AND THE CENTRAL POWERS AND ON THE SUPPLEMENTARY TREATY BETWEEN UKRAINE AND GERMANY, SUBMITTED TO THE REICHSTAG BY THE GERMAN CHANCELLOR, 19 FEBRUARY, 1918.¹

[German text as transmitted to the Department of State, taken from Reichstagsdrucksache, No. 1293.]

[Translation.]

Deutsch-russischer Handels- und Schiffsverkehrsvertrag von 1894/1904.

RUSSO-GERMAN TREATY OF COMMERCE AND NAVIGATION OF 1894/1904.

[Die auf Grund des Friedensvertrages vom 9. Februar 1918 im wechselseitigen Verkehr mit der Ukrainischen Volksrepublik wegfallenden Bestimmungen sind klein, die neu hinzutretenden Bestimmungen gesperrt gedruckt.]

[The provisions which on the basis of the peace treaty of February 9, 1918, are abolished with regard to the mutual traffic with the Ukrainian People's Republic are in small type, and the new provisions are in italics.]

Artikel 1.

ARTICLE 1.

Die Angehörigen eines der beiden vertragschließenden Teile, welche sich in dem Gebiete des anderen Teiles niedergelassen haben oder sich dort vorübergehend aufhalten, sollen dort im Handels- und Gewerbebetriebe die nämlichen Rechte genießen und keinen höheren oder anderen Abgaben unterworfen werden als die Inländer. Sie sollen in dem Gebiete des anderen Teiles in jeder Hinsicht dieselben Rechte, Privilegien, Freiheiten, Begünstigungen und Befreiungen haben wie die Angehörigen des meistbegünstigten Landes.

The nationals of one of the contracting parties established in the territory of the other party, or residing there temporarily, shall there enjoy, as regards the exercise of commerce and industry, the same rights as, and shall be subject to no higher or other duties than, the inhabitants. They shall enjoy in all respects within the territory of the other party the same rights, privileges, immunities, preferences and exemptions as the nationals of the most favored nation.

Es herrscht jedoch darüber Einverständnis, daß durch die vorstehenden Bestimmungen die besonderen Gesetze,

It is agreed, however, that the above stipulations in no way prejudice the special laws, ordi-

¹ This sets forth the Russo-German Treaty of Commerce and Navigation of 1894 (English text in 86 *British and Foreign State Papers*, p. 442), as modified by the Additional Convention of 1904 (French text in 97 *British and Foreign State Papers*, p. 1040), with the changes and additions which are provided for in the Treaty of Peace between the Ukraine and the Central Powers, 9 February, 1918.

Erlasse und Verordnungen auf dem Gebiete des Handels, der Gewerbe und der Polizei nicht berührt werden, welche in jedem der beiden vertragschließenden Länder gelten oder gelten werden und auf alle Ausländer Anwendung finden.

Artikel 2.

Die Angehörigen jedes der beiden vertragschließenden Teile sollen in dem Gebiete des anderen Teiles berechtigt sein, jede Art von Beweglichem oder unbeweglichem Vermögen zu erwerben und zu besitzen, soweit dieses Recht nach den Landesgesetzen Angehörigen irgendeiner fremden Nation jetzt oder künftig zusteht. Sie sollen berechtigt sein, darüber durch Verkauf, Tausch, Schenkung, Eheschließung, letzten Willen oder auf andere Weise zu verfügen, sowie Vermögen durch Erbschaften zu erwerben, und zwar unter denselben Bedingungen, welche jetzt oder künftig für die Angehörigen irgendeiner anderen fremden Nation bestehen, ohne in einem der genannten Fälle unter irgendeiner Bezeichnung anderen oder höheren Abgaben, Steuern oder Auflagen unterworfen zu sein als die Inländer.

Die dreijährige Frist, die durch den Kaiserlich Russischen Ukase vom 14. März 1887 für die Veräußerung der Liegenschaften seitens der Ausländer festgesetzt worden ist, wird für die deutschen Reichsangehörigen auf zehn Jahre verlängert.

Die Angehörigen eines jeden der beiden vertragschließenden Teile sollen den Erlös aus dem Verkaufe ihres Eigentums und ihr Vermögen überhaupt unter Beobachtung der Landesgesetze frei ausführen können, ohne als Ausländer zur Entrichtung anderer oder höherer Abgaben verpflichtet zu sein, als die Inländer unter gleichen Verhältnissen zu entrichten haben würden.

Sie sollen unter Beobachtung der Landesgesetze freien Zutritt zu den Gerichten haben, um als Kläger oder

nances and regulations respecting commerce, industry and police which are or may be in force in either of the two contracting countries and which are applicable to all aliens.

ARTICLE 2.

The nationals of each of the two contracting parties shall have, within the territory of the other, the right of acquiring and possessing all such kinds of real and personal property as the laws of the country allow, or may allow, the nationals of any foreign Power to acquire and possess. They may dispose of such property by sale, exchange, gift, marriage, testament or in any other manner, and acquire it by inheritance on the same conditions as are established for the nationals of any other foreign Power, without being subject in any of the cases mentioned to any dues, taxes, or assessments under whatever name, other or higher than those established for the national inhabitants.

The period of three years which through the Imperial Russian Ukase of March 14, 1887¹ has been fixed for the disposal of real estate on the part of aliens, is extended to ten years for the German imperial nationals.

The nationals of each of the two contracting parties may freely export the product of the sale of their property and of their goods generally under the observance of the law of the country, without being subject as aliens to other or higher duties than those which the national inhabitants would have to pay in similar circumstances.

Under observance of the laws of the country, they shall have the right of free access to the courts either to bring an action or to de-

¹ 78 *British and Foreign State Papers*, p. 49.

Beflagte aufzutreten, und sollen in dieser Hinsicht alle Rechte und Befreiungen der Inländer genießen und wie diese befugt sein, sich in jeder Rechtsache der durch die Landesgesetze zugelassenen Anwälte, Sachwalter und Vertreter jeder Art zu bedienen.

They shall in this respect enjoy the same rights and immunities as the national inhabitants, and like these latter they shall have the right to employ in their legal action the lawyers, attorneys and agents of all classes allowed by the laws of the country.

Artikel 3.

ARTICLE 3.

Die Angehörigen jedes der vertragsschließenden Teile sollen in dem Gebiete des anderen zu Gerichts-, Administrativ- oder Municipaldiensten, mit Ausnahme der Vormundschaft, nicht verpflichtet sein; ebenso bleiben sie frei von jedem persönlichen Dienste im Landheere, in der Marine, in der Reserve der Land- und Seemacht und in der Nationalmiliz, sowie von allen Lasten, Zwangsanleihen, militärischen Requisitionen und Leistungen jeder Art, welche im Kriegsfall oder infolge von außergewöhnlichen Umständen auferlegt werden; ausgenommen sind die aus irgendwelchem Rechtstitel mit dem Besitze eines Grundstücks verbundenen Lasten, sowie die Verpflichtung zur Quartierleistung und zu sonstigen besonderen Leistungen für die bewaffnete Macht, die den Inländern und den Angehörigen der meistbegünstigten Nation als Eigentümern, Pächtern oder Mietern von Immobilien obliegen.

The nationals of each of the contracting parties shall, within the territory of the other, be exempt from all obligatory official duties, whether judicial, administrative or municipal, excepting only that of guardianship; they are likewise exempt from all personal service in the army, navy, land or naval reserve, and national guard, and from all burdens, forced loans, military requisitions and services of every nature which may be imposed during the war or in consequence of extraordinary circumstances; exemption is nevertheless made in the case of charges incumbent on the possession, by whatsoever title, of real property, as well as in the case of obligatory military billets, and other special services for the military forces, to which the national inhabitants and the nationals of the most favored nation are subject as owners, renters, or lessors of immovable property.

Artikel 4.

ARTICLE 4.

Aktiengesellschaften und andere kommerzielle, industrielle oder finanzielle Gesellschaften, welche in einem der beiden Länder nach den bestehenden Gesetzen rechtsgültig errichtet worden sind und dort ihren Sitz haben, sollen in dem anderen Lande als gesetzlich bestehend anerkannt werden und dort namentlich das Recht haben, vor Gericht als Kläger oder als Beflagte Prozesse zu führen.

Joint stock companies and other commercial, industrial or financial companies which have been established legally in one of the two countries in accordance with the existing laws and there have their domicile, shall be recognized as having a legal existence in the other country and, especially, they shall have there the right to institute actions before the courts as plaintiffs or as defendants.

Es herrscht jedoch darüber Einverständnis, daß durch die vorstehende Bestimmung die Frage nicht berührt wird, ob derartige in einem der beiden Länder errichtete Gesellschaften in dem anderem Lande zum Handels- und Gewerbebetriebe zugelassen werden sollen oder nicht. Diese Frage bleibt, wie bisher, den in dem betreffenden Lande bestehenden oder noch einzuführenden Bestimmungen vorbehalten.

In jedem Falle sollen die gedachten Gesellschaften in dem anderen Lande dieselben Rechte genießen, welche den gleichartigen Gesellschaften irgendeines Landes zustehen oder zugestanden werden sollten.

Artikel 5 (alte Fassung).

Die vertragsschließenden Teile verpflichten sich, den gegenseitigen Verkehr zwischen beiden Ländern durch keinerlei Einfuhr- oder Ausfuhrverbote zu hemmen, auch die freie Durchfuhr zu gestatten, soweit es sich nicht um Wege handelt, die der Durchfuhr verschlossen sind oder sein werden.

Ausnahmen sind nur für solche Erzeugnisse zulässig, welche auf dem Gebiete eines der vertragsschließenden Teile den Gegenstand eines Staatsmonopols bilden oder bilden werden, sowie auch für gewisse Erzeugnisse, für die aus Rücksichten auf die Gesundheit, die Veterinärpolizei und die öffentliche Sicherheit oder aus anderen schwerwiegenden Gründen außerordentliche Verbotsmaßregeln ergehen könnten.

Artikel 5 (neue Fassung).

Die vertragsschließenden Teile verpflichten sich, den gegenseitigen Verkehr zwischen beiden Ländern durch keinerlei Einfuhr-, Ausfuhr- oder Durchfuhrverbote zu hemmen und die freie Durchfuhr zu gestatten.

It is, however, agreed that the preceding provision does not affect the question whether such companies, organized in one of the two countries, shall or shall not be admitted to the other country for the purpose of engaging in commerce and in industry. This question, as hitherto, will remain subject to the provisions which exist or which may come to exist in the respective country.

In every case the above-mentioned companies of the one country must enjoy the same rights in the country of the other contracting party as those accorded or to be accorded the companies of any country whatsoever.

ARTICLE 5. (Old text).

The contracting parties obligate themselves not to obstruct reciprocal traffic between the two countries by any prohibitions of importation or exportation, and to grant free transit, except over routes which are not or may not be open to transit traffic.

Exceptions may only be made with regard to such products as are or may be, within the territory of one of the contracting parties, the subject of a State monopoly, and to certain products which, for reasons of sanitation, of veterinary police and public safety or for other considerations of great importance, might be the subject of extraordinary measures of prohibition.

ARTICLE 5. (New text).

The contracting parties obligate themselves not to obstruct the reciprocal trade between the two countries by any prohibitions of importation, exportation or transit, and to grant free transit.

Ausnahmen sind nur für solche Erzeugnisse zulässig, welche auf dem Gebiete eines der vertragsschließenden Teile den Gegenstand eines Staatsmonopols bilden oder bilden werden, sowie auch für gewisse Erzeugnisse, für die aus Rücksichten auf die Gesundheit, die Veterinärpolizei und die öffentliche Sicherheit oder aus anderen schmerzveriegenden politischen und wirtschaftlichen Gründen außerordentliche Verbotsmassregeln, insbesondere im Zusammenhang mit der auf den Krieg folgenden Uebergangszeit, ergehen könnten.

Artikel 6.

Die russischen Boden- und Gewerbeerzeugnisse, welche im Deutschen Reiche, und die deutschen Boden- und Gewerbeerzeugnisse, welche in Rußland eingeführt werden, sollen dort, sie mögen zum Verbrauch oder zur Lagerung, zur Wiederausfuhr oder zur Durchfuhr bestimmt sein, der nämlichen Behandlung wie die Erzeugnisse des meistbegünstigten Landes unterliegen. In keinem Falle und aus keinem Grunde sollen sie höheren oder anderen Zöllen, Gebühren, Steuern oder Abgaben unterworfen sein, noch mit Zuschlägen oder einem Einfuhrverbote belegt werden, von denen nicht auch die gleichartigen Erzeugnisse irgendeines anderen Landes betroffen werden. Insbesondere wird jede Begünstigung und Erleichterung, jede Befreiung und jede Ermäßigung, sei in dem Generaltarif oder in den Vertragstarifen enthaltenen Eingangszöllen, welche einer der vertragsschließenden Teile einer dritten Macht dauernd oder zeitweise, ohne Gegenleistung oder mit Kompensation zugesetzt, ohne weiteres und bedingungs-, vorbehaltungs- oder kompensationslos auf die Boden- und Gewerbeerzeugnisse des anderen ausgedehnt werden.

Exceptions may be made only in regard to such products as are or may be, within the territory of one of the contracting parties, the subject of a State monopoly, and to certain products which, for reasons of sanitation, of veterinary police and public safety or for other important *political and economic reasons* might be the subject of exceptional measures of prohibition, *especially in connection with the transition period following the war.*

ARTICLE 6.

The products of the soil and industry of Russia when imported into Germany, and the products of the soil and industry of Germany when imported into Russia, and intended either for consumption or for storage, for reexportation or for transit, shall be subject to the same treatment as the products of the most favored country. In no case and for no reason whatever shall they be subject to higher and other tolls, dues, taxes or assessments, nor shall they be subject to increases or to any prohibition of importation to which similar products of any other country are not subject. Especially, every preference and concession, every exemption and every reduction in the importation tolls contained in the general tariff or in the contractual tariffs which one of the contracting parties may grant to a third Power, permanently or temporarily, without reciprocal concession or compensation, shall immediately and unconditionally, without reservation or compensation, be extended to the products of the soil and industry of the other.

Artikel 7.

ARTICLE 7.

[Notiz: Die Vertragstarife, welche unverändert bleiben, sind hier nicht abgedruckt worden.]

Die in dem beiliegenden Tarif A bezeichneten deutschen Boden- und Gewerbeerzeugnisse sollen bei ihrer Einfuhr in Rußland und die in dem beiliegenden Tarif B bezeichneten russischen Boden- und Gewerbeerzeugnisse sollen bei ihrer Einfuhr in Deutschland keinen anderen oder höheren Eingangszöllen unterliegen, als den in diesen Anlagen festgesetzten.

Wenn einer der vertragsschließenden Teile auf einen in Anlage A oder Anlage B des gegenwärtigen Vertrags angeführten Gegenstand einheimischer Erzeugung oder Fabrikation zum Vorteil der Staatskasse eine neue innere Steuer oder Akzise oder einen Zuschlag zu einer solchen inneren Steuer oder Akzise legen sollte, so kann der gleichartige Gegenstand bei der Einfuhr mit einer gleichen oder entsprechenden Abgabe belegt werden, vorausgesetzt, daß diese Abgabe für die Provenienzen aller Länder gleich ist.

Artikel 8.

ARTICLE 8.

Innere Abgaben, welche in dem Gebiete eines der vertragsschließenden Teile für Rechnung des Staates, der Gemeinden oder der Korporationen auf der Hervorbringung, der Bearbeitung oder dem Verbrauch eines Erzeugnisses ruhen oder ruhen werden, dürfen für Erzeugnisse des anderen Teiles unter keinem Vorwande höher oder lästiger sein als für die gleichartigen Erzeugnisse des eigenen Landes.

[NOTE: The contractual tariffs which remain unchanged, have not been reprinted here.]

Products of the soil and industry of Germany specified in the accompanying tariff A shall not, on importation into Russia, and the products of the soil and industry of Russia specified in the accompanying tariff B shall not, on importation into Germany, be subject to any other or higher import tolls than those fixed in these annexes.

If one of the contracting parties should establish a new internal tax or excise levied for the benefit of the State, or an increase to such an internal tax or excise, on any article of native production or manufacture coming under tariff A or tariff B annexed to the present treaty, the similar article may, on importation, be subject to an equal or corresponding tax, on the condition however that such tax be the same for the products of all countries.

Artikel 9.

ARTICLE 9.

Bei der Ausfuhr von Waren aus einem der beiden Ländern nach dem anderen dürfen keine anderen oder höheren Ausgangsabgaben erhoben werden.

No other or higher export duties shall be levied on goods exported from one of the two countries to the other than those

¹ See 86 *British and Foreign State Papers*, pp. 461-481, and 97 *British and Foreign State Papers*, pp. 1056-1084.

den als bei der Ausfuhr nach dem in dieser Beziehung meistbegünstigten Lande. Auch jede sonst von einem der vertragsschließenden Teile einer dritten Macht für die Ausfuhr zugestandene Begünstigung wird ohne weiteres und bedingungslos dem andern zuteil werden.

Artikel 10.

Die Waren aller Art, welche durch das Gebiet eines der beiden Teile

auf einem den Transithandel geöffneter Wege durchgeführt werden, sollen wechselseitig von jeder Durchgangsabgabe (Durchfuhrabgabe) frei sein, sei es, daß sie unmittelbar durchgeführt werden, sei es, daß sie während der Durchfuhr abgeladen, eingelagert und wieder aufgeladen werden.

Artikel 11 (alte Fassung).

Die Bestimmungen des gegenwärtigen Vertrags berühren nicht:

1. die Begünstigungen, welche anderen angrenzenden Staaten zur Erleichterung des örtlichen Verkehrs innerhalb einer Grenzzone bis zu 15 km Breite gegenwärtig gewährt sind oder in Zukunft gewährt werden sollten,

2. die von Deutschland auf Grund der bestehenden Zollvereinigung dem Großherzogtum Luxemburg und den österreichischen Gemeinden Jungholz und Mittelberg zugestandenen Begünstigungen, auf welche Gebietsteile im übrigen die Bestimmungen des gegenwärtigen Vertrags Anwendung finden,

3. die Begünstigungen welche für die Einfuhr oder Ausfuhr den Bewohnern des Gouvernements Archangel sowie für die nördlichen und östlichen Küsten des asiatischen Rußlands (Sibirien) gegenwärtig gewährt sind oder in Zukunft gewährt werden sollten.

Doch soll die deutsche Einfuhr in gleicher Weise alle der Einfuhr eines europäischen oder nordamerikanischen Staates in diese Gebiete eingeräumten Zollerleichterungen mitgehen.

Es wird außerdem der Vorbehalt gemacht, daß die Bestimmungen der Artikel 6, 9 und 10 des gegenwärtigen Vertrags weder auf die besonderen Abmachungen des Vertrags zwischen Rußland und Schweden und Norwegen vom 26. April/5. Mai 1838 noch auf diejenigen Vereinbarungen Anwendung finden sollen, welche die Handelsbeziehungen mit den

levied on the exportation of the same goods to the country the most favored in that respect. Likewise every other preference granted by one of the contracting parties to a third Power in regard to exportation shall immediately and unconditionally be extended to the other.

ARTICLE 10.

Goods of all kinds in transit through the territory of one of the two contracting parties by a commercial route open to transit shall be reciprocally exempt from all transit dues, whether they pass directly or whether they be unloaded, stored, and reloaded during transit.

Article 11. (Old text).

The provisions of the present treaty do not affect:

1. Preferences now granted or which may hereafter be granted to other frontier States to facilitate the frontier traffic within a frontier zone up to 15 kilometers in width;

2. Preferences granted by Germany, under the existing Customs Union, to the Grand Duchy of Luxembourg and to the Austrian communes of Jungholz and Mittelberg, to which territorial regions the provisions of the present treaty apply;

3. Preferences now granted or which may hereafter be granted in respect to importation or exportation to the inhabitants of the Province of Archangel, as well as to the northern and eastern coasts of Asiatic Russia (Siberia).

But German importation shall equally enjoy all customs concessions granted to the importations of a European or North American State into these territories.

Reservation is further made that the provisions of Articles 6, 9, and 10 of the present treaty do not apply to the special stipulations contained in the treaty concluded between Russia and Sweden and Norway on 26 April/5 May, 1838,¹ nor to those which regulate or may regulate hereafter the commercial relations with

¹ *British and Foreign State Papers*, p. 779.

angrenzenden Staaten und Ländern Asiens regeln oder regeln werden. Auf diese Abmachungen darf in keinem Falle Bezug genommen werden, um die Handels- und Schifffahrtsverhältnisse, wie sie zwischen den beiden vertragsschließenden Teilen durch den gegenwärtigen Vertrag begründet worden sind abzuändern.

Artikel 11 (neue Fassung).

Kein Teil wird die Begünstigungen in Anspruch nehmen, welche der andere Teil irgend einem anderen Staate auf Grund einer bestehenden oder künftigen Zolleinigung, wie sie z. B. zwischen dem Deutschen Reich und dem Großherzogtum Luxemburg besteht, oder im kleinen Grenzverkehr bis zu einer Grenzzone von 15 Kilometern Breite gewährt oder gewährt werden wird.

Artikel 12.

Kaufleute, Fabrikanten und andere Gewerbetreibende, welche sich durch den Besitz einer von den Behörden des Heimatlandes ausgefertigten Gewerbelegitimationskarte darüber ausweisen, daß sie in dem Staate, wo sie ihren Wohnsitz haben, zum Gewerbebetrieb berechtigt sind, sollen befugt sein, persönlich oder durch die in ihren Diensten stehenden Reisenden in dem Gebiete des anderen vertragsschließenden Teiles Wareneinkäufe zu machen oder Bestellungen, auch unter Mitführung von Mustern, zu suchen. Die gedachten Kaufleute, Fabrikanten und anderen Gewerbetreibenden oder Handlungsreisenden sollen wechselseitig in den beiden Ländern hinsichtlich der Pässe und der den Handelsbetrieb treffenden Abgaben wie die Angehörigen der meistbegünstigten Nation behandelt werden.

Die mit einer Gewerbelegitimationskarte versehenen Gewerbetreibenden (Handlungsreisenden) dürfen wohl

the frontier States and countries of Asia. These stipulations may not in any case be invoked for the purpose of modifying the relations of commerce and navigation established by the present treaty between the contracting parties.

ARTICLE 11. (New text).¹

No party will claim the preferences which the other party grants or will hereafter grant to any other State, on the basis of an existing or of a future customs union, such as exists, for instance, between the German Empire and the Grand Duchy of Luxembourg, or in the restricted frontier traffic up to a frontier zone of 15 kilometers in width.

ARTICLE 12.

Merchants, manufacturers, and others engaged in industry proving, by the possession of a license card issued by the authorities of their home-land, that they are authorized to engage in trade in the State where they have their domicile, may, either personally or through commercial travellers in their service, make purchases of goods, and may, even by carrying samples with them, seek orders in the territory of the other contracting party. The said merchants, manufacturers, and others engaged in industry or commercial travellers shall in the two countries, be reciprocally treated in regard to passports and taxes laid on the exercise of commerce, like the nationals of the most favored nation.

Those engaged in industry (commercial travellers) provided with a license card may carry

¹ Not provided for in the Treaty of Peace.

Warenmuster aller Art, aber keine Waren mit sich führen. Für zollpflichtige Gegenstände, welche als Muster von den vorbezeichneten Handelsreisenden eingebracht werden, wird beiderseits Befreiung von Eingangs- und Ausgangsabgaben unter der Voraussetzung zugestanden, daß diese Gegenstände, falls sie nicht verkauft worden sind, binnen einer Frist von einem Jahre wieder ausgeführt werden, und die Identität der ein- und wiederausgeführten Gegenstände außer Zweifel ist, wobei es gleichgültig sein soll, über welches Zollamt die Gegenstände ausgeführt werden.

Die Wiederausfuhr der Muster muß in beiden Ländern bei der Einfuhr durch Niederlegung des Betrages der bezüglichen Zollgebühren oder durch Sicherstellung gewährleistet werden.

Die vertragschließenden Teile werden sich gegenseitig Mitteilung darüber machen, welche Behörden zur Erteilung von Gewerbelegitimationsarten befugt sein sollen, nach welchem Muster diese Karten ausfertigt werden, und welche Vorschriften die Reisenden bei Ausübung des Gewerbebetriebes zu beachten haben.

Die Angehörigen des einen der vertragschließenden Teile, welche sich in das Gebiet des anderen zum Besuche der Messen und Märkte begeben, um dort Handel zu treiben oder ihre Erzeugnisse feilzuhalten, werden wechselseitig wie die Inländer behandelt und keinen höheren Abgaben als diese unterworfen werden.

Artikel 12a (alte Fassung).

Die Kaiserlich Russische Regierung erklärt sich bereit, innerhalb einer Frist von drei Jahren nach dem Inkrafttreten des gegenwärtigen Vertrags mit der Kaiserlich Deutschen Regierung in Verhandlungen wegen des Abschlusses eines Abkommens, betreffend den gegenseitigen Schutz des Urheberrechts an Werken der Literatur, Kunst und Photographie, einzutreten.

samples of all kinds, but not any merchandise. Goods subject to customs dues imported as samples by the aforementioned commercial travellers, shall, reciprocally, be admitted free of import and export dues, on the condition that such articles, in case they are not sold, shall be re-exported within a period of one year, and on the condition that the identity of the objects imported and re-exported is beyond doubt, in which case it does not matter through which customs office the objects are exported.

The re-exportation of samples must in both countries, upon their importation, be guaranteed either by the deposit of the respective customs dues or by furnishing security.

The contracting parties will reciprocally inform each other as to the authorities charged with the issuing of license cards, as to the form of these cards, and as to the rules to be observed by the travelers in following their industrial pursuit.

The nationals of one of the contracting parties betaking themselves within the territory of the other party for the purpose of attending fairs and markets there to carry on trade or to offer their products for sale, will be reciprocally treated as the national inhabitants and shall not be subject to higher taxes than the latter.

Article 12a. (Old text).

The Imperial Russian Government declares itself ready, within a period of three years after the going in force of the present treaty, to enter into negotiations with the Imperial German Government with a view to the conclusion of a convention concerning the mutual protection of copyright in works of literature, art, and photography.

Artikel 12a (neue Fassung).

Article 12a. (New text).

a) Hinsichtlich des gegenseitigen Schutzes des Urheberrechtes an Werken der Literatur, Kunst und Photographie sollen im Verhältnis zwischen Deutschland und der Ukrainischen Volksrepublik die Bestimmungen des zwischen dem Deutschen Reiche und Rußland geschlossenen Vertrages vom 28. Februar 1913 gelten.

a) *With regard to the mutual protection of copyright in works of literature, art, and photography, the provisions of the treaty of 28 February, 1913, concluded between the German Empire and Russia, shall apply to the relations between Germany and the Ukrainian People's Republic.*

b) Hinsichtlich des gegenseitigen Schutzes der Warenbezeichnungen sollen die Bestimmungen der Deklaration vom 23./11. Juli 1873 auch in Zukunft maßgebend sein.

b) *With regard to the mutual protection of trade-marks, the provisions of the declaration of 23/11 July, 1873, shall likewise apply in the future.*

Artikel 13.

ARTICLE 13.

Die deutschen Schiffe und ihre Ladungen sollen in Rußland, und die russischen Schiffe und ihre Ladungen sollen in Deutschland ganz wie die inländischen Schiffe und ihre Ladungen behandelt werden, gleichviel, von wo die Schiffe ausgelaufen oder wohin sie bestimmt sind, und woher die Ladungen stammen oder wohin sie bestimmt sind.

German ships and their cargoes shall be treated in Russia, and Russian ships and their cargoes shall be treated in Germany, absolutely as the national ships and their cargoes, no matter from what country the ships may have sailed or whither they are directed, and whence the cargoes originated or whither they are destined.

Jedes Vorrecht und jede Befreiung, welche in dieser Beziehung von einem der vertragschließenden Teile einer dritten Macht eingeräumt werden sollte, soll ohne weiteres und bedingungslos auch dem anderen Teile zustehen.

Every privilege and every exemption which in this respect should be granted by one of the contracting parties to a third Power, shall immediately and unconditionally be granted likewise to the other party.

Von den vorstehenden Bestimmungen wird jedoch eine Ausnahme gemacht:

In respect of the preceding provisions, an exception will, nevertheless, be made:

a) in betreff derjenigen besonderen Begünstigungen, welche dem inländischen Fischfang und dessen Erzeugnissen in dem einen oder dem anderen Lande jetzt oder in Zukunft gewährt werden sollten,

a. In respect of those special privileges now granted or which might be granted hereafter to national fishery and its products in the one or the other country;

b) in betreff der jetzt oder künftig der nationalen Kauffahrteiflotte gewährten Begünstigungen.

b. In respect of preferences now granted or to be granted in the future, to the national merchant fleet.

Die Bestimmungen des gegenwärtigen Vertrags finden keine Anwendung auf die Küstenschifffahrt, welche nach wie vor durch die in jedem der beiden Länder jetzt oder künftig in Kraft stehenden Gesetze geregelt wird. Immerhin soll es den deutschen und russischen Schiffen freistehen, aus einem Hafen des einen der beiden vertragsschließenden Länder nach einem oder mehreren Häfen desselben Landes zu fahren, sei es, um dort die aus dem Auslande mitgebrachte Ladung ganz oder teilweise zu löschen, oder in eine nach dem Auslande bestimmte Ladung einzunehmen oder zu ergänzen.

Artikel 14.

Die Nationalität der Schiffe soll beiderseits nach den jedem Lande eigentümlichen Gesetzen und Verordnungen auf Grund der an Bord befindlichen, durch die zuständigen Behörden ausgestellten Urkunden und Patente anerkannt werden.

Die von dem einen der vertragsschließenden Teile aufgestellten Schiffsmeßbriefe werden nach Maßgabe der zwischen den beiden vertragsschließenden Teilen getroffenen oder zu treffenden besonderen Vereinbarungen von dem anderen Teile anerkannt werden.

Artikel 15.

Die deutschen Schiffe, welche nach einem russischen Hafen, und umgekehrt die russischen Schiffe, welche nach einem deutschen Hafen kommen, nur um dort ihre Ladung zu vervollständigen oder einen Teil derselben zu löschen, sollen, vorausgesetzt, daß sie sich nach den Gesetzen und Vorschriften des betreffenden Staates richten, den nach einem anderen Hafen desselben oder eines anderen Landes bestimmten Teil ihrer Ladung an Bord behalten und ihn wieder ausführen können, ohne gehalten zu sein, für diesen Teil ihrer Ladung irgendwelche Gefälle zu bezahlen, außer den Aufsichtsabgaben, welche übrigens nur nach dem für die inländische Schifffahrt bestimmten Satze erhoben werden dürfen.

The provisions of the present treaty are not applicable to coastwise shipping which shall continue as hitherto, to be governed by the laws which are or which may be in force in each of the two countries. Nevertheless, Russian and German ships shall be free to sail from a port of one of the two contracting countries to one or more ports of the same country, either to unload the whole or part of the cargo coming from abroad, or to take on board or to complete cargoes destined abroad.

ARTICLE 14.

The nationality of ships shall be recognized reciprocally in accordance with the particular laws and ordinances of each country on the basis of the documents and papers carried on board and issued by the competent authorities.

Tonnage measurement certificates issued by one of the contracting parties will be recognized by the other in accordance with the special arrangements concluded or to be concluded between the two contracting parties.

ARTICLE 15.

Ships entering a Russian port and vice versa, Russian ships entering a German port only for the purpose to complete their cargoes or to unload a part thereof, shall, on the condition that they conform to the laws and regulations of the respective State, keep on board that part of their cargo which is intended for another port either of the same country or of another, and reexport it, without being held to pay for this part of their cargo any dues, except custodial dues which, furthermore, may only be levied at the fixed rate for domestic shipping.

Artikel 16.

ARTICLE 16.

Von Tonnengeldern und Abfertigungsgebühren sollen in den Häfen eines jeden der beiden Länder völlig befreit sein:

1. die Schiffe, welche von irgend-einem Orte mit Ballast ein- und damit wieder auslaufen;

2. die Schiffe, welche aus einem Hafen des einen der beiden Länder nach einem oder mehreren Häfen desselben Landes kommen und sich über die in einem andern Hafen desselben Landes bereits erfolgte Zahlung jener Abgaben ausweisen können;

3. die Schiffe, welche freiwillig oder notgedrungen mit Ladung nach einem Hafen kommen und ihn, ohne irgendwie Handel getrieben zu haben, wieder verlassen.

Diese Befreiung wird nicht gewährt für Leuchtturm-, Lotsen-, Remorkierungs-, Quarantäne- und sonstige auf dem Schiffskörper lastende Abgaben, welche für den Verkehr dienende Leistungen und Vorkehrungen in gleichem Maße von den inländischen und von den Schiffen der meistbegünstigten Nation zu entrichten sind.

Ist das Einlaufen durch Not veranlaßt worden, so gelten nicht als Ausübung des Handelsbetriebes das zur Ausbesserung des Schiffes erfolgte Pöscheln und Wiedereinladen der Waren, das Ueberladen auf ein anderes Schiff im Falle der Seeuntüchtigkeit des ersten, die zur Verproviantierung der Schiffsmannschaft notwendigen Aufwendungen und der Verkauf der beschädigten Waren mit Genehmigung der Zollverwaltung.

Artikel 17.

ARTICLE 17.

Wenn ein Schiff eines der vertrag-schließenden Teile an den Küsten des andern Teiles strandet oder Schiffbruch leidet, sollen Schiff und Ladung dieselben Begünstigungen und Befreiungen genießen, welche die Gesetzgebung des betreffenden Landes den eigenen

Exempt from tonnage and clearance dues in the ports of each of the two countries shall be:

1. Ships which enter in ballast from any place whatever and leave in ballast;

2. Ships which passing from a port of one of the two countries to one or more ports of the same country can show that they have already paid these dues in another port of the same country;

3. Ships which have entered a port in cargo, either voluntarily or under stress, leave it without having carried out any commercial operation.

This exemption is not granted for light, pilotage, towing, quarantine, and other dues which are payable on the vessels for services rendered or for apparatus used, and which are established in the interest of traffic, and which are equally payable by domestic ships and by those belonging to the most favored nation.

If entrance is made under stress, the following shall not be considered as commercial operations: unloading and reloading of goods for the purpose of repairing the ship; transshipment to another vessel on account of the seaworthiness of the former ship; necessary expenses for reprovioning the crew and the sale of damaged goods when authorized by the customs administration.

In case a ship of one of the contracting parties should be cast ashore or wrecked on the coasts of the other party, ship and cargo shall enjoy all the preferences and exemptions which the legislation of the respective country

Schiffen in gleicher Lage bewilligt. Es soll jederlei Hilfe und Beistand dem Führer und der Mannschaft sowohl für ihre Person wie für Schiff und Ladung geleistet werden.

Die vertragsschließenden Teile kommen außerdem überein, daß die geborgenen Waren keiner Zollabgabe unterliegen sollen, es sei denn, daß sie in den inländischen Verbrauch übergehen.

Artikel 18.

Die Benutzung der Chaussees und sonstigen Straßen, Kanäle, Schleusen, Fähren, Brücken und Brückenöffnungen, der Häfen und Landungsplätze, der Bezeichnung und Beleuchtung des Fahrwassers, des Lotsenwesens, der Krane- und Wageanstalten, der Niederlagen, der Anstalten zur Rettung und Bergung von Schiffsgütern und dergleichen mehr, sollen, insoweit die Anlagen oder Anstalten für den öffentlichen Verkehr und den Handel im allgemeinen bestimmt sind, gleichviel, ob sie vom Staate oder mit staatlicher Genehmigung von Privatpersonen verwaltet werden, den Angehörigen des anderen vertragsschließenden Teiles unter gleichen Bedingungen und gegen Zahlung gleicher Gebühren wie den Angehörigen des eigenen Staates gestattet werden.

Solche Gebühren dürfen, vorbehaltlich der beim Seebeleuchtungs- und See- lotsenwesen zulässigen abweichenden Bestimmungen, nur bei wirklicher Benutzung solcher Anlagen oder Anstalten erhoben werden.

Artikel 19.

Die beiden vertragsschließenden Teile behalten sich das Recht vor, ihre Eisenbahntransporttarife nach eigenem Ermessen zu bestimmen.

Jedoch soll weder hinsichtlich der Beförderungspreise noch hinsichtlich der Zeit und der Art der Abfertigung zwischen den Bewohnern der Gebiete der vertragsschließenden Teile ein Unterschied

grants to its own ships in similar circumstances. Every sort of aid and assistance shall be given to the master and to the crew both as regards their persons and ship and cargo.

The contracting parties further agree that the salvaged goods shall not be subject to any kinds of customs dues, unless such goods are for domestic consumption.

ARTICLE 18.

The nationals of each of the contracting parties shall reciprocally have the right to use, on the same conditions, and on payment of the same dues, as the nationals of the respective State, the highways and other roads, channels, locks, ferries, bridges, draw-bridges, ports and landing-places, buoyed and lighted channels, pilot service, cranes, scales, warehouses, buildings for the salvage and safe-keeping of ships' cargoes, and other similar installations, in so far as intended for the public service and for the use of trade generally, no matter whether they are administered by the State or by private persons with the approval of the State.

Such dues shall only be levied for the actual use of such buildings or installations, excepting, however, the provisions to the contrary allowed in the case of pilot-age and sea-lights.

ARTICLE 19.

The two contracting parties reserve unto themselves the right to determine, on their own account, the transport tariffs on their railways.

But no difference shall be made, either as regards rates of transportation or as regards duration and manner of transportation between the inhabitants of the territories of the contracting parties.

gemacht werden. Insbesondere sollen für die von Rußland nach einer deutschen Station oder durch Deutschland beförderten Gütertransporte auf den deutschen Bahnen keine höheren Tarife angewendet werden, als für gleichartige deutsche oder ausländische Erzeugnisse in derselben Richtung und auf derselben Verkehrsstrecke erhoben werden. Das gleiche soll auf den russischen Bahnen für Güterendung aus Deutschland gelten, welche nach einer russischen Station oder durch Rußland befördert werden.

Ausnahmen von vorstehenden Bestimmungen sollen nur zulässig sein, soweit es sich um Transporte zu ermäßigten Preisen für öffentliche oder milde Zwecke handelt.

Artikel 20.

Der gegenwärtige Vertrag soll am 20./8. März 1894 oder womöglich früher in Kraft treten und bis zum 31./18. Dezember 1903 in Geltung bleiben.

Im Falle keiner der vertragsschließenden Teile zwölf Monate vor dem Eintritt des letzten Termins seine Absicht, die Wirkungen des Vertrags aufheben zu lassen, kundgibt, soll dieser in Geltung bleiben bis zum Ablauf eines Jahres von dem Tage ab, wo der eine oder der andere der vertragsschließenden Teile ihn kündigt.

Artikel 21.

Der gegenwärtige Vertrag soll ratifiziert und die Ratifikationsurkunden sollen in Berlin sobald als möglich ausgetauscht werden.

Zu Urkund dessen haben ihn die beiderseitigen Bevollmächtigten unterzeichnet und ihre Siegel beigedrückt.

So geschehen zu Berlin, den 10. Februar/29. Januar 1894.

Especially, shipments of goods from Russia, and consigned to a German station or through Germany, shall not be liable on the German railways, to higher rates than those charged between the same German stations on similar German or foreign goods transported in the same direction. The same principle shall apply to Russian railways as regards transportation of goods coming from Germany and consigned to a Russian station or passing through Russia.

Exceptions to the preceding provisions may only be made in the case of reduced rates allowed in the public interest and for charitable purposes.

ARTICLE 20.

The present treaty shall go into force on 20/8 March, 1894, or earlier if possible, and shall remain in force until 31/18 December, 1903.

In case one of the contracting parties shall, 12 months before the beginning of the last period, have announced its intention of terminating the effects of the treaty, the latter shall remain in force until the expiration of one year from the day on which one or the other of the contracting parties shall have denounced it.

ARTICLE 21.

The present treaty shall be ratified and the ratification acts shall be exchanged at Berlin as soon as possible.

In faith whereof the Plenipotentiaries of the two parties have signed it and affixed their seals to it.

Executed at Berlin, 10 February/29 January, 1894.

Schlußprotokoll.

FINAL PROTOCOL.¹

Erster Teil.—Zum Vertragstext.

PART I.—Referring to the Text of the Treaty.

Zu Artikel 1.

TO ARTICLE 1.

Haushaltungsgegenstände, die schon gebraucht und Bestandteile des Mobiliars von Angehörigen eines der vertragsschließenden Teile sind, die im Begriffe sind, sich im Gebiete des andern Teiles niederzulassen, sollen in dem letzteren keinerlei Eingangszoll unterworfen sein.

Household articles which have already been in use and form parts of the movable property of nationals of one of the contracting parties who are engaged in settling within the territory of the other party, shall not be subject within the territory of the latter party to any kind of customs dues.

Die deutschen Berufsconsulate und die Beamten der diplomatischen sowie der gedachten consularischen Vertretungen, die von der deutschen Regierung nach Rußland entsandt sind, sollen sowohl für die Zeitungen wie für die Erzeugnisse der Wissenschaften, der Künste und der Belletristik gegenüber der russischen Zensur volle und ganze Freiheit genießen.

German consulates and the officials of the diplomatic as well as of the said consular representations, appointed to Russia by the German Government, shall enjoy full and absolute freedom, with regard to the Russian censorship, for the daily papers as well as for the products of the sciences, the arts, and belles-lettres.

Die nach Artikel 2 des Vertrags zwischen Deutschland und Rußland vom 8. Dezember/26. November 1874 den Consulsbeamten zustehenden Vorrechte und Befreiungen werden auch den deutschen Consulaten in Rußland beigegebenen Spezialbeamten sowie den Agenten des russischen Finanzministeriums und ihren Sekretären (oder Attachés) in Deutschland zugestanden.

The privileges and exemptions granted to the consular officials, in accordance with Article 2 of the treaty of 8 December/26 November, 1874,² between Germany and Russia, will likewise be granted to the special officials attached to the German consulates in Russia, as well as to the Russian Ministry of Finance and to other secretaries (or attachés) in Germany.

Zu Artikel 1 und 12.

TO ARTICLES 1 AND 12.

Im Paßwesen werden die Angehörigen beider Teile wie die der meistbegünstigten Nation behandelt werden.

As regards passports, the nationals of both parties shall receive most-favored-nation treatment.

Die Gültigkeitsdauer des Paßvisa wird in Rußland auf einen Zeitraum von sechs Monaten erstreckt.

The period of validity of the passport visé will, in Russia, be extended to cover six months.

¹ The English text of the original protocol of 1894 was published in 86 *British and Foreign State Papers*, p. 449. The modifications of 1904 were published, in the French text, in 97 *Britis' and Foreign State Papers*, p. 1041.

² 65 *British and Foreign State Papers*, p. 244.

Diese Bestimmung erstreckt sich auch auf das Passivis der deutschen Handlungsreisenden mosaischer Religion.

Die Gebühr für die Erteilung der Ausländerpässe und die in Rußland wohnenden deutschen wird den Betrag von 50 Kopeken nicht übersteigen.

Rußland wird auch künftig für die Gültigkeit der Legitimationscheine, welche innerhalb einer Grenzzone von 30 km Geltung haben und den Inhaber, wie dies gegenwärtig der Fall ist, zum mehrmaligen Ueberschreiten der Grenze an beliebigen Grenzübergängen berechtigen, eine Dauer von 28 Tagen bewilligen. Diese Gültigkeitsdauer wird beiderseitig vom Tage der ersten Benutzung des Scheines zum Grenzübertritt an mit der Maßgabe berechnet werden, daß die gedachten Scheine ihre Gültigkeit verlieren, wenn sie nicht zum ersten Male spätestens am fünfzehnten Tage vom Tage der Ausfertigung an gerechnet benutzt werden. Diese Dauer von 28 Tagen wird in keinem Falle durch den während der Gültigkeitsdauer der Legitimationscheine eintretenden Jahreswechsel berührt werden. Die in zwei Sprachen, in Deutsch und in Russisch, abgefaßten Legitimationscheine sollen beiderseits nur den eigenen Staatsangehörigen und denjenigen Angehörigen des anderen Landes erteilt werden, welche in dem Lande wohnen, wo die Scheine ausgestellt werden.

Das Datum des Uebertritts über die Grenze wird künftig von den russischen und deutschen Behörden sowohl nach der russischen wie nach der deutschen Zeitrechnung auf den Scheinen vermerkt werden.

Die Scheine werden auch künftig, wie dies gegenwärtig der Fall ist, ebenso wie an Christen auch an Israeliten verabfolgt werden.

Die russischen Arbeiter, welche nach Deutschland kommen, um daselbst in landwirtschaftlichen Betrieben oder Nebetrieben zu arbeiten, sollen wie bisher kostenfrei mit Legitimationspapieren, gültig vom 1. Februar bis 20. Dezember neuen Stils, versehen werden.

This provision extends likewise to the passport visé of the German commercial travelers of Mosaic faith.

The fee for the issuance of foreign passports to Germans living in Russia shall in no case exceed 50 Copeks.

As regards the validity of the certificate cards which entitle the holder thereof, as at present, within a frontier zone of 30 kilometers, for repeated crossing of the frontier at any frontier crossing whatever, Russia will grant such cards for the duration of 28 days. This period of validity will be computed reciprocally from the day of the first use of the card for frontier crossing, on the condition that the said cards will lose their validity if they are not used for the first time at the latest on the 15th day from the day of its issuance. This period of 28 days will in no case be affected by the change occurring in the calendar year during the period of validity of the license cards. The license cards in the two languages, in German and in Russian, shall reciprocally be given only to the respective nationals and to the nationals of the other country living in the land where the cards are issued.

The date of the crossing of the frontier will in future be noted on the cards by the Russian and German authorities both in accordance with the Russian way of computing time and with that of the German.

The cards will also in future, as is done at present, be issued both to Christians and Israelites.

Russian workmen coming to Germany, there to engage in agricultural or auxiliary industries will, as hitherto be provided, free of cost, with license cards valid from 1 February to 20 December (new style).

Auch diese Papiere sollen in russischer und in deutscher Sprache abgefaßt sein.

These cards shall likewise be made out in the Russian and in the German languages.

Zu Artikel 3.

TO ARTICLE 3.

Soweit die Angehörigen eines dritten Staates auf Grund der in Kraft stehende Verträge und Uebereinkommen von der Vormundschaft in Rußland befreit sind, sollen die deutschen Reichsangehörigen in Rußland hinsichtlich der Vormundschaft über nichtdeutsche Minderjährige dieselbe Vergünstigung genießen.

In so far as the nationals of a third State, on the basis of treaties and agreements now in force, are freed from guardianship in Russia, the German Imperial nationals, in Russia, with regard to guardianship anent non-German minors, shall enjoy the same privilege.

Zu Artikel 5.

TO ARTICLE 5.

Die von der deutschen Regierung gegenüber der russischen Einfuhr getroffenen veterinären Maßnahmen können nicht in strenger Form eingeführt werden als diejenigen gegenüber von Staaten, welche sich hinsichtlich der Tierseuchen und der veterinären Einrichtungen in demselben Zustande befinden wie Rußland.

Veterinary measures adopted by the German Government with regard to Russian importation may not be introduced in stricter form than those with regard to States, which with regard to epizooties and veterinary institutions, are on a level with Russia in this respect.

Diese Bestimmung findet keine Anwendung auf die veterinären Abmachungen zwischen Deutschland und Oesterreich-Ungarn.

This provision is not applicable to the veterinary agreements between Germany and Austria-Hungary.

Die Zahl der lebenden Schweine, deren Einfuhr nach Oberschlesien auf Grund der bestehenden Bestimmungen zugelassen ist, wird auf 2500 Stück wöchentlich erhöht.

The number of living hogs whose importation into Upper Silesia is granted on the basis of the existing provisions, is increased to 2,500 a week.

Fleisch, welches im Sinne des deutschen Fleischbeschaugesetzes vom 3. Juni 1900 als zubereitet anzusehen ist, wird zur Einfuhr nach Deutschland nach Maßgabe der Bestimmung des erwähnten Gesetzes zugelassen werden.

Meats which in the sense of the German law of 3 June, 1900, are to be regarded as dressed meats, will be admitted to importation to Germany according to the provision of the law which has been referred to.

Die in den Absätzen 3 und 4 der gegenwärtigen Bestimmung enthaltenen Zugeständnisse können zeitweise widerrufen oder aufgehoben werden, wenn außergewöhnliche Gründe veterinärpolizeilicher Natur dies notwendig machen.

The concessions contained in paragraphs 3 and 4 of the present provision may be rescinded temporarily or abrogated, if for exceptional reasons of a veterinary character such action is made necessary.

Die Russische Regierung verpflichtet sich, während der Dauer des gegenwärtigen Vertrags weder Ausfuhr-

During the valid period of the present treaty the Russian Government obligates itself to levy no exportation dues upon un-

zölle auf rohes oder behauenes Holz, soweit dasselbe in Nummer 6 des Verzeichnisses der Ausfuhrzölle nicht besonders benannt ist, einzuführen, noch die Ausfuhr derartigen Holzes zu verbieten.

Zu den Artikeln 5, 6, 7, 9 und 10.

Im Hinblick darauf, daß zur Zeit in Rußland gewisse Waren bei der Einfuhr über die Landgrenze höheren Zollsätzen unterliegen als bei der Einfuhr über die Ostsee, besteht Einverständnis darüber, daß vom Tage des Inkrafttretens des gegenwärtigen Vertrages die Zölle bei der Einfuhr über die Landgrenze auf die Sätze der Zölle bei der Einfuhr über die Ostsee ermäßigt werden sollen, und daß kein neuer, die Einfuhr über die Ostsee, das Schwarze und das Asowische Meer (mit Ausnahme der kaukasischen Küste) begünstigender Unterscheidungs Zoll eingeführt werden darf.

Die deutsche Regierung verpflichtet sich ihrerseits, an keiner Grenze des Deutschen Reiches andere oder günstigere Zölle einzuführen als an der russischen Grenze. Eine Ausnahme wird jedoch gemacht für Salz, gesägte Blöcke und grobe Steinmetzarbeiten sowie für rohe Schieferplatten (Nr. 25t, 33d und 33e des deutschen Zolltarifs), für welche Waren Deutschland sich vorbehält, die gegenwärtig bestehenden Unterschiede zwischen Seezöllen und Landzöllen aufrechtzuerhalten.

Zu Artikel 6.

Der Deutsche Bundesrat wird während der ganzen Dauer des gegenwärtigen Vertrages von seinem Rechte, die Genehmigung zur Errichtung von gemischten Getreidetransitlagern in Königsberg, Danzig, Altona, Mannheim und Ludwigshafen zu widerrufen, keinen Gebrauch machen.

dressed or dressed timber in so far as such timber is not subsequently mentioned in No. 6 of the table of exportation dues, nor to prohibit the exportation of such timber.

TO ARTICLES 5, 6, 7, 9 AND 10.

In view of the fact that at present certain goods are subject in Russia to higher customs rates on entering by the land frontier than by the Baltic Sea, it is agreed that on the day when this present treaty goes into force the import duties on entry by the land frontier shall be reduced to those on entry by the Baltic Sea, and that no new differential duties favoring importation by way of the Baltic Sea, the Black Sea and the Sea of Azov (with the exception of the Caucasian coast) shall be established.

The German Government obligates itself on its part, not to establish on any of the frontiers of the German Empire other or more favorable customs dues than those levied on the Russian frontier. An exception is, however, made in regard to salt, for sawed blocks and rough masonry stone as well as for rough slates (Nos. 25t, 33d and 33e of the German customs tariff), for which goods Germany reserves unto herself to maintain the presently existing differences between maritime tolls and land tolls.

TO ARTICLE 6.

During the full period of the present treaty, the German Federal Council will not avail itself of its right, to cancel the approval for the erection of mixed transit grain warehouses in Königsberg, Danzig, Altona, Mannheim and Ludwigshafen.

Zu Artikel 6, 7 und 11.

TO ARTICLES 6, 7 AND 11.

Die Boden- und Gewerbezeugnisse einer dritten Macht, welche durch das Gebiet eines der vertragsschließenden Teile durchgeführt werden, sollen bei ihrem Eingang in das Gebiet des anderen Teiles keinen anderen oder höheren Zöllen unterworfen werden, als wenn sie direct aus dem Ursprungslande eingeführt worden wären.

The products of the soil or industry of a third Power, passing in transit through the territory of one of the contracting parties, shall not, on entering that of the other, pay other or higher duties than would have been paid on the same goods had they been exported direct from their country of origin.

Zu den Artikeln 6 bis 9.

TO ARTICLES 6 TO 9.

Die Kaiserlich Russische Regierung erklärt sich bereit, bei Zollzahlungen deutsche Goldmünzen durch die Zollämter annehmen zu lassen, und zwar 1000 M Gold als Gegenwert von 462 Rubel (1 Rubel = $\frac{1}{15}$ Imperial). In dem gleichen Verhältnisse werden die russische Zollämter die deutschen Reichsbanknoten bei Zollzahlungen annehmen.

As regards the payment of duties, the Imperial Russian Government declares itself ready to accept at the customs offices German gold money at the rate of 1,000 M gold as equivalent for 462 rubles (1 Ruble = $\frac{1}{15}$ Imperial). The Russian customs offices will accept, in the same ratio, the German Imperial bank notes, in the payment of customs duties.

Zu Artikeln 6 und 7.

TO ARTICLES 6 AND 7.

Die vertragsschließenden Teile behalten sich das Recht vor, bei der Einfuhr von Waren, wenn diese je nach ihrem Herkunftsland einer unterschiedlichen Zollbehandlung unterliegen, zum Nachweise der einheimischen Erzeugung oder Bearbeitung die Vorlegung von Ursprungszeugnissen zu fordern. Es wird seitens der beiden Teile Fürsorge getroffen werden, daß die verlangten Zeugnisse den Handel möglichst wenig beengen.

The contracting parties reserve unto themselves the right of demanding certificates of origin in proof of production or manufacture in one of the two countries of the goods imported into the other. Each of the two parties will respectively take steps to insure that the demand for these certificates shall not constitute the least possible hindrance to commerce.

Zu Artikel 12.

TO ARTICLE 12.

Um in Rußland das im Absatz 1 von Artikel 12 vorgesehene Recht ausüben zu können, müssen die daselbst genannten Personen mit besonderen Gewerbebescheinigen versehen sein, deren Gunsten des Staates erhobene Gebühr 150 Rubel für das ganze Jahr und 75 für die zweite Hälfte des Jahres nicht übersteigen soll.

In order to be permitted to exercise in Russia the right foreseen in Article 12, § 1, persons there known must be provided with special industrial cards, the fee for which, levied for the benefit of the State, shall not exceed 150 rubles for the entire year, and 75 for the second half of the year.

Wenn die mit den vorstehend erwähnten Gewerbescheinen versehenen Personen das in Absatz 1 von Artikel 12 vorgesehene Recht durch in ihrem Dienste stehende Handlungsreisende ausüben wollen, so müssen diese Handlungsreisenden außerdem mit einem persönlichen Gewerbeschein versehen sein, dessen Gebühr 50 Rubel für das ganze Jahr und 25 für die zweite Hälfte des Jahres nicht überschreiten wird.

Die in Absatz 1 der gegenwärtigen Bestimmung vorgesehenen Gewerbescheine können auf den Namen der Personen selbst, die sich nach Rußland begeben, ausgestellt werden, und dann sollen diese Personen nicht mehr gehalten sein, sich außerdem mit dem persönlichen Gewerbeschein zu versehen.

Hinsichtlich der Erteilung der Gewerbescheine und des Betrags der Gebühren dafür wird ein Unterschied zwischen den Personen der christlichen Religion und denjenigen der mosaischen Religion nicht gemacht werden.

Insoweit die Einfuhr von Feuerwaffen aus dem Ausland in Rußland nicht untersagt ist, können die deutschen reisenden Kaufleute Muster von solchen Waffen unter der ausdrücklichen Bedingung mit sich führen, daß sie sich allen allgemeinen und örtlichen Vorschriften, welche bezüglich der Feuerwaffen in Kraft sind oder sein werden, unterwerfen.

Zu Artikel 13.

Die vertragschließenden Teile behalten sich eine besondere Vereinbarung über die Ausübung der Schifffahrt auf dem Niemen, der Weichsel und der Warthe vor.

Die deutschen Schiffe, welche auf den die gemeinsamen Landesgrenzen schneidenden Flußläufen nach Rußland fahren, um später nach Deutschland zurückzufahren, werden ohne Zahlung oder Sicherstellung des Einfuhrzolls nach Rußland eingelassen werden.

In case the persons provided with the industrial cards mentioned in the preceding paragraph desire to have the right foreseen in Article 12, § 1, exercised by the commercial travelers in their service, such travelers must furthermore be provided with a personal industrial card the fee of which shall not exceed 50 rubles for the entire year and 25 for the second half of the year.

The industrial cards foreseen in § 1 of the present provision may be issued in the name of the persons betaking themselves to Russia, and in that case these persons may not be any longer obliged to provide themselves with an additional personal industrial card.

With regard to the issuance of the industrial cards and amount of the fees therefor, no difference shall be made between persons of the Christian faith and those of the Mosaic faith.

In so far as the importation of firearms from abroad into Russia is not interdicted, German traveling merchants may carry with them samples of such arms upon the express condition that they will comply with all general and local ordinances which are or which may be in force with regard to firearms.

TO ARTICLE 13.

The contracting parties reserve to themselves the right to come to a special arrangement for the exercise of navigation on the Niemen, the Vistula and the Warta.

German ships sailing to Russia over water-courses separating the common territorial boundaries, expecting subsequently to return to Germany will be admitted to Russia without paying or without guaranteeing payment of import duties.

Die Frist, innerhalb welcher solche Schiffe wieder nach Deutschland ausgeführt werden müssen, wird auf zwei Jahre von dem Tage ihres Eingangs nach Rußland an festgesetzt. Wenn das Schiff in Rußland verkauft wird oder länger als zwei Jahre daselbst verbleibt, ist der betreffende Eingangszoll dafür zu entrichten. Die gedachte Frist soll verlängert werden, wenn das Schiff durch vom Willen des Schiffsführers nicht abhängige Umstände, wie niedriger Wasserstand, beträchtliche Reparaturen erfordernde Havarie oder andere ähnliche Ursachen, zurückgehalten wird. Der Eingangszoll wird nicht erhoben, wenn das Schiff durch Feuer oder Schiffbruch zugrunde geht.

Die Scheine, welche die Verpflichtung zur Wiederausfuhr der Schiffe oder zur Zahlung des Eingangszolls enthalten, sollen von jeder Gebühr befreit sein.

Während des Aufenthalts des Schiffes in Rußland wird der Schiffschein von den russischen Zollbehörden in Verwahrung genommen.

Die deutschen Passagierdampfer auf dem Niemen werden bis Georgenburg zugelassen, und die russischen Passagierdampfer werden bis Schmalleningken zugelassen und können in diesem Hafen überwintern.

Die Abstempelung der Frachtbriefe und Konnossemente über die Ladung der nach Deutschland bestimmten Schiffe wird durch die an den Ufern der Weichsel errichteten Zollämter besorgt.

Zu Artikel 19.

Die vertragschließenden Teile werden einander im Eisenbahntarifswesen, insbesondere durch Herstellung direkter Frachttarife, tunlichst unterstützen. Namentlich sollen solche direkte Frachttarife nach den deutschen Häfen Danzig (Neufahrwasser), Königsberg (Pillau) und Memel zur Vermittelung sowohl

The time limit within which such ships will have to be returned to Germany, will be fixed at two years from the day of their entry into Russia. In case the ship is sold in Russia or remains there longer than the two years, the said period shall be extended if the ship is detained by circumstances not dependent on the will of the master of the ship, such as low-water level, damages requiring important repairs or other similar reasons, import duties are not levied in case the ship is lost through fire or shipwreck.

The cards which bear obligation on the part of the ship to leave the country or to pay import duties, shall be exempt from every kind of fee.

During the sojourn of the ship in Russia, the ship's maritime papers will be kept in the custody of the Russian customs authorities.

German passenger steamers on the Niemen will be permitted as far as Georgenburg, and Russian passenger steamers will be admitted as far as Schmalleningken and may winter in this harbor.

The stamping of way-bills and bills of lading concerning the cargo of ships on the way to Germany will be attended to by the customs offices situated on the banks of the Vistula.

TO ARTICLE 19.¹

The contracting parties will assist each other, as far as possible, with regard to railway tariffs, especially by establishing direct freight rates. These direct freight rates shall be especially established for the German ports of Danzig (Neufahrwasser), Königsberg (Pillau), and Memel for

¹ This text would seem to have been superseded by the new text, according to the provision in Article VII, part II, A, sub-paragraph (6) of the Treaty of Peace.

der Ausfuhr aus als der Einfuhr nach Rußland den Bedürfnissen des Handels entsprechend eingeführt werden.

Zugleich sollen die Frachtsätze für die im russischen Eisenbahntarif zum Getreide gerechneten Artikel sowie für Flachs und Hanf von den russischen Aufgabestationen bis zu den oben-erwähnten Häfen nach denjenigen Bestimmungen gebildet und unter die am Transport beteiligten deutschen und russischen Bahnen verteilt werden, welche für die nach den Häfen Libau und Riga führenden russischen Eisenbahnen jetzt in Kraft sind oder in Kraft treten werden. Die außer den Frachtsätzen erhobenen Zuschläge (Nebengebühren) sollen in gleicher Weise gebildet und der Betrag derselben nach den russischen Vorschriften unter die beteiligten Linien verteilt werden, wobei man darüber einverstanden ist, daß nur eine einzige Grenzgebühr, die den russischen und den deutschen zur Grenze führenden Bahnen zu gleichen Teilen zufällt, erhoben werden darf.

Diese Verpflichtung bezieht sich nur auf die beiderseitigen Staatsbahnen; doch werden die beiden Regierungen dahin zu wirken suchen, daß die Privatbahnen bei der Tarifbildung und Frachtverteilung auf ihren Linien die gleichen Grundsätze anwenden. Sollten sich jedoch trotzdem die am Verkehr in einer der bezeichneten Richtungen beteiligten Privatbahnen diesen Grundsätzen der Tarifbildung und Verteilung nicht unterwerfen, so sollen diese Grundsätze auch für die Staatsbahnen der vertragsschließenden Teile nicht mehr bindend sein.

Die zur Zeit bestehenden besonderen Bestimmungen zur Regelung des Wettbewerbs zwischen Königsberg und Danzig bleiben in Kraft.

facilitating both exportation from and importation into Russia, according to the needs of commerce.

At the same time the freight rates for goods which in the Russian railway tariff are classed under the category of cereals, and on flax and hemp, from the stations of departure of the Russian railways to the above-mentioned ports, shall be determined and divided between the Russian and German railways over which the goods are transported, according to the regulations which are or shall be in force for the Russian railways to the ports of Libau and Riga. The additional charges (incidental fees) levied in excess of the freight rates shall in like manner be determined, and the amount thereof be divided among the interested lines, according to Russian regulations, it being understood that one frontier fee only shall be levied, which shall be divided equally between the German and Russian railways terminating at the frontier.

This obligation only concerns the railways of the two countries; but the two Governments will exert their efforts to the end that private railways may apply on their lines the same principles for the establishment of the rates and the division of the freight. If, notwithstanding, the private lines concerned in traffic in one of the indicated directions do not submit to the rates and divisions mentioned, these regulations shall cease to be obligatory on the State railways of the two contracting Powers.

The existing provisions for regulating competitive traffic between Königsberg and Danzig remain in force.

Zu Artikel 19 (neue Fassung).

Die vertragschließenden Teile werden einander im Eisenbahntarifwesen, insbesondere durch Erstellung direkter Tarife, tunlichst unterstützen. Zu diesem Zwecke sind beide vertragschließenden Teile bereit, möglichst bald in Verhandlung miteinander zu treten.

Zu Artikel 20.

Der zwischen beiden vertragschließenden Teilen bestehende Konsularvertrag vom 8. Dezember/26. November 1874 soll nicht früher als gleichzeitig mit dem gegenwärtigen Vertrage gekündigt werden können.

III. Vierter Teil.—Zu den Zollreglements.

Anmerkung: Der zweite und der dritte Teil des Schlußprotokolles des Vertrags von 1894 sind bereits durch den Zusatzvertrag von 1914 weggefallen.

§ 1.

Die vertragschließenden Teile sind darüber einig, anzuerkennen, daß die russischen Zollämter erster Klasse in Kröttingen und in Praszka in Unter zweiter Klasse und das Nebenzollamt in Sluziew in einen Übergangspunkt umgewandelt werden können, wenn diesen Ämtern die für sie in der beigefügten Liste besonders vereinbarten Befugnisse belassen werden.

Im übrigen wird die Kaiserlich Russische Regierung den bestehenden Ämtern nicht nur den Rang und die Befugnisse belassen, die sie augenblicklich besitzen, insbesondere den Zollämtern erster Klasse in Slupze und in Herby, dem Zollamt dritter Klasse in Petrikau, den Nebenzollämtern in Tworki und in Zakrzewo und den Übergangspunkten in Degutzky, Rakowka, Upi-damisch, Bakalarzewo, Skulsk

TO ARTICLE 19 (New text).

The contracting parties will assist one another in so far as possible in the matter of railway tariffs, especially by establishing direct tariffs. To this end both contracting parties are ready to enter into negotiations with one another, as soon as possible.

TO ARTICLE 20.

The denunciation of the Consular Convention of 8 December/26 November, 1874,¹ in force between the two contracting parties, may not take place before that of the present treaty.

III. FOURTH PART.—Referring to Customs Regulations.

NOTE.—The second and third parts of the Final Protocol of the treaty of 1894 have already been done away with through the supplementary treaty of 1914 (1904?).

§ 1.

The contracting parties are agreed to recognize that the Russian customs offices of the first class in Kroetingen and in Praszka may be changed into offices of the second class, and the auxiliary customs offices in Sluziew into a transit station, provided that the especially agreed upon powers contained in the annexed list are continued to them.

As for the rest, the Imperial Russian Government will not merely continue to the existing offices the rank and powers they have at present, especially to the customs office of the third class in Petrikau, to the auxiliary customs offices in Tworki and in Zakrzewo and to the transit stations in Degutzky, Rakowka, Upi-damisch, Bakalarzewo, Skulsk

¹ 65. *British and Foreign State Papers*, p. 244.

Gostinezyf sondern sie wird auch den Rang einiger bestehender Ämter erhöhen und ihnen weitere Befugnisse beilegen, sowie einige neue Ämter an Orten errichten, die mit solchen noch nicht versehen sind.

In Ausführung des Vorstehenden werden:

- 1) die Zollämter dritter Klasse in Dobryn und in Mordzejewo zum Range von Zollämtern zweiter Klasse,

die Nebenzollämter in Paschwenthy, Wladislawowo, Wilczyn, Gola und in Podlenka, sowie der Übergangspunkt in Radziewo zum Range von Zollämtern dritter Klasse erhoben,

- 2) Übergangspunkte in Kirkily, Kibarty und in Pelyt errichtet,

- 3) die in der beigefügten Liste genannten Ämter in Aufgehnen, Kirkily, Wladislawowo, Czarnowka, Dombrowo, Karw, Osiek, Dobryn, Radziewo, Wilczyn, Peisern, Gola, Podlenka, Gniazdow, Nezdara, Czyladz und in Modrzejewo mit den in der erwähnten Liste für jedes dieser Ämter besonders bezeichneten Befugnissen ausgestattet werden.

Diese Befugnißerweiterungen werden sobald als möglich und jedenfalls im Laufe des der Inkräftsetzung des gegenwärtigen Vertrags folgenden Jahres erfolgen.

Der Übergangspunkt in Kibarty bleibt gleichzeitig Anlageposten für das Zollamt erster Klasse in Wirballen.

Die Zollämter zweiter und dritter Klasse und die Nebenzollämter werden die Befugnis zur Zollabfertigung

- 1) der im Cirkulare des Zolldepartements vom 31. Januar 1900 No. 2154 bezeichneten Maschinen und landwirtschaftlichen Geräte,

and in Gostinezyk, but it will raise the rank of some existing offices and endow them with further powers, as well as erect new offices in places not yet provided therewith.

In execution of the preceding:

1. The customs offices of the third class in Dobrazyn and in Mordzejewo will be raised to customs offices of the second class,

The auxiliary customs offices in Paschwenthy, Wladislawowo, Wilczyn, Gola and in Podlenka, as well as the transit station in Radziewo are raised to the rank of customs offices of the third class.

2. Transit stations will be established in Kirkily, Kibarty and in Pelyt.

3. The offices indicated in the annexed list and situated in Ayszehnen, Kirkily, Wladislawowo, Czarnowka, Dombrowo, Karw, Osiek, Dobryn, Radziewo, Wilczyn, Peisern, Gola, Podlenka, Gniazdow, Nezdara, Czyladz and in Modrzejewo will be endowed with the especially indicated powers in the said list for each of these offices.

These extensions of powers will be conferred as soon as possible and, at any rate, in the course of the year following the going into force of the present treaty.

The transit station in Kibarty will continue at the same time as a declaration post for the customs office of the first class in Wirballen.

The customs offices of the second and of the third class and the auxiliary customs offices will receive authorization to clear:

1. The machinery and agricultural implements specified in the circular of the customs department of 31 January, 1900, No. 2154;

2) der in den Nummern 41, Absätze 1, 2 und 3, 89 und 103, Absatz 1 des russischen Zolltarifs, bekamnten Waren erhalten.

Alle diese Zugeständnisse werden unter der Bedingung bewilligt, daß Deutschland gegenüber den russischen Zollämtern und Übergangspunkten Ämter oder Grenzaufsichtsposten als deutsche Uebergangsstationen errichtet und unterhält und sie mit gleichwertigen Befugnissen ausstattet. Im besonderen wird das deutsche Zollamt im Zollhaus Gurzno gegenüber von Karw bei der Grenze belassen und nicht in die Stadt Gurzno verlegt werden.

Die vertragschließenden Teile verpflichten sich schließlich, begründete Anträge auf Errichtung neuer Zollämter, auf Erhebung bestehender Zollämter in eine höhere Klasse und auf Ausdehnung ihrer Befugnisse, welche ein Teil an den anderen auch während der Dauer der Gültigkeit des gegenwärtigen Vertrags richten könnte, mit Sorgfalt zu prüfen und diesen Anträgen soweit es möglich Folge zu geben.

In gleicher Weise werden sich die vertragschließenden Teile über Fragen, betreffend Aufhebung eines Zollamtes, Erniedrigung eines Ranges oder Verminderung seiner Befugnisse, verständigen.

Jede von einem Teile eingeführte Aenderung im Charakter oder in den Befugnissen eines seiner Zollämter wird unverzüglich zur Kenntnis des anderen Teiles gebracht werden.

§ 2.

Die Befugnis zur Abfertigung von deutschen Gütern im Transit durch Rußland soll den russischen Zollämtern erster Klasse, welche deutschen Hauptzollämtern gegenüberliegen, erteilt werden, nämlich:

Tauroggen gegenüber Tilsit,
Wirballen gegenüber Eydtkuhnen,

2. Goods indicated in No. 41, §§ 1, 2 and 3; in Nos. 89 and 103, §1 of the Russian customs tariff.

All of these concessions are granted upon the condition that Germany constructs and maintains opposite the Russian customs offices and transit stations, offices or frontier guard posts as German transit stations and endows them with equal powers. In particular, the German customs office will be kept in the Gurzno customs house opposite Karw on the frontier, and not transferred into the city of Gurzno.

Finally, the contracting parties obligate themselves carefully to examine well-founded requests for the establishment of new customs offices, for the raising of existing customs offices into a higher class and for the extension of their powers such as one party might address to the other party even during the period of the validity of the present treaty, and to comply with such requests as far as possible.

In like manner, the contracting parties will come to an understanding in respect to questions concerning the raising of a customs office, the lowering of a rank or the decrease of its powers.

Every change in character or in the powers of one of its customs offices introduced by one party will be notified immediately to the other party.

§ 2.

Authority to clear German goods in transit over Russian territory shall be granted to the first class Russian customs offices situated opposite the German chief customs offices, namely:

Tauroggen opposite Tilsit,
Wirballen opposite Eydtkuhnen,

Grajewo gegenüber Prostken,
Alexandrowo gegenüber Thorn,
Neschawa gegenüber Thorn,
Szczypiorno gegenüber Skal-
mierzyce,

unter der Bedingung, daß auf diese Transitabfertigungen die russischen Bestimmungen Anwendung finden, welche für Land- und Flußtransporte dieser Art nach vorausgegangener Sanction veröffentlicht werden sollen.

Es wird andererseits vorausgesetzt, daß die Befugnis zur Abfertigung von russischen Gütern im Transit durch Deutschland den vorbezeichneten deutschen Zollämtern verbleiben wird.

Eine gleiche Befugnis ist ebenso dem deutschen Nebenzollamt I. Klasse in Preußisch-Herby beigelegt worden, und diese Befugnis wird ihm belassen werden, solange als das russische Zollamt erster Klasse in Russisch-Herby mit entsprechenden Befugnissen ausgestattet ist.

§ 3.

Die Befugnis zur Überweisung von Waren unter Zollkontrolle an andere Ämter wird beiderseits auf alle Zollämter erster Klasse, welche keine Eisenbahnverbindung mit den Lagerämtern haben, ausgedehnt werden. Doch ist dabei Bedingung, daß solche Sendungen den einschlägigen Gesetzen und Vorschriften unterworfen bleiben.

§ 4.

Die Befugnis zur Rücksendung nicht verzollter Waren nach dem Ausland wird—unter Voraussetzung der Gegenseitigkeit für die deutschen Zollämter—abgesehen von den Ämtern an Eisenbahnlinien oder in Hafenplätzen, nach folgenden russischen Zollämtern erster Klasse gegeben werden:

Tauroggen,
Georgenburg,
Neschawa,
Szczypiorno,
Weruschewo,

Grajewo opposite Prostken,
Alexandrowo opposite Thorn,
Neschawa opposite Thorn,
Szczypiorno opposite Skal-
mierzyce,

under the condition that the transit clearings shall be effected on the basis of the Russian provisions which shall be published for similar traffic by land and by river after having been previously sanctioned.

It is to be understood, on the other hand, that the authority to clear Russian merchandise in transit through Germany will continue to be granted to the above-mentioned German customs offices.

A like authority has also been granted to the German auxiliary customs office of the first class in Prussian Herby, and this authority will remain with it as long as the Russian customs office of the first class in Russian Herby is endowed with the corresponding authority.

§ 3.

Authority to forward goods under customs control to other offices shall be extended by both parties to all first class customs offices not connected by rail with the customs warehouses. But this is granted on the condition that such shipments remain subject to the proper laws and ordinances.

§ 4.

Authority to reexport goods on which customs dues have not as yet been paid—on the condition of reciprocity for the German customs offices—apart from the offices along the railway lines or in harbors, will be granted to the following Russian customs offices:

Tauroggen,
Georgenburg,
Neschawa,
Szczypiorno,
Weruschewo.

§ 5 (neue Fassung)

Es besteht beiderseitiges Einverständnis, daß die Zollämter der beiden Länder an allen Tagen des Jahres geöffnet bleiben, mit Ausnahme der Sonntage und der gesetzlichen Feiertage.

§ 5 (alte Fassung)

Es besteht beiderseitiges Einverständnis daß die Zollämter der beiden Länder an allen Tagen des Jahres geöffnet bleiben, mit Ausnahme der Sonntage und der nachbezeichneten Feiertage:

A. In Rußland:

I. Feste des Kaiserlichen Hauses: Die Geburts- und Namenstage Ihrer Kaiserlichen Majestäten und seiner Kaiserlichen Hoheit des Großfürsten Thronfolgers, die Jahrestage der Thronbesteigung und der Krönung.

II. Bewegliche Feste: Freitag und Sonnabend der Karnevalswoche Gründonnerstag, Karfreitag und Karfreitag Ostermontag und Osterdienstag, der Himmelfahrtstag, Pfingstmontag.

III. Unbewegliche Feste:

1. Januar (Neujahr).
6. Januar (Heilige drei Könige).
2. Februar (Fastnacht).
25. März (Mariä Verkündigung).
9. Mai (St. Nikolaus).
29. Juni (St. Peter und Paul).
6. August (Verkündigung).
15. August (Himmelfahrt).
29. August (Enthauptung Johannis des Täufers).
8. September (Mariä Geburt).

14. September (Kreuzerhöhung).
26. September (Johanni).
1. Oktober (Schutz der heiligen Jungfrau).
22. Oktober (Unsere Liebe Frau von Kasan).
6. Dezember (St. Nikolaus).
- 25., 26. und 27. Dezember (Weihnachten).

IV. Im Königreich Polen und einigen Grenzprovinzen wo der größere Teil der Bevölkerung katholisch ist, ruht die Arbeit auch während der ersten Tage der großen Feste des römisch-katholischen Kalenders, ebenso zu Fronleichnam und an Allerheiligen.

§ 5 (New text).

It is agreed by both parties, that the customs offices of the two countries remain open on all days of the year, excepting Sundays and legal holidays.

§ 5 (Old text).

It is agreed between the two parties that the customs offices of the two countries shall be open on all the days of the year, with the exception of Sundays and the following named holidays:

A. Russia:

I. Festivals of the Imperial House: Anniversaries of the birth and name days of Their Imperial Majesties and of His Imperial Highness the Grand Duke, the successor to the Throne, the anniversaries of accession to the throne and of the coronation.

II. Movable Festivals: Friday and Saturday of the Carnival Week, Thursday, Friday, and Saturday of Holy Week, Easter Monday and Easter Tuesday, Ascension Day, and Whit Monday.

III. Immoveable Festivals:

- 1 January (New Year).
- 6 January (Epiphany).
- 2 February (Candlemas).
- 25 March (Annunciation).
- 9 May (St. Nicholas).
- 29 June (St. Peter and St. Paul).
- 6 August (Transfiguration).
- 15 August (Assumption).
- 29 August (Beheading of St. John the Baptist).
- 8 September (Nativity of the Blessed Virgin).
- 14 September (Exaltation of the Cross).
- 26 September (St. John).
- 1 October (Patronage of the Blessed Virgin).
- 22 October (Our Lady of Kasan).
- 6 December (St. Nicholas).
- 25, 26, and 27 December (Christmas).

IV. In the Kingdom of Poland and in some frontier provinces where the majority of the population is Catholic, work ceases also during the first days of the Great Festivals of the Roman Catholic Calendar, and also on Corpus Christi and on All-Saints' Day.

B. In Deutschland:

Der Neujahrstag, der Buß- und Betttag, der Mittwoch vor dem letzten Sonntag im November, Karfreitag, Himmelfahrt, Oftermontag, die beiden Weihnachtsfeiertage und der Geburtstag Seiner Majestät des Deutschen Kaisers, Königs von Preußen.

§ 6.

Die Dienststunden sollen in den Zollämtern der beiden Länder angeschlagen werden.

Die Dienststunden für die Revision der Reisepässe und der Legitimationskarten sollen für jeden Bezirk und jeden Grenzpunkt nach besonderer Vereinbarung zwischen den betreffenden Behörden der beiden Länder festgesetzt werden. Es sollen hierbei auf den beiden Seiten die gleichen Stunden eingeführt, den örtlichen Bedürfnissen Rechnung getragen und bei den Zollämtern dritter Klasse, den Nebenzollämtern und den Übergangspunkten eine Unterbrechung des Dienstes für die Mahlzeiten der Beamten gewährt werden.

§ 7.

Zollpflichtige Waren, welche von Personen eingeführt werden, die sich im Besitze einer ordnungsmäßigen Legitimation zur Überschreitung der Grenze befinden, sollen auf beiden Seiten mündlich deklarirt werden können, und zwar auf allen Zollämtern innerhalb ihrer Zuständigkeit, vorausgesetzt, daß diese Waren nicht Handelszwecken eingeführt werden, und daß die Gesamtheit der zu erhebenden Zollgebühren nicht übersteigt:

fünfzehn Rubel für die Einfuhr nach Rußland und
fünfunddreißig Mark für die Einfuhr nach Deutschland.

Auf Grund dieser Ermächtigung sollen die Übergangspunkte das Recht haben Mundvorräte—mit Ausnahme von Braumwein und anderen geistigen Getränken—sowie auch Erzeugnisse, die ausschließlich zum Hausverbrauch bestimmt sind, zollamtlich abzufertigen.

B. Germany:

New Year, Fast Day and Prayer Day, Wednesday before the last Sunday in November, Good Friday, Ascension, Easter Monday, the two days of Christmas, and the anniversary of the birthday of His Majesty the German Emperor, King of Prussia.

§ 6.

Office hours in the customs offices of both countries shall be publicly announced.

Office hours for the examination of passports and of license cards shall be fixed in each district and for each frontier station, by agreement between the respective authorities of the two countries. In this respect similar hours shall be introduced on both sides and local requirements be taken into account; and in the case of customs offices of the third class, of the auxiliary customs offices and of the transit stations, the service shall be suspended during the time of the officials' meals.

§ 7.

Goods subject to duty and import by persons in possession of regular licenses authorizing them to cross the frontier shall, on both sides of the frontier, be verbally declared at all customs offices within their authority, provided that such goods be not imported for commercial purposes and that the totality of the customs dues to be levied do not exceed:

15 Roubles for importation into Russia and
35 marks for importation to Germany.

On the basis of this authorization, transit stations may clear articles of food—with the exception of brandy and other spirituous beverages—as well as products exclusively intended for home-consumption.

§ 8.

Der Mundvorrat der Arbeiter, welche täglich die Grenze überschreiten, soll zollfrei sein, ausgenommen Branntwein und andere geistige Getränke, Tee, Zucker und Wein; jede Person darf nicht mehr als den Bedarf eines Tages mit sich führen.

§ 8a.

Unbeschadet der besonderen Bestimmungen hinsichtlich der Flußschiffe—vergl. Schlußprotokoll 1. Teil zu Art. 13, Absätze 2 bis 5—werden Fahrzeuge aller Art einschließlich der zugehörigen Ausrüstungsgegenstände, welche zur Zeit der Einfuhr zur Beförderung von Personen und Waren dienen und nur aus dieser Veranlassung vorübergehend nach Rußland von Personen eingeführt werden, die den russischen oder deutschen Zollbehörden bekannt sind, von den russischen Behörden ohne Erlegung des Eingangszolles oder Sicherheitsstellung für diesen Zoll eingelassen werden, sofern sich der Führer des Fahrzeuges verpflichtet dasselbe binnen einer bestimmten Zeit wieder auszuführen. Die schriftliche Ausfertigung der Verpflichtungsscheine soll unentgeltlich und ohne jede Gebührenerhebung erfolgen.

§ 9.

Die zollamtliche Durchsuchung der Passagiere der Memel-Dampfer soll beiderseits an Bord des Dampfers stattfinden unter der Bedingung, daß das Gepäck der Reisenden schon vorher an Bord des Schiffes, auf Deck oder an einer anderen zu bestimmenden Stelle, zusammengestellt ist.

§ 10.

Bei der Einfuhr von Waren auf dem Landwege nach Rußland wird keine besondere Deklaration gefordert, sofern die Waren von Frachtbriefen begleitet sind. Es genügt in diesem Falle die Vorzeigung der Frachtbriefe bei dem

§ 8.

The provisions of workmen crossing the boundary daily, shall be exempt from customs dues excepting brandy and other beverages, tea, sugar, and wine; each person may not carry more than the need for the day.

§ 8a.

Without prejudice to the special provisions with regard to river boats—See final protocol, first part, to Article 13, §§ 2 to 5—means of conveyance inclusive of their proper outfitting, which at the time of their entry serve to transport persons and goods and on this account are brought temporarily into Russia by persons known to the Russian or German customs authorities, such conveyance shall be admitted by the Russian authorities without payment of import duties or deposit of securities for such duties, in so far as the conductor of the conveyance obligates himself to leave again within a definite period of time. The written form of the pledge certificate shall be issued gratis and without any levying of dues.

§ 9.

Passengers on board the Memel steamers shall pass the customs examination of both countries on board the steamer, on the condition that the luggage of the travelers is gotten ready beforehand on deck or on another place to be designated.

§ 10.

Upon the importation of goods by road to Russia, no other declaration is required, provided the goods are accompanied by bills of lading; in such case it will be sufficient to show the bill of lading at

Gingangsamte. Die Zahl der Pferde und der Fahrzeuge, aus denen sich der Transport zusammensetzt, sowie die Gesamtzahl der Frachtbriefe und der Kollis sind alsdann auf einem der Frachtbriefe zusammenzustellen, und es ist diese Angabe von dem leitenden Führer zu unterzeichnen.

§ 11.

In Wagen nach Rußland eingeführte Steinkohle soll dort nach dem auf den Frachtbriefen angegebenen Gewichte verzollt werden unter der Voraussetzung, daß dem Frachtbriefe der Wägeschein der Gruben beiliegt.

§ 12.

Blumen und lebende Pflanzen, frische Früchte und frische Fische, sowie alle einem raschen Verderben ausgesetzten Waren, sollen beiderseits vorbehaltenlich Fälle höherer Gewalt binnen 24 Stunden vom Einbringen der Waren in die Zolllager an gerechnet, verzollt werden.

§ 12a.

Im Laufe eines Jahres nach der Inkraftsetzung des gegenwärtigen Vertrages wird die Kaiserlich Russische Regierung veröffentlichen:

1, eine systematische Ausgabe sämtlicher, die Anwendung des Zolltarifs betreffenden Zirkulare des Zolldepartements sowie der Entscheidungen des dirigierenden Senats, die sich auf den gleichen Gegenstand beziehen;

2, ein alphabetisches Verzeichnis aller im Zolltarif und in den oben angeführten Zirkularen und Entscheidungen aufgeführten Waren.

§ 12b.

Die für die Anbringung der Identifizierungszeichen zu entrichtenden Gebühren werden 5 v. H. des Gesamtbetrages des Zolles nicht übersteigen.

the entry-office. The number of horses and of conveyances of which the transport consists, together with the total number of the bills of lading of the packages are then to be summed on one of the bills of lading and this statement is to be signed by the principal conductor.

§ 11.

Coal imported into Russia in carts shall there be cleared according to the weight stated in the bills of lading on the condition that the bill of lading is accompanied by the weight certificate issued at the mines.

§ 12.

Flowers and live plants, all fresh fruit and fresh fish as well as any other goods subject to rapid decay, shall be cleared in both countries within 24 hours from the moment of their arrival in the customs warehouses, under reservation of cases of force majeure.

§ 12a.

In the course of one year after the going into force of the present treaty, the Imperial Russian Government shall publish:

1. A systematic issue of circulars of the customs department concerning the application of the customs tariff, together with the decisions of the administrative senate which refer to the same object;

2. An alphabetical list of all goods specified in the customs tariff and in the above-mentioned circulars and decisions.

§ 12b.

The dues to be paid for the evidence anent the tokens of identification shall not exceed 5 per cent of the total amount of the duties.

Die für die Anbringung der Identifizierungszeichen bei Knöpfen, Bändern, Spitzen, Stickereien und Fellen zu entrichtenden Gebühren werden 1 Kopeke für jede Plombe nicht übersteigen. Der ganze Gebührenbetrag für die Plombierung wird 5 v. H. des Gesamtbetrages des Eingangszolles in jedem einzelnen Falle nicht übersteigen.

Falls indessen der Interessent selbst wünscht, daß die Ware in einer Weise plombiert wird, die über das Bedürfnis der Identifizierung hinausgeht, so ist er verpflichtet, den dadurch entstehenden Mehrbetrag an Gebühren zu entrichten.

Die Punzierung deutscher Gold- und Silberwaren wird keinen anderen oder höheren Gebühren unterworfen werden, als die Punzierung der gleichartigen einheimischen Arbeiten.

§ 13.

Von eingeführten Waren soll Lagergeld durch die russischen Zollämter nur für die Tage der wirklichen Lagerung in den Zollagern, vom vierten Tage nach dem Beginn der Zollrevision an gerechnet, erhoben werden.

Jedoch soll die Zeit, während welcher die Lagerung gebührenfrei ist, begrenzt sein durch die am betreffenden Zollamt für die Deklaration von eingeführten Waren gewährte Frist, d. h. 5 bis 14 Tage, erhöht um die in Absatz 1 vorgesehene Frist von 3 Tagen.

§ 14.

Die Kaiserlich Russische Regierung verpflichtet sich, die Bestimmungen der Artikel 15 und 16 der Berner Konvention vom 14. Oktober 1890, welche das Verfügungsrecht des Absenders über seine Sendungen regeln, während der Dauer des gegenwärtigen Vertrages in keiner Weise zu ändern.

The dues to be paid for the evidence anent the tokens of identification in the case of buttons, ribbons, laces, embroidery, and pelts shall not exceed 1 Copek for each sealed package. The full amount of dues for sealing shall in no case exceed 5 per cent of the total amount of the import duties.

If in the meantime the interested party desires that the goods be sealed in a way beyond the need for identification, he is then obliged to pay in dues the additional amount resulting therefrom.

The stamping of German gold and silver ware shall not be subject to other or higher dues than the stamping of similar domestic articles.

§ 13.

Warehouse dues for imported goods shall be levied by the Russian customs offices according to the actual number of days that the goods may be in the customs warehouses, reckoned from the 4th day after the customs examination.

Nevertheless, the time during which the storing is exempt from dues shall be limited by the period allowed at each customs office for making declaration of the goods imported, that is to say, 5 to 14 days, increased by the period of 3 days provided for in § 1.

§ 14.

As to Articles 15 and 16 of the Berne Convention of 14 October, 1890, which regulate the right of disposal of the shipper over his shipment, the Imperial Russian Government obligates itself that during the valid period of the present treaty no modifications will be made in those provisions.

§ 15.

Die in dem Artikel 292 des russischen Reglements vom 15. Mai 1901, betreffend die Wareneinfuhr enthaltene Vorschrift, wonach der Unterschied zwischen dem angegebenen Gewicht von Gegenständen oder Waren und dem bei der Revision ermittelten Gewicht straffrei bleibt, sofern er 5 v. S. des Gesamtgewichts der Gegenstände oder Waren nicht übersteigt, wird abgeändert und die Duldungsgrenze auf 10 v. S. des Gesamtgewichts erhöht.

§ 16.

Das Recht der Reklamation gegen Entscheidungen der russischen Zollbehörden, die sich sowohl auf Strafen wegen einer unzutreffenden oder falschen Deklaration als auf die Tarifklassifizierung der Waren beziehen, soll dem Absender der Ware in gleicher Weise wie dem Deklaranten zustehen.

Eingaben dieser Art dürfen von dem Absender in deutscher Sprache abgefaßt werden.

§ 17.

Die Reklamationsfrist in den im § 16 bezeichneten Angelegenheiten wird für den Absender wie für den Deklaranten auf zwei Monate festgesetzt werden, von dem Tage an gerechnet, wo die Entscheidung dem Deklaranten mitgeteilt worden ist.

Was die Entscheidung über die Tarifierung von Waren anbelangt, so werden innerhalb dieser Frist Vorstellungen nur dann zugelassen werden, wenn die streitigen Waren die Zolllager noch nicht verlassen haben.

§ 18.

Die deutschen Konsuln in Rußland und die russischen Konsuln in Deutschland sollen berechtigt sein, die ersteren mit dem russischen Zolldepartement, die

§ 15.

The ordinance with regard to the importation of goods contained in Article 292 of the Russian regulation of 15 May, 1901, according to which the difference between the weight of all articles of goods as stated and the weight resulting from the examination is not penalized, provided it does exceed 5 per cent of the total weight of the objects or goods, shall be modified and the limit of tolerance increased to 10 per cent of the total weight.

§ 16.

The right to petition against decisions of Russian customs authorities, both in respect to incorrect or false declarations and to the tariff classification of goods shall be extended on the same terms both to the shipper and to the person making the declaration.

Petitions of this kind may be prepared by the shipper in German.

§ 17.

The period allowed for claims in matters referred to under § 16 shall be fixed at two¹ months alike for the shipper and for the person making the declaration, reckoned from the day on which the decision was communicated to the latter.

As regards the decision concerning the classification of goods, petitions will be accepted within this period only in case the goods in question have not yet left the customs warehouses.

§ 18.

German consuls in Russia and Russian consuls in Germany, shall have the right to correspond directly with the Russian Customs

¹ Formerly three months.

letzteren mit den Vorständen der deutschen Zollbehörden (Provinzial-Steuerdirektor u. s. w.) wegen der vor diesen Behörden schwebenden Zollreflexationen unmittelbar zu verkehren.

§ 19.

Falls Schaffner, Maschinisten und sonstige Eisenbahnbedienstete eines der beiden vertragsschließenden Teile überführt werden, in den Zügen Schmuggelwaren in das Gebiet des anderen Teiles eingeführt zu haben, so sollen sie auf Ansuchen der zuständigen Zollbehörden des Rechtes, Bahnzüge nach der Grenze zu begleiten, verlustig gehen.

§ 20.

Alle Quarantäne- und veterinärpolizeilichen Maßregeln, nämlich die Beschlüsse wegen Schließung oder Öffnung der Grenze für irgend eine Warengattung oder wegen Abänderungen der einschlägigen örtlichen Verordnungen u. s. w. sollen, sobald sie erlassen sind, wechselseitig von jeden der beiden vertragsschließenden Teile dem anderen mitgeteilt werden.

Die örtlichen Maßnahmen, die—aus eigener Entschliebung—von dem Vorstände eines Bezirkes (Landrat in Deutschland, Natschalnik Ujesda in Rußland) getroffen werden, sollen unmittelbar den betreffenden Vorständen der Bezirke des anderen Landes mitgeteilt werden. Diese Mitteilung soll zugleich die Gründe der Maßregel enthalten, soweit die Beschaffenheit derselben ihre Mitteilung, nicht überflüssig macht.

Die Maßnahmen, die in Deutschland von einem Oberpräsidenten oder von einem Regierungspräsidenten und in Rußland von einem Generalgouverneur oder von einem Gouverneur getroffen werden, sollen gegenseitig dem im Range entsprechenden Beamten mitgeteilt werden. Die Mitteilung der Gründe dieser Maßregeln soll auf diplomatischem Wege erfolgen.

Department and with the officers of the German customs authorities (provincial director of taxes, etc.) respectively regarding customs matters under the consideration of these authorities.

§ 19.

In case conductors, machinists, and other employees of the railways of either of the two contracting parties are apprehended for having smuggled goods into the territory of the other party, then, at the request of the competent customs authorities, such persons shall be deprived of the right of traveling on trains to the frontier.

§ 20.

All measures of quarantine and veterinary police, namely, decisions concerning the closing and opening of the frontier to one or another class of goods, or regarding changes in the proper local ordinances, etc., shall, as soon as issued, be communicated by each of the two contracting parties to the other party.

Local measures which—on their own responsibility—are issued by the first official of a district (Landrat in Germany, Natschalnik Ujesda in Russia), shall be directly communicated to the respective councils of the district of the other country. This communication shall contain at the same time reasons for the measure in so far as the form of this measure does not make such statement of reasons superfluous.

Measures which in Germany have been adopted by the general Governor or by the President of a Government Board, and in Russia by the General Governor or by a Governor, shall be communicated reciprocally to the official corresponding to that rank. The communication of the reasons for this measure shall be made through the channels of diplomacy.

Die Maßregeln, die von den Zentralbehörden der beiden Länder getroffen werden, sollen einschließlich ihrer Gründe gegenseitig auf diplomatischem Wege mitgeteilt werden.

Man ist darüber einig, daß die Mitteilungen über veterinäre Maßregeln beiderseits tunlichst vor Ausführung derselben und spätestens gleichzeitig mit ihrem Erlaß erfolgen sollen.

Die beiden Regierungen werden Listen austauschen, in welchen die beiderseitigen Behörden bezeichnet sind, zwischen denen der gegenseitige Austausch in Gemäßheit des eben angegebenen Verfahrens stattfinden soll.

§ 21.

Die Quarantänemaßregeln gegen die Einschleppung epidemischer Krankheiten sollen beiderseits auf alle die Grenze überschreitenden Reisenden, je nach der größeren oder geringeren Ansteckungsgefahr angewandt werden.

§ 22.

Es wird beiderseits der Wiederaufnahme von Reisenden, die wegen mangelhafter Reisepässe oder wegen Nichtzahlung von Zollgebühren zurückgewiesen werden, kein Hindernis entgegengestellt werden; unter den bezeichneten Umständen sollen beiderseits selbst fremde Staatsangehörige wieder aufgenommen werden, zumal in den Fällen, wo sie noch nicht in das Innere des Landes gelangt sind. Die auf beiden Seiten zuständigen Behörden werden sich über die zu ergreifenden Maßregeln verständigen.

Mit einem russischen Auswanderungsschein versehene jüdische Auswanderer russischer Abkunft und andere, welche von den deutschen Behörden nach Rußland zurückgeschickt werden, müssen von den russischen Grenzbehörden zugelassen werden, vorausgesetzt, daß sich diese Personen in Deutschland nicht

Measures adopted in both countries by the central authorities, shall, inclusive of the reasons therefor, be reciprocally communicated through the channels of diplomacy.

It is agreed that communications concerning veterinary measures shall be made reciprocally, and if possible, before the enforcement thereof, and at the latest at the time when such measures are decreed.

The two Governments will exchange the lists specifying their respective authorities between whom the reciprocal exchange, in accordance with the preceding procedure, shall be effected.

§ 21.

Quarantine measures against the introduction of epidemics shall, in both countries, be applied to all travelers crossing the frontier, according to the greater or lesser probability of danger of contagion.

§ 22.

Nothing shall on either side be done to hinder persons being sent back on account of their having defective passports or on account of their not having paid customs duties; in such cases even alien nationals shall be received again, especially in those cases when they have not passed into the interior of the country. The competent authorities of both parties will come to an understanding as to the measures to be taken in this respect.

Russian Jewish emigrants and others provided with a Russian emigration certificate who have been sent back into Russia by the German authorities, must be admitted by the authorities on the Russian frontier, on the condition that such persons have not so-

länger als einen Monat aufgehalten haben, von dem Tage an gerechnet, wo sie über die deutsch-russische Grenze gegangen sind.

§ 23.

Die Grenzbehörden jedes der beiden vertragschließenden Teile sollen gehalten sein, passlose Landstreicher und andere Personen dieser Art, welche in das Gebiet des anderen Teiles, dessen Angehörige sie sind, wieder aufgenommen werden sollen, ausschließlich nach denjenigen Grenzpunkten führen zu lassen, wo eine Abfertigung für Reisende stattfindet.

journed more than one month in Germany, reckoned from the day on which they crossed the Russo-German frontier.

§ 23.

The frontier authorities of both contracting parties shall be held not to send back vagrants without passports and other persons of the same class who are to be sent back into the territory of the party of which they are nationals, except to those frontier points where the authorities are authorized to deal with passengers.

Das gegenwärtige Protokoll, welches einen wesentlichen Teil des Vertrages, auf den es sich bezieht, bilden wird, soll ohne besondere Ratifikation mit der bloßen Tatsache des Austausches der Ratifikationen zum Vertrage selbst als von den betreffenden Regierungen genehmigt und bestätigt gelten.

Zu Urkund dessen haben es die Bevollmächtigten mit ihren Unterschriften versehen.

So geschehen zu

The present protocol which shall form an essential part of the treaty to which it relates, shall be considered as approved and sanctioned by the respective Governments by the mere fact of the exchange of the ratifications of the treaty, and without any special ratification.

In faith whereof the Plenipotentiaries have affixed their signatures to it.

Executed at

10. UKRAINE—GERMANY.

NOTIFICATION REGARDING GERMANY'S RATIFICATION OF THE PEACE TREATY WITH UKRAINE AND OF THE TREATY SUPPLEMENTARY TO THE PEACE TREATY, 27 JULY, 1918.

[German text as published in the Reichs-Gesetzblatt No. 107, 1918.]

Bekanntmachung, betreffend die Ratifikation des am 9. Februar 1918 in Brest-Litowsk unterzeichneten Friedensvertrags zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei einerseits und der Ukrainischen Volksrepublik andererseits und des am selben Tage in Brest-Litowsk unterzeichneten Deutsch-Ukrainischen Zusatzvertrags zu dem Friedensvertrage.

Vom 27. Juli 1918.

Die vorstehend abgedruckten, am 9. Februar 1918 in Brest-Litowsk unterzeichneten Verträge, nämlich:

1. Friedensvertrag zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei einerseits und der Ukrainischen Volksrepublik andererseits,
2. Deutsch-Ukrainischer Zusatzvertrag zu dem Friedensvertrage zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei einerseits und der Ukrainischen Volksrepublik andererseits,

sind ratifiziert worden. Der Austausch der Ratifikationsurkunden ist am 24. Juli 1918 in Wien erfolgt.

Berlin, den 27. Juli 1918.

Der Reichskanzler

In Vertretung

von Hintze.

[Translation.]

Notification, regarding the ratification of the Peace Treaty between Germany, Austria-Hungary, Bulgaria, and Turkey on the one hand and the Ukrainian Peoples' Republic on the other hand, signed at Brest-Litovsk, 9 February, 1918, and the German-Ukrainian Supplementary Treaty to the Peace Treaty, signed at Brest-Litovsk on the same day. 27 July, 1918.

The treaties printed above, signed at Brest-Litovsk, 9 February, 1918, namely:

1. Peace Treaty between Germany, Austria-Hungary, Bulgaria and Turkey on the one hand, and the Ukrainian Peoples' Republic on the other hand.
2. German-Ukrainian Supplementary Treaty to the Peace Treaty between Germany, Austria-Hungary, Bulgaria and Turkey on the one hand and the Ukrainian Peoples' Republic on the other hand,

have been ratified. The exchange of ratifications was effected on 24 July, 1918, in Vienna.

BERLIN, 27 July, 1918.

The Imperial Chancellor

By VON HINTZE.

11. UKRAINE—AUSTRIA-HUNGARY.

LEGAL-POLITICAL TREATY SUPPLEMENTARY TO THE TREATY OF PEACE BETWEEN UKRAINE AND THE CENTRAL POWERS. SIGNED AT BREST-LITOVSK, 12 FEBRUARY, 1918.

[German text as published in *Die Zeit*,
15 March, 1918, morning edition.]

[Translation.]

Laut Artikel 8 des am 9. Februar 1918 unterzeichneten Friedensvertrages zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei einerseits und der Ukrainischen Volksrepublik andererseits sind

die Bevollmächtigten Oesterreich-Ungarns, nämlich:

Minister des Aeußeren **Ottokar Graf Czernin**,
der oesterreichische Ministerpräsident
Dr. Ernst Ritter von Seidler und

der ungarische Ministerpräsident **Dr. Alexander Wekerle**, und

die Bevollmächtigten der Ukrainischen Volksrepublik, nämlich:

die Mitglieder der ukrainischen Zentralrada: **Alexander Sevrjuk**, **Mykola Lubynski**, **Mykola Levytsky**,

übereingekommen, die Herstellung der öffentlichen und privaten Rechtsbeziehungen, den Austausch der Kriegsgefangenen und Zivilinternierten, die Amnestiefrage sowie die Frage der Behandlung der in die Gewalt des Gegners geratenen Handelsschiffe im Verhältnis zwischen der oesterreichisch-ungarischen Monarchie, beziehungsweise Oesterreich und Ungarn einerseits und der Ukrainischen Volksrepublik andererseits unverzüglich zu regeln und zu diesem Zwecke einen Zusatzvertrag zu dem Friedensvertrag abzuschließen.

According to Article 8 of the Treaty of Peace signed on 9 February, 1918, between Germany, Austria-Hungary, Bulgaria, and Turkey, on the one hand, and the Ukrainian People's Republic, on the other hand,

The Plenipotentiaries of Austria-Hungary, to wit:

The Minister of Foreign Affairs,
Ottokar Count Czernin;

The President of the Austrian Ministry, **Dr. Ernst Ritter von Seidler**; and

The President of the Hungarian Ministry, **Dr. Alexander Wekerle**; and

The Plenipotentiaries of the Ukrainian People's Republic, to wit:

Messrs. Alexander Sevrjuk, **Mykola Lubynsky**, and **Mykola Levytsky**, members of the Ukrainian Central Rada;

have agreed to regulate immediately the establishment of public and private legal relations, the exchange of war prisoners and of interned civilians, amnesty, and the matter of the treatment of merchant vessels that have come into the power of the opponent, between the Austro-Hungarian Monarchy, that is to say, Austria and Hungary, on the one hand, and the Ukrainian People's Republic, on the other hand, and to this end to conclude a supplementary treaty to the Peace Treaty.

Nach gegenseitiger Mitteilung ihrer in guter und gehöriger Form befundenen Vollmachten haben sich die Bevollmächtigten über folgende Bestimmungen geeinigt:

Ersatz der Kriegsschäden.

Artikel 1. Jeder vertragsschließende Teil wird alle Schäden ersetzen, die in seinen Gebieten während des Krieges von den dortigen staatlichen Organen oder der Bevölkerung durch völkerrechtswidrige Handlungen konsularischen Beamten des anderen Teiles zugefügt oder an Konsulatsgebäuden dieses Teiles oder an deren Inventar angerichtet worden sind.

Artikel 2. Die vertragsschließenden Teile verpflichten sich, sich gegenseitig alle jene Summen zurückzuerstatten, die der eine Teil in den von ihm okkupierten Gebieten in Form von Gehältern, Pensionen und Unterhaltsbeiträgen an Angehörige (Pensionisten, Witwen, Waisen und Soldatenangehörige) des anderen Teiles verausgabt hat.

Wiederinrafttreten der alten Verträge.

Artikel 3. Die Verträge, Abkommen und Vereinbarungen, die zwischen Osterreich-Ungarn oder einem der beiden Staaten der österreichisch-ungarischen Monarchie und Rußland vor der Kriegserklärung in Kraft gewesen sind, treten zwischen den vertragsschließenden Teilen, vorbehaltlich abweichender Bestimmungen des Friedensvertrages, bei dessen Ratifikation mit der Maßgabe in Kraft, daß, soweit sie für eine bestimmte Zeit un kündbar sind, diese Zeit um die Kriegsdauer verlängert wird.

Die gemeinsame österreichisch-ungarische Regierung wird der ukrainischen Regierung binnen vier Wochen nach der Ratifikation des Friedensvertrages die im vorhergehenden Absatz bezeichneten

After exchange of their mutual powers which were found in good and due form, the Plenipotentiaries have agreed upon the following provisions:

INDEMNIFICATION OF WAR DAMAGES.

Article 1. Each contracting party will indemnify all damages that may have been occasioned to the consular officials of the other party, or to their consulates, or to their movable property by acts contrary to international law committed within its territory during the war, by the public local authorities or by the population.

Article 2. The contracting parties obligate themselves to refund all the amounts that one party has expended, within the territories occupied by such party, under the denomination of salaries, pensions, contributions to the expenses of subsistence, granted to the nationals of the other party (pensioners, widows, orphans, and dependents of soldiers).

RESUMPTION OF OLD TREATIES.

Article 3. The treaties, agreements, and conventions that were in force before the declaration of war, between Austria-Hungary, or one of the two States of the Austro-Hungarian Monarchy, and Russia, will go into force between the contracting parties—unless stipulated to the contrary in the Treaty of Peace—at the time of the ratification of the latter, upon the condition, that in so far as they can not be denounced for a fixed period, such period will be extended to cover the period of the war.

Within a period of four weeks after the ratification of the Peace Treaty, the Joint Austro-Hungarian Government shall communicate to the Ukrainian Gov-

Verträge, Abkommen und Vereinbarungen dem Wortlaut nach mitteilen.

Jeder vertragschließende Teil kann dem anderen Teile binnen sechs Monaten nach der Unterzeichnung des Friedensvertrages die Verträge, Abkommen und Vereinbarungen oder deren Einzelbestimmungen mitteilen, die nach seiner Auffassung mit den während des Krieges eingetretenen Veränderungen im Widerspruch stehen. Diese Vertragsbestimmungen sollen tunlichst bald durch neue Verträge ersetzt werden, die den veränderten Anschauungen und Verhältnissen entsprechen.

Zur Ausarbeitung der im vorhergehenden Absatz vorgesehenen neuen Verträge wird binnen sechs Monaten nach der Ratifikation des Friedensvertrages eine aus Vertretern der beiden Teile bestehende Kommission an einem erst zu bestimmenden Orte zusammentreten. Soweit sich diese binnen drei Monaten nach ihrem Zusammentritt nicht einigt, steht es jedem Teile frei, von den Vertragsbestimmungen zurückzutreten, die er gemäß dem ersten Satze des vorhergehenden Absatzes dem anderen Teile mitgeteilt hat; handelt es sich dabei um Einzelbestimmungen, so steht dem anderen Teile der Rücktritt vom ganzen Vertrag frei.

Die Verträge, Abkommen und Vereinbarungen, an denen noch andere Mächte beteiligt sind und in denen die Ukrainische Volksrepublik neben Rußland oder an dessen Stelle eintritt, treten zwischen den vertragschließenden Teilen vorbehaltlich abweichender Bestimmungen des Friedensvertrages bei dessen Ratifikation oder, sofern der Eintritt später erfolgt, in diesem Zeitpunkt in Kraft. Auf die mit solchen Kollektivverträgen im Zusammenhang stehenden Einzelverträge zwischen den beiden Teilen finden die Bestimmungen des ersten Absatzes dieses Artikels über die Verlängerung der Geltungsdauer

ernment the text of the treaties, agreements and conventions referred to in the preceding paragraph.

Within a period of six months after the signing of the Peace Treaty, each contracting party may communicate to the other party those treaties, agreements, and conventions, or their special provisions which in its judgment are incompatible with the changes that have arisen during the war. Such treaty provisions are replaced as soon as possible by new treaties meeting the changed viewpoints and circumstances.

Within a period of six months after the ratification of the Peace treaty, a commission composed of representatives of the two parties shall meet in a place to be designated subsequently, in order to draft the new treaties foreseen in the preceding paragraph. If this commission does not come to an agreement within three months after its meeting, each party shall have the right to denounce those treaty provisions which it had communicated to the other party in conformity with the first sentence of the preceding paragraph; if, in the given case, special provisions are concerned, the other party shall have the right to denounce the whole treaty.

The treaties, agreements and conventions to which still other Powers are parties and in which the Ukrainian People's Republic appears by the side or in the place of Russia, shall go into force, between the contracting parties, upon the ratification of the Peace Treaty, under reservation of contrary provisions of the latter Treaty—or in case the Ukrainian People's Republic accedes thereto at a later date, then at the time of such accession. The provisions of the first paragraph of this Article dealing with the extension of the dura-

und des zweiten und dritten Absatzes dieses Artikels über den Rücktritt keine Anwendung.

Wegen der politischen Einzelverträge sowie jener Kollektivverträge politischen Inhalts, an denen noch andere kriegsführende Mächte beteiligt sind, behaften sich die vertragschließenden Teile ihre Stellungnahme bis nach Abschluß des allgemeinen Friedens vor.

Wiederherstellung der Privatrechte.

Artikel 4. Ueber die Wiederherstellung der Privatrechte werden nachstehende Bestimmungen getroffen:

1. Alle in den Gebieten des einen der vertragschließenden Teile bestehenden Bestimmungen, wonach mit Rücksicht auf den Kriegszustand die Angehörigen des anderen Teiles in Ansehung ihrer Privatrechte irgendwelcher besonderen Regelung unterliegen, treten mit der Ratifikation des Friedensvertrages außer Anwendung.

Die noch nicht vollzogenen Strafen wegen Verletzung dieser Bestimmungen, sowie die Rechtsfolgen der Beurteilung wegen solcher strafbaren Handlungen werden nachgesehen.

Als Angehörige eines vertragschließenden Teiles gelten auch solche juristische Personen und Gesellschaften, die in seinen Gebieten ihren Sitz haben. Ferner sind den Angehörigen eines Teiles juristische Personen und Gesellschaften, die in seinen Gebieten nicht ihren Sitz haben, insoweit gleichzustellen, als sie in den Gebieten des anderen Teiles den für diese Angehörigen geltenden Bestimmungen unterworfen waren.

tion of validity and those of the second and third paragraphs of this Article, treating of denunciation, are not applicable to special treaties concluded between the two parties and connected with such collective treaties.

As regards special political treaties and the said collective treaties, of a political character, to which still other belligerent Powers are parties, the contracting parties reserve their attitude until after the conclusion of general peace.

REESTABLISHMENT OF PRIVATE RIGHTS.

Article 4. As regards the reestablishment of private rights, the following provisions have been agreed upon:

1. All provisions in force within the territories of a contracting party in accordance with which the nationals of the other party are, by reason of the state of war, subject to any special regulation whatever with regard to their private rights, shall be abrogated upon the ratification of the Peace Treaty.

Penalties not yet carried out and imposed on the ground of violation of these provisions, as well as the legal consequences of the condemnation for such punishable acts, will be pardoned.

Juridical persons and companies which are domiciled within its territories, are also to be regarded as nationals of a contracting party. Furthermore, juridical persons and companies which are nationals of one of the contracting parties, but do not reside within the territory of that party, are placed on a parity with the nationals of that party when, within the territory of the other party, they were subject to provisions applicable to the subjects of the country of which they are nationals.

2. Ueber privatrechtliche Schuldverhältnisse, die durch Bestimmungen der im Punkte 1 bezeichneten Art beeinträchtigt worden sind, wird nachstehendes vereinbart:

Die Schuldverhältnisse werden wieder hergestellt, soweit sich nicht aus den Bestimmungen der Punkte 2 bis 6 ein anderes ergibt.

Die Bestimmung des vorstehenden Absatzes hindert nicht, daß die Frage, welchen Einfluß die durch den Krieg geschaffenen Zustände, insbesondere die durch Verkehrshindernisse, Handelsverbote oder durch die geänderte wirtschaftliche Lage herbeigeführte Unmöglichkeit der Erfüllung, auf die Schuldverhältnisse ausüben, in den Gebieten jedes der vertragschließenden Teile nach den dort für die Landeseinwohner geltenden Gesetzen beurteilt wird.

Dabei dürfen die Angehörigen des anderen Teiles, die durch Maßnahmen dieses Teiles behindert worden sind, nicht ungünstiger behandelt werden als die Angehörigen des eigenen Staates, die durch dessen Maßnahmen behindert worden sind. Auch soll derjenige, der durch den Krieg an der rechtzeitigen Bewirkung einer Leistung behindert war, nicht verpflichtet sein, den dadurch entstandenen Schaden zu ersetzen.

Geldforderungen, deren Bezahlung im Laufe des Krieges auf Grund einer Bestimmung der im Punkte 1 bezeichneten Art verweigert werden konnte, brauchen nicht vor Ablauf von drei Monaten nach der Ratifikation des Friedensvertrages bezahlt werden. Sie sind von der ursprünglichen Fälligkeit an für die Dauer des Krieges und der anschließenden drei Monate ohne Rücksicht auf Zahlungsverbote und Moratorien mit fünf vom Hundert für das Jahr zu verzinsen; bis zur ursprünglichen Fälligkeit sind gegebenenfalls die vertraglichen Zinsen zu zahlen.

2. With regard to private legal debt relations which have been affected by provisions of such a nature as have been specified in Section 1, the following has been agreed upon:

The debt relations shall be re-established, in so far as not otherwise agreed upon in the provisions under Sections 2 to 6.

The provision of the preceding paragraph does not affect the decision, within the territories of each contracting party according to laws applicable to all the inhabitants of the country, of the question as to what influence has been exerted upon debt relations by the circumstances created by the war, especially the impossibility of fulfilling obligations brought about by hindrances in transportation, commercial prohibitions, or economic changes.

In this regard, the nationals of the one party who have been restricted through measures of the other party, may not be treated less favorably than nationals who were restricted through the measures of their own State. Even the one who through the war was prevented from fulfilling an obligation in due time, shall not be obligated to make compensation for the losses occasioned thereby.

Pecuniary claims whose payment could be refused in the course of the war by virtue of a provision of the nature specified in Section 1 need not be paid before the expiration of three months after the ratification of the Peace Treaty. Regardless of moratoriums and ordinances prohibiting payment, they are payable with interest at 5% per annum, from the original date when payment was due, for the duration of the war and the additional three months; in case interest was stipulated up to the time when payment was due, such interest, in the given case, must be paid.

Für die Abwicklung der Außenstände und sonstigen privatrechtlichen Verbindlichkeiten sind die staatlich anerkannten Gläubigerschutzverbände zur Verfolgung der Ansprüche der ihnen angeschlossenen natürlichen und juristischen Personen als deren Bevollmächtigte wechselseitig anzuerkennen und zuzulassen.

3. Die Bestimmungen dieses Ueber-einkommens finden auf den Wertpapierverkehr sowie auf Verpflichtungen aus Inhaberpapieren keine Anwendung und bleibt die Regelung der hierbei in Betracht kommenden Fragen einer besonderen Vereinbarung vorbehalten.

Wegen Ordnung der gegenseitigen staatlichen Verbindlichkeiten aus dem öffentlichen Schuldendienste, ferner aus Abrechnungen der Eisenbahn-, Post- und Telegraphenverwaltungen und dergleichen werden die vertragsschließenden Teile sich in besonderen Abkommen verständigen.

4. Die vertragsschließenden Teile sind darüber einig, daß vorbehaltlich der Bestimmungen des Punktes 6 Urheberrechte und gewerbliche Schutzrechte, Konzessionen und Privilegien sowie ähnliche Ansprüche auf öffentlich rechtlicher Grundlage, die durch Bestimmungen der im Punkte 1 bezeichneten Art beeinträchtigt worden sind, für das Gebiet der Ukrainischen Volksrepublik wiederhergestellt werden.

Die Bestimmung des vorhergehenden Absatzes soll auf Konzessionen und Privilegien sowie ähnliche Ansprüche keine Anwendung finden, soweit diese auf Grund einer für alle Landeseinwohner und für alle Rechte der gleichen Art geltenden Gesetzgebung inzwischen abgeschafft oder vom Staate oder von Gemeinden übernommen worden sind und in deren Besitz verbleiben.

Die Ausführung der in den vorhergehenden zwei Absätzen aufgestellten

For the liquidation of outstanding debts and other private legal obligations, the national recognized associations for the protection of creditors are to be recognized and admitted as reciprocally empowered agents for the prosecution of the claims of natural and juridical persons associated with them.

3. The provisions of this agreement do not apply to paper securities nor to obligations of holders of notes payable to bearer, and the regulation of the questions arising in this respect is reserved for a special agreement.

As regards the regulation of the national obligations of the two Governments arising from the public debt, and further, arising from the settlement of the accounts of the railway, postal and telegraph administrations, etc., the contracting parties will come to an understanding in special agreements.

4. The contracting parties are agreed that under reservation of the provisions of Section 6, copyright and industrial patents, concessions and privileges, as well as other similar claims on the basis of the principles of public law, that have been affected by provisions of such a nature as have been specified in the first section, shall again be put into force within the territory of the Ukrainian People's Republic.

The provision of the preceding paragraph shall not be applicable to concessions, privileges, and similar claims in so far as these have meanwhile been abrogated in virtue of a legal provision applicable to all the inhabitants of the country and to all rights of a similar character, or which have been taken over by the State or by communes and are in their possession.

The carrying out of the principles announced in the two pre-

Grundsätze bleibt besonderer Vereinbarung vorbehalten.

5. Die Fristen für die Verjährung von Rechten sollen in den Gebieten jedes der vertragschließenden Teile gegenüber den Angehörigen des anderen Teiles, falls diese Fristen zur Zeit des Kriegsausbruches noch nicht abgelaufen waren, frühestens ein Jahr nach der Ratifikation des Friedensvertrages ablaufen. Das gleiche gilt von den Fristen zur Vorlegung von Zinsscheinen und Gewinnanteilscheinen sowie von ausgelosten oder sonst zahlbar gewordenen Wertpapieren.

Die Wiedereinsetzung in den vorigen Stand ist zu bewilligen, wenn der Gläubiger infolge des Krieges eine Klagefrist nicht einhalten konnte oder wenn der Beklagte infolge der Verkehrsunterbrechung außerstande war, sich in dem Verfahren gehörig vertreten zu lassen.

6. Die Tätigkeit der Stellen, die auf Grund einer Bestimmung der im Punkte 1 bezeichneten Art mit der Aufsichtigung, Verwahrung, Verwaltung oder Liquidation von Vermögensgegenständen oder der Annahme von Zahlungen befaßt worden sind, soll unbeschadet der Bestimmungen des Punktes 7 nach Maßgabe der nachstehenden Grundsätze abgewickelt werden:

Die beauftragten, verwahrten oder verwalteten Vermögensgegenstände sind auf Verlangen des Berechtigten unverzüglich freizugeben; bis zur Uebernahme durch den Berechtigten ist für eine Wahrung seiner Interessen zu sorgen.

Die Bestimmungen des vorstehenden Absatzes sollen wohlervorbene Rechte Dritter nicht berühren. Zahlungen und sonstige Leistungen eines Schuldners, die von den im Eingange dieses Punktes erwähnten Stellen oder auf deren Veranlassung entgegengenommen worden

ceding paragraphs is reserved for a special agreement.

5. Within the territory of each contracting party the periods for the prescription of rights, in so far as concerns the nationals of the other party, shall expire, not earlier than one year after the ratification of the Peace Treaty, in case they had not already lapsed before the war. The same principle applies to the periods for the presentation of interest certificates or dividend certificates, as well as to securities redeemed or that have become payable.

The resumption of the previous status is to be consented to if, in consequence of the war the creditor was unable to stay the period granted to enter complaint or else if the defendant was prevented, by an interruption of the communications, from having himself properly represented in the proceeding relative thereto.

6. The activity of the institutions which, on the ground of a provision of the nature specified in Section 1, have been entrusted with the supervision, safe-guarding, administration, or liquidation of properties, or with the acceptance of payments shall, without prejudice to the provisions of Section 7, be settled in accordance with the following basic principles:

The supervised, safe-guarded, or administered properties are, upon the demand of the person entitled thereto, to be released immediately; until the transfer to the person entitled thereto has been effected, the safe-guarding of his interests is to be attended to.

The provisions of the preceding paragraph shall not affect properly acquired rights of third parties. Payments and other obligations of a debtor which have been accepted by the institutions mentioned in the beginning of

sind, sollen in den Gebieten der vertragsschließenden Teile die gleiche Wirkung haben, wie wenn sie der Gläubiger selbst empfangen hätte.

Privatrechtliche Verfügungen, die von den bezeichneten Stellen oder auf deren Veranlassung oder ihnen gegenüber vorgenommen worden sind, bleiben mit Wirkung für beide Teile aufrechterhalten.

Ueber die Tätigkeit der im Eingange dieses Punktes erwähnten Stellen, insbesondere über die Einnahmen und Ausgaben, ist den Berechtigten auf Verlangen unverzüglich Auskunft zu erteilen.

7. Grundstücke oder Rechte an einem Grundstück, Bergwerksgerechtfame sowie Rechte auf die Benützung oder Ausbeutung von Grundstücken, Unternehmungen oder Beteiligungen an einem Unternehmen, insbesondere Aktien, die infolge einer Bestimmung der im Punkt 1 bezeichneten Art veräußert oder dem Berechtigten sonst durch Zwang entzogen worden sind, sollen dem früheren Berechtigten auf einen innerhalb eines Jahres nach der Ratifikation des Friedensvertrages zu stellenden Antrag gegen Rückgewähr der ihm aus Anlaß der Veräußerung oder Entziehung etwa erwachsenden Vorteile frei von allen inzwischen begründeten Rechten Dritter wieder übertragen werden.

Die Bestimmungen des vorhergehenden Absatzes finden keine Anwendung, soweit die veräußerten Vermögensgegenstände auf Grund einer für alle Landeseinwohner und für alle Gegenstände der gleichen Art geltenden Gesetzgebung inzwischen vom Staate oder von Gemeinden übernommen worden sind und in deren Besitz verbleiben; im Falle der Wiederaufhebung der Unternehmung kann der im vorhergehenden Absatz vorgesehene Antrag auf Rückgewähr innerhalb eines Jahres nach der Wiederaufhebung gestellt werden.

this Section, or upon their request, shall within the territories of the contracting parties have the same effect as if the creditor himself had received them.

Litigations which have been resorted to by the specified institutions or upon their solicitation, or against them, are to remain effective for both parties.

Concerning the activity of the institutions mentioned in the beginning of this Section, especially concerning the receipts and expenditures, information is to be immediately imparted upon the demand of those entitled to it.

7. Parcels of land or rights to a parcel of land, mining privileges as well as rights to the use or the exploitation of parcels of land, enterprises or participation in an enterprise, especially shares which in consequence of a provision of the nature indicated in Section 1 have been alienated or otherwise forcibly taken from the person entitled thereto, shall be returned to the former owner upon a claim to that end made within one year after the ratification of the Peace Treaty, by deducting any profit that may have accrued to him as a result of the said alienation or subtraction, and exempt from all rights established in the interval by third parties.

The provisions of the preceding paragraph do not apply in so far as the alienated properties, on the basis of a legislation applicable to all the inhabitants of the land and to all objects of a like nature, have been taken over in the meantime by the State or by communities and remain in their possession. In case of the rescinding of the transfer, the demand foreseen in the preceding paragraph and the deduction of profit may be presented within one year after such rescinding.

Ersatz der Kriegsschäden der Bevölkerung.

Artikel 5. Die vertragsschließenden Teile sind darüber einig, daß den beiderseitigen Angehörigen die Schäden ersetzt werden, die sie infolge von Kriegsgesetzen durch die zeitweilige oder dauernde Entziehung von Urheberrechten, gewerblichen Schutzrechten, Konzessionen, Privilegien und ähnlichen Ansprüchen oder durch die Beaufsichtigung, Verwahrung, Verwaltung oder Veräußerung von Vermögensgegenständen erlitten haben. Das gleiche gilt für die Schäden, die den Zivilangehörigen jedes Teiles während des Krieges außerhalb der Kriegsgebiete von den staatlichen Organen oder der Bevölkerung des anderen Teiles durch völkerrechtswidrige Gewaltakte an Leben, Gesundheit oder Vermögen zugefügt worden sind.

Im Hinblick auf die von der Ukrainischen Volksrepublik in Aussicht genommene Vermögensauseinandersetzung mit den übrigen Teilen des ehemaligen russischen Kaiserreiches bleibt die Ausführung der im vorhergehenden Absatz aufgestellten Grundsätze besonderer Vereinbarung vorbehalten.

Austausch der Gefangenen.

Artikel 6. Ueber den im Artikel VI des Friedensvertrages vorgesehenen Austausch der Kriegsgefangenen werden die nachstehenden Bestimmungen getroffen:

1. Der bereits im Gange befindliche Austausch dienstuntauglicher Kriegsgefangener wird möglichst beschleunigt werden. Der Austausch der übrigen Kriegsgefangenen soll tunlichst bald in bestimmten, noch näher zu vereinbarenden Zeiträumen erfolgen. Die Kosten der Beförderung der Kriegsgefangenen bis zur Grenzübergabestation¹ trägt der Staat, der die Kriegsgefangenen zurückgibt.

INDEMNIFICATION OF WAR DAMAGES SUFFERED BY THE INHABITANTS.

Article 5. The contracting parties are agreed that the nationals of both parties shall be compensated for the losses which they have suffered, in consequence of war laws, through the temporary or permanent subtraction of copyright, industrial patents, concessions, privileges, and similar claims, or through the supervision, safe-guarding, administration, or alienation of any item of property or income. The same applies to all losses occasioned to the civilian nationals of each party during the war without the war zones, by the national authorities or by the population of the other party through acts, contrary to international law, against their body, health, or property.

In view of the explanations regarding property matters which the Ukrainian People's Republic has accepted to enter into which the other parts of the former Russian Empire, the carrying out of the principles established in the preceding paragraph is reserved to a special agreement.

EXCHANGE OF PRISONERS.

Article 6. Concerning the exchange of war prisoners foreseen in Article VI of the Peace Treaty, the following provisions are adopted:

1. The exchange of prisoners unfit for service which is already under way will be carried out with all possible dispatch. The exchange of the other prisoners of war shall take place as soon as possible and practicable within definite periods of time still to be agreed upon. The costs of conveying the war prisoners to the frontier station is borne by the State that returns the war prisoners.

2. Bei der Entlassung erhalten die Kriegsgefangenen das ihnen von den Behörden des Aufenthaltsstaates abgenommene Privateigentum sowie den noch nicht ausbezahlten oder verrechneten Teil ihres Arbeitsverdienstes; diese Verpflichtung bezieht sich nicht auf Schriftstücke militärischen Inhalts.

3. Eine aus je vier Vertretern der beiden Teile zu bildende Kommission soll alsbald nach der Ratifikation des Friedensvertrages an einem erst zu bestimmenden Orte zusammentreten, um die unter Punkt 1, zweiter Absatz, vorgesehenen Zeiträume sowie die sonstigen Einzelheiten des Austausches, insbesondere die Art und Weise der Heimbeförderung der Kriegsgefangenen, festzusetzen und die Durchführung der getroffenen Vereinbarung zu überwachen.

4. Die nach völkerrechtlichen Grundsätzen zu erstattenden Aufwendungen für die beiderseitigen Kriegsgefangenen werden im Hinblick auf die Gefangenenzahlen gegeneinander aufgerechnet.

Die Heimkehr der Zivilangehörigen.

Artikel 7. Ueber die Heimkehr der beiderseitigen Zivilangehörigen werden die nachstehenden Bestimmungen getroffen:

1. Die beiderseitigen internierten oder verschifften Zivilangehörigen werden tunlichst bald freigelassen und jene von ihnen, die in ihre Heimat zurückkehren wollen, sobald als möglich unentgeltlich heimbefördert werden.

Eine sofort nach Ratifikation des Friedensvertrages an einem erst zu bestimmenden Orte zusammentretende, aus Vertretern der vertragschließenden Teile gebildete Kommission wird die bezüglich der Zivilinternierten und Verschifften noch offengebliebenen Fragen ehestens regeln und die Durchführung der getroffenen Abmachung überwachen.

2. Upon their release, the prisoners of war receive the private property taken from them by the authorities of the State where they are held, as well as the part of their earnings not yet paid or credited to them; this obligation does not refer to written documents of military contents.

3. A commission to be composed of four representatives of each of the two parties shall, immediately after the ratification of the Peace Treaty, meet in a place still to be determined in order to define the periods of time foreseen under Section 1, Second Paragraph, as well as the other details of the exchange, especially the manner and method of repatriation of prisoners of war, and to supervise the carrying out of the agreements reached.

4. The expenses which are to be refunded in accordance with the principles of international law, and incurred for the war prisoners of both parties, shall be balanced in the proportion to the number of prisoners.

THE REPATRIATION OF THE CIVILIAN NATIONALS.

Article 7. Concerning the repatriation of the civilian nationals of both parties, the following provisions are adopted:

1. The interned or deported civilian nationals of both parties shall be released and those who desire to return to their homeland will be conveyed thither as soon as possible, without expense to them.

A commission composed of representatives of the contracting parties will meet in a place still to be designated, immediately after the ratification of the peace treaty, to settle as soon as possible, the matters left in suspense relative to the interned civilians and the deported, and to supervise the carrying out of the agreement reached.

2. Die Angehörigen des einen der vertragsschließenden Teile, die bei Kriegsausbruch in den Gebieten des anderen Teiles ihren Wohnsitz oder eine gewerbliche oder Handelsniederlassung hatten und sich nicht in diesen Gebieten aufhalten, können dorthin zurückkehren, sobald sich der andere Teil nicht mehr im Kriegszustand befindet. Die Rückkehr darf nur aus Gründen der inneren oder äußeren Sicherheit des Staates verweigert werden.

Als Ausweis genügt ein von den Behörden des Heimatsstaates ausgestellter Paß, wonach der Inhaber zu den im vorbergehenden Absatz bezeichneten Personen gehört; ein Sichtvermerk auf dem Paß ist nicht erforderlich.

3. Die Angehörigen jedes der vertragsschließenden Teile sollen in den Gebieten des anderen Teiles für die Zeit, während deren dort ihr Gewerbe- und Handelsbetrieb oder ihre sonstige Erwerbstätigkeit infolge des Krieges geruht hat, keinerlei Auflagen, Abgaben, Steuern oder Gebühren für den Gewerbe- oder Handelsbetrieb oder die sonstige Erwerbstätigkeit unterliegen. Beträge, die hiernach nicht geschuldet werden, aber bereits erhoben sind, sollen binnen sechs Monaten nach der Ratifikation des Friedensvertrages zurückerstattet werden.

Auf Handels- oder sonstige Erwerbsgesellschaften,¹ an denen Angehörige des einen Teiles als Gesellschafter, Aktionäre oder in sonstiger Weise beteiligt sind und deren Betrieb in den² Gebieten des anderen Teiles infolge des Krieges geruht hat, finden die Bestimmungen des vorhergehenden Absatzes entsprechende Anwendung.

Kriegergräber.

Artikel 8. Jeder vertragsschließende Teil verpflichtet sich, die auf seinen Gebieten befindlichen Grabstätten der

2. The nationals of a contracting party who had their domicile or an industrial or commercial enterprise within the territories of the other party at the outbreak of the war and who were not living within these territories, may return thither as soon as the other party no longer is in a state of war. Such return may be refused only for reasons of the internal or external safety of the State.

Sufficient proof of this will be a passport issued by the authorities of the home State showing that the holder thereof belongs to the persons specified in the preceding paragraph; the passport does not require a visé.

3. The nationals of each contracting party shall, within the territories of the other party, for the time during which their industrial or commercial enterprises, or any other financial activity has lapsed in consequence of the war, not be subject to any kind of assessments, levies, taxes or dues for the industrial or commercial enterprise or other financial activity. Amounts which, in consequence, are not owed, but have already been levied, shall be reimbursed within six months after the ratification of the Peace Treaty.

The provisions of the preceding paragraph are similarly applicable to commercial and other industrial companies in which nationals of the one party are interested as associates, share-holders, or in any other manner, and whose enterprise, within the territory of the other party, has lapsed in consequence of the war.

SOLDIERS' GRAVES.

Article 8. Each contracting party obligates itself to respect and to care for, within its terri-

¹ D. Z. has Erwerbgesellschaften.

² D. Z. has her.

Seeeresangehörigen sowie der während der Internierung oder Verschickung verstorbenen sonstigen Angehörigen des anderen Teiles zu achten und zu unterhalten; auch können Beauftragte dieses Teiles die Pflege und angemessene Ausschmückung der Grabstätten im Einvernehmen mit den Landesbehörden besorgen.

Die nähere vertragsmäßige Regelung dieser Angelegenheit wird einer möglichst bald einzusetzenden gemischten Spezialkommission obliegen.

Amnestie für die Gefangenen.

Artikel 9. Jeder vertragsschließende Teil gewährt volle Straffreiheit den dem anderen Teile angehörenden Kriegsgefangenen für alle von ihnen begangenen gerichtlich oder disziplinarisch strafbaren Handlungen, ferner den während des Krieges internierten oder verschickten Zivilangehörigen des anderen Teiles für alle während der Internierung oder Verschickung begangenen gerichtlich oder disziplinarisch strafbaren Handlungen und endlich allen Angehörigen des anderen Teiles für die zu dessen Gunsten begangenen Straftaten.

Die im vorstehenden Absatz vorgesehene Straffreiheit erstreckt sich nicht auf Handlungen, die nach der Ratifikation des Friedensvertrages begangen werden.

Soweit nach den obigen Bestimmungen Straffreiheit gewährt wird, werden neue Strafverfahren nicht eingeleitet; die anhängigen Strafverfahren eingestellt und die erkannten Strafen erlassen. Doch können Kriegsgefangene, die sich wegen Hochverrates oder Landesverrates, Mordes, Raubes, räuberischer Erpressung, vorsätzlicher Brandstiftung oder Sittlichkeitsverbrechen in Untersuchung- oder Strafhaft befinden, bis zu ihrer Entlassung in Haft behalten werden.

Die vertragsschließenden Teile gewähren ihren eigenen Angehörigen volle Straffreiheit für die Bestätigung in der

tories, the graves of combatants as well as of other nationals of the other party who died during their internment or deportation; persons authorized by the latter party may also tend to the care and proper adornment of the graves, in agreement with the national authorities.

The more detailed contractual settlement of this matter will devolve upon a special mixed commission to be appointed as soon as possible.

AMNESTY FOR THE PRISONERS.

Article 9. Each contracting party grants to the war prisoners, interned civilians, and deported belonging to the other party complete immunity from penalty for all acts committed by them and punishable by the courts or in virtue of disciplinary measures, and finally, to the nationals of the other party for punishable acts performed to its benefit.

The immunity from penalty foreseen in the preceding paragraph does not extend to acts committed after the ratification of the Peace Treaty.

In so far as according to the preceding provisions, immunity from penalty is granted, no new penal proceedings will be instituted, the pending penal proceedings will be discontinued, and penalties already imposed will be remitted. But war prisoners who are under preliminary arrest or in prison for State or National treason, for murder, robbery, predatory extortion, premeditated arson, or crime against morality, will be detained up to the time of their release.

The contracting parties guarantee to their own nationals complete immunity from penalty for der

Kriegsindustrie und für militärische Arbeiten, zu denen sie während ihrer Kriegsgefangenschaft herangezogen worden sind.

Die aufgebrachten Handelsschiffe.

Artikel 10. Handelsschiffe des einen der vertragsschließenden Teile, die bei Kriegsausbruch in den Häfen des anderen Teiles lagen, werden ebenso wie ihre Ladungen zurückgegeben oder, soweit dies nicht möglich ist, in Geld ersetzt werden. Wegen der Vergütung für die Benützung solcher Schiffe während des Krieges bleibt im Hinblick auf die von der Ukrainischen Volksrepublik in Aussicht genommene Auseinandersetzung mit den übrigen Teilen des ehemaligen russischen Kaiserreiches eine besondere Vereinbarung vorbehalten.

Die als Preisen aufgebrachten Handelsschiffe der vertragsschließenden Teile sollen, wenn sie vor der Ratifikation des Friedensvertrages durch rechtskräftiges Urteil eines Preisengerichtes fondementiert worden sind und nicht unter die Bestimmungen des vorhergehenden Absatzes fallen, als endgültig eingezogen angesehen werden; im übrigen sind sie zurückzugeben oder, soweit sie nicht mehr vorhanden sind, in Geld zu ersetzen. Diese Bestimmungen finden auf die als Preisen aufgebrachten Schiffsladungen von Angehörigen der vertragsschließenden Teile entsprechende Anwendung.

Die Durchführung der in den vorhergehenden zwei Absätzen enthaltenen Bestimmungen, insbesondere die Festsetzung der zu zahlenden Entschädigungen, erfolgt durch eine gemischte Kommission, die aus je zwei Vertretern der vertragsschließenden Teile und einem neutralen Obmann bestehen und binnen drei Monaten nach der Ratifikation des Friedensvertrages an einem noch zu bestimmenden Orte zusammentreten wird; um die Bezeichnung des Obmannes wird der Präsident des schweizerischen Bundesrates gebeten werden.

their activity in war industries and for military labor to which they were called during their military imprisonment.

CAPTURED MERCHANT SHIPS.

Article 10. Merchant ships of one of the contracting parties which at the outbreak of the war were lying in the ports of the other party shall, even as their cargoes, be restituted, or in so far as this is not possible, compensated for in money. As regards compensation for the use of such ships during the war a special agreement is reserved in view of the explanation which the Ukrainian People's Republic contemplates entering into with the other parts of the former Russian Empire.

Merchant ships of the contracting parties brought into harbor as prizes shall, if by legal judgment of a prize court declared legitimate prizes, and not coming under the provisions of the preceding paragraph, be regarded as definitively seized; in all other cases they are to be restituted or, in so far as they no longer exist, be compensated for in money. These provisions are applicable to ship cargoes seized as prizes and belonging to nationals of the contracting parties.

The execution of the provisions contained in the two preceding paragraphs, and especially the determination of damages to be paid, are entrusted to a mixed commission composed of two representatives of each contracting party and of a neutral president; within a period of three months after the ratification of the Peace Treaty, this commission shall meet in a place still to be designated; the President of the Swiss Federal Council will be requested to designate the president.

Die vertragsschließenden Teile werden alles, was in ihrer Macht liegt, tun, damit die nach den ersten zwei Absätzen zurückzugebenden Handelschiffe nebst ihren Ladungen frei nach der Heimat zurückgelangen können.

Ratifikation in Wien.

Artikel 11. Dieser Zusatzvertrag, der einen wesentlichen Bestandteil des Friedensvertrages bildet, wird ratifiziert werden. Die Ratifikationsurkunden sollen tunlichst bald in Wien ausgetauscht werden.

Er tritt, soweit darin nichts anderes bestimmt ist, nach Austausch der Ratifikationen in Kraft.

Zur Ergänzung des Zusatzvertrages, insbesondere zum Abschluß der darin vorbehaltenen weiteren Vereinbarungen, werden tunlichst bald nach der Ratifikation Vertreter der vertragsschließenden Teile an einem noch zu bestimmenden Orte zusammentreten.

Zu Urkund dessen haben die Bevollmächtigten diesen Zusatzvertrag unterzeichnet und mit ihren Siegeln versehen.

Ausgefertigt in doppelter Urschrift in Brest-Litowsk am 12. Februar 1918.

Umlage.

Zu dem Zusatzvertrag wird weiter bemerkt:

Anlässlich der Unterfertigung des österreichisch-ungarisch-ukrainischen Zusatzvertrages zu dem am 9. Februar 1918 unterzeichneten Friedensvertrag zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei einerseits und der Ukrainischen Volksrepublik andererseits wird nachstehendes festgestellt:

1. Nach Artikel 3, zweiter Absatz, des Zusatzvertrages hat die gemeinsame österreichisch-ungarische Regierung der ukrainischen Regierung innerhalb einer bestimmten Frist die Verträge, Ab-

The contracting parties will do all in their power for the free return to their country of merchant vessels, together with their cargoes, restored in virtue of the first two paragraphs.

RATIFICATION IN VIENNA.

Article 11. This supplementary treaty which forms an essential part of the Treaty of Peace shall be ratified. The ratification acts shall, as soon as practicable, be exchanged in Vienna.

In so far as it is not stipulated therein to the contrary, it goes into force after the exchange of the ratifications.

In order to complete the supplementary treaty, and especially in order to conclude the further agreements foreseen therein, representatives of the contracting parties will meet, as soon as possible after the ratification, in a place still to be designated.

In faith whereof the Plenipotentiaries have signed this supplementary treaty and affixed their seals thereto.

Executed in duplicate at Brest-Litovsk, 12 February, 1918.

ANNEX.

It is further stated with regard to the supplementary treaty:

Anent the signing of the Austro-Hungarian-Ukrainian supplementary treaty to the Peace Treaty signed 9 February, 1918, between Germany, Austria-Hungary, Bulgaria, and Turkey, on the one hand, and the Ukrainian People's Republic, on the other hand, it is established as follows:

1. According to Article 3, Second Paragraph, of the supplementary treaty, the Joint Austro-Hungarian Government is obligated to communicate to the Ukrainian Government, within a definite period, the treaties, agree-

kommen und Vereinbarungen mitzutheilen, die zwischen Oesterreich-Ungarn oder einem der beiden Staaten der österreichisch-ungarischen Monarchie und Rußland vor der Kriegserklärung in Kraft gestanden sind. Sollte hierbei versehentlich ein Vertrag ausgelassen werden, so würde die gemeinsame österreichisch-ungarische Regierung ihn nachträglich mittheilen. In diesem Falle würde der Vertrag nur mit Zustimmung der ukrainischen Regierung in Kraft treten.

2. Im Artikel 5, zweiter Absatz, über den Ersatz der Zivilschäden, und im Artikel 10, zweiter Absatz, über die Vergütung für die Benützung von Embargoschiffen, sind im Hinblick auf die von der Ukrainischen Volksrepublik in Aussicht genommene Vermögensaueinandersehung mit den übrigen Teilen des ehemaligen russischen Kaiserreiches besondere Vereinbarungen vorbehalten. Bei der Erörterung dieser Vorbehalte war die österreichisch-ungarisch-ukrainische Rechtskommission darüber einig, daß die Vereinbarungen grundsätzlich erst getroffen werden sollen, nachdem die Vermögensaueinandersehung stattgefunden hat und die Aktiva und Passiva des Staatsvermögens verteilt sind, spätestens aber, nachdem der allgemeine europäische Friede geschlossen ist. Dabei versteht es sich, daß die ukrainische Regierung für österreichische und ungarische Embargoschiffe, die von ihr oder auf ihre Veranlassung benützt worden sind, eine entsprechende Vergütung ohne weiteres leisten wird.

Die ukrainische Delegation ist mit den obigen Konstatierungen einverstanden.

Weiter wird österreichisch-ungarischerseits nachstehende Erklärung abgegeben: Nach Artikel 4, Punkt 4, zweiter Absatz und Punkt 7, zweiter Absatz, sollen gewisse Vermögenswerte, die infolge von

ments, and conventions which, before the declaration of war, were in force between Austria-Hungary or between one of the two States of the Austro-Hungarian Monarchy and Russia. If through an oversight some one treaty were not so communicated, the Joint Austro-Hungarian Government would communicate it subsequently. In such case the treaty would go into force only after approval of the Ukrainian Government.

2. In Article 5, Second Paragraph, dealing with indemnification of civilian damages, and in Article 10, Second Paragraph, treating of compensation for the use of embargo ships, special agreements are reserved in respect to explanations regarding property matters which the Ukrainian People's Republic has agreed to enter into with the other parts of the former Russian Empire. In discussing these reservations, the Austro-Hungarian Juridical Commission agreed that the conventions should, in principle, be entered into after the said explanations regarding property matters and after the liabilities and assets of the national property have been apportioned, at the latest, however, after the general European peace has been concluded. At the same time, it is understood that the Ukrainian Government will unreservedly furnish an adequate compensation for Austrian and Hungarian embargo ships which it has used or which have been used upon its inducement.

The Ukrainian delegation has agreed to the foregoing stipulations.

Furthermore, on the part of Austria-Hungary, the following declaration is made: According to Article 4, Section 4, Second Paragraph, and Section 7, Second Paragraph, certain property val-

Kriegsgefezen den Berechtigten entzogen worden find, nicht wiederhergestellt oder zurüchgegeben werden, wenn sie inzwiſchen auf Grund einer für alle Landes= einwohner und für alle Gegenstände der gleichen Art geltenden Geſetzgebung ver= ſtaatlcht worden find. Die öſterreich= iſch=ungariſche Delegation hält auf Grund eines allgemein anerkannten völkerrechtlichen Satzes daran feſt, daß für verſtaatlchte Vermögenswerte von Ausländern unter allen Umſtänden eine angemeffene Entſchädigung zu leiſten iſt.

ues which, in conſequence of war laws, have been taken from thoſe entitled thereto, ſhall not be re= ſtored or reſtituted, if in the meantime, the ſaid property val= ues have been nationalized on the baſis of legiſlation applicable equally to all inhabitants and to all properties ſubject to the laws of the country in queſtion. The Austro-Hungarian delegation, on the baſis of a generally accepted principle of international law, maintains that, for property val= ues of aliens which have been nationalized, an adequate com= penſation is to be made in all circumſtances.

Die ukrainiſche Delegation vertritt nach wie vor die Auffaſſung, daß bei Verſtaatlchungen von Vermögensgegen= ſtänden Ausländer die gleiche Rechtslage wie Inländer haben.

Breſt-Litowſk, am 12. Februar 1918.

The Ukrainian delegation ad= heres to its opinion that in the caſe of the nationalization of prop= erty values, aliens enjoy the ſame legal ſtatus as the inhabitants.

Breſt-Litovsk, 12 February, 1918.

2. UKRAINE—AUSTRIA-HUNGARY.

ALLEGED SECRET AGREEMENT FOR PROTECTION OF UKRAINIANS IN AUSTRIA.¹

[German text as published in *Neue Freie Presse*, 7 July, 1918, morning edition, p. 7.]

[Translation.]

Die *Kraufauer „Nowa Reforma“* veröffentlicht den angeblichen Wortlaut des mit den Ukrainern geschlossenen Paktes. Die Vereinbarung lautet:

„Da die Ukrainer den in der Ukraine wohnenden Minoritäten, darunter auch den Polen, eine weitgehende Autonomie und die Möglichkeit der kulturellen Entwicklung zuerkannt haben, erklären auch wir, um die kulturell-nationale Entwicklung jenes Teiles des ukrainischen Volkes zu sichern, der auf österreichischem Territorium lebt, und zum Zweck einer engeren Annäherung der Staaten, daß spätestens bis zum 31. Juli im Parlament ein Gesetzentwurf über die Bildung eines besonderen Kronlandes aus der Bukowina und aus jenem Teil Ostgaliziens, der in überwiegender Zahl von Ukrainern bewohnt wird, eingebracht werden soll. Die österreichische Regierung wird alle ihr zur Verfügung stehenden verfassungsmäßigen Mittel anwenden, damit dieser Entwurf auf parlamentarischem Wege Gesetzeskraft erlange.“

The Cracow *„Nowa Reforma“* publishes the alleged text of the pact concluded with the Ukrainians. The agreement reads:

“In view of the fact that the Ukrainians have granted to the minorities living in the Ukraine, and among the Poles, a far-reaching autonomy and the possibility of a cultural development, therefore, we also declare, in order to insure the national-cultural development of that part of the Ukrainian people who live within Austrian territory, and for the purpose of a closer connection between the States, that at the latest by 31 July, a bill will be introduced into Parliament dealing with the creation of a special crown-land from the Bukowina and that part of east Galicia which is preponderatingly inhabited by Ukrainians. The Austrian Government will use all constitutional means at its disposal to the end that this bill may be given legal force through parliamentary action.”

¹“The Ukrainian newspaper *Dilo*, published in Lemberg, learns from a reliable source that the Hetman General Skoropadski, has informed the Austrian government that he attaches no value to the carrying out of the secret treaty regarding Galicia, and has released Austria from her obligations without even consulting his Ministry or the Foreign Minister.

“When the fact leaked out such excitement was caused that he was obliged to tell Count Burian that his step was illegitimate. Count Burian said he was unable to recognize the Hetman's new arguments. (*London Times*, 6 August, 1918, p. 3.)”

13. UKRAINE—GERMANY, AUSTRIA-HUNGARY.

AGREEMENT FOR UKRAINE'S FURNISHING CEREALS, GRAIN AND OIL-SEEDS. SIGNED AT KIEF, 12 NOON, 9 APRIL, 1918.¹

[German summary as published in the Deutscher Reichsanzeiger, 11 April, 1918, evening edition.]

[Translation.]

Kiev, 9. April (W. B.) nach langen schwierigen Verhandlungen ist heute Dienstag Mittag ein Abkommen über die Beschaffung von 60 Millionen Pud Brotgetreide, Futtergetreide, Hülsenfrüchten und Ölsaaten von den ukrainischen, deutschen und österreichisch-ungarischen Delegierten unterzeichnet worden. Zur geschäftlichen Durchführung der großen Aufgabe haben Deutschland und Osterreich-Ungarn in Kiev eine kaufmännische Wirtschaftsstelle errichtet. Sie nimmt mit ihren Kommissionären das Getreide von der ukrainischen Handelsorganisation oder durch eigene ukrainische Unterkommissionäre ab. Im April sind 9, im Mai 15, im Juni 20, und im Juli 19 Millionen Pud zu liefern. Die bestehenden Höchstpreise für den ukrainischen Erzeuger, 5 Rubel für Roggen und 6 Rubel für Weizen, dürfen nicht erhöht werden. Die Zuschläge für Unkosten aller Art und Kommissionen sowie Frachtraten sind entsprechend dem hohen ukrainischen Preisstand festgelegt. Die Getreidelieferungen haben bereits begonnen.

Kief, 9 April (W. B.). After long and difficult negotiations, there has been signed this day, at the hour of noon, by the Ukrainian, German, and Austro-Hungarian delegates, an agreement concerning the furnishing of 60 million poods of bread cereals, fodder grain, podded grain, and oil-seeds. For the business accomplishment of the great task, Germany and Austria-Hungary have established in Kiel a mercantile office. This office, through its commissioners or through Ukrainian sub-commissioners, receives the grain from the Ukrainian commercial organization. In April, 9 million poods in May 15, in June 20, and in July 19 million poods are to be supplied. The existing maximum prices for the Ukrainian producer, that is, 5 rubles for rye and 6 for wheat may not be increased. Incidentals for expenses of all kinds, for commissions and freight rates are fixed to correspond to the high Ukrainian quotations. The operations for furnishing grains have already begun.

¹ This agreement seems to have been made by the commission provided for in Article VII, part I, subparagraph (a), of the Treaty of Peace of 9 February, 1918.

14. UKRAINE—GERMANY, AUSTRIA-HUNGARY.

ECONOMIC AGREEMENT BETWEEN UKRAINE ON THE ONE HAND, AND GERMANY AND AUSTRIA-HUNGARY ON THE OTHER HAND. SIGNED AT KIEF, 23 APRIL, 1918.

[German summary of the text as published in the Neue Freie Presse, 27 April, 1918, evening edition.]

[Translation.]

Die österreichisch-ungarische Kommission, die unter der Führung des Botschafters Grafen Forgach in Kiew gemeinsam mit der deutschen Delegation die im Brest Friedenvertrag für den beiderseitigen Warenaustausch vorgesehenen Verhandlungen zu führen hatte, hat ihre Arbeit abgeschlossen, nachdem am 23. April das zwischen der ukrainischen Volksrepublik einerseits sowie Oesterreich-Ungarn und Deutschland andererseits vereinbarte Wirtschaftsabkommen unterzeichnet worden ist. Die Kommission ist am 26. April nach Wien zurückgekehrt, um nunmehr die notwendigen Arbeiten, die wegen Durchführung des Uebereinkommens unsererseits zu bewerkstelligen sind, raschest in Angriff zu nehmen.

Der Vertrag besteht aus einer Reihe von Einzelabkommen. Die Vereinbarungen, die für Oesterreich-Ungarn und Deutschland gemeinsam abgeschlossen wurden, laufen im Sinne der Friedensvertragsbestimmungen bis zum 31. Juli 1918.

Das wichtigste Einzelabkommen ist jenes über Getreide, Hülsenfrüchte, Futtermittel und Sämereien. Wegen dieser Bezüge wurde zunächst eine Vereinbarung über die Organisation der Aufbringung in der Ukraine und weiter ein Vertrag über die Lieferungen abgeschlossen. Demnach wird das noch

The Austro-Hungarian Commission, which under the leadership of Ambassador Count Forgach, in cooperation with the German delegation, was instructed to carry on the negotiations foreseen in the Brest Peace Treaty for the reciprocal exchange of goods, terminated its labors when on 23 April the economic agreement came to between the Ukrainian People's Republic on the one hand and Austria-Hungary and Germany on the other hand had been signed. The Commission returned to Vienna on 26 April to take up as speedily as possible the necessary work which must be performed on our part to give practical effect to the agreement.

The treaty consists of a number of separate agreements. The accords, which were concluded both in the interest of Austria-Hungary and Germany, expire, in the sense of the provisions of the Peace Treaty, on 31 July, 1918.

The most important separate agreement is that dealing with grains, podded grains, fodder, and seeds. With regard to the furnishing of these items, an agreement was reached for the organization of storing them in the Ukraine and a treaty made anent the supply-

von der russischen Regierung erlassene Getreidehandelsverbot aufgehoben und der in der Ukraine bestandene Groß- und Kleinhandel mit Getreide und den anderen genannten Waren in organisierter Form wieder zugelassen. Diese Organisation, die unter dem Namen des Staatsgetreidebureaus bereits ins Leben getreten ist, besteht aus den Angehörigen der landwirtschaftlichen Börsen, Pächtern, Besitzern von Mühlen sowie aus den landwirtschaftlichen Genossenschaften. In der Wiedereinschaltung aller dieser Kräfte in die Aufbringungsaktion kann die Gewähr erblickt werden, daß die Erfassung der Ware, sofern sie überhaupt durch eine kommerzielle Organisation möglich ist, bewerkstelligt werden wird.

Die von der Ukraine zu liefernden Mengen betragen für Oesterreich-Ungarn fünf Millionen Meterzentner bis Ende Juli, wobei für die einzelnen Monate bestimmte Teilkontingente verabredet sind. Die drei Getreidezentralen sowie die österreichische Zentraleinkaufsgesellschaft haben in Kiew mit Genehmigung der ukrainischen Regierung eine deutsch-österreichisch-ungarische Wirtschaftszentrale errichtet, die zur Abwicklung der abgeschlossenen Lebensmittelverträge berufen ist. Als österreichische Vertreter fungieren der Direktor der Zweigstelle Prag der Kriegsgetreideverkehrsanstalt Regierungsrat Heindl und Herr Lippmann, als ungarischer Vertreter Herr Lorant. Diese Zentrale hat schon vor einigen Tagen ihre Tätigkeit aufgenommen. Der Vizepräsident der Kriegsgetreideverkehrsanstalt Herrmann Reif wird bis zur Ueberwindung der noch bestehenden Anfangsschwierigkeiten des Lieferungsapparates in Kiew verbleiben. Der Abtransport des Getreides und der Mahlprodukte, und zwar zunächst der in verschiedenen Lagern und den Mühlen greifbaren Vorräte hat bereits begonnen; vorderhand sind größere Mengen Vollerste, Buchweizen und Hirse abgegangen. Die Aufbringung dürfte

ing of them. Accordingly, the prohibition decree issued by the Russian Government with regard to traffic in grains is abrogated, and wholesale and retail commerce in grains and the other mentioned goods is again permitted in properly organized form in the Ukraine. This organization which under the name of "National Bureau of Grains" is already in operation and consists of the members of the agricultural exchanges, farm tenants, owners of mills, and agricultural associations. In the cooperation of all these forces for the purpose of collecting and storing, a guarantee is provided for the securing of the goods, in so far as it is possible to bring this about through a commercial organization.

The quantities which the Ukraine is to furnish to Austria-Hungary amount to 500,000,000 hectometers up to the end of July, whereof definite portions have been agreed upon for each month. The three central granaries as well as the Austrian Central Purchasing Company have, with the approval of the Ukrainian Government, established in Kief, a German — Austro-Hungarian agricultural central bureau upon which devolves the carrying out of the treaties concluded with regard to the necessities of life. Austria is represented by the director of the Prague branch office of the Military Bureau for Grain Traffic, Governmental Councillor Heindl, and Herr Lippmann; Hungary is represented by Herr Lorant. This central office began operations some days ago. Mr. Hermann Reif, Vice President of the Military Bureau for Grain Traffic will remain in Kief until the initial difficulties of the supplying agencies have been overcome. The moving of grain and of milled products, especially in regard to

erst Anfang Mai einen größeren Umfang annehmen, denn der Landwirt ist eben noch mit dem Frühjahrsanbau beschäftigt. Vor allem aber sind noch alle jene sehr großen Schwierigkeiten bei der Aufbringung und dem Transport zu überwinden, die sich als Folge der Revolution ergeben und die naturgemäß noch nicht ganz behoben sind. Das Eintreffen erheblicher Mengen kann daher bei größter Beschleunigung des Transports ungefähr für Ende Mai gewärtigt werden.

Eine weitere wichtige Vereinbarung betrifft die Lieferung von Eiern. Die ukrainische Regierung hat sich verpflichtet, bis zum 31. Juli 1918 mehrere hundert Millionen Stück Eier zu liefern und wird sich bemühen, die bisher zugesagten Mengen nach Tunlichkeit zu erhöhen.

Ein anderes Abkommen betrifft die Lieferung von Schlachtvieh. Die Aufbringung der Eier und des Schlachtviehs erfolgt durch die von der ukrainischen Regierung geschaffenen Organisationen. Sollten diese die vereinbarten Monatsmengen an Getreide, Vieh und Eiern nicht liefern, so ist der deutsch-österreichisch-ungarischen Wirtschaftszentrale das Recht eingeräumt, den Einkauf durch ihre Bevollmächtigten selbständig durchzuführen.

Für den Bezug von Kartoffeln, Gemüse, Trockengemüse, Sauerkraut und Zwiebeln wurde den Mittelmächten der freie Einkauf zugestanden.

Die Lieferung von Speck und Zucker ist einem besonderen Abkommen noch vorbehalten.

the supplies available in the various storehouses and mills, has already begun; at present more or less large quantities of square barley, buckwheat, and millet have been shipped. The collecting of stores of grain may be expected to assume larger proportions only by the beginning of May, for the farmers are at present still busy with spring cultivation. Above all, too, must be overcome enormous difficulties connected with the gathering and transportation of stores incident to the Revolution and not yet entirely surmounted. The arrival of considerable quantities may, therefore, if transportation can be quickly arranged, be realized only about the end of May.

A further important agreement concerns the furnishing of eggs. The Ukrainian Government has obligated itself to supply, up to 31 July, 1918, several hundred millions of eggs, and to exert itself to increase, as far as practicable, the quantities until now promised.

Another agreement concerns the supplying of beef cattle. The securing of the eggs and of beef cattle will be effected through the organizations established by the Ukrainian Government. If the latter should not supply the stipulated monthly quantities of grain, cattle, and eggs, the German—Austro-Hungarian agricultural central office will be entitled to engage in the independent purchase of these articles through their representatives.

As regards the supplying of potatoes, vegetables, dried vegetables, sauerkraut, and onions, the Central Powers were granted the right of free purchase.

The supplying of bacon and sugar is reserved for a special agreement.

Das über die Bezüge von Rohstoffen aus der Ukraine abgeschlossene Protokoll sieht folgende Vereinbarungen vor: die Ermöglichung von Bezügen von für unsere Industrie wichtigen Spezialhölzern. An Textilrohstoffen ist die Ausfuhrmöglichkeit für Flachstroh sichergestellt worden. Dagegen kommt bei dem Mangel an anderweitigen Spinnstoffen in der Ukraine und bei dem eigenen großen Textilienbedarf in diesem Lande eine Ausfuhr von Spinnrohmaterial wie Flachs, Baumwolle und Wolle zu uns nicht in Frage.

Ein Veredlungsverkehr für Wolle ukrainischer Herkunft, die in den Gebieten der Mittelmächte auf Fertigfabrikate verarbeitet werden soll, ist im Prinzip vorgeesehen.

Bezüglich Hadern wird den Mittelmächten der Einkauf und die Ausfuhr der in der Ukraine vorhandenen Vorräte freigestellt.

Für die Beschaffung von Eisenerzen wurde ein Uebereinkommen dahin erzielt, daß bis zum 31. Juli die Ausfuhr von $37\frac{1}{2}$ Millionen Pud (à 16 Kilogramm) Eisenerz sichergestellt wird. Auch wurde für den Bezug von Manganerzen Sorge getragen.

Schließlich wurde auch für Alteisen die Grundlage für Exporte aus der Ukraine sichergestellt.

Alle jene Rohstoffe, welche nicht Gegenstand der besonderen, eben erwähnten protokollarischen Vereinbarungen sind, bleiben dem freien Verkehr hinsichtlich Handel und Ausfuhr überlassen.

Gegenüber unseren Forderungen, die sich in erster Linie auf Lebensmittel beziehen, wurden von der ukrainischen Regierung Wünsche wegen Belieferung mit industriellen Erzeugnissen vorgebracht. In erster Linie fanden die von ukrainischer Seite besonders nachdrücklich betonten Wünsche wegen Piese-

The protocol entered into with regard to the supplying of raw materials provides for agreements relative to means for facilitating the supplying of special timber important for our industries. In the category of textile raw materials, the exportation for flax straw has been assured. On the other hand, because of the lack of other material for spinning and the large local need of textiles in the Ukraine, exportation into our country of raw material for spinning, such as flax, cotton, and wool, has not been brought to discussion.

Traffic in wool of Ukrainian origin which is to be put through refining processes within the territory of the Central Powers with a view to its being used for finished manufactured articles has, in principle, been provided for.

With regard to rags, the Central Powers have given the right to purchase and to export such supplies of rags as there may be in the Ukraine.

As regards the procuring of iron ores, an agreement was reached to the effect that up to 31 July the exportation of $37\frac{1}{2}$ million poods (1 pood = 16 kilograms) of iron ore is assured. Attention was also given to securing manganese ore.

Finally, the basis was laid for the exportation of old iron from the Ukraine.

All those raw materials which are the subject of the special agreements referred to and drafted in the form of protocols are granted free traffic with regard to commerce and exportation.

As against our demands, which in the first place relate to necessities of life, the Ukrainian Government requested that it be supplied with industrial products. In the first place, the wishes so urgently presented on the part of the Ukraine with regard to the

zung von landwirtschaftlichen Maschinen und Geräten Berücksichtigung. Weiter wurde für den ukrainischen Bedarf die Lieferung solcher Artikel in Aussicht gestellt, welche die Mittelmächte unter Berücksichtigung der Interessen der eigenen Versorgung an die Ukraine abzugeben in der Lage sind. Der gesamte Warenverkehr zwischen den Mittelmächten und der Ukraine wird bis zum 31. Juli unter dem Zeichen einer weitgehenden staatlichen Monopolisierung stehen, welche die ukrainische Regierung gemäß ihren innerpolitischen Grundsätzen durchzuführen bestrebt ist.

Weiter ist—wie bereits bekannt—gegeben wurde—für die Zeit bis 15. Juni 1918 für die Abwicklung der staatlichen Warenverträge ein fester Umrechnungsfuß (1 Krone = 50 Kopfen) vereinbart.

supplying of agricultural machinery and implements were given due consideration. In the next place, supplies to meet the Ukrainian needs were tentatively promised for such articles as the Central powers, due regard being had for their own interest, are in a position to deliver. The entire traffic in goods between the Central Powers and the Ukraine will, up to 31 July, be placed under a far-reaching national monopoly which the Ukrainian Government will endeavor to carry through in accordance with the principles of its domestic policy.

As has already been made known, a fixed exchange ratio (1 Krone = 50 Copecks) has been agreed to up to 15 June, 1918, for the settlement of the national treaties anent merchandise.

15. UKRAINE (GERMAN-UKRAINIAN COMMAND)— RUSSIA.

ARMISTICE BETWEEN THE GERMANO-UKRAINIANS AND THE RUSSIANS. SIGNED AT KORENEVO, 4 MAY, 1918.

[Text as published in the (British) Daily Review of the Foreign Press, 9 May, 1918, purporting to be a translation from a wireless message sent by Lenin and Stalin, 6 May, 1918.]

At Korenevo, on 4 May, 1918, the negotiations for the fixing of a boundary line between the Germano-Ukrainian troops on the one side and the troops of the Russian Federal Republic on the other side, were concluded. There took part on the Germano-Ukrainian side: (1) Major von Rosenberg, Commander of the 482d Infantry Regiment, and of the region of Sudzha and Rylsk. (2) Reserve Lieutenant König, from the 10th Uhlan Regiment. (3) Second Lieutenant Distel, Regimental Adjutant. And there took part on the Russian side: (1) M. Silbermann, Chief of the Staff of the troops of the Kursk region; (2) Peter Alexandrovitch Zaitsev, Secretary of the Russian Peace Delegation; and (3) Nikolai Vishnevetsky, Military and Political Commissioner of the Kursk region.

A neutral zone is established ten kilometers wide, which neither side shall cross. On the German side this zone is traced as follows: the line Sudzha-Liubimovka-Korenevo and the railway line Korenevo-Rylsk. On the Russian side the line is Mazepovka-Stepanovka-Nizhnaya Grunia, and from the intersection point of the railway lines Korenevo-Ligov and Alexandrovsk-Sipylevka-Kremianoie-Malaia-Loknia-Tcherskas-Kaia-Poretchnaia Kurotchka - Shipovka-Pukhnarskoie-Ruskaia and Konopelna.

This zone must not be crossed by any defending or scouting patrols of either side.

The requisitioning of food in the neutral zone is prohibited to both sides and also to private persons.

Neither side is responsible for the crossing of the neutral zone by private persons.

The neutral zone must not be crossed by airmen.

With the signing of this treaty both sides guarantee that no hostile activities shall take place in this zone.

In view of the difficulty of informing the Russian Military Detachments of the conclusion of this treaty, it will not come into full operation until 4 P. M. on 5 May, 1918.

The question concerning the renewal of hostile activities will be solved at Konotop, where the negotiations will be continued.

Of this agreement four copies will be taken in the Russian and German languages, and each side will receive two copies in Russian

and two in German. Moreover, the German representatives will receive the Russian original and the Russian representatives the German original.

The purpose of this agreement is the conclusion of an armistice to aid in conducting peace negotiations.

This agreement has been read to the representatives of both sides in their own languages, and has been accepted and signed by them.

In informing you of this, we direct you to undertake the necessary steps for the conclusion of a similar agreement with the Germano-Ukrainian Command on your front. We order you also to inform us of it immediately to the Council of the People's Commissioners at Moscow and the Russian Peace Delegation at Kursk.

(Signed) LENINE,

President of the Council of the People's Commissioners.

(Signed) STALIN,

President of the Peace Delegation.

16. UKRAINE—GERMANY, AUSTRIA-HUNGARY.

FINANCIAL TREATY BETWEEN UKRAINE, ON THE ONE HAND, AND GERMANY AND AUSTRIA-HUNGARY, ON THE OTHER HAND. SIGNED AT KIEF, 15 MAY, 1918.

[Summary of text as published in the *Neue Freie Presse*, 17 May, 1918, morning edition.]

[Translation.]

Durch Verträge, die soeben zwischen Vertretern der Mittelmächte und der Ukraine in Kiew abgeschlossen wurden, ist die Bezahlung der im Friedensvertrage vereinbarten Bezüge von Getreide und sonstigen Lebensmitteln aus der Ukraine gesichert. Oesterreich-Ungarn und Deutschland haben nämlich bei der ukrainischen Regierung eine Valutalanleihe von 400 Millionen Karbowanetz abgeschlossen. Die Mittelmächte zahlen den Gegenwert zur Hälfte in Kronen, zur anderen Hälfte in Mark nach einem fixen Verhältnis, wonach der Karbowanetz gleich 2 Kronen oder $1\frac{1}{3}$ Mark gesetzt ist. Oesterreich-Ungarn und Deutschland empfangen also von der ukrainischen Regierung die im Lande geltenden Zahlungsmittel und werden mit diesem Gelde von den Bauern die zu beziehenden Lebensmittel bezahlen. Die Regierung der Ukraine übernimmt die ihr überwiesenen Beträge von Mark und Kronen und verwendet sie als Deckung der von der neuen ukrainischen Notenbank auszugebenden Banknoten. Die Karbowanetz haben also keine metallische Bedeckung, sondern eine Deckung durch Mark und Kronen. Es ist das gleiche Verhältnis wie es in Belgien und in Rumänien gewählt wurde, wo eine Emission von Noten der von den Mittelmächten eingesetzten Bank durch Mark und Kronen bedeckt worden ist. Auf diese Weise werden die Zahlungsmittel der Ukraine von dem Rubel losgelöst und erhalten eine selbständige Grundlage in der Deckung durch Mark und Kronen. So ist es auch möglich

By treaties which have latterly been concluded in Kief between representatives of the Central Powers and of the Ukraine, payments for supplies of grains and other necessities of life from the Ukraine have been guaranteed, as agreed upon in the Peace Treaty. Austria-Hungary and Germany have arranged with the Ukrainian Government a loan of 400,000,000 Karbowanetz. The Central Powers agree to pay half of the amount in Kronen, the other half in Marks, on the basis of a fixed ratio by which 2 Kronen or $1\frac{1}{3}$ Marks equal 1 Karbowanetz. According to this arrangement, Austria-Hungary and Germany will receive from the Ukrainian Government the legal tender of the country, with which to pay the peasants for the necessities of life procured from them; and the Government of the Ukraine, on its part, will receive Marks and Kronen to be used to cover the bank notes that will be issued by the new Ukrainian issuing bank. The Karbowanetz is thus not covered by bullion, but by Marks and Kronen. The ratio is the same as that chosen for Belgium and Roumania, where an issue of notes by the bank established by the Central Powers was covered in Marks and Kronen. In this way, the

gewesen, ein festes Verhältnis zwischen den ukrainischen Noten und den Zahlungsmitteln der Mittelmächte herzustellen. Im Friedensvertrag mit der Ukraine ist die Goldrelation derart festgestellt worden, daß 1000 deutsche Reichsmark in Gold = 462 Karbowanetz Gold = 462 Rubel Gold, oder 1000 österreichische und ungarische Kronen Gold = 393 Karbowanetz, 78 Grosch Gold der Ukraine = 393 Rubel 78 Kopeken Gold des früheren russischen Kaiserreiches sind.

Ueber den Vertrag liegt das folgende Telegramm vor:

Kiew, 15. Mai.

Zwischen den Vertretern Oesterreich-Ungarns und Deutschlands einerseits und der Ukraine andererseits sind heute in Kiew Verträge unterzeichnet worden, gemäß welchen die ukrainische Regierung den Mittelmächten 400 Millionen Karbowanetz zur Verfügung stellt. Der Gegenwert wird zur Hälfte in Kronen zum Kurse von 2 Kronen und zur Hälfte in Mark zum Kurse von $1\frac{1}{2}$ Mark für den Karbowanetz gezahlt. Durch diese Verträge, die die größte Valutatransaktion Oesterreich-Ungarns im Weltkrieg mit neutralen Ländern darstellt, wird den Mittelmächten die ukrainische Valuta gesichert, deren sie für ihre Bezüge aus der Ukraine bedürfen. Gleichzeitig werden der Ukraine die ersten Unterlagen für die Gründung einer Notenbank geliefert, deren Errichtung erforderlich ist, um der jungen ukrainischen Finanzwirtschaft eine gesunde Währung zu schaffen und sie vor den weiteren Folgen des unvermeidlich fortschreitenden Zusammenbruches der Rubelvaluta zu bewahren.

legal tender of the Ukraine is freed from the standard of the Rouble and secures an independent basis for its cover in Marks and Kronen. Hence it has been made possible to establish a fixed ratio between the Ukraine notes and the legal tender of the Central Powers. In the Peace Treaty with the Ukraine the gold ratio has been so determined that 1,000 German Imperial Gold Marks = 462 Gold Karbowanetz = 462 Gold Roubles, or 1,000 Austrian and Hungarian Gold Kronen = 393 Karbowanetz, 78 Gold Grosch of the Ukraine = 393 Gold Roubles and 78 Copecks, of the former Russian Empire.

As regards the Treaty, we have the following telegraphic report:

KIEF, 15 May.

Between the representatives of Austria-Hungary and Germany, on the one hand, and the Ukraine, on the other hand, treaties were signed this day in Kief, in accordance with which the Ukrainian Government places at the disposal of the Central Powers the sum of 400,000,000 Karbowanetz. The counter value will be paid, one-half in Kronen at the rate of 2 Kronen, and one-half in Marks at the rate of $1\frac{1}{2}$ Marks, for 1 Karbowanetz. Through these treaties, representing the greatest financial transaction of Austria-Hungary with neutral countries in the world war, the Central Powers are assured of the fixity of the Ukrainian monetary standard necessary for their importations from the Ukraine. At the same time, the Ukraine is afforded the first bases for the establishment of an issuing bank, whose creation is necessary to afford a sound currency to the young Ukrainian financial system and to protect it against further consequences of unavoidable and progressive depreciation

17. UKRAINE—RUSSIA.

ARMISTICE, SIGNED AT KIEF, 12 JUNE, 1918.

[*English Summary from the State Department Weekly Reports, Russia, No. 14, July 19, 1918.*]

1. Military activities along the entire front are to be stopped during the period of peace negotiations.

2. The nationals of the contracting parties shall be allowed to return to their respective State with their property, with the exception of merchandise, interest-bearing papers, and valuables. The cash that may be taken is limited to ten thousand Roubles for each additional member up to a maximum of twenty thousand Roubles for the family. Eighty thousand Roubles additional may be transferred if resulting from the sale of property. Both contracting parties have the right to limit and stop import and export of foreign currency. A commission of representatives of both States may be formed to transfer gradually from Russia to the Ukraine the railway rolling stock taken from the Ukraine. Postal and telegraphic communication will be reestablished simultaneously with the fulfillment of the provisions of this paragraph.

3. Both states on a reciprocal basis will establish their representatives, commissioners, and consuls.

4. The Russian and Ukraine Red Cross Society shall facilitate the repatriation of prisoners of war who are citizens of either state.

5. A committee shall be formed within one week to regulate requests for and exchange of merchandise.

6. Both states shall immediately consider terms of peace.

18. UKRAINE—GERMANY, AUSTRIA-HUNGARY.

ECONOMIC AGREEMENT BETWEEN UKRAINE ON THE ONE HAND, AND GERMANY AND AUSTRIA-HUNGARY ON THE OTHER HAND. SIGNED AT KIEF, 10 SEPTEMBER, 1918.

[*Summary of text as published in the (British) Daily Review of the Foreign Press, Economic Supplement, 29 October, 1918, p. 406, being a translation of the summary published in the Neue Freie Presse of 21 September, 1918.*]

The agreement comes into force at once and runs to June 30, 1919; negotiations as to the future will be initiated in May, 1919. The Central Powers have reached an understanding with Bulgaria and Turkey on the question, and will satisfy their requirements. The Economic Bureau established in Kief by Germany and Austria-Hungary retains its functions, and a Committee for foreign trade in connection with the Ukrainian Ministry for Commerce and Industry will be found composed of representatives of the Ukrainian Government, the Central Powers, Ukrainian Commerce Industry and Consumers, and the economic offices of the Central Powers in the Ukraine.

Supplies of Cereals.—The expression covers all grains and legumes and their products. Of the available supplies 65 per cent are to be reserved to the Ukraine, 35 per cent for the Central Powers, 40 mill. puds are to be handed over by December 1, 1918, and a further 35 mill. by June 15, 1919, and shortage to be made up in sugar (1 pud for every 8 pud grain). The cost to the Central Powers will be Kr. 3 milliards, half of which will be payable by Austria-Hungary. Seed may be purchased and exported without restrictions. The maximum price for wheat will be R. 960 per ton up to December 1, R. 720 up to May 15, and R. 640 thereafter.

Other foodstuffs.—The Ukraine has to furnish 11 mill. puds of beef, 300,000 sheep, 1 mill. geese, and 1 mill. other poultry, lard, butter, and cheese up to 460,000 puds. Sausage and other preserved meats up to 200,000 pud per month, 2,500 truck loads of eggs (each containing 100 boxes of 10 gross), and 20 per cent of the alcohol production of the season. Potatoes, vegetables, fruits and their products, as well as honey, are left to free trade and export. Sugar in preserves will be reckoned as part of the quota to be furnished. No butter or cheese is to be exported in December, January, and February. 2½ mill. puds of granulated sugar are to be furnished by the end of the term; if the year's production exceeds 22 mill. puds, then in addition one-third of the surplus in the same form. Sugar may be substituted for grain only to the extent of 3 mill. puds; the quota must not cost more than R. 100 per pud; that substituted for grain not more than R. 110, and any surplus not more than R. 120. The Central Powers must consult the Ukraine

before exporting sugar to Russia. If the Ukraine is not able to satisfy the conditions as to grain and sugar the Central Powers may demand up to one-fifth of the 40 per cent refined alcohol produced, or a maximum of 20 mill. l., in the proportion of 70 l. to 10 puds grain.

Raw materials.—The Central Powers may export 11,200 trucks of timber (birch, ash, oak), but no wood for fuel, building, put props, or sleepers. They are to receive 750,000 puds of hemp. Cotton in private possession may only be released after negotiation. Rags may be exported. Sorted rags only after Dec. 1; wool can only be exported on special negotiation, but hempen fabrics are free except sacks, for which an export license will be required.

Ores.—The Ukrainian Government allows the export of 37½ mill. puds of iron ore and 3 mill. puds of manganese ore; 30 per cent of the metals purchased by the Central Powers may be exported, 30 per cent are retained for the scarce metals in the machines delivered and 40 per cent must be offered in sale to the Ukrainian Government. The export of scrap iron and rubber, of ferro-manganese and mercury is free.

Hides.—Provisionally the Central Powers have the right to receive 300,000 large and 700,000 small hides. The amount may be increased after Dec. 1.

Tobacco.—The Ukrainian Government guarantees 250,000 puds of last year's harvest; the proportion of this year's will be determined by Dec. 1, but is not to be less than 250,000 puds.

Conditions Governing Supplies from Central Powers.—Goods from Germany and Austria-Hungary will be permitted unrestricted delivery to consumers and commercial firms. Coal and petroleum products are at present monopolies. Orders for agricultural machinery are to be assembled at a Ukrainian Office, also those obtained directly by the export companies. All sales and arrival of paper must be notified to the Ukrainian Paper Import Office.

Germany supplies the coal, and Austria-Hungary petroleum products—5,000 tons per month.

Duties.—From June 1, 1918, the Central Powers have to pay the duties arranged by treaty: In the case of Austria-Hungary, those agreed upon in the Russian Treaty of 1906 and the Brest-Litovsk agreement.

19. MEMORANDUM.

TERRITORY OF THE UKRAINE REPUBLIC.

By ELLEN C. SEMPLE, under the direction of Mark Jefferson.

I. *Area and population.*—The Governments or Provinces specifically included in the Republic by the Universal of the National Council of November 20, 1917 (Ukraine Peace, p. 5), and Article II of the Brest-Litovsk Treaty of February 9, 1918 (*ibid*, pp. 10-11), comprise an area of approximately 178,750 square miles, with a population of 28,300,000. If the whole linguistic or ethnic area of the Ukrainians on the north and east be included, the Republic will gain a further 62,000 square miles in area and 5,500,000 in population.

II. *Nationality.*—The Ukrainians or Little Russians base their claim to nationality on the following facts: They differ from the Great Russians in manners and customs. Their language is so markedly differentiated both in sounds and forms from the Great Russian that it is regarded by many Slav scholars as a distinct tongue. Furthermore, there is a distinct Ukrainian literature. Ukrainians are physically distinguished from the Great Russians by broader skulls, taller stature, and more brunette coloring.

III. *Soil.*—The rich black-earth belt of southern Russia covers about two-thirds of the Ukrainian ethnic area. The northwestern third, including the major part of Volhynia and Chernigov Provinces, together with the Cholm district of Poland and the neighboring districts of Grodno and Minsk, all belong to the forest region of less fertile sandy soil. The black earth is a porous, friable soil with a large admixture of humus and extends to a great depth. The Ukraine Republic comprises the portion of this belt which has adequate rainfall.

IV. *Climate.*—The rainfall in the middle zone of Ukraine averages 20 inches. This amount declines to 16 inches or less in the southeast and increases to 24 inches in the forest district of the northwest. The middle zone, including Podolia, Kiev, Poltava, western Charkov, and Kursk, has winters mild enough and snow mantle thick enough to insure extensive crops of winter wheat and rye. These crops are excluded from the eastern section because the winters are too severe, and from the southern section along the coast because the snow covering is inadequate. The chief rainfall occurs in May and June, and is therefore well timed for the growing crops.

V. *Agriculture.*—The Ukraine Republic embraces in its territory the great grain district of southern Russia. The chief crops are winter and spring wheat, rye, barley, spelt, buckwheat, and oats, with wheat largely in the ascendency. Marked predominance of grain crops gives a one-sided economic character to the agriculture. However, in the favored middle zone, where population is relatively dense

and practices more advanced tillage methods, sugar beets, flax, hemp, and oil plants are also considerably cultivated. Diminution of rainfall toward the east and south is attended by deterioration of tillage methods, growing sparsity of population, backward civilization, and monotony of agricultural products. In the middle zone the prevailing crops have given rise to appropriate industries—flour mills, distilleries, breweries, sugar, and oil-expressing factories. Stock raising is limited except in the southeastern section, where backward agriculture necessitates extensive fallow fields, which serve as pastures.

VI. *Mineral resources.*—Important *iron ore* deposits are found along the Donetz River, and near Kriwi Rog, inside the elbow of the Dnieper. In the latter district they are said to be already somewhat exhausted. Veins of ore are found also in a small area south of Kief.

Rich *coal fields* exist in the neighborhood of Lugansk. The readily accessible seams promise a yield of 10,000,000,000 tons. The eastern part of these deposits furnishes anthracite, and the western coking coal. Exploitation of the Lugansk mines was small till 1870. Now they yield one-half of the whole Russian demand for coal.

VII. *Fisheries* constitute an important industry in Ukrainia, owing to its access to the rich fishing grounds of the Black Sea coast and its control of the southern rivers of Russia.



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1. ROUMANIA—CENTRAL POWERS.

THE TRUCE OF FOCSANI, BETWEEN ROUMANIA AND THE CENTRAL POWERS. SIGNED AT FOCSANI, 9 DECEMBER, 1917.

This truce is referred to in the preamble of the preliminary treaty of peace of 5 March, 1918, as having been denounced on 2 March, 1918, and as having expired at noon on 5 March, 1918. The text is not available, though it seems to have been published in the *Romania*, 12 December, 1917. It dated from 10.30 p. m. of 9 December, and was terminable on 72 hours' notice. It was said to have been necessitated by the suspension of hostilities on the Russian front. The continuance of the truce was probably conditioned upon the situation on the Russian front in some way, though it is not possible to state the terms of the condition from the confused accounts which were published at the time. The negotiations seem to have been conducted by the German, Austro-Hungarian, Roumanian and Russian military commands. Gen. Stcherbotcheff, who represented the Roumanians, seems to have made an effort to exact an agreement that the forces opposing the Roumanians would not be transported to any other front during the continuance of the truce, and numerous statements have been made that such an agreement was concluded. The line of front covered by the truce seems to have extended from the Dniester to the mouth of the Danube.¹

¹ See *New York Times*, 11 December, 1917; *London Times*, 13 December, 1917.

2. ROUMANIA—CENTRAL POWERS.

PRELIMINARY TREATY OF PEACE. SIGNED AT THE CASTLE OF BUFTEA, NEAR BUCHAREST, 7 P. M., 5 MARCH, 1918.

[The German text as published in the Frankfurter Zeitung, 7 March, 1918, first morning edition.]

[Translation.]

Beseelt von dem gemeinsamen Wunsche, den Kriegszustand zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei einerseits und Rumänien andererseits zu beendigen und den Frieden wieder herzustellen, sind die Unterzeichneten und zwar

der Staatssekretär des Auswärtigen Amtes kaiserlicher Wirklicher Geheimer Rat Herr Richard von Kühlmann als Bevollmächtigter Deutschlands,

der Minister des k. u. k. Hauses und des Aeußeren Seiner k. u. k. apostolischen Majestät Geheimer Rat Odokar Graf Czernin von und zu Chudenitz als Bevollmächtigter Oesterreich-Ungarns,

der Vizepräsident der Sobranje, Herr Dr. Momtschiloff als Bevollmächtigter Bulgariens,

Seine Hoheit der Großwesir Talaat Pascha als Bevollmächtigter der Türkei

einerseits und

Herr P. C. Argetoianu als Bevollmächtigter Rumäniens

andererseits

nach Prüfung ihrer Vollmachten dahin übereingekommen, daß, nachdem der zu Focsani am 9. Dezember 1917 unterzeichnete Waffenstillstandsvertrag am 2. März gekündigt und am 5. März 1918 um 12 Uhr mittags abgelaufen ist, vom 5. März 1918 mitternachts an eine

Animated by the common desire to terminate the state of war between Germany, Austria-Hungary, Bulgaria, and Turkey on the one hand, and Roumania on the other hand, and to reestablish peace, the undersigned, namely,

the Secretary of State for Foreign Affairs, the Imperial Actual Privy Councillor, Herr Richard von Kühlmann as Plenipotentiary of Germany,

the Minister of the Imperial and Royal House and for Foreign Affairs of His Imperial and Royal Apostolic Majesty, Privy Councillor Odokar Count Czernin von und zu Chudenitz as Plenipotentiary of Austria-Hungary,

the Vice President of the Sobranje, Dr. Momtschiloff as Plenipotentiary of Bulgaria,

His Highness the Grand Vizier Talaat Pascha as Plenipotentiary of Turkey,

on the one hand, and

M. P. C. Argetoianu as Plenipotentiary of Roumania

on the other hand,

after examination of their full powers, have agreed to the end that, since the truce treaty signed at Focsani on 9 December, 1917, has been denounced on 2 March, 1918, and expired on 5 March, 1918, at 12 o'clock noon, an

vierzehntägige Waffenruhe mit dreitägiger Kündigungsfrist laufen soll.

Zwischen den Unterzeichneten besteht vollkommene Uebereinstimmung darüber, daß innerhalb dieses Zeitraumes der endgültige Friede abzuschließen ist und zwar auf der Grundlage nachstehender Vereinbarung:

1. Rumänien tritt an die verbündeten Mächte die Dobrudscha bis zur Donau ab.

2. Die Mächte des Vierbundes werden für die Erhaltung des Handelsweges für Rumänien über Konstanza nach dem Schwarzen Meer Sorge tragen.

3. Die von Oesterreich = Ungarn geforderten Grenzberichtigungen an der österreichisch = ungarisch rumänischen Grenze werden von rumänischer Seite grundsätzlich angenommen.

4. Ebenso werden der Lage entsprechende Maßnahmen auf wirtschaftlichem Gebiet grundsätzlich zugestanden.

5. Die rumänische Regierung verpflichtet sich, sofort mindestens acht Divisionen der rumänischen Armee zu demobilisieren. Die Leitung der Demobilisierung wird gemeinsam durch das Oberkommando der Heeresgruppe Mackensen und die rumänische Oberste Heeresleitung erfolgen. Sobald zwischen Rußland und Rumänien der Friede wieder hergestellt ist, werden auch die übrigen Teile der rumänischen Armee zu demobilisieren sein, soweit sie nicht zum Sicherheitsdienst an der russisch-rumänischen Grenze benötigt werden.

6. Die rumänischen Truppen haben sofort das von ihnen besetzte Gebiet der österreichisch = ungarischen Monarchie zu räumen.

7. Die rumänische Regierung verpflichtet sich, den Transport von Truppen der verbündeten Mächte durch die Moldau und Bessarabien nach Odessa eisenbahntechnisch mit allen Kräften zu unterstützen.

armistice of fourteen days with the privilege of denouncing it within a period of three days, shall begin on 5 March, 1918, midnight.

Between the undersigned there exists a complete agreement to the end that within this period of time the final peace is to be concluded on the basis of the following agreement:

1. Roumania relinquishes to the Allied Powers the Dobrudja as far as the Danube.

2. The Powers of the Quadruple Alliance will take care to maintain the commercial route for Roumania by way of Constanza to the Black Sea.

3. The frontier corrections demanded by Austria - Hungary along the Austro-Hungarian-Roumanian boundary are, in principle, accepted by Roumania.

4. Likewise, measures of an economic nature and adequate to the situation are, in principle, accepted.

5. The Roumanian Government obligates itself to demobilize forthwith at least eight divisions of the Roumanian army. The operation of the demobilization will be carried out in common by the supreme command of the Mackensen army group and by the supreme command of the Roumanian army. As soon as peace is reestablished between Russia and Roumania, the remaining parts of the Roumanian army are also to be demobilized, in so far as they are not needed for the maintenance of order along the Russo-Roumanian frontier.

6. The Roumanian troops must immediately evacuate the territory of the Austro-Hungarian monarchy occupied by them.

7. The Roumanian Government obligates itself to aid as far as lies in its power in transporting troops of the allied Powers by rail through Moldavia and Bessarabia to Odessa.

8. Rumänien verpflichtet sich, die noch in rumänischen Diensten stehenden Offiziere der mit dem Vierbunde im Krieg befindlichen Mächte sofort zu entlassen. Diesen Offizieren wird von Seiten der Vierbundmächte freies Geleit zugesichert.

9. Dieser Vertrag tritt sofort in Kraft.

Zur Urkunde dessen haben die Bevollmächtigten diesen Vertrag unterzeichnet und mit ihrem Siegel versehen.

Ausgefertigt in fünffacher Urschrift in Buztea am 5. März.

(Es folgen die Unterschriften).

8. Roumania obligates herself to dismiss at once officers of the Powers at war with the Quadruple Alliance and still in Roumanian service. Safe conduct is insured to these officers on the part of the Powers of the Quadruple Alliance.

9. This treaty goes immediately into force.

In witness thereof the Plenipotentiaries have signed this treaty and affixed their seals to it.

Done in quintuple original at Buztea 5 March.

(Here follow the signatures.)

3. ROUMANIA—CENTRAL POWERS

“THE PEACE OF BUCHAREST”—THE TREATY OF PEACE BETWEEN ROUMANIA AND THE CENTRAL POWERS.¹ SIGNED AT BUCHAREST, 7 MAY, 1918.

[German text as published in the *Deutscher Reichsanzeiger*, 8 May, 1918.]

[Translation.]

Deutschland, Oesterreich : Ungarn, Bulgarien und die Türkei einerseits und Rumänien andererseits, von dem Wunsche geleitet, den Kriegszustand zwischen ihnen zu beenden und die freundschaftlichen Beziehungen ihrer Völker auf politischem, rechtlichem und wirtschaftlichem Gebiete wiederherzustellen, haben beschlossen, die in Buftea am 5. März 1918 unterzeichneten Friedenspräliminarien in einen endgültigen Friedensvertrag umzubestatten. Demzufolge sind die Bevollmächtigten der Regierungen der vorbezeichneten Mächte, nämlich für die Kaiserlich deutsche Regierung der Staatssekretär des Auswärtigen Amtes, Kaiserlicher Wirklicher Geheimer Rat, Herr von Kühlmann, der Kaiserliche Wirkliche Geheime Rat Herr von Körner, der Direktor im Auswärtigen Amte, Kaiserlicher Wirklicher Geheimer Rat, Herr Dr. Kriege, der Königlich preussische Generalmajor Herr Hell, Chef des Generalstabs des Oberkommandos der Heeresgruppe von Mackensen, der Kaiserliche Kapitän zur See Herr Bene, für die K. und K. gemeinsame österreichisch-ungarische Regierung der Minister des Kaiserlichen und Königlichen Hauses und des Aeußern, Seiner K. und K. Apostolischen Majestät Ge-

Germany, Austria - Hungary, Bulgaria and Turkey on the one hand and Roumania on the other hand, animated by a desire to bring the state of war between them to an end and to reestablish the friendly relations of their peoples within the field of politics, law and economy, have decided to transform the preliminaries of peace signed in Buftea, 5 March, 1918, into a final peace treaty. Accordingly, the plenipotentiaries of the Governments of the four mentioned Powers, namely, for the Imperial German Government, the Secretary of State for Foreign Affairs, the Imperial Actual Privy Councillor, Herr von Kühlmann, the Imperial Actual Privy Councillor, Herr von Körner, the Director of the Foreign Office, the Imperial Actual Privy Councillor, Dr. Kriege, the Royal Prussian Major General, Herr Hell, Chief of the General Staff of the Supreme Command of the Mackensen Army Group, the Imperial Naval Captain, Herr Bene; for the Imperial and Royal Joint Austro-Hungarian Government, the Minister of the Imperial and Royal House and for Foreign Affairs, His Imperial and Royal

¹ Ratified by the German Bundesrat, 4 June, 1918; by the Reichstag, 3 July, 1918; by the Roumanian Chamber, 28 June, 1918; by the Roumanian Senate, 4 July, 1918. (*Deutscher Reichsanzeiger*, 5 June and 6 July, 1918; *Current History*, August, 1918, p. 321.)

heimer Rat, Herr Baron Burian von Rajecz, für die Königlich bulgarische Regierung der Königl. Ministerpräsident Herr Dr. Radoslavoff, der Königl. Finanzminister Herr Tontscheff, der Königl. Generalmajor Herr Zantloff, der Abgeordnete zur Nationalversammlung Herr Kostoff, der Professor an der Universität Sofia, Herr Dr. Miletitsch, für die Kaiserlich osmanische Regierung der Kaiserliche Minister des Aeußern Ahmed Nessimy Bey, der Kaiserliche General der Kavallerie Ahmed Izzet Pascha, der Unterstaatssekretär im Kaiserlichen Ministerium des Aeußern Rechad Sifmet Bey, für die Königl. rumänische Regierung der Königl. Ministerpräsident Herr Marghiloman, der Königl. Minister des Aeußern Herr Arion, der Königl. bevollmächtigte Minister Herr Papiniu und der Königl. Minister außer Diensten Herr Burghela, zur Weiterführung der Friedensverhandlungen in Bukarest zusammengetreten und nach Vorlegung ihrer in guter und gehöriger Form befundenen Vollmachten, über nachstehende Bestimmungen übereingekommen:

Apostolic Majesty's Privy Councillor, baron Burian von Rajecz; for the Royal Bulgarian Government, the Royal Ministerial President, Dr. Radoslavoff, the Royal Minister of Finance M. Tontscheff, the Royal Major General M. Zantloff, the Deputy of the National Assembly M. Kostoff, Dr. Miletitsch, Professor in the University of Sofia; for the Imperial Ottoman Government, the Imperial Minister of Foreign Affairs Ahmed Nessimy Bey, the Imperial General of Cavalry Ahmed Izzet Pascha, the Under-Secretary in the Imperial Minister of Foreign Affairs Rechad Hikmet Bey; for the Royal Roumanian Government, the Royal Ministerial President, M. Marghiloman, the Royal Minister for Foreign Affairs, M. Arion, the Royal Minister Plenipotentiary, M. Papiniu, and the Royal Minister, in Retirement, M. Burghela, have met in Bucharest to continue the peace negotiations, and after submission of their full powers, found in good and due form, have agreed upon the following provisions:

Erstes Kapitel.

FIRST CHAPTER.

Wiederherstellung von Frieden und Freundschaft.

REESTABLISHMENT OF PEACE AND AMITY.

Artikel I.

ARTICLE I.

Deutschland, Oesterreich = Ungarn, Bulgarien und die Türkei einerseits und Rumänien andererseits erklären, daß der Kriegszustand zwischen ihnen beendet ist. Die vertragschließenden Teile sind entschlossen, fortan in Frieden und Freundschaft mit einander zu leben.

Germany, Austria - Hungary, Bulgaria and Turkey on the one hand and Roumania on the other hand, declare, that the state of war between them is ended. The contracting parties are resolved to live henceforth with one another in peace and amity.

Artikel II.

ARTICLE II.

Die diplomatischen und konsularischen Beziehungen zwischen den vertragschließenden Teilen werden sofort nach der Ratifikation des Friedensvertrages wie-

Immediately after the ratification of the peace treaty, the diplomatic and consular relations will be resumed between the

deraufgenommen werden. Wegen der Zulassung der beiderseitigen Konsuln bleiben weitere Vereinbarungen vorbehalten.

Zweites Kapitel.

Demobilisierung der rumänischen Streitkräfte.

Artikel III.

Die im Gange befindliche Demobilisierung der rumänischen Armee wird unmittelbar nach der Unterzeichnung des Friedensvertrags nach Maßgabe der in den Artikeln IV bis VII enthaltenen Bestimmungen durchgeführt.

Artikel IV.

Die allgemeinen militärischen Dienststellen, höheren Kommandobehörden und militärischen Anstalten bleiben bestehen wie sie im letzten Friedensbudget vorgesehen waren. Die Divisionen 11 bis 15 setzen ihre Demobilisierung fort, wie dies im Vertrage von Focsani vom 8 März 1918 bestimmt worden ist. Von den rumänischen Divisionen 1 bis 10 bleiben die zurzeit in Bessarabien verwendeten 2 Infanteriedivisionen, mit Einschluß der aus den aufgelösten Jägerdivisionen ausscheidenden Jägerbataillone, und die 2 Kavalleriedivisionen der rumänischen Armee auf Kriegsstärke, bis insolge der in der Ukraine durchgeführten militärischen Operationen der verbündeten Mächte eine Gefahr für die Grenzen Rumäniens nicht mehr besteht. Die übrigen 8 Divisionen sollen in der Moldau unter Beibehaltung ihrer Stäbe und Kommandobehörden in verringerter Friedensstärke erhalten bleiben. Sie werden sich aus je 4 Infanterieregimentern zu je 3 Bataillonen, 2 Kavallerieregimentern zu je 4 Eskadrons, 2 Feldartillerieregimentern zu je 7 Batterien, einem Pionierbataillon sowie der erforderlichen, noch näher zu vereinbarenden Anzahl technischer Truppen und Trains zusammensetzen; dabei soll die Gesamtsumme der Infanterie dieser 8

contracting parties. As regards the admission of consuls of both parties, further agreements are reserved.

SECOND CHAPTER.

DEMobilIZATION OF THE ROUMANIAN FIGHTING FORCES.

ARTICLE III.

After the signature of the peace treaty and on the basis of the provisions contained in Articles IV to VII, the demobilization of the Roumanian army, now under way, will be carried out immediately.

ARTICLE IV.

The general military bureaus of the army, the higher commanding authorities and military institutions will be maintained as provided for in the last peace budget. Divisions 11 to 15 continue their demobilization as stipulated in the treaty of Focsani of 8 March, 1918. Of the Roumanian divisions Nos. 1 to 10, the 2 divisions serving in Bessarabia remain on a war footing, together with the chasseur battalions left over from the disbanded chasseur divisions, as well as the 2 cavalry divisions of the Roumanian army, until, as a result of military operations carried on in Ukraina by the Allied Powers, there is no longer any danger for the frontiers of Roumania. The remaining 8 divisions remain in Moldavia with maintenance of their staffs and commands, on a reduced peace footing. They will comprise 4 infantry regiments of 3 battalions each, 2 cavalry regiments of 4 squadrons each, 2 field artillery regiments of 7 batteries each, 1 battalion of pioneers and the necessary technical troops and convoys, the number of which is to be fixed in a subsequent agreement; the total force

Divisionen die Zahl von 20,000 Mann, die der Kavallerie von 3,200 Mann und der gesamten Artillerie der rumänischen Armee, abgesehen von den mobil bleibenden Divisionen, die Zahl von 9,000 Mann nicht überschreiten. Die in Bessarabien¹ mobil bleibenden Divisionen sind im Falle der Demobilisierung auf denselben verringerten Friedensstand zu bringen wie die im Absatz 4 erwähnten 8 Divisionen. Alle übrigen rumänischen Truppenteile, die nicht im Frieden bestanden haben, werden aufgelöst. Die aktive Dienstzeit bleibt die gleiche wie im Frieden, Reservisten, mit Einschluß der Mannschaften der Calarasch = Regimenter, sollen bis zum allgemeinen Friedensschluß nicht zu Übungen eingezogen werden.

Artikel V.

Die infolge der Herabsetzung oder Auflösung der rumänischen Truppenteile verfügbaren Geschütze, Maschinengewehre, Handwaffen, Pferde-, Wagen- und Munitionsbestände werden bis zum Abschluß des allgemeinen Friedens dem Oberkommando der verbündeten Streitkräfte in den besetzten rumänischen Gebieten zur Aufbewahrung übergeben werden, wo sie von rumänischen Depottruppen unter Oberaufsicht des Oberkommandos bewacht und verwaltet werden. Die der rumänischen Armee in der Moldau zu belassende Munition wird auf 250 Patronen für das Gewehr, auf 2500 Patronen für das Maschinengewehr und auf 150 Schuß für das Geschütz festgesetzt. Die rumänische Armee ist berechtigt, aus den Depots des besetzten Gebiets unbrauchbares Material im Einvernehmen mit dem Oberkommando der verbündeten Streitkräfte auszutauschen und aus den Munitionsdepots Ersatz für

of these 8 infantry divisions shall not exceed 20,000 men, that of the cavalry shall not exceed 3,200 men and that of the total artillery of the Roumanian army, apart from the divisions that remain mobilized shall not exceed 9,000 men. The divisions that remain mobilized in Bessarabia shall, in case of demobilization, be decreased to the peace footing on the basis of the 8 divisions mentioned in sentence 4. All other Roumanian troops which did not exist in peace time, will be disbanded. The active period of service remains the same as in peace time and reservists, inclusive of the forces of the Calarasch regiments, will not be called to the colors until after the conclusion of the general peace.

ARTICLE V.

Ordnance, machine guns, hand arms, horses, wagons and munitions made available in consequence of the reduction or disbanding of the Roumanian troops will be transferred, until the conclusion of the general peace, under the high command of the allied fighting forces within the occupied Roumanian territories and to be taken care of by it, and under the high supervision of the supreme command they will be watched over and administered by Roumanian depot troops. Ammunition to be left with the Roumanian army in Moldavia is limited to 250 cartridges for each musket, to 2500 cartridges for each machine gun and to 150 shots for each piece of ordnance. The Roumanian army is entitled, in agreement with the supreme command of the allied fighting forces, to exchange useless material in the depots of occupied regions and to demand for the munition depots replacement

¹ "D. R." has Bessarabien.

verschossene Munition anzufordern. Die mobil bleibenden Divisionen in Bessarabien behalten die ihnen kriegsmäßig zustehende Munition.

Artikel VI.

Die demobilisierten rumänischen Truppen sollen bis zur Räumung der besetzten rumänischen Gebiete in der Moldau verbleiben. Ausgenommen hiervon sind die im Artikel V Abs. 1 erwähnten, zur Unterhaltung der in diesen Gebieten niedergelegten Waffen und Materialbestände erforderlichen Dienststellen und Mannschaften. Die demobilisierten Mannschaften und Reserveoffiziere können in die besetzten Gebiete zurückkehren. Aktive und ehemals aktive Offiziere bedürfen zur Rückkehr in diese Gebiete der Erlaubnis des Oberkommandos der verbündeten Streitkräfte.

Artikel VII.

Zu dem rumänischen Oberbefehlshaber in der Moldau tritt ein Generalstabsoffizier der Verbündeten Mächte mit Stab, zu dem Oberkommando der verbündeten Streitkräfte in den besetzten rumänischen Gebieten ein rumänischer Generalstabsoffizier mit Stab als Verbindungsoffizier.

Artikel VIII.

Die rumänischen Fluß- und See- streitkräfte werden bis zur Klärung der Verhältnisse in Bessarabien in ihrer vollen Bemannung und Ausrüstung belassen, soweit die Bemannung nicht nach Artikel IX eingeschränkt werden soll. Alsdann sind diese Streitkräfte auf den gewöhnlichen Friedensstand zu bringen. Ausgenommen hiervon sind

of munition used up. The divisions which remain mobilized in Bessarabia shall retain the amount of ammunition regularly allowed in the state of war.

ARTICLE VI.

Until the time of the evacuation of the occupied Roumanian territories the demobilized Roumanian troops shall remain in Moldavia. Exception hereto is made with regard to forces mentioned under Article V, sentence 1, necessary for the preservation of the arms and other material deposited within these territories. The demobilized troops and reserve officers may return within the occupied territories. The officers of the active army and others formerly in active service must, in order to return to these territories, secure the permission of the supreme command of the allied fighting forces.

ARTICLE VII.

An officer of the general staff of the allied Powers, with staff, is appointed as liaison officer to the Roumanian chief commander in Moldavia, and in the occupied Roumanian territories, a Roumanian officer of the general staff, with staff, is appointed as liaison officer to the supreme command of the allied fighting forces.

ARTICLE VIII.

The Roumanian fluvial and maritime forces shall, until conditions in Bessarabia have been cleared up, remain intact as regards their forces and equipments, in so far as such forces are not to be restricted in accordance with Article IX. Subsequently these fighting forces are to be restored to their usual peace footing. Excepted from these are

die für Zwecke der Strompolizei erforderlichen Flußstreitkräfte und die auf dem Schwarzen Meere zum Schutze der Handelschiffahrt und zur Herstellung minenfreier Fahrstraßen verwendbaren Seestreitkräfte. Unmittelbar nach der Unterzeichnung des Friedensvertrags werden diese Flußstreitkräfte auf Grund besonderer Vereinbarung den mit der Strompolizei beauftragten Organen zur Verfügung gestellt. Ueber die Seestreitkräfte erhält die Nautisch-Technische Schwarze Meer - Kommission das Verfügungsrecht; zur Herstellung der Verbindung mit dieser Kommission ist ihr ein rumänischer Seeoffizier zuzutreten.

Artikel IX.

Alle im Heere und in der Marine stehenden Mannschaften, die im Frieden in den Häfen oder in der Schifffahrt tätig gewesen sind, sollen bei der Demobilisierung zuerst entlassen werden, um in ihrer früheren Tätigkeit Verwendung finden zu können.

Drittes Kapitel.

Gebietsabtretungen.

Artikel X.

Ueber die nach Nr. 1 der Friedenspräliminarien von Rumänien abzutretende Dobrudscha werden die nachstehenden Bestimmungen getroffen.

a. Rumänien tritt das ihm nach dem Bukarester Friedensvertrag von 1913 zugefallene bulgarische Gebiet an Bulgarien mit einer Grenzberichtigung zu dessen Gunsten wieder ab, dergestalt, daß in der Dobrudscha die neue bulgarische Grenze, die auf der anliegenden Karte mit roter Farbe eingetragen ist, fortan wie folgt verläuft: die neue Grenze Bulgariens in der Dobrudscha beginnt an einem westlich vom Dorfe

the fluvial forces necessary to police the river and the naval forces that may be utilizable in the Black Sea for the protection of commercial navigation and the reestablishment of navigable lanes free from mines. Immediately after the signature of the peace treaty, these fluvial forces, on the basis of a special agreement, will be put at the disposal of the agencies charged with the river police. The naval technical Commission of the Black Sea is given the right to dispose of the maritime forces; a Roumanian naval officer is to be appointed to this Commission in order to establish the liaison.

ARTICLE IX.

All the military and naval personnel who in peace time were employed in the ports and in navigation shall, at the time of the demobilization, be released first, in order that they may find employment in their former activity.

THIRD CHAPTER.

CESSIONS OF TERRITORY.

ARTICLE X.

As regards the Dobrudja which according to No. 1 of the peace preliminaries is to be ceded by Roumania, the following provisions are adopted.

a. Roumania cedes to Bulgaria the Bulgarian territory which had fallen to it as a result of the peace treaty of Bucharest of 1913, with a rectification of the frontier in favor of Bulgaria so that the new Bulgarian frontier in the Dobrudja, traced in red ink upon the map annexed to this treaty, will henceforth have the following course: the new frontier of Bulgaria in the Dobrudja begins at a point situated west of the village

TERRITORY TAKEN FROM ROUMANIA BY BULGARIA ACCORDING TO THE PEACE OF BUCHAREST, 7 MAY, 1918.



Drawn as if passage in Article X, paragraph *a* (see opposite page), read: "Then follows Trajan's Wall to a point south of the village of Omurcea, and then the thalweg of the valley connecting the villages of Omurcea and Mahometcea, runs north of the northern edge of the village of Mahometcea, then in an eastward direction to hill 68."

Cochirleni an der Donau gelegenen Punkte, woher der den südlich vom Dorfe Cochuleni gelegenen See und die Donau verbindende¹ Bach Bulgarien zufällt. Sie führt durch die Mitte des südlich vom Dorfe Cochuleni gelegenen Sees und durch die Mitte des Teiches, der nördlich des Ivrinez Mic liegt, folgt dem Talweg des Tales Pestera, führt nördlich vom nördlichen Rande des Dorfes Daidia, das Bulgarien zufällt, schneidet die Höhe zwischen den Dörfern Saidia und Mircea Voda, führt nördlich vom nördlichen Rande des Dorfes Mircea Voda, das Bulgarien zufällt, folgt sodann dem Kamm der Höhe, die sich östlich vom Dorfe Mircea Voda erhebt, schneidet die Note 127. (Idris Kiruos), setzt sich in östlicher Richtung bis zum Trajanswall² fort, den sie etwa 2½ Kilometer nördlich der Note 129 erreicht, folgt sodann dem Trajanswall bis zu einem südlich vom Dorfe Osmancea gelegenen Punkte und dann dem Talweg des die Dörfer Osmancea und Omurcea verbindenden Tales, läuft nördlich des nördlichen Randes des Dorfes Omurcea, das Bulgarien zufällt, sodann in östlicher Richtung bis zur Note 68 (Pipiliga Juk), schneidet diese und hält die östliche Richtung ein, indem sie Orta Tabia und dann 1 Kilometer nördlich vom nördlichen Rande des Dorfes Agigea, das Bulgarien zufällt, die Chauffee Konstanza-Techirghiol schneidet, läuft in südöstlicher Richtung in den östlich vom Dorfe Agigea gelegenen See und durchquert ihn so, daß sie in der Mitte des östlichen Ufers austritt, um in das Schwarze Meer zu münden. Die im Eingang erwähnte Karte bildet einen wesentlichen Bestandteil des Friedens-

of Cochirleni on the Danube, in such manner that the stream, which connects the lake lying to the south of the village of Cochirleni with the Danube, is allotted to Bulgaria. It runs through the middle of the lake lying to the south of the village of Cochirleni and through the middle of the pond situated to the north of the Ivrinez Mic, follows the thalweg of the Pestera valley, continues northward of the northern edge of the village Daidia, which goes to Bulgaria, cuts the height between the villages Saidia and Mircea Voda, leads northward of the northern edge of the village Mircea Voda which goes to Bulgaria, then follows the ridge of the height which rises to the east of the village of Mircea Voda, cuts hill 127 (Idris Kiruos), continues in an easterly direction to the wall of Trajan, which it reaches about 2½ kilometers to the north of point 129, then follows the wall of Trajan to a point situated south of the village Osmancea, and then the thalweg of the valley connecting the villages of Osmancea and Omurcea, runs north of the northern edge of the village Omurcea, which goes to Bulgaria, then in an eastward direction to hill 68³ (Pipiliga Juk), cuts this hill and continues in its easterly direction, passing through Orta Tabia and then 1 kilometer to the north of the northern edge of the village Agigea which goes to Bulgaria, crosses the highway Constanza-Techirghiol, follows in a southeasterly direction into the lake located east of the village Agigea, which it crosses in such manner that it issues into the middle of the eastern shore from where it enters into the Black Sea. The map referred to in the beginning forms an essential part of the

¹ “D. R.” has *verhinderde*.

² “D. R.” has *Trajanßwall*.

³ See map opposite.

vertrages. Eine aus Vertretern der verbündeten Mächte zusammengesetzte Kommission soll alsbald nach der Unterzeichnung des Friedensvertrages an Ort und Stelle die neue Grenzlinie in der Dobrudscha feststellen und vermarken. Die Donaugrenze zwischen dem an Bulgarien abgetretenen Gebiet und Rumänien folgt dem Talweg des Stromes. Wegen der Bestimmung des Talwegs soll alsbald nach der Unterzeichnung des Friedensvertrages das nähere zwischen den beiden Mächten vereinbart werden; die Vermarkung *b* wird im Herbst 1918 bei niedrigem Wasserstand erfolgen.

b. Rumänien tritt an die verbündeten Mächte den nördlich der unter *a* beschriebenen neuen Grenzlinie liegenden Teil der Dobrudscha bis zur Donau ab, und zwar zwischen der Gabelung des Stromes und dem Schwarzen Meere bis zum St. Georgsarm. Die Donaugrenze zwischen dem an die verbündeten Mächte abgetretenen Gebiet und Rumänien wird durch den Talweg des Stromes gebildet. Wegen der Bestimmung des Talwegs soll alsbald nach der Unterzeichnung des Friedensvertrages das nähere zwischen den beteiligten Mächten vereinbart werden; die Vermarkung wird im Herbst 1918 bei niedrigem Wasserstand erfolgen. Die verbündeten Mächte werden dafür Sorge tragen, daß Rumänien einen gesicherten Handelsweg nach dem Schwarzen Meer über Cernavoda—Konstanza erhält.

Artikel XI.

Rumänien ist damit einverstanden, daß seine Grenze zugunsten Oesterreich-Ungarns eine Berichtigung erfährt dergestalt, daß die auf der anliegenden Karte mit roter Farbe eingetragene neue Grenze fortan wie folgt verläuft: Die neue Grenze beginnt beim Eisen-

peace treaty. A Commission composed of representatives of the Allied Powers shall, immediately after the signing of the peace treaty, determine and demarcate on the spot the new frontier line of the Dobrudja. The Danube frontier between the territories ceded to Bulgaria and Roumania follows the thalweg of the river. Immediately after the signing of the peace treaty, more detailed provisions will be entered into between the two Powers with regard to the determination of the thalweg; the delimitation described in paragraph *b* will be made in the autumn of 1918 at low-water mark.

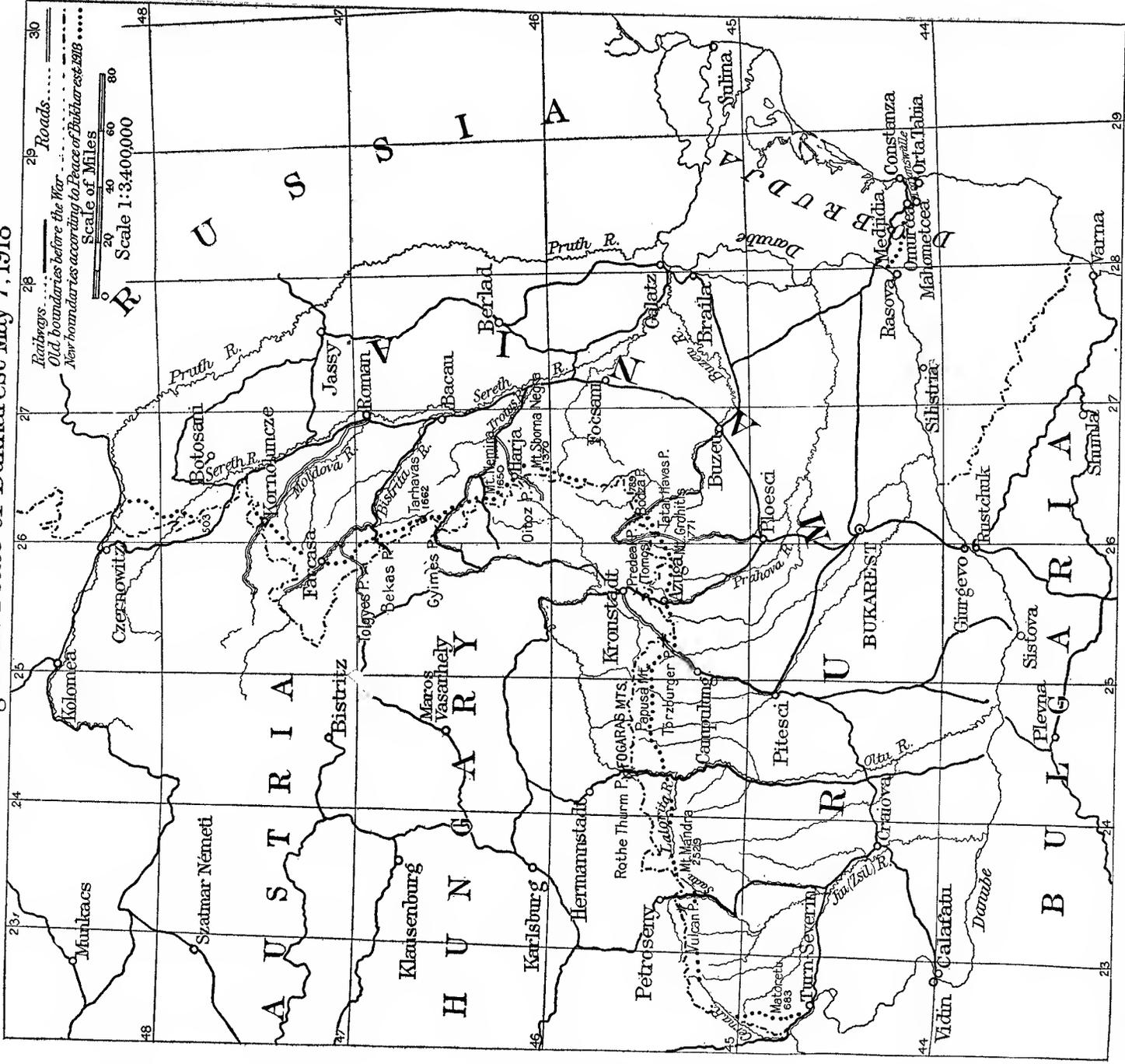
b. Roumania cedes to the Allied Powers the part of the Dobrudja situated to the north of the new frontier line described in paragraph *a*, down to the Danube, namely between the forking of the river and the Black Sea even to St. George's Arm. The Danube frontier between the territories ceded to the Allied Powers and Roumania will follow the thalweg of the stream. The details regarding the determination of the thalweg must be agreed upon between the interested Powers immediately after the signing of the peace treaty; the delimitation will take place in the autumn of 1918 at low-water mark. The Allied Powers will see to it that Roumania obtains a guaranteed commercial road to the Black Sea by way of Cernavoda and Constanza.

ARTICLE XI.¹

Roumania agrees that her frontier be given a rectification in favor of Austria-Hungary in such manner that the new frontier traced in red ink upon the map annexed to the treaty shall henceforth have the following course: the new frontier begins at the

¹ See map opposite.

Territory taken from Rumania by Austria-Hungary and Bulgaria according to the Peace of Bukharest May 7, 1918



bahndurchlaß westlich Turn-Severin,¹ südlich Dudasu. Im weiteren Verlaufe führt sie 400 m westlich der westlichsten Häuser von Dudasu und am Westrand des Ortes Seretu über das J der Beschreibung Bach Jidoscita, über das J der Beschreibung Ort Jidoscita, über Note 682 D. Matoret (Höhe fällt Ungarn zu) sodann längs der von der genannten Note nach Ciresiu führenden Landstraße,² wobei die Straße Ungarn zufällt, am Westrand von Ciresiu, entlang des Feldwegs über das N der Beschreibung Jupanesci, auf das E der Beschreibung Gornenti, über das E der Beschreibung Costesc, auf Note 1333 Mt. Sec (Höhe fällt Ungarn zu) von da direkt in nördlicher Richtung zur gegenwärtigen Grenze zwischen Rumänien und Ungarn, welche bis zur Einmündung des Baches Craiova in die Cserna aufrecht bleibt. Die neue Grenze bildet von der genannten Einmündung die Cserna selbst bis zum A der Beschreibung Rinceunisora, sodann biegt die Grenze nach Osten um und geht über Beschreibung D. Milano, an der Beschreibung D. Negoea südlich vorbei, über Beschreibung D. Seniuleului in direkt östlicher Richtung zu der vom Vulkanpaß gegen Süden führenden Straße, welche 600 m südlich Buliga geschnitten wird, sodann zum Schnittpunkt des Zsilyflusses mit der Straße südlich der Beschreibung Lainici. Weiter direkt östlich bis zum Bache Sadu, sodann längs des Baches gegen Nordosten bis zu dessen Ursprung (1 km östlich des U der Beschreibung Stana Prislopu), dann direkt nördlich zur

railway cutting to the west of Turn-Severin, south of Dudasu. Thence it passes at a distance of 400 meters to the west of the last houses situated at the western end of Dudasu, and by the western edge of the locality of Seretu across the *J* of the inscription on the map of the brook Jidoscita, across the *J* of the inscription of the locality Jidoscita, across hill 682 *D. Matoret* (the summit goes to Hungary), then along the highway of the said hill in the direction of Ciresiu, the highway going to Hungary, then by the western edge of Ciresiu, along the country road across the *N* of the inscription of the locality Jupanesci, reaches the *E* of the inscription Gornenti, passing through the *E* of the inscription Costesc, to hill 1333 Mt. Sec (the summit goes to Hungary) and from there in a straight northerly direction to the present frontier between Roumania and Hungary which remains intact up to the point where the brook Craiova enters into the Cserna. From the mentioned point where the brook Craiova enters into the Cserna, the Cserna itself forms the new frontier up to point *A* of the inscription Rinceunisora, then the frontier bends to the east and goes across the inscription *D. Milano*, passes the inscription *D. Negoea* to the south, crosses inscription *D. Seniuleului* in a direct easterly direction to the road leading from the Vulcan gorge to the south, which it cuts 600 meters to the south of Buliga, then to the point of intersection of the Zsily River and the road to the south of the inscription Lainici. It proceeds directly eastward to the brook Sadu, then along the brook northeast to its source (1 kilometer east of the *U* of the inscription Stana Prislopu) then directly northward to the present

¹“D. R.” has Turin-Severin.

²“D. R.” has Landmaße.

gegenwärtigen Grenze bei Note 2529 Brf. Mandrei, entlang der alten Grenze bis 400 m südwestlich V der Beschreibung Brf. Ciobavul. Von diesem Punkte führt die Grenze direkt in östlicher Richtung am Südrand Bucolie, südlich der Beschreibung Brf. Repede, südlich der Beschreibung Ciungetu und der Beschreibung Par. Latorita. Sie führt dann 400 m südlich Note 1632 Pîscu Moldovîsulai in östlicher Richtung bis zur Bacheinmündung 1 km südwestlich des R der Beschreibung Racovita, 2 km südlich des Orts Bolioara, am Nordrand von Titesti, zur Note 1248 Zanoaga (Höhe fällt Ungarn zu), über das U der Beschreibung Stana Cioricu, 1 km südlich Note 1862 Comarnicul, die Kleinbahn 3 km südwestlich Note 2000 Mt. Lipitoarea schneidend, dann in östlicher Richtung über Noten 1961, 1932, 1576, 1772, 1607, 2338 M. Batrana, 2237, Trigonometrie¹ 2379 M. Papusa, 1785, 1411, 1264, 1265, 1074 (sämtliche Höhen fallen Ungarn zu), schneidet die Straße Campolung-Brasso bei der Brücke 1 km südöstlich des Punktes 1074, führt dann über Punkt 1265 (Brücke und Höhe fallen Ungarn zu) und erreicht in nahezu östlicher Richtung halbwegs zwischen den Beschreibungen Brf. Santu Ilie und Brf. Sigliua bei Note 1880 die gegenwärtige Grenze.

Die gegenwärtige Grenze bis zur Note^e 1909 bleibt aufrecht; die neue Grenze^e führt dann von der Note über das zweite C der Beschreibung Schitu Pestera Decebal, über das U der Beschreibung Caraimanu, über das B der Beschreibung V. Cerbului am Nordrand von Azuga vorbei über das zweite A der Beschreibung Azuga, über die Note 1505, die Rumänien verbleibt, über das V der Beschreibung Brf.

frontier at point 2529 *Vrf.* Mandrei, and along the old frontier to 400 meters southwest of V of the inscription *Vrf.* Ciobavul. From this point the frontier passes in a direct easterly line by the south edge of Bucolie, south of the inscription *Vrf.* Repede, south of the inscription Ciungetu and of the inscription *Par.* Latorita. It then follows 400 meters south of the hill 1632 Pîscu Moldovîsulai in an easterly direction to the confluence of the brook 1 kilometer southwest of R of the inscription Racovita, 2 kilometers south of the place Bolioara, passes the northern edge of Titesti to hill 1248 Zanoaga (the summit going to Hungary), across the U of the inscription Stana Cioricu, 1 kilometer south of hill 1862 Comarnicul, across the narrow gauge railway 3 kilometers southwest of hill 2000 Mt. Lipitoarea then in an easterly direction across hills 1961, 1932, 1576, 1772, 1607, 2338 M. Batrana, 2237, trigonometric point 2379 M. Papusa, 1785, 1411, 1264, 1265, 1074 (all these summits going to Hungary), cuts the highway Campolung-Brasso at the bridge 1 kilometer southeast of point 1074, then proceeds across point 1265 (bridge and summit both going to Hungary) and reaches the present frontier in an almost due easterly direction midway between the inscription *Vrf.* Santu Ilie and *Vrf.* Sigliua at hill 1880.

The present frontier up to hill 1909 remains intact; the new frontier then leads from that hill across the second C of the inscription Schitu Pestera Decebal, across the U of inscription Caraimanu, across the B of inscription V. Cerbului, along the northern edge of Azuga across the second A of inscription Azuga, across hill 1505 which is left to Roumania, across the V of inscription of

¹ "D. R." has Trigonometrie.

Cajacu, dann nach Südosten beugend 1 km südlich der Beschreibung Mt. Prislop über Note 1531 (diese fällt Ungarn zu), über Note 1128, 873, 1235, 1540 (alle Noten fallen Ungarn zu), 1 km südlich 1771 Mt. Grohitis 1450 (alle Punkte kommen Ungarn zu), dann 700 m südlich des Punktes 871 Ort Teleajenul, über Punkt 961 (Punkt kommt Ungarn zu), 1 km südlich des Punktes 1340 (über V der Beschreibung Tartar Havas P.), über Punkt 975, 1486, 1115 (alle drei Punkte fallen Ungarn zu), dann weiter in nordöstlicher Richtung die Straße im Podzatal, 2 km nordwestlich G der Beschreibung Gura Sirtului schneidend, sodann über Punkt 1183, 1363, 600 m südlich des Punktes 1338, dann nach Nordosten bis 1 km nördlich des Punktes 789, wo sie in die gegenwärtige Grenze zwischen Ungarn und Rumänien einmündet. Die bisherige Grenze bleibt bis zum Punkt $2\frac{1}{2}$ km südwestlich Popii aufrecht, führt dann in nordöstlicher Richtung bis zum Punkt 1 km südöstlich des Punktes 1530, biegt hier scharf Nordwest östlich um den Punkt 1530 herum, östlich der Punkte 1521, 1587, nach Nordosten umbiegend um den Punkt 1490 Mt. Condratu herum, östlich des Punktes 950 die Schmalspurbahn 4 km westlich Lepsa schneidend, östlich des Punktes 1374 Mt. Sboina Neagra, östlich Punkt 1014 Mt. Resboiului vorbei, die Kleinbahn 2 km östlich des Punktes 508 schneidend, 1 km östlich Trigonometrie 1167 Mt. Maguis Casinului vorbei, sodann über Punkt 843, 1 km östlich des Punktes 737, über Punkt 704, 716, S der Beschreibung Hirsja, Südweststrand Harja, Kordonposten 962, Kordonposten 3 km nordwestlich davon (sämtliche vorgenannten Punkte fallen

Vrf. Cajacu, then bending to the southeast 1 kilometer south of inscription Mt. Prislop across hill 1531 (which goes to Hungary), across hill 1128, 873, 1235, 1540 (all of which go to Hungary), 1 kilometer south of point 1771 Mt. Grohitis hill 1450 (all these points going to Hungary), then 700 meters south of point 871 of the place named Teleajenul, across point 961 (which point goes to Hungary), 1 kilometer south of point 1340 (across V of inscription Tartar Havas P.), across points 975, 1486, 1115 (all three points going to Hungary), then onward in a northeasterly direction cutting the highway in the valley of the Podza, 2 kilometers northwest of G of inscription Gura Sirtului, then across points 1183, 1363, 600 meters south of point 1338, then northeast to within 1 kilometer north of point 789, where it joins the present frontier between Hungary and Roumania. The ancient frontier remains intact up to the point $2\frac{1}{2}$ kilometers southwest of Popii, then passes in northeasterly direction up to the point 1 kilometer southeast of point 1530, then makes here a sharp turn to the northwest east of point 1530, to the east of points 1521, 1587 and bending to the northeast around point 1490 Mt. Condratu, east of point 950, crossing the narrow gauge railway 4 kilometers west of Lepsa, east of point 1374 Mt. Sboina Neagra, east of point 1014 Mt. Resboiului and crossing the small railway 2 kilometers east of point 508, 1 kilometer east of trigonometric point 1167 Mt. Maguis Casinului, then across point 843, 1 kilometer east of point 737, across point 704, 716, S of inscription Hirsja, the southwest shore of Harja, military post 962, military post 3 kilometers northwest thereof (all aforementioned points going to

Ungarn zu), sodann nach Norden abbiegend über den Punkt 1050 *Vrf.* Cheschtului (Punkt fällt Ungarn zu), hier scharf nach Nordwesten wendend nördlich des Punktes 1071 Mt. Cleja, am Saue nördlich des Punktes 1108 östlich des Trigonometers 1653 Mt. Nemira, östlich des Punktes 1370 vorbei, die Kleinbahn 3 km westlich des Punktes 479 Poiana Uzului schneidend, über Trigonometer 1342 (Söhe fällt Ungarn zu), 1800 m östlich des Punktes 682 vorbei, die Trotustal-Bahn beim *P* der Beschreibung Preluci schneidend, knapp östlich des *U* der Beschreibung Agasu, über Punkt 1275, 1613 (Punkte fallen Ungarn zu), östlich Trigonometer Csülemer 1651, östlich Trigonometer Tarhavas 1662, über das *M* der Beschreibung Schimba Garda, östlich des Punktes 1573, vorbei östlich des Punktes 1463 Mt. Mairus, 702 knapp westlich des Punktes 1211, die Kleinbahn im Bicazulital am Ostaussgang von Tasca schneidend, östlich Punkt 1245, westlich des Punktes 932 am Trigonometer 1904 Teca herum (2 km nordöstlich des höchsten Punktes), über *S* der Beschreibung Schitul Ducau, westlich des Punktes 1080, die Straße im Bistricioaratal schneidend, über *G* der Beschreibung Grintiesiul, dann östlich über Punkt 1145 Frasin, 1021, über *C* der Beschreibung Farcasa, östlich an den Punkten Trigonometer 1086, Punkt 1150, Trigonometer 1534, Monte Bivol, Punkt 1276, Punkt 1208, 975, 1010, 882 vorbei, hier nach Nordosten bis 2 km südlich Paiseni abbiegend über das *N* der Beschreibung Paiseni, *O* der Beschreibung Moldava, *L* der Beschreibung Kornoluncze, über Ostrand des Ortes Rotopanesti und Südrand Mihaesti, dann Note 393 bei *A* von Mihaesti, sodann die alte Grenze Oesterreichs gegen Rumänien bis 2 km südöstlich des

Hungary), then bending northward across point 1050 *Vrf.* Cheschtului (which point goes to Hungary), thence sharp to northwest, north of point 1071 Mt. Cleja along the slope north of point 1108 east of the trigonometric point 1653 Mt. Nemira, passing east of point 1370, crossing the small railway 3 kilometers west of point 479 Poiana Uzului, across trigonometric point 1342 (summit goes to Hungary), passing 1800 meters east of point 682, crossing the railway of the Trotus valley at *P* of inscription Preluci, follows directly to the east of *U* of inscription Agasu, across point 1275, 1613 (which points go to Hungary), east of trigonometric point Csülemer 1651, east of trigonometric point Tarhavas 1662, across *M* of inscription Schimba Garda, east of point 1573, passing east of point 1463 Mt. Mairus, 762 directly west of point 1211, crossing the small railway in the Bicazului valley at its eastern terminal of Tasca, east of point 1245, west of point 932, rounding trigonometric point 1904 Teca (2 kilometers north-east of the highest point) across *S* of inscription Schitul Ducau, west of point 1080, and crossing the highway in the Bistricioara valley, across *G* of inscription Grintiesiul, then eastward across point 1145 Frasin, 1021, across *C* of inscription Farcasa, east of trigonometric point 1086, point 1150, trigonometric point 1534, Monte Bivol, point 1276, points 1208, 975, 1010, 882, from here bending to the northeast to 2 kilometers south of Paiseni across the *N* of inscription Paiseni, *O* of inscription Moldava, *L* of inscription Kornoluncze, across the eastern edge of the place Rotopanesti and the southern edge of Mihaesti, then hill 393 near *A* of Mihaesti, then the old frontier of Austria in the direction of Roumania to 2

Trigonometers 503 La Zara, sodann nach Nordost¹ abbiegend über Punkt 305, 281 am Sereth, Ostrand von Talpa, Ostrand von Colinești, Punkt 396, 402, $\frac{1}{2}$ km östlich Dersca, über Punkt 189, 198, 332, 304, Ziehbrunnen 1 km südwestlich des Punktes 311, Ostrand von Baranca, Ostrand von Pili-pauti Punkt 251, bis an den Pruth 1 km östlich Lunca.

Die im Eingang erwähnte Karte bildet einen wesentlichen Bestandteil des Friedensvertrags. Zwei gemischte Kommissionen, die sich aus der gleichen Anzahl von Vertretern der beteiligten Mächte zusammensetzen, sollen unmittelbar nach der Ratifikation des Friedensvertrags an Ort und Stelle die neue Grenzlinie feststellen und vermarkten.

Artikel XII.

Das Staatsvermögen in den abgetretenen rumänischen Gebieten geht ohne Entschädigung und ohne Lasten, jedoch unter Wahrung der darauf ruhenden Privatrechte, auf die diese Gebiete erwerbenden Staaten über. Aus der früheren Zugehörigkeit der Gebiete zu Rumänien sollen sich weder für diese selbst noch für die erwerbenden Staaten irgendwelche Verpflichtungen ergeben.

Im übrigen werden diejenigen Staaten, denen die abgetretenen Gebiete zufallen, mit Rumänien unter anderem Vereinbarungen über folgende Punkte treffen:

1. Über die Staatsangehörigkeit der bisherigen rumänischen Bewohner dieser Gebiete, wobei ihnen jedensfalls ein Options- und Abzugsrecht gewährt werden muß;

kilometers southeast of the trigonometric point 503 La Zara, then bending northeast across point 305, 281 on the Sereth, the eastern edge of Talpa, the eastern edge of Colinești, point 396, 402, $\frac{1}{2}$ kilometer to the east of Dersca, across point 189, 198, 332, 304, Ziehbrunnen 1 kilometer southwest of point 311, the eastern edge of Baranca, the eastern edge of Pili-pauti, point 251, to Pruth, 1 kilometer to the east of Lunca.

The map referred to in the beginning forms an essential part of the peace treaty. Two mixed Commissions composed of an equal number of representatives of the interested Powers shall immediately after the ratification of the peace treaty determine and demarcate on the spot the new frontier line.

ARTICLE XII.

State properties within the ceded Roumanian territories pass, without indemnification and without incumbrances, but by safeguarding the private rights within these regions, to the State acquiring them. From the fact that these territories formerly belonged to Roumania, there shall, nevertheless, devolve no obligation of any nature whatever either upon Roumania or upon the States becoming the owners thereof.

Furthermore, the States acquiring the territories surrendered, will, among other things, enter with Roumania into agreements concerning the following points:

1. Concerning the nationality of the hitherto Roumanian inhabitants of these territories in which the latter must in every case be granted a right of option and emigration;

¹ "D. R." has Nordost.

2. über die Auseinandersetzung wegen des Vermögens der durch die neuen Grenzen zerschnittenen Kommunalbezirke;
3. über die Auseinandersetzung wegen der Archive, wegen der Akten der Gerichts- und Verwaltungsbehörden, wegen der Gerichts- und Verwaltungsdepots, sowie wegen die Personenstandsregister;
4. über die Behandlung der neuen Grenzen;
5. über die Wirkung der Gebietsänderungen auf die Diözesanbezirke;
6. über die Wirkung der Gebietsänderungen auf die Staatsverträge.

Rumänien wird nach der Unterzeichnung des Friedensvertrags die aus den abgetretenen Gebieten stammenden Offiziere und Mannschaften auf deren Antrag entlassen und ihnen die Rückkehr in die Heimat gestatten.

Viertes Kapitel

Kriegssentschädigungen.

Artikel XIII.

Die vertragsschließenden Teile verzichten gegenseitig auf den Ersatz ihrer Kriegskosten, d. h. der staatlichen Aufwendungen für die Kriegführung. Wegen der Regelung von Kriegsschäden bleiben besondere Vereinbarungen vorbehalten.

Fünftes Kapitel.

Räumung der besetzten Gebiete.

Artikel XIV.

Die von den Streitkräften der Verbündeten Mächte besetzten rumänischen Gebiete werden vorbehaltlich der Bestimmungen im Dritten Kapitel über

2. concerning the apportionment of the properties of the communal districts severed through the new frontiers;
3. concerning the attribution of the archives, the acts of the judicial and administrative authorities, the records of the courts and the administration as well as the personal civil register;
4. concerning the management of the new frontiers;
5. concerning the effect of the territorial changes upon the diocesan districts;
6. concerning the effect of the territorial changes upon the political treaties.

After the signature of the peace treaty, Roumania will release, upon their demand, the officers and military forces originating from the territories surrendered, and permit them to return to their home-land.

FOURTH CHAPTER.

WAR INDEMNITIES.

ARTICLE XIII.

The contracting parties mutually renounce indemnification for their war expenses, that is to say, the expenses of the State for the conduct of the war. Special agreements regarding the regulation of war damages are reserved.

FIFTH CHAPTER.

EVACUATION OF THE OCCUPIED TERRITORIES.

ARTICLE XIV.

The Roumanian territories occupied by the military forces of the Allied Powers will be evacuated at a time to be determined

die Gebietsabtretungen zu einem später zu vereinbarenden Zeitpunkt geräumt werden. Während der Zeit der Besetzung wird die Stärke des Besetzungsheeres, abgesehen von den im Wirtschaftsbetrieb verwendeten Formationen, sechs Divisionen nicht übersteigen.

Artikel XV.

Bis zur Ratifikation des Friedensvertrags bleibt die gegenwärtige Okkupationsverwaltung mit den von ihr bisher ausgeübten Befugnissen bestehen. Doch ist die Rumänische Regierung alsbald nach der Unterzeichnung des Friedensvertrags befugt, zur Ergänzung des Beamtenkörpers die ihr geeignet scheinenden Ernennungen und Entlassungen vorzunehmen.

Artikel XVI.

Nach der Ratifikation des Friedensvertrags wird die Zivilverwaltung der besetzten Gebiete den rumänischen Behörden nach Maßgabe der Artikel XVII bis XXIII wieder übergeben werden.

Artikel XVII.

Dem Wunsche der Rumänischen Regierung entsprechend, wird bis zur Räumung der besetzten Gebiete den rumänischen Ministerien¹ je ein Zivilbeamter der Okkupationsverwaltung hergeordnet werden, um den Uebergang der Zivilverwaltung auf die rumänischen Behörden tunlichst zu erleichtern. Ferner haben die rumänischen Behörden den Anordnungen zu entsprechen, welche die Befehlshaber des Besetzungsheeres im Interesse der Sicherheit der besetzten Gebiete sowie der Sicherheit, des Unterhalts und der

later under the reservation of the provisions of the Third Chapter relative to cessions of territory. During the time of occupation, the forces of the occupying army will not exceed 6 divisions, not including the detachments used in the field of economic activities.

ARTICLE XV.

Up to the time of the ratification of the peace treaty the present administration of occupation will continue with the authority heretofore exercised. But the Roumanian Government, immediately after the signature of the peace treaty, may proceed with the appointment and dismissal of the official personnel as it may deem proper.

ARTICLE XVI.

After the ratification of the peace treaty, the civil administration of the occupied territories will again be transferred to the Roumanian authorities on the basis of Articles XVII to XXIII.

ARTICLE XVII.

In conformity with the desire of the Roumanian Government, and until after the evacuation of the occupied territories, a civilian official of the administration of occupation will be designated to each Roumanian ministry in order to facilitate, as much as possible, the transfer of the civilian administration to the Roumanian authorities. Furthermore, the Roumanian authorities will have to conform to the regulations which the commanders of the army of occupation may think it necessary to adopt in the interest of public security within the occupied territories, as well as in the interest of the security of the maintenance and distribution of

¹ “ D. R. ” has *Ministertzen*.

Verleitung ihrer Truppen für erforderlich erachten. Die Verkehrseinrichtungen, wie insbesondere Eisenbahnen, Post und Telegraphen, werden bis auf weiteres in militärischer Verwaltung bleiben; sie sollen den Behörden und der Bevölkerung Rumäniens nach Maßgabe der darüber zu treffenden Vereinbarungen zur Verfügung stehen. Wegen der Mitwirkung des Oberkommandos bei der Regelung des Geld- und Zahlungsverkehrs, insbesondere auch bei der Geschäftsführung der Rumänischen Nationalbank und der Zentralstelle der Volksbanken, bleibt eine besondere Vereinbarung vorbehalten.

Artikel XVIII.

Die Gerichtsbarkeit in den besetzten Gebieten wird, vorbehaltlich der Bestimmungen der Absätze 2, 3, von den rumänischen Gerichten in vollem Umfang wieder übernommen. Die Gerichtsbarkeit über die Angehörigen des Besatzungsheeres, und zwar sowohl in Strafsachen wie Zivilsachen, verbleibt ebenso wie die Polizeigewalt über diese Personen in vollem Umfang den Verbündeten Mächten. Strafbare Handlungen gegen das Besatzungsheer werden von dessen Militärgerichtsbarkeit abgeurteilt werden, das gleiche gilt für Zuwiderhandlungen gegen Anordnungen der Okkupationsverwaltung, soweit diese gemäß Artikel XXII Abs. 1 vorläufig noch in Kraft bleiben. Ferner sind die Angelegenheiten, mit denen die von der Okkupationsverwaltung eingesetzten Gerichte vor der Ratifikation des Friedensvertrags befaßt worden sind, von diesen zu Ende zu führen.

Artikel XIX.

Wegen des Verkehrs zwischen den besetzten und den nichtbesetzten Gebieten wird das Oberkommando des Besatzungsheeres mit der Rumänischen

their troops. The means of communication, especially the railways, the postal and telegraph service will, until further order, remain under the military administration; they will be placed at the disposal of the Roumanian authorities and people, on the basis of agreements to be reached upon this matter. As regards the cooperation of the high command in the regulation of financial movements and monetary operations, a special agreement is reserved, in particular with regard to the business operations of the Roumanian National Bank and the central office of the people's banks.

ARTICLE XVIII.

Jurisdiction within the occupied districts, under reservation of the provisions contained in §§ 2 and 3, will be completely taken over again by the Roumanian Courts. The Allied Powers retain full jurisdiction over persons belonging to the army of occupation, both in penal and civil affairs, as well as police authority over these persons. Punishable acts committed against the army of occupation will be decided by its military jurisdiction; the same applies to infractions against ordinances of the administration of occupation, in so far as according to Article XXII, § 1, these ordinances still remain provisionally in force. Further, affairs that have been laid before the tribunals instituted by the administration of occupation before the ratification of the peace treaty, will be adjudicated by these tribunals.

ARTICLE XIX.

The high command of the army of occupation, in agreement with the Roumanian Government, will make the necessary arrangements

Regierung die erforderlichen Abmachungen treffen. Danach soll unter anderem die Rückwanderung in die besetzten Gebiete nur in dem Maße erfolgen, wie die Rumänische Regierung den Unterhalt der Rückwanderer durch eine entsprechende Einfuhr von Lebensmitteln aus der Moldau oder aus Bessarabien sicherstellt.

to regulate the relations between the occupied territories and territories not occupied. Accordingly, among other things, repatriation into the occupied territories will take place in the proportion in which the Roumanian Government will provide for the maintenance of persons returning by means of a corresponding importation of the necessaries of life from Moldavia or from Bessarabia.

Artikel XX.

ARTICLE XX.

Nach der Ratifikation des Friedensvertrags wird das Besetzungsheer Requisitionen, sei es in Geld, sei es in Naturalien, vorbehaltlich der Bestimmungen des Absatzes 2 nicht mehr vornehmen. Das Recht des Oberkommandos des Besetzungsheeres zur Requisition von Getreide, Hülsenfrüchten, Futtermitteln, Wolle, Vieh und Fleisch aus den Erzeugnissen des Jahres 1918, ferner von Hölzern sowie von Erdöl und Erdölzeugnissen bleibt bestehen, ebenso das Recht, wegen der Gewinnung, der Verarbeitung, der Beförderung und der Verteilung dieser Produkte die erforderlichen Anordnungen zu treffen. Dabei wird auf die Aufstellung eines ordnungsmäßigen Aufbringungsplans sowie auf die Befriedigung des rumänischen Inlandsbedarfs gebührend Bedacht genommen werden; in dieser Hinsicht bleiben nähere Abmachungen zwischen dem Oberkommando und der rumänischen Regierung vorbehalten. Im übrigen hat die rumänische Regierung dem Ersuchen des Oberkommandos um Vornahme von Requisitionen für die Bedürfnisse des Besetzungsheeres zu entsprechen, ebenso von Requisitionen sonstiger Gegenstände, die von Rumänien nach dem mit ihm getroffenen anderweitigen Vereinbarungen zu liefern sind.

After the ratification of the peace treaty, the army of occupation will no longer make requisitions, either in money or products of any kind, under the reservation of the provisions of paragraph 2. The high command of the army of occupation retains the right of requisitioning grains, podded grains, fodder, wool, cattle and meats from the harvests of the year 1918, further, lumber as well as mineral oil and mineral oil products, as well as the right to take the necessary measures for the securing, manufacture, transporting and distributing of these products. The high command will for this purpose develop an orderly plan for securing these articles as well as give satisfaction to the Roumanian domestic needs; to this end, more detailed agreements to be entered into between the high command and the Roumanian Government are reserved. As for the rest, the Roumanian Government will have to meet the requests of the high command with regard to requisitions to be made for the needs of the army of occupation, as well as with regard to requisitions of other articles which Roumania will have to supply according to other agreements already concluded.

Artikel XXI.

Von der Ratifikation des Friedensvertrags an wird der Unterhalt des Besetzungsheeres, mit Einschluß der dafür vorgenommenen Requisitionen, auf Kosten Rumäniens erfolgen. Die nicht für das Besetzungsheer requirierten Gegenstände werden von der Ratifikation des Friedensvertrags an von den Verbündeten Mächten aus eigenen Mitteln bezahlt werden.

Artikel XXII.

Ueber die Einzelheiten der im Artikel XVI vorgesehenen Uebergabe der Zivilverwaltung sowie über den Abbau der von der Okkupationsverwaltung erlassenen Anordnungen wird eine besondere Vereinbarung getroffen werden. Wegen solcher Anordnungen können Schadenersatzansprüche nicht erhoben werden; auch bleiben die auf Grund der Anordnungen erworbenen Rechte Dritter aufrechterhalten. Die auf Anordnung der Okkupationsverwaltung eingesetzten Zwangsverwalter und Liquidatoren können wegen Verletzung ihrer Pflichten nur mit Zustimmung des Oberkommandos des Besetzungsheeres strafrechtlich oder zivilrechtlich zur Rechenschaft gezogen werden; auch dürfen über sie wegen ihrer Tätigkeit als solcher weder Strafen noch sonstige Nachtheile verhängt werden.

Artikel XXIII.

Die Aufwendungen, die aus Mitteln der Verbündeten Mächte in den besetzten Gebieten für öffentliche Arbeiten, mit Einschluß der gewerblichen Unternehmungen gemacht worden sind, werden diesen Mächten bei Uebergabe ersetzt werden. Bis zur Räumung der besetzten Gebiete werden die im Absatz I erwähnten gewerblichen Unternehmungen in militärischer Verwaltung bleiben. Bei der Bewertung ihrer Erzeugnisse wird auch auf die Befriedigung des rumänischen Inlandsbedarfs Rücksicht genommen werden.

ARTICLE XXI.

From the date of the ratification of the peace treaty the maintenance of the army of occupation, inclusive of requisitions made to that end, is at the expense of Roumania. Objects requisitioned for other purposes than the needs of the army of occupation will be paid for by the Allied Powers, beginning with the date of the ratification of the peace treaty.

ARTICLE XXII.

A special agreement will be entered into to settle the details of the transfer of the civil administration foreseen in Article XVI as well as the abrogation of the ordinances issued by the administration of occupation. No claim for damages may be submitted with regard to these ordinances; and the rights acquired by third parties as a result of these ordinances are left intact. The administrators and liquidators appointed by order of the administration of occupation may be prosecuted under the civil or penal law for violation of their duties only with the approval of the high command of the army of occupation; in the exercise of their duties, they may not either be penalized or prejudiced.

ARTICLE XXIII.

Expenses incurred by the Allied Powers within the occupied territories for public works, inclusive of industrial enterprises, will be refunded to these Powers at the time of the transfer of the territories. Up to the time of the evacuation of occupied territories, the industrial enterprises mentioned in paragraph I will remain under the military administration. In the utilization of their products consideration must be had to meet the Roumanian domestic needs.

Sechstes Kapitel.

SIXTH CHAPTER.

Regelung der Donauschifffahrt.

REGULATION OF NAVIGATION ON THE DANUBE.

Artikel XXIV.

ARTICLE XXIV.

Rumänien wird mit Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei eine neue Donauschifffahrtsakte, welche die Rechtsverhältnisse auf der Donau von dem Punkte an, wo sie schiffbar wird, regelt, unter Berücksichtigung der nachstehenden, unter a bis d aufgeführten Bestimmungen und mit der Maßgabe abschließen, daß die Bestimmungen unter b für alle Teilnehmer der Donaunakte gleichmäßig gelten. Die Verhandlungen über die Donauschifffahrtsakte sollen möglichst bald nach der Ratifikation des Friedensvertrags in München beginnen.

With Germany, Austria-Hungary, Bulgaria and Turkey, Roumania will conclude a new Danube navigation convention which will settle the legal situation on the Danube from the point where it becomes navigable, by taking into account the stipulations following under a to d and on condition that the provisions under b are equally applicable to all the participants in the Danube agreement. Negotiations anent the new Danube agreement shall begin at Munich, as soon as possible after the ratification of the peace treaty.

a. Für den Strom vom Braila abwärts mit Einschluß dieses Hafens wird die europäische Donaupommision in ihren bisherigen Befugnissen, Vorrechten und Verpflichtungen unter dem Namen „Donaumündungskommision“ als dauernde Einrichtung mit folgenden Maßgaben aufrechterhalten werden:

a. For the course of the river below Braila, inclusive of this harbor, the European Danube Commission will be retained as a permanent institution with its powers, privileges and obligations under the name of “Commission on the Mouth of the Danube”:

1. Die Kommission wird bisfort nur aus Vertretern von Staaten bestehen, die an der Donau oder an der europäischen Küste des Schwarzen Meeres gelegen sind.

1. The Commission will henceforth consist only of delegates from the States situated on the Danube or on the European shore of the Black Sea.

2. Die Zuständigkeit der Kommission erstreckt sich von Braila abwärts auf sämtliche Arme und Mündungen der Donau und die ihnen vorgelagerten Teile des Schwarzen Meeres; die von der Kommission für den Sulinaarm erlassenen Vorschriften sollen auch auf diejenigen Arme oder Teile eines Armes, für die bisher die Kommission nicht oder nicht ausschließlich zuständig war, entsprechend angewendet werden.

2. From Braila downward, the competence of the Commission extends to all branches and mouths of the Danube and to the parts of the Black Sea contiguous thereto; the rules issued by the Commission with regard to the Sulina Arm shall also be applied in like manner to the branches or parts of a branch for which hitherto the Commission was not, or was not exclusively competent.

b. Rumänien gewährleistet den Schiffen der anderen vertragsschließenden Teile den freien Verkehr auf dem

b. Roumania guarantees to the ships of the other contracting parties unrestricted navigation on the

rumänischen Teile der Donau mit Einschluß der zugehörigen Häfen. Rumänien wird von Schiffen und Flößen der vertragsschließenden Teile und von deren Ladungen keine Gebühr erheben, die sich lediglich auf die Tatsache der Befahrung des Stromes gründet; auch wird Rumänien künftig auf dem Strome keine anderen Gebühren und Abgaben als die durch die neue Donauschiffahrtsakte zugelassenen erheben.

c. Die rumänische Abgabe von $\frac{1}{2}$ Prozent auf den Wert der in den Häfen des Landes eingeführten oder ausgeführten Waren wird nach Inkrafttreten der neuen Donauschiffahrtsakte und sobald Rumänien für die Benutzung öffentlicher Anstalten, die der Abwicklung des Schiffsverkehrs und der Güterbewegung dienen, Abgaben gemäß der neuen Donauschiffahrtsakte eingeführt haben wird, spätestens jedoch 5 Jahre nach Ratifikation des gegenwärtigen Friedensvertrags aufgehoben werden. Die auf der Donau zur Beförderung gelangenden Güter und Flöße werden in Rumänien aus Anlaß dieser Beförderung einer Verkehrssteuer nicht unterworfen werden.

d. Die Katarakten- und Eisernen Thor-Strecke, auf die sich die Bestimmungen des Artikels VI des Londoner Vertrags vom 13 März 1871 und des Artikels LVII des Berliner Vertrags vom 13 Juli 1878 beziehen, umfaßt die Stromstrecke von D. Moldova bis Turn-Severin³ in ihrer ganzen Strombreite von einem Ufer bis zum anderen und mit Einschluß sämtlicher zwischen ihnen liegenden Stromarme und Inseln.

Demnach werden die Verpflichtungen wegen der Erhaltung der Schiffbarkeit der Katarakten- und Eisernen Thor-Strecke, die von Oesterreich-Ungarn

Roumanian part of the Danube, inclusive of the harbors connected therewith. Neither on ships and rafts of the contracting parties, nor on their cargoes, will Roumania levy any dues based solely upon the fact that they navigate on the river. Neither will Roumania levy in future on the river any other dues or taxes than those admitted in virtue of the new convention of navigation on the Danube.

c. The Roumanian tax of $\frac{1}{2}$ per cent upon the value of merchandise imported or exported through the harbours of the country, will be abrogated after the going into force of the new convention of navigation on the Danube, and as soon as Roumania shall have introduced import duties, according to the new convention, on the use of public institutions serving as facilities for shipping traffic and the movement of merchandise. This tax will be levied at all events, at the latest, five years after the ratification of the present treaty of peace. Merchandise and rafts transported in Roumania on the Danube will not be subject to a traffic tax based on the fact that they are being thus transported.

d. The section of the cataracts and of the Iron Gates to which relate the provisions of Article VI of the Treaty of London of 13 March, 1871¹, of Article LVII of the Berlin Treaty of 13 July, 1878², comprises the stretch of the river from Moldova to Turn-Severin, over the entire width of the river, from one shore to the other shore, inclusive of all the branches of the river and the islands situated between them.

Accordingly, the obligations relative to the maintenance of navigability over the stretch of the cataracts and the Iron Gates

¹ 61 *British and Foreign State Papers*, p. 7.

² 69 *British and Foreign State Papers*, p. 749.

³ "D. R." has Turn-Severin.

auf Grund der im Absatz 1 erwähnten Bestimmungen übernommen und Ungarn zur Durchführung übertragen worden sind, ebenso wie die Ungarn hieraus erwachsenden Sonderrechte fortan für die im Absatz 1 näher bezeichnete Donaustrecke Platz greifen. Die Uferstaaten dieses Theiles des Stromes werden Ungarn alle Erleichterungen gewähren, die von diesem Staat im Interesse der von ihm daselbst auszuführenden Arbeiten verlangt werden sollten.

Artikel XXV.

Rumänien wird bis zum Zusammentritt der Donaumündungskommission das gesamte in seinem Besitz befindliche Eigentum der europäischen Donaukommission ordnungsmäßig verwalten und vor Schaden bewahren. Als bald nach der Unterzeichnung des Friedensvertrags wird sich eine Kommission, die aus mindestens je zwei Vertretern der vertragsschließenden Teile besteht, über den Zustand des von Rumänien in Gewahrsam genommenen Materials überzeugen. Ueber die Verpflichtung Rumäniens zur sofortigen vorläufigen Herausgabe dieses Materials wird eine besondere Vereinbarung getroffen.

Artikel XXVI.

Deutschland, Oesterreich = Ungarn, Bulgarien, die Türkei und Rumänien haben das Recht, auf der Donau Kriegsschiffe zu halten. Diese dürfen stromabwärts bis zum Meere, stromaufwärts bis zur oberen Grenze des eigenen Staatsgebiets fahren; sie dürfen aber mit dem Ufer eines anderen Staates, außer im Falle höherer Gewalt, nur mit der auf diplomatischem Wege einzuholenden Zustimmung dieses Staates in Verkehr treten oder dort anlegen. Jede der in der Donaumündungskom-

mission which had been assumed by Austria-Hungary on the basis of stipulations mentioned in paragraph 1 and which Hungary had been charged to carry out, will henceforth apply, even as the special rights accruing therefrom to Hungary, to that part of the Danube explicitly specified under paragraph 1. The border States of this part of the river will afford Hungary all facilities she might ask for in the interest of the works which she has to carry out there.

ARTICLE XXV.

Until the meeting of the Commission on the Mouth of the Danube, Roumania will administer in orderly fashion and preserve from any damage the properties of the European Commission of the Danube which it has in custody. Immediately after the signing of the peace treaty, a Commission composed of at least two representatives of each of the contracting parties, will survey the condition of the material in the care of Roumania. A special agreement will be entered into anent the obligation of Roumania for the immediate tentative return of this material.

ARTICLE XXVI.

Germany, Austria-Hungary, Bulgaria, Turkey, and Roumania have the right to keep war-ships on the Danube. These war-ships may navigate down the stream as far as the sea and up the river as far as the extreme boundary of their own territories; excepting in case of force majeure, they may, however, enter into communication with or touch at the shore of another State, only with the approval of such State to be secured through the channels of diplomacy. Each of the Powers represented in the Com-

mission vertretenen Mächte hat das Recht, je zwei leichte Kriegsschiffe als Stationschiffe an den Donaumündungen zu halten. Diese können ohne besondere Ermächtigung bis nach Braila hinauf Aufenthalt nehmen. Den in den Absätzen 1, 2 erwähnten Kriegsschiffen stehen in den Häfen und Gewässern der Donau alle Vorrechte und Vergünstigungen der Kriegsschiffe zu.

Siebentes Kapitel.

Gleichstellung der Religionsbekenntnisse in Rumänien.

Artikel XXVII.

In Rumänien wird dem römisch-katholischen, dem griechisch-unierten, dem bulgarisch-orthodoxen, dem protestantischen, dem islamitischen und dem jüdischen Kultus dieselbe Freiheit sowie derselbe gesetzliche und behördliche Schutz wie dem rumänisch-orthodoxen Kultus gewährt. Insbesondere soll ihnen das Recht zustehen, Pfarreien oder Kultusgemeinden zu errichten sowie Schulen zu gründen, die als Privatschulen angesehen werden und in ihrem Betriebe nur im Falle einer Verletzung der staatlichen Sicherheit oder der öffentlichen Ordnung behindert werden können. In allen öffentlichen und Privatschulen können die Schüler zur Teilnahme am Religionsunterricht nur insoweit verpflichtet werden, als er von den dazu berechtigten Lehrern ihres Bekenntnisses erteilt wird.

Artikel XXVIII.

Die Verschiedenheit des religiösen Bekenntnisses soll in Rumänien keinen Einfluß auf die Rechtsstellung der Einwohner, insbesondere auf ihre politischen und bürgerlichen Rechte, ausüben. Der im Absatz 1 ausgesprochene Grundsatz wird auch insoweit zur Durchführung gebracht werden, als

mission on the Mouth of the Danube has the right to keep two light war-ships, as station ships, at the mouths of the Danube. Such war-ships, without any special authorization, may ascend the Danube as far as Braila. The war-ships mentioned in paragraphs 1 and 2 are entitled, within the harbors and waters of the Danube, to all the privileges and advantages of war-ships.

SEVENTH CHAPTER.

EQUALITY OF RELIGIONS IN ROUMANIA.

ARTICLE XXVII.

Equal freedom is granted in Roumania to the Roman Catholic, to the United Greek, to the Bulgarian Orthodox, to the Protestant, to the Musselman, and to the Jewish faiths, and each shall receive the same juridical and official protection as that accorded the Roumanian Orthodox faith. Especially, they shall have the right to establish parishes or communities of faith, as well as schools which are to be regarded as private schools and may not be interfered with except in the case of a violation of the national security or of public order. In all private and public schools, the pupils may not be compelled to attend religious instruction unless it is given by an authorized teacher of their faith.

ARTICLE XXVIII.

The difference in religious faith must not exercise in Roumania any influence over the status of the inhabitants from the viewpoint of their rights, especially as regards their political and civil rights. The principle expressed in paragraph 1 will likewise be applicable in so far as concerns

es sich um die Einbürgerung der staatenlosen Bevölkerung Rumäniens mit Einschluß der dort bisher als Fremde angesehenen Juden handelt. Zu diesem Zwecke wird in Rumänien bis zur Ratifikation des Friedensvertrags ein Gesetz erlassen werden, wonach jedenfalls alle Staatenlosen, die am Kriege, sei es im aktiven Militärdienst, sei es im Hilfsdienst, teilgenommen haben oder die im Lande geboren und dort ansässig sind und von dort geborenen Eltern stammen, ohne weiteres als vollberechtigte rumänische Staatsangehörige angesehen werden sollen und sich als solche bei den Gerichten einschreiben lassen können; der Erwerb der rumänischen Staatsangehörigkeit wird sich auch auf die Ehefrauen, die Witwen und die minderjährigen Kinder solcher Personen erstrecken.

the naturalization of the population of Roumania without nationality, inclusive of the Jews, hitherto regarded as aliens. To that end there will be decreed in Roumania, up to the time of the ratification of the peace treaty, a law according to which all persons without nationality who have taken part in the war, either in the active military service, or in the auxiliary service, or who are born in the country and are settled there and whose parents were there born, shall be regarded forthwith as Roumanian nationals with all the rights as such, and may have themselves registered as such in the courts; the acquisition of Roumanian nationality will likewise extend to the married women, the widows and minor children.

Achtes Kapitel.

EIGHTH CHAPTER.

Schlußbestimmungen.

FINAL PROVISIONS.

Artikel XXIX.

ARTICLE XXIX.

Die wirtschaftlichen¹ Beziehungen zwischen den verbündeten Mächten und Rumänien werden in Einzelverträgen geregelt, die einen wesentlichen Bestandteil des Friedensvertrags bilden und, soweit darin nicht ein Anderes bestimmt ist, gleichzeitig mit diesem in Kraft treten. Das Gleiche gilt von der Wiederherstellung der öffentlichen und privaten Rechtsbeziehungen, der Regelung von Kriegs- und Zivilschäden, dem Austausch der Kriegsgefangenen und Zivilinternierten, dem Erlaß von Amnestien sowie der Behandlung der in die Gewalt des Gegners geratenen Flußfahrzeuge und sonstigen Verkehrsmittel.

The economic relations between the Allied Powers and Roumania will be regulated in special treaties which form an essential part of the peace treaty, and, in so far as it is not therein stipulated to the contrary, will enter into force simultaneously with the latter. The same applies to the reestablishment of public and private legal relations, the settlement of military and civil damages, the exchange of war prisoners and interned civilians, the decree of amnesties as well as the treatment of river boats and other means of traffic that have come into the power of the opponent.

Artikel XXX.

ARTICLE XXX.

Bei der Auslegung dieses Vertrags sind für die Beziehungen zwischen Deutschland und Rumänien der deutsche

With regard to the interpretation of this treaty, the German text and the Roumanian text will

¹ "D. R." has *wirtschaftlichen*.

und der rumänische Text, für die Beziehungen zwischen Oesterreich-Ungarn und Rumänien der deutsche, der ungarische und der rumänische Text, für die Beziehungen zwischen Bulgarien und Rumänien der bulgarische und der rumänische Text und für die Beziehungen zwischen der Türkei und Rumänien der türkische und der rumänische Text maßgebend.

be authoritative in the relations between Germany and Roumania; the German text, the Hungarian text and the Roumanian text with regard to the relations between Austria-Hungary and Roumania; the Bulgarian text and the Roumanian text in the relations between Bulgaria and Roumania, and the Turkish text and the Roumanian text in the relations between Turkey and Roumania.

Artikel XXXI.

ARTICLE XXXI.

Dieser Friedensvertrag soll ratifiziert und die Ratifikationsurkunden sollen tunlichst bald in Wien ausgetauscht werden. Der Friedensvertrag tritt, soweit darin nicht ein Anderes bestimmt ist, mit seiner Ratifikation in Kraft.

Zu Urkund dessen haben die Bevollmächtigten diesen Friedensvertrag unterzeichnet und mit amtlichen Siegeln versehen.

Ausgefertigt in fünffacher Urschrift in Bukarest am 7. Mai 1918.

This peace treaty shall be ratified and ratifications exchanged in Vienna as soon as possible. In so far as it is not otherwise stated herein, the peace treaty goes into force at the time of its ratification.

In faith whereof the Plenipotentiaries have signed this peace treaty and affixed their official seals to it.

Done in quintuple original in Bucharest, 7 May, 1918.

4. ROUMANIA—AUSTRIA-HUNGARY, GERMANY.

TRADE TREATY, INCLUDING THE PETROLEUM AGREEMENT, THE ECONOMIC AGREEMENT, AND THE NAVIGATION AGREEMENT, ADDITIONAL TO THE TREATY OF PEACE BETWEEN ROUMANIA AND THE CENTRAL POWERS. SIGNED AT BUCHAREST, 7 MAY, 1918.¹

[German text as published in the Neue Freie Presse, at Vienna, 14 May, 1918. The text of the Petroleum Agreement, published in the Norddeutsche Allgemeine Zeitung, is identical.]

[Translation.]

Erster Teil.²

FIRST PART.

Das Petroleumabkommen.

THE PETROLEUM AGREEMENT.

I.

I.

Die Oelländereien=Pachtgesellschaft.

THE OIL-LANDS LEASEHOLD COMPANY.

1. Die rumänische Regierung erteilt für die Dauer von 30 Jahren der Oelländereien=Pachtgesellschaft m. b. H. das ausschließliche Recht, die gesammten rumänischen Staatsländereien, einschließlich der Embaticgründe, zur Aufsuchung, Gewinnung und Verarbeitung von Erdölen, Erdgas, Erdwachs, Asphalt und allen anderen Bitumina auszunutzen. Dieses Ausnutzungsrecht erstreckt sich auf alle rumänischen Staatsländereien, für welche am 1. August 1914 keine Petroleumkonzession erteilt war.

Staatsländereien, für welche am 1. August 1914 eine Konzession bestand, fallen mit Ablauf der Konzessionszeit unter die Bestimmung des vorstehenden Absatzes, falls nicht vor Eintritt dieses Zeitpunktes zwischen der rumänischen Regierung und dem bisherigen Kon-

1. For a term of thirty years the Roumanian Government grants to the Oil-lands Leasehold Company, Limited, the exclusive right to exploit all the Roumanian Crownlands, inclusive of those let on a long lease (*Embaticgründe*), for the prospecting, for the extraction and manufacture of mineral oils, natural gas, mineral wax, asphalt and any other bituminous products. This right extends to all Roumanian Crownlands for which, on 1 August, 1914 no petroleum concessions had yet been granted.

Crownlands for which a concession existed on 1 August, 1914 come under the provision of the preceding paragraph at the expiration of the time of the concession, unless before the time fixed for the expiration of the concession, an agreement has been concluded between the Roumanian Government and the present

¹ Ratifications exchanged between Austria-Hungary and Roumania, 5 June, 1918 (*Die Zeit*, 5 June, 1918, evening edition).

² "N. F. P." has transposed the first two headings and omitted the Roman numeral.

zessionsinhaber eine Verständigung über die Verlängerung der Konzession erzielt und nicht seitens der eingangs erwähnten Gesellschaft für die Dauer dieser Konzessionsverlängerung auf das Ausnutzungsrecht verzichtet wird. Falls die Gesellschaft das Ausnutzungsrecht beansprucht, hat sie der rumänischen Regierung den Wert der auf den betreffenden Ländereien befindlichen Anlagen zu vergüten, die bei Ablauf der bisherigen Konzession in das Eigentum der rumänischen Regierung übergehen sollten. Ueber die Höhe des Vergütungswertes entscheidet im Streitfalle das unter Ziffer 16 vorgefehene Schiedsgericht.

Das Ausnutzungsrecht der genannten Gesellschaft schließt in sich das Recht zur Errichtung und Benutzung der für die Gewinnung, Beförderung, Lagerung und Verarbeitung der genannten Bodenprodukte und der daraus gewonnenen Erzeugnisse erforderlichen Anlagen, Gebäude und Wohnungen.

2. Die Gewinnung und Verarbeitung aller anderen verwertbaren Bodenprodukte wird durch diesen Vertrag nicht berührt, jedoch darf die Gewinnung und Verarbeitung anderer Bodenprodukte nur in einer Weise erfolgen, daß dadurch die Unternehmungen der Gesellschaft nicht gehindert werden.

3. Der Gesellschaft steht das Recht zu, für ihre Zwecke auf die Dauer des Vertrages die öffentlichen Wege und Eisenbahnen sowie alle anderen öffentlichen Verkehrsrichtungen (Kanäle, Telegraphen, Telephone, usw.) einschließlich der dem Staate gehörenden Einrichtungen zur Beförderung und Lagerung von Erdölen und Erdölzeugnissen zu benützen. Dabei soll die Gesellschaft in bezug auf die zu entrichtenden Vergütungen, Lasten und Abgaben, unter welchem Titel es auch immer sei, nicht ungünstiger gestellt sein als

holder of the concession to the end of extending the concession, and provided that the company referred to in the beginning of this agreement has renounced its right of exploitation for the period over which this concession extends. In case the Company avails itself of its right of exploitation, it must refund to the Government the amount of the value of the improvements made upon the respective properties which at the expiration of the present concession were to have become the property of the Roumanian Government. As regards the amount of the value to be compensated, the arbitral court provided for under No. 16 decides in case of disagreement.

The right of working the said lands by the Company referred to includes the right to construct and to use the improvements, buildings and dwellings necessary for the extraction, the storage, the transportation and the transformation of the aforementioned products of the soil and their by-products.

2. The extraction and the manufacturing of all other usable products of the soil are not affected by this treaty; nevertheless, the extraction and the manufacturing of other products of the soil may only be carried on in such manner that the enterprizes of the Company will not be hindered.

3. The Company is entitled to use for its needs and for the duration of the agreement the public roads and railways as well as any other public means of communication (canals, telegraphs, telephones, etc.) inclusive of the improvements belonging to the State, serving for the transportation and storing of mineral oils and their by-products. In this matter, the Company shall not be treated less favorably than any other enterprize operated in Rou-

irgendein in Rumänien tätiges Unternehmen. Die Gesellschaft ist ferner berechtigt, für die Ausbentung, Verarbeitung, Lagerung und Beförderung von Materialien, Rohstoffen und Erzeugnissen Wege, Eisenbahnen und Anschlußgeleise, Rohrleitungen, Kraftleitungen, Umschlagsanlagen, Telegraphen- und Telephonanlagen anzulegen und frei von öffentlichen Abgaben zu benutzen. Soweit hiebei Staatsgelände in Frage kommt, ist dieses der Gesellschaft gegen eine angemessene Gebühr zur Verfügung zu stellen. Ueber die Höhe der Gebühr entscheidet im Streitfalle das unter Ziffer 16 vorgesehene Schiedsgericht. Soweit zur Ausführung der in diesem Absatz genannten Anlagen Grundbesitz in Anspruch genommen wird, der nicht dem Staate gehört, wird die rumänische Regierung auf Ersuchen der Gesellschaft mit innlichster Beschleunigung etwa erforderliche Entzweigungen für die Gesellschaft und auf deren Rechnung vornehmen, wobei auf Zwecke der Landesverteidigung tunlichst Rücksicht zu nehmen ist.

4. Der rumänische Staat ist auf Verlangen der Gesellschaft verpflichtet, das von ihr zu Betriebszwecken benötigte Holz in seinen für die Heranschaffung der betreffenden Holzart zur Verbrauchsstelle am günstigsten gelegenen Waldungen zur Verfügung zu stellen. Falls die Zumeisung nicht innerhalb sechs Wochen nach Anforderung erfolgt, ist die Gesellschaft berechtigt, das benötigte Holz nach vorheriger Verständigung der Forstbehörde entweder durch Ankauf auf Rechnung des Staates zu beschaffen oder aus den für die Heranschaffung am

mania as regards indemnities, taxes and assessments of whatever nature that must be met. The Company is, furthermore, entitled to build and to use, without having to pay any public taxes whatever, roads, railway lines and junction tracks, pipelines, lines for the transmission of power, installations for converting electric energy, telegraph and telephone installations, for the exploitation, manufacture, storing and transportation of materials, raw materials and by-products. By paying an equitable fee, the Company may also use lands belonging to the State. The rate of this fee will be determined, in case of disagreement, by the arbitral court provided for under No. 16. In case the construction of the improvement referred to in this paragraph makes it necessary to use landed properties not belonging to the State, the Roumanian Government, upon the request of the Company, and within the shortest possible time will proceed to the necessary expropriations in behalf and for the account of the Company, by taking into account, in so far as possible, the interests of national defence.

4. Upon the demand of the Company, the Roumanian State is obligated to put at the disposal of the latter the lumber necessary for the purposes of its enterprise, and from those State forests the situation of which permits of supplying it on the most favorable terms to the place where it is to be used. In case such demand is not complied with within the six weeks following the date on which it was made, then, upon an understanding with the Forest Department, the Company will be entitled to procure the lumber of which it stands in need, either by proceeding to purchase it for the account of the State, or by pro-

günstigsten gelegenen Staatswäldungen selbst zu entnehmen. In jedem Fall soll jedoch auf die Erfordernisse einer geordneten Forstwirtschaft Rücksicht genommen werden. Für das Holz hat die Gesellschaft die Preise zu zahlen, die für Holz gleicher Art und gleichen Sortiments in denselben oder ähnlich gelegenen Forstorten im Durchschnitt der jeweils letzten drei Kalenderjahre erzielt wurden.

curing itself the lumber in one of the said forests best situated to that end, in which case, however, care will be exercised as regards the exigencies of a well-ordered forestry system. For the lumber supplied the Company will pay the average price quoted for the last three calendar years for lumber of the same kind and of the same quality from the same forests or from forest regions similarly situated.

Der Anteil des rumänischen Staates.

THE SHARE OF THE ROUMANIAN STATE.

5. Der rumänische Staat erhält eine innerhalb von drei Monaten nach Ablauf jeden Kalenderjahres zahlbare Vergütung (Nedevenz) von 8 Prozent des rumänischen Marktwertes des im verfloßenen Jahre gewonnenen Rohöls. Ueber die Höhe des Marktwertes entscheidet im Streitfalle das unter Ziffer 16 vorgesehene Schiedsgericht. Bei Berechnung der Vergütungspflichtigen Menge ist diejenige Gewichtsmenge von Rohöl und Rohölerzeugnissen abzusetzen, die bei der Gewinnung der abgabepflichtigen Mengen zur Erzeugung von Wärme, Licht und Kraft für den eigenen Betrieb der Gesellschaft verwandt ist. Für die Mengensfeststellung ist die Vermessung in dem Tank der betreffenden Grube maßgebend; in Zweifelsfällen entscheiden über den Umfang der Förderung und des Verbrauches die einschlägigen Betriebsbücher. Neben der Nedevenz erhält der rumänische Staat einen Gewinnanteil; dieser berechnet sich nach dem Betrage, der über den Satz von 8 Prozent als Dividende ausgeschüttet wird. Der Anteil be-

5. Within the three months reckoned from the close of each calendar year, the Roumanian State will receive a due indemnification to the amount of 8 per cent of the Roumanian market value of the crude petroleum extracted in the course of the last year. In the case of dispute regarding the rate of the market value, the question will be decided by the arbitral court provided for under No. 16. In computing the quantity subject to the indemnification, that quantity in weight of crude oil and crude oil by-products is to be deducted which is used in the extraction of the quantities taxable for furnishing heat, light and power for the individual enterprise of the Company. Measurement in the tank of the respective mine is conclusive as regards the determination of quantity; in cases of dispute with regard to the amount of production and consumption, the commercial books of the enterprise will be decisive. Apart from the indemnification, the Roumanian State receives a share in the profit; this share is computed on the basis of the amount which is distributed as dividend over and above the stipulated 8 per cent. The share, in the case of

trägt bei einem Satz von mehr als 8 bis 15 Prozent 25 Prozent des gesamten den Satz von 8 vom Hundert übersteigenden Mehrbetrages, mehr als 15 bis 20 Prozent weitere 5 Prozent des gesamten den Satz von 15 vom Hundert übersteigenden Mehrbetrages, mehr als 25 bis 30 Prozent weitere 5 Prozent des gesamten den Satz von 20 vom Hundert übersteigenden Mehrbetrages, mehr als 30 bis 40 Prozent weitere 5 Prozent des gesamten den Satz von 30 vom Hundert übersteigenden Mehrbetrages, mehr als 40 Prozent weitere 10 Prozent des gesamten den Satz von 40 vom Hundert übersteigenden Mehrbetrages. Falls bei der Liquidation der Gesellschaft der an die Gesellschafter zur Ausschüttung gelangende Betrag das eingezahlte Gesellschaftskapital übersteigt, soll der rumänische Staat den gleichen Anteil von diesem Mehrbetrage erhalten, wie wenn der Mehrbetrag als Dividende ausgeschüttet worden wäre.

6. Die Gesellschaft verpflichtet sich, während der ersten 15 Jahre in je fünf Jahren 100 Sonden anzusetzen und in ununterbrochenem Bohrbetrieb zu erhalten. Die Sonden sind bis zur Fündigkeit oder bis zu 500 Meter Tiefe herunterzubringen. Jedoch können die Bohrungen früher eingestellt werden, sofern das Antreffen von Erdöl in wirtschaftlich verwendbaren Mengen bis 500 Meter Tiefe ausgeschlossen erscheint. Werden in einem Jahr fünf mehr als 100 Sonden gemäß den Anforderungen des Absatzes 1 in Arbeit genommen, so werden die überschüssigen Sonden auf die Pflichtbohrungen der folgenden Jahresfünfte angerechnet. Nach Ablauf der ersten 15 Jahre wird festgestellt, wieviel Rohöl die in einem Jahr fünf erbohrten Sonden im Jahresdurchschnitt per Sonde ergeben haben. Der hieraus für 20 Sonden im Jahre zu berechnende Nebenverbrag wird der rumänischen Regierung seitens der Gesellschaft für die Zeit nach Ablauf der ersten 15 Jahre für jedes folgende Jahr garantiert.

a rate of more than 8 up to 15 per cent amounts to 25 per cent of the entire surplus exceeding the rate of 8 per cent; if more than 15 and up to 20 per cent, then a further 5 per cent of the surplus exceeding the rate of 15 per cent; if more than 25 and up to 30 per cent, then a further 5 per cent of the surplus exceeding the rate of 20 per cent; if more than 30 and up to 40 per cent, a further 5 per cent of the surplus exceeding the rate of 30 per cent; if more than 40 per cent then 10 per cent of the entire surplus exceeding the rate of 40 per cent. If in case of the liquidation of the Company, the active capital to be distributed by the Company should exceed the amount of the capital paid in, the Roumanian State shall receive of this surplus amount the same share as if the surplus had been distributed as dividend.

6. The Company engages itself to make in each 5 years of the first 15 years 100 borings and to keep them operating uninteruptedly. These borings are to be made until oil is struck or even to the depth of 500 meters. But the borings may be stopped sooner in so far as it appears impossible to strike mineral oil, at a depth of 500 meters in paying quantities. If according to the provisions of No. 1 of this article more than 100 borings are carried out in a period of 5 years, the exceeding number of borings will be credited to the obligatory borings of the following 5 year periods. At the expiration of the first 15 years it will be determined how much crude oil has been obtained on the average by each of the borings in each quinquennial period. The Company guarantees to the Roumanian Government for the time after the expiration of the first 15 years, payment for each year of

7. Die Gesellschaft wird keinen höheren Abgaben oder Lasten, unter welchem Titel es auch immer sei, oder schärferen Vorschriften unterworfen werden, als sie für irgendeine andere in Rumänien arbeitende Erdölunternehmung gelten. Die auf Grund des rumänischen National-Industrie-Förderungsgesetzes vom 14 Januar (alten Stils) 1912 oder sonstiger gesetzlicher Vorschriften vorgesehenen Begünstigungen finden auf die Gesellschaft und ihren Geschäftsbetrieb auch dann Anwendung, wenn die Gesellschaft die besonderen Bedingungen, von denen die Gewährung der Begünstigungen abhängig ist, nicht erfüllt. Die Gesellschaft genießt Zollfreiheit bei Einführung der für ihre Betriebe benötigten Materialien, Maschinen und sonstigen Betriebseinrichtungen. Die Gesellschaft ist an der Versorgung Rumäniens mit den in Ziffer 1 benannten Stoffen und den hieraus hergestellten Erzeugnissen zu denselben Bedingungen und in demselben Verhältnis zu beteiligen wie die anderen Unternehmungen.

8. Bei Ablauf des Vertrages gehen die auf den Staatsländereien befindlichen Sonden nebst den mit ihnen fest verbundenen Einrichtungen kostenlos in den Besitz des rumänischen Staates über. Die Gesellschaft ist berechtigt, ihre sämtlichen übrigen Einrichtungen zu entfernen und gegebenenfalls zollfrei auszuführen, falls sie sich nicht mit der rumänischen Regierung bis zum Ablaufe des Vertrages über den Verkauf verständigt hat.

9. Die Gesellschaft wird von den Vorschriften des Polizeireglements hinsichtlich der Befähigungsnachweise für Bohrmeister, Oberbohrmeister, Be-

a sum corresponding to the indemnification due for the annual production of 20 borings computed on the basis stated.

7. The company will not be subject, on whatever grounds, to higher taxes or assessments or to more rigorous regulations than those applicable to any other petroliferous enterprise operating in Roumania. The privileges foreseen in the Roumanian law of 14 January (old style), 1912, concerning the protection of Roumanian national industries, or in other legal provisions are applicable to the Company and to its exploitation, even in case the Company does not fulfill the special conditions on which the granting of such privileges is dependent. The Company is exempt from customs dues on the importation of materials, machinery and any other installations necessary for its operation. Under the same conditions and to the same extent as any other enterprises, the Company is to participate in the Roumanian supply as concerns the materials specified under No. 1 as well as in the articles manufactured therefrom.

8. At the expiration of the treaty, the borings made in the national territories together with all the improvements permanently connected therewith will pass, free of cost, into the possession of the Roumanian State. The Company is entitled to remove all of its other remaining installations, and, as the case may be, to export them exempt from customs dues if, before the expiration of the treaty, it has not come to an understanding, as regards the sale thereof, with the Roumanian Government.

9. The Company is released from the prescriptions of the various regulations as regards the proof of capacity of boring-

triebsleiter usw. befreit, für welche die deutsche, österreichische oder ungarische Qualifikation für ihren Beruf auch in Rumänien anzuerkennen ist.

10. Die Gesellschaft unterliegt hinsichtlich der Staatsangehörigkeit ihrer Leiter, der Mitglieder ihrer Organe, ihrer Angestellten und Arbeiter keinen Beschränkungen irgend welcher Art. Sie wird jedoch nach Maßgabe ihrer eigenen Bedürfnisse und des Angebots das rumänische Element tunlichst heranziehen.

11. Die der Dölländereien-Nachtgesellschaft m. b. S. zustehenden Rechte und obliegenden Pflichten können von dieser auf eine von der deutschen und der k. u. k. gemeinsamen österreichisch-ungarischen Regierung innerhalb von 12 Monaten nach allgemeinem Friedensschluß zu benennende Gesellschaft übertragen werden.

Das Stimmrecht.

Das Stammkapital dieser Gesellschaft wird zum größeren Teil aus Stammanteilen mit einfachem Stimmrecht bestehen, zum kleineren Teil aus Vorzugsanteilen mit fünfzigfachen Stimmrecht. Die Gewinnbeteiligung der Vorzugsanteile soll lediglich in einer Vorzugsdividende von 6 Prozent bestehen, die sich in den folgenden Jahren entsprechend erhöht, wenn in einem Jahr der gesamte Reingewinn den zur Ausschüttung dieser Vorzugsdividende erforderlichen Betrag nicht erreichen sollte. Der übrige zur Ausschüttung gelangende Reingewinn wird auf die Stammanteile gleichmäßig verteilt. Den Gesamtbetrag der auszugehenden Vorzugsanteile bestimmt die deutsche Regierung; er darf 10 Prozent des Gesamtkapitals nicht übersteigen. Die Verfügung über die Vorzugsanteile steht ausschließlich

masters, chief boring-masters, directors of exploitation, etc., with regard to whom the German, Austrian or Hungarian qualification for their profession is also to be recognized in Roumania.

10. The Company, as regards the nationality of its directors, the members of its agencies, its employes and workmen, is subject to no restrictions whatsoever. Nevertheless, on the basis of its own needs and offers made to that effect, it will, as far as possible, employ the Roumanian element.

11. The rights available to and the duties resting upon the Oil-Lands Leasing Company, Limited, may within the 12 months following the general peace, be transferred to another Corporation to be designated in common by the German and the Imperial and Royal Joint Austro-Hungarian Governments.

THE RIGHT OF VOTE.

The first stock of this Company will, in a major part, consist of common-stock shares with the right of one vote, and to a lesser degree of preferred-stock shares with fiftyfold right of vote. The share in the earnings of the preferred-stock shares will simply consist in a preferred dividend of 6 per cent which increases correspondingly in the following years if in one year the entire net earnings should not attain the necessary amount for the distribution of this preferred dividend. The remainder of the net earnings intended for distribution will be equally apportioned to the common-stock shares. The total amount of preferred shares to be issued is determined by the German Government; it may not exceed 10 per cent of the entire capital. The right to dispose of the preferred shares belongs ex-

Deutschland, Oesterreich und Ungarn nach Maßgabe der zwischen den Regierungen dieser Staaten zu treffenden Einigung zu. Die Stammanteile werden bis zu einem Viertel des Gesamtbetrages der rumänischen Regierung zum Bezuge angeboten mit der Berechtigung, sie nach ihrem Belieben auch an private Interessenten zu verteilen.

12. Die Gesellschaft darf die ihr nach diesem Vertrage zustehenden Rechte und obliegenden Pflichten ganz oder teilweise auf Dritte übertragen. Im Falle der Gesamtübertragung ihrer Rechte und Pflichten gelten alle ihre eingeräumten Vergünstigungen auch zugunsten ihres Rechtsnachfolgers. Die Übertragung an eine andere Gesellschaft als eine deutsche, österreichische, ungarische oder rumänische Gesellschaft bedarf der Zustimmung der rumänischen Regierung.

13. Die in den vorstehenden Bestimmungen des Abschnittes I enthaltene Erteilung von Rechten an die Gesellschaft erfolgt unbeschadet der Rechte, die der Handelsmonopolgesellschaft unter IV eingeräumt werden.

14. Die Gesellschaft wird in gleicher Weise wie eine nach rumänischem Recht gegründete inländische Gesellschaft zum Gewerbebetrieb zugelassen. Es kommen dabei für sie die im rumänischen Recht erhaltenen besonderen Vorschriften für im Auslande begründete Gesellschaften nicht in Anwendung. Die Gesellschaft wird beim rumänischen Handelsministerium ihre rumänische Geschäftsniederlassung sowie die zu ihrer Vertretung berechtigten Persönlichkeiten namhaft machen und diese Mitteilung jedesmal wiederholen, wenn eine Aenderung der Geschäftsniederlassung oder in der Person ihrer Vertreter stattfinden sollte.

15. Die rumänische Regierung wird das unter Ziffer I vereinbarte Ausnützungsnachrecht und einen weiteren Zeit-

clusively to Germany, Austria and Hungary on the basis of an agreement to be reached between the Governments of these States. The common-stock shares will, to the amount of one-quarter of the entire amount be placed at the disposal of the Roumanian Government with the right to distribute them, at its pleasure, even to private interests.

12. The Company may as a whole or in part, transfer to third parties the rights granted to it and the obligations resting upon it in accordance with this treaty. In the case of the complete transfer of its rights and obligations, all the privileges granted to the Company accrue to its legal successor. The transfer to any other but a German, Austrian, Hungarian or Roumanian Corporation requires the approval of the Roumanian Government.

13. The grant of rights accruing to the Company by reason of the preceding provisions of Section I takes place without prejudice to the rights accorded under IV to the Commercial Monopoly Company.

14. The Company will, in the same way as any other domestic company established according to Roumanian law, be admitted to industrial activity. In this matter, the special provisions of the Roumanian legislation with regard to corporations established abroad, are not applicable. The Company will acquaint the Roumanian Ministry of commerce with its Roumanian chief office as well as with the names of the persons entitled to represent it, and will renew this communication each time if there should be a change made in the seat of the chief office or in the person of its representatives.

15. The Roumanian Government will prolong for a new duration of thirty years the right of

raum von 30 Jahren verlängern, sofern von der Gesellschaft bis Ablauf des 25. Jahres ein diesbezüglicher Antrag gestellt wird. Eine weitere Verlängerung um nochmals 30 Jahre tritt ein, wenn die Gesellschaft bis Ablauf des 55. Jahres einen dahingehenden Antrag gestellt hat. Die dem rumänischen Staat gemäß Ziffer 5 zu zahlende Vergütung (Nebenzug) erhöht sich für die Dauer der ersten Verlängerung auf 9 Prozent, für die der zweiten Verlängerung auf 10 Prozent, im übrigen gelten die Bestimmungen des Abschnittes I auch für die Dauer der ersten und zweiten Verlängerung.

16. Streitigkeiten aus diesem Vertrage sind unter Ausschluß des Rechtsweges durch ein aus drei Personen bestehendes Schiedsgericht nach freiem Ermessen zu entscheiden. Dieses Schiedsgericht wird in der Weise gebildet, daß jeder der vertragschließenden Teile einen Schiedsrichter ernannt. Die so ernannten Schiedsrichter erwählen den Obmann. Können sie sich innerhalb zweier Monate über die Person des Obmannes nicht einigen, so soll, vorbehaltlich einer anderweitigen Einigung der Parteien, der Präsident des Reichsgerichtes in Leipzig zum Obmann einen Angehörigen eines unbeteiligten Staates ernennen. Unterläßt einer der vertragschließenden Teile innerhalb eines Monats die Ernennung seines Schiedsrichters, so entscheidet der von dem anderen Teile ernannte Schiedsrichter als alleiniger Schiedsrichter. Den Sitz des Schiedsgerichtes bestimmt der Obmann.

II.

1. Die rumänische Regierung anerkennt die Rechtsgültigkeit und Rechtsbeständigkeit des zwischen der Militärver-

exploitation granted under No. 1, if before the expiration of the twenty-fifth year the Company submits a proposition to that effect. A further prolongation of thirty years takes place in case the Company has submitted a proposition to that effect before the expiration of the fifty-fifth year. The indemnification to be paid to the Roumanian Government in virtue of Article 5 will be increased for the duration of the first prolongation to 9 per cent, for the second prolongation to 10 per cent; in all other respects the provisions of Section I are likewise applicable both to the duration of the first and second prolongation.

16. Disputes arising from this treaty are to be decided, to the exclusion of any judicial proceedings, by an arbitral court composed of three persons, acting in accordance with their best judgment. This arbitral court will be formed in such manner that each of the contracting parties designates an arbitrator: The arbitrators thus appointed choose the umpire. If within two months they are unable to agree with regard to the person of the umpire, then, with the reservation of an agreement reached in any other way by the parties, the President of the Imperial Tribunal in Leipzig shall appoint as umpire a national of a State not involved. If one of the contracting parties neglects to appoint its arbitrator within the space of one month the arbitrator of the other party alone acts as arbitrator. The umpire designates the seat of the arbitral court.

II.

1. The Roumanian Government recognizes the legal validity and the authenticity of the treaty between the military administra-

waltung in Rumänien, handelnd für den rumänischen Staat im besetzten Gebiet einerseits und der Oelländereien-Pacht-Gesellschaft m. b. S. anderseits am 18. Februar 1918 in Bukarest abgeschlossenen Vertrages betreffend die Ueberlassung von rumänischen Staatsländereien zur Ausbeutung. Der Vertrag vom 18. Februar 1918 tritt an einem von der deutschen Regierung noch bekannt zu gebenden Zeitpunkte innerhalb von 12 Monaten nach allgemeinem Friedensschluß außer Kraft und es sollen dann auch die in diesem Vertrage behandelten Ländereien unter den unter I formulierten Vertrag fallen.

2. Die unter den Ziffern 3, 7, 9, 10, 12 und 14 des vorstehenden Abschnittes I der dort genannten Gesellschaft eingeräumten Rechte und Vergünstigungen werden auch der Oelländereien-Pacht-Gesellschaft m. b. S. zugestimmt.

III.

Die Erdöl-Industrieanlagen-Gesellschaft.

1. Die rumänische Regierung anerkennt die im Wege der Zwangsliquidation erfolgte oder noch erfolgende Uebertragung von Rechten und Werten anderer Gesellschaften auf die Erdöl-Industrieanlagen-Gesellschaft m. b. S. Insofern die Zwangsliquidatoren der liquidierten Gesellschaften Vertragsurkunden über die von ihnen auf die Erdöl-Industrieanlagen-Gesellschaft m. b. S. übertragenen Rechte nicht übergeben² konnten, weil die Urkunden nicht aufzufinden waren, gelten die betreffenden Rechte als zu Recht bestehend, es sei denn, daß von dritter Seite innerhalb eines Zeitraumes von 5 Jahren nach Ratifizierung dieses Friedensvertrages der Gegenbeweis erbracht wird.

2. Die unter den Ziffern 3, 7, 9, 10, 12 und 14 des obigen Abschnittes I der dort genannten Gesellschaft eingeräum-

tion in Roumania, acting for the Roumanian State within the occupied territory, on the one hand, and the Oil-lands Leasing Company, Limited, on the other hand, concluded in Bucharest on 18 February, 1918, in reference to the transfer of Roumanian State properties with a view to their exploitation. The treaty of 18 February, 1918,¹ goes out of force at a date still to be made known by the German Government, within the twelve months following the conclusion of the general peace, and the territories had in view in the said treaty will then come under the treaty formulated in I.

2. The rights and privileges granted by Nos. 3, 7, 9, 10, 12 and 14 of the preceding Section I to the company therein mentioned will be equally granted to the Oil-lands Leasing Company, Limited.

III.

THE PETROLEUM INDUSTRY DEVELOPMENT COMPANY, LIMITED.

1. The Roumanian Government recognizes the agreement made or still to be made by way of a forced liquidation, of rights and privileges of other corporations, to the Petroleum Industry Development Company, Limited. In so far as the liquidators of the compulsorily liquidated companies were unable to hand over the conventional acts concerning the rights transferred by them to the Petroleum Industry Development Company, because those acts could not be found, the rights in question will be regarded as existing of right, unless contrary proof is produced by a third party within five years reckoned from the ratification of the peace treaty.

2. The rights and privileges granted by Nos. 3, 7, 9, 10, 12 and 14 of the preceding Section I

¹ The text of this treaty is not available.

² "N. F. P." has übergeben.

ten Rechte und Vergünstigungen werden auch der Erdöl-Industrieanlagen-Gesellschaft m. b. H. zugestimmt. Der Artikel 19 des Konsolidierungsgesetzes vom Jahre 1904 findet auf diese Gesellschaft keine Anwendung.

3. Die Geltungsdauer aller von der Erdöl-Industrieanlagen-Gesellschaft m. b. H. erworbenen Konzessionen wird verlängert um eine Frist, die gleich ist dem Zeitraum vom 27. August 1916 bis zum Ablauf des ersten Jahres nach dem allgemeinen Friedensschluß. Nichterfüllung von Bohrverpflichtungen während des genannten Zeitraumes berechtigt die Konzessionsgeber nicht zur Aufhebung des Konzessionsvertrages. Etwa für Aufschub von fälligen Bohrverpflichtungen in den Konzessions- oder Konzessionsverträgen vorgegebene Zahlungen sind nicht zu leisten für die während des genannten Zeitraumes nicht erfüllten Bohrverpflichtungen.

IV.

Die Handelsmonopolgesellschaft.

1. Der rumänische Staat begründet ein staatliches Handelsmonopol für Erdöle und überträgt die Ausübung des Monopolrechtes einer Handelsmonopolgesellschaft, die von einer seitens der deutschen Regierung und der k. und k. gemeinsamen österreichisch-ungarischen Regierung der rumänischen Regierung bezeichneten Finanzgruppe nach den folgenden Grundsätzen gegründet wird: Die Gesellschaft wird als Aktiengesellschaft in Rumänien errichtet mit dem Hauptsitz in Bukarest. Das Stammkapital der Gesellschaft wird zum größeren Teil aus Stammanteilen mit einfachem Stimmrecht bestehen, zum kleineren Teil aus Vorzugsanteilen mit

to the company therein mentioned are likewise granted to the Petroleum Industry Development Company, Limited. Article 19 of the consolidation law of 1904 is not applicable to this company.

3. The period of validity of all concessions acquired by the Petroleum Industry Development Company, Limited, will be extended by a period of time equal to that lying between 27 August, 1916, and the expiration of the first year after the conclusion of the general peace. Non-fulfillment of the obligatory borings during the period mentioned does not entitle the one who has granted the concession to denounce the treaty of concession. Payments provided for in the treaties of concession or of cession on account of delay in effecting the said borings are not to be made for borings not carried out during the period mentioned.

IV.

THE COMMERCIAL MONOPOLY COMPANY.

1. The Roumanian State establishes a State commercial monopoly for mineral oils and transfers the exploitation of the monopoly right to a commercial monopoly company to be established on the part of the German Government and of the Imperial and Royal Joint Austro-Hungarian Government by a financial group to be designated to the Roumanian Government, in accordance with the following principles: the company will be established as a joint stock company in Roumania with its chief seat in Bucharest. The capital stock of the company will, in a major part, consist of common-stock shares with the right of one vote, and to a lesser degree of preferred-stock shares with

fünzigfachen Stimmrecht. Die Gewinnbeteiligung der Vorzugsanteile soll lediglich in einer Vorzugsdividende von 6 Prozent bestehen, die sich in den folgenden Jahren entsprechend erhöht, wenn in einem Jahr der gesamte Reingewinn den zur Ausschüttung dieser Vorzugsdividende erforderlichen Betrag nicht erreichen sollte. Der übrige zur Ausschüttung gelangende Reingewinn wird auf die Stammanteile gleichmäßig verteilt. Den Gesamtbetrag der auszugebenden Vorzugsanteile bestimmt die deutsche Regierung; er darf 10 Prozent des Gesamtkapitals nicht übersteigen. Die Verfügung über die Vorzugsanteile steht ausschließlich Deutschland, Oesterreich und Ungarn nach Maßgabe der zwischen den Regierungen dieser Staaten zu treffenden Einigung zu. Die Stammanteile werden bis zu einem Viertel des Gesamtbetrages der rumänischen Regierung zum Bezuge angeboten mit der Berechtigung, sie nach ihrem Belieben auch an private Interessen zu verteilen. Soweit das rumänische Recht das Erfordernis der rumänischen Staatsangehörigkeit für einen gewissen Prozentsatz der Verwalter und der sonstigen Organe der Aktiengesellschaft aufstellt, sollen diese Bestimmungen auf die Handelsmonopolgesellschaft keine Anwendung finden. Im übrigen unterliegt die Handelsmonopolgesellschaft den für Aktiengesellschaften zurzeit in Rumänien geltenden gesetzlichen Vorschriften, jedoch nur insoweit, als diese Vorschriften mit den Bestimmungen des vorliegenden Vertrages vereinbar sind. Spätere Aenderungen von Vorschriften des rumänischen Rechtes, welche die rechtlichen Verhältnisse der Aktiengesellschaften berühren, sollen auf die Handelsmonopolgesellschaft nur insoweit Anwendung finden, als über die Anwendbarkeit dieser Aenderungen auf die

fiftyfold right of vote. The share in the earnings of the preferred stock shares shall simply consist in a preferred dividend of 6 per cent which increases correspondingly in the following years if in one year the entire net earnings should not attain the necessary amount for the distribution of this preferred dividend. The remainder of the net earnings intended for distribution will be equally apportioned to the common-stock shares. The total amount of preferred shares to be issued is determined by the German Government: it may not exceed 10 per cent of the entire capital. The right to dispose of the preferred shares belongs exclusively to Germany, Austria and Hungary on the basis of an agreement to be reached between the Governments of these States. The common-stock shares will, to the amount of one-quarter of the entire amount, be placed at the disposal of the Roumanian Government with the right to distribute them, at its pleasure, even to private interests. In so far as the Roumanian legislation decrees that up to a certain per cent. the administrators and other agencies of the joint stock company must be of Roumanian nationality, these provisions do not apply to the Commercial Monopoly Company. In all other respects the Commercial Monopoly Company is subject to all the legal prescriptions anent joint stock companies which are actually in force in Roumania, but, in so far as these provisions are compatible with the provisions of the present treaty. Subsequent modifications of the Roumanian legislation which affect the legal relations of joint stock companies shall be applicable to the Commercial Monopoly Company only in so far as an understanding with regard to the application of these

Handelsmonopolgesellschaft eine Einigung zwischen Deutschland und Oesterreich-Ungarn einerseits und Rumänien andererseits erzielt wird.

2. Gegenstand des Monopols ist das ausschließliche Recht zum Bezuge von Rohöl. Dem Rohöl steht gleich das aus Erdgas gewonnene Öl. Alles in Rumänien erzeugte Rohöl und Erdgasöl ist in den Reservoirien auf den Oelgruben oder sonstigen Erzeugungstätten der Handelsmonopolgesellschaft zu überlassen und von dieser zu übernehmen, soweit die Handelsmonopolgesellschaft es nicht als für den Betrieb des Erzeugers erforderlich diesem freigibt. Sollte eine Oelgrube weder von der Eisenbahn noch von einer Rohrleitung der Handelsmonopolgesellschaft berührt werden, so ist die Gesellschaft berechtigt, zu verlangen, daß das aus dieser Grube geförderte Rohöl gegen eine von ihr zu bestimmende Vergütung auf der nächsten Bahnstation oder an der nächsten Rohrleitungssammelstelle abgeliefert werde.

3. Der Uebernahmepreis für das Rohöl und Erdgasöl wird von der Handelsmonopolgesellschaft halbjährlich in angemessener Höhe festgesetzt.

4. Die rumänische Regierung ist verpflichtet, der Handelsmonopolgesellschaft auf ihr Ansuchen die im Eigentum Dritter befindlichen Anlagen, Einrichtungen und Betriebsmittel zur Beförderung, Lagerung, Verarbeitung, und Verwertung von Rohöl und Erdölerzeugnissen für ihre Zwecke zur Verfügung zu stellen, wenn sie sich mit dem Eigentümer über die von ihm auszuführenden Arbeiten auf vertraglichem Wege nicht verständ-

modifications to the Commercial Monopoly Company may be reached between Germany and Austria-Hungary on the one hand, and Roumania on the other hand.

2. The object of the monopoly is the exclusive right to procure crude oil. Oil that is obtained from natural gas is put on a par with crude oil. All the crude oil extracted and all oil secured from natural gas in Roumania must be left to the Commercial Monopoly Company in the reservoirs of the oil mines or in any other place of production and must be taken over by this company in so far as the Commercial Monopoly Company does not leave with the producer the amount necessary to the needs of his enterprise. If an oil mine is neither connected with a railroad nor with a pipeline of the Commercial Monopoly Company, then the company is entitled to demand that the crude oil extracted from this mine be delivered, on the basis of an indemnification which it shall determine, to the nearest railway station or to the nearest supply station of the pipe-line.

3. The Commercial Monopoly Company will determine each half year an equitable rate upon which it will take over the crude oil and the oil secured from natural gas.

4. The Roumanian Government is obligated, upon the request of the Commercial Monopoly Company, to put at the latter's disposal, for its needs, the establishments, installations and means of operation belonging to third parties, and necessary for the transportation, the storing, the transformation and the utilization of crude oil and its by-products, provided the company has not come to an understanding by way of a contract with the owner as regards the work to be

bigt. Als Vergütung hat sie dann dem Eigentümer einen Betrag zu zahlen, der unter Zugrundelegung des augenblicklichen tatsächlichen Wertes der benützten Anlagen, Einrichtungen und Betriebsmittel und unter Berücksichtigung der von der Handelsmonopolgesellschaft festzustellenden Sätze für Amortisation und Verzinsung dieses Wertes einen Gewinn von 8 Prozent einschließt. Bei Meinungsverschiedenheiten über den zugrunde zu legenden Wert wird dieser endgültig durch Sachverständige festgesetzt, die von den Regierungen Deutschlands, Oesterreich-Ungarns und Rumäniens im Einvernehmen mit einander jeweils für fünf Jahre ernannt werden. Raffinerie Neubauten und Erweiterungsanlagen unterliegen der Genehmigung der Handelsmonopolgesellschaft.

5. Die Handelsmonopolgesellschaft hat das Recht, zur Beförderung von Betriebsmitteln (Wasser, Gas, usw.) und zur Beförderung und Lagerung ihrer Rohstoffe und Erzeugnisse Rohrleitungen einschließlich Tanks, Pumpanlagen usw., ferner elektrische Leitungen zum Zwecke der Beleuchtung oder Kraftübertragung einzurichten. Zu diesem Zwecke steht ihr das Recht der kostenlosen Benützung öffentlicher Wege und Brücken sowie der Staatseisenbahn- und sonstigen Staatsgelände zu. Die Benützung sonstiger fremder Grundstücke kann, falls eine gütliche Einigung mit dem Eigentümer nicht zustande kommt, durch Enteignung erfolgen, in welchem Falle der Nachweis der Gemeinnützigkeit des Unternehmens als erbracht angesehen wird. Staatliche Rohrleitungen einschließlich Tanks, Pumpanlagen usw. werden der Handelsmonopolgesellschaft

carried out by him. As regards indemnification, it has in that case to pay to the owner an amount equal to the actual real value of the utilized establishments, installations and means of operation, by taking into account the amounts which the Commercial Monopoly Company is to determine with a view to the amortization and payment of interest of this value, inclusive of a profit of 8 per cent. In the case of differences of opinion with regard to the value to be determined, such value will finally be established by experts appointed in common and each time for a period of five years by the German, Austro-Hungarian and Roumanian Governments. The construction of new refineries and the construction of other buildings to widen the scope of the enterprise are subject to the approval of the Commercial Monopoly Company.

5. The Commercial Monopoly Company has the right, for the purpose of transmitting means of operation (water, gas, etc.) and the transportation and storing of its raw materials and by-products, to lay pipe-lines, inclusive of tanks, pumping apparatus, etc., as well as electric conduits for lighting purposes or transmitting power. To that end it is entitled to the gratuitous use of public roads and bridges as well as of the State railway and other State lands. The use of any other parcels of land belonging to third parties may, in case a friendly agreement is not reached with the owner, take place by way of expropriation, and, in such case, the proof that the enterprise is one of public utility will be regarded as duly acquired. National pipe-lines, inclusive of tanks, pumping apparatus, etc., will, upon the demand of the Commercial Monopoly Company,

auf ihr Verlangen käuflich oder pachtweise überlassen. Kaufpreis und Pachtpreis werden auf Grund der am 1. August 1914 in Geltung gewesenen Benützungsgebühren bemessen. Neue Rohrleitungen und Tankanlagen dürfen ohne Genehmigung der Handelsmonopolgesellschaft nicht eingerichtet werden, mit Ausnahme derjenigen Rohrleitungen und Tankanlagen, die von den Erdölzeugern zur Einlagerung von Rohöl auf ihren eigenen Gruben ernötigt werden.

6. Die Handelsmonopolgesellschaft setzt jährlich im Benehmen mit der rumänischen Regierung die für die Deckung des rumänischen Inlandbedarfes einschließlich des Bedarfs für industrielle Zwecke zur Verfügung zu stellenden Mengen an Erdölzeugnissen fest und liefert sie zu Preisen, die die sonstigen durchschnittlichen Verkaufspreise der Handelsmonopolgesellschaft nicht übersteigen, an die „Societatea Anonima pentru Distribuția Produselor Petrolului.“ Die rumänische Regierung bestimmt die näheren Bedingungen für Verteilung und Verkauf dieser Mengen im Inlande sowie die etwa darauf zu erhebenden Abgaben.

Die Ausfuhr von Rohöl und Rohölzeugnissen.

7. Die Handelsmonopolgesellschaft hat das ausschließliche Recht der Ausfuhr von Erdöl und Erdölzeugnissen aus Rumänien. Die Ausfuhr darf weder eingeschränkt, noch verboten werden. Sie darf auch—unbeschadet der in diesem Vertrage vorgesehenen Bestimmungen—weder durch Auferlegung von Lasten, Zöllen oder Steuern, unter welchem Titel es auch immer sei, noch durch Verwaltungsmaßregeln irgendwelcher Art erschwert werden. Insbesondere ist die Vorschrift der Benützung bestimmter Grenzstationen zur Ausfuhr unzulässig, sofern die Handelsmonopol-

be transferred to it either through purchase or through leasing. Purchase-price and leasing-price will be based upon the utilization fees in force on 1 August, 1914. New pipe-lines and oil reservoirs may not be laid or constructed without the approval of the Commercial Monopoly Company, with the exception of those pipe-lines and reservoirs necessary to the producers of crude oil for the storing thereof within their own mining area.

6. In agreement with the Roumanian Government, the Commercial Monopoly Company determines annually the amount of mineral oil products to be reserved to meet the domestic Roumanian consumption, inclusive of the needs for industrial purposes, and it furnishes these products at prices which must not exceed the average sale prices of the Commercial Monopoly Company, to the “Societatea Anonima pentru Distribuția Produselor Petrolului.” The Roumanian Government determines the other conditions relating to the distribution and the sale of these quantities in the interior as well as the taxes levied thereon.

THE EXPORTATION OF CRUDE OIL AND CRUDE OIL PRODUCTS.

7. The Commercial Monopoly Company has the exclusive right to export mineral oil and mineral oil products from Roumania. This exportation may neither be restricted, nor prohibited. Nor may it—without prejudice to the provisions foreseen in this treaty—either be interfered with by the imposition of taxes, tolls or duties, under no matter what denomination, nor made difficult by administrative rules of whatever nature. In particular, the ordinance prescribing the use of special frontier stations for the exportation is inadmissible, in so

gesellschaft sich nicht damit einverstanden erklärt hat.

8. Die Handelsmonopolgesellschaft entrichtet für jede von ihr ins Ausland ausgeführte Menge von 1000 Kilogramm Kohöl und Erdölerzeugnissen (außer Asphalt) dem rumänischen Staat eine Abgabe von 4 Lei für Erdölerzeugnisse und 3.60 Lei für Kohöl. Die Abrechnung erfolgt halbjährlich; die fällige Abgabe ist innerhalb eines Vierteljahres nach erfolgter Abrechnung zahlbar.

9. Soweit nichts anderes vorstehend bestimmt ist, ist die Handelsmonopolgesellschaft befreit von der Entrichtung von Steuern und öffentlichen Abgaben jeder Art, unter welchem Titel und für wessen Rechnung auch immer es sei.

10. Die Einfuhr von Kohöl und Erdölerzeugnissen nach Rumänien ist verboten. Ausnahmen können mit Zustimmung der Handelsmonopolgesellschaft gegen Entrichtung einer an den rumänischen Staat zu bezahlenden und von der Handelsmonopolgesellschaft jährlich im voraus festzusetzenden Lizenz gestattet werden.

11. Der Zeitpunkt, mit welchem das Handelsmonopol in Kraft tritt, wird von der deutschen Regierung durch eine mindestens drei Monate vorher der rumänischen Regierung mitgeteilte Erklärung bestimmt.

V.

1. Die im Abschnitt I unter den Ziffern 7, Absatz 1, 9 und 10, sowie im Abschnitt III unter Ziffer 3 sowie unter Ziffer 2, letzter Satz, vorgesehenen Vergünstigungen werden auf sämtliche in Rumänien tätigen Gesellschaften und Unternehmungen ausgedehnt, welche sich mit der Förderung, Gewinnung, Ver-

far as the Commercial Monopoly Company has not declared its approval thereof.

8. For each quantity of 1,000 kilograms of crude oil or mineral oil products (excepting asphalt) the Commercial Monopoly Company pays to the Roumanian State a tax of 4 Lei for mineral oil products and 3.60 Lei for crude oil. The accounting takes place semi-annually; and the tax due is payable within a quarter of a year after the establishment of the accounts.

9. In so far as nothing to the contrary is stipulated in the preceding, the Commercial Monopoly Company is exempt from the payment of taxes and public assessments of any kind no matter under what denomination or for whose account it may be.

10. The importation of crude oil and mineral oil products into Roumania is forbidden. Exceptions to this prohibition may be granted with the authorization of the Commercial Monopoly Company through the means of a license payable to the Roumanian State and the amount of which will be determined annually and in advance by the Commercial Monopoly Company.

11. The date on which the Commercial Monopoly Company goes into force will be fixed by the German Government through the means of a declaration to the Roumanian Government at least three months in advance of that date.

V.

1. The privileges provided for in Section I under Nos. 7, paragraph 1, 9 and 10, as well as in Section III under No. 3 and also under No. 2, the last sentence, will be extended to all corporations and enterprizes in Roumania which are engaged in the extraction, the exploitation, the

arbeitung, Lagerung und Beförderung von Kohöl oder Erdölerzeugnissen be-
fassen.

2. Soweit Gesellschaften und Unter-
nehmungen der vorstehend unter Ziffer 1
bestimmten Art der zum Nachweis ihrer
Rechte dienenden Beweismittel dadurch
verlufftig gegangen sind, daß öffentliche
Register, Gerichtsakten oder sonstige
Urkunden während der Kriegszeit zer-
stört worden oder abhanden gekommen
sind, erfolgt die Feststellung der betref-
fenden Rechte in einem schiedsgericht-
lichen Verfahren. Das Schiedsgericht
besteht aus drei Schiedsrichtern, von
denen einer von den rumänischen Kohöl-
produzenten bezeichnet, der zweite von
der rumänischen Regierung ernannt
wird. Den dritten Schiedsrichter be-
stimmt die Regierung desjenigen
Staates, dessen Staatsangehörige im
Besitz des überwiegend finanziellen An-
teils an dem in Frage stehenden Unter-
nehmen sind. Die von diesem Schieds-
gericht gefällten Entscheidungen sind
endgültig.

Erklärung.

Die deutsche und die gemeinsame
österreichisch-ungarische Regierung einer-
seits und die rumänische Regierung
andererseits sind bezüglich Ziffer IV des
vorstehenden Petroleumabkommens da-
hin übereingekommen, daß die rumä-
nische Regierung alsbald nach Ratifika-
tion des Friedensvertrages mit den Re-
gierungen Deutschlands und Oesterreich-
Ungarns in Verhandlungen darüber
eintreten wird, in welcher Weise der
Ueberschuß Rumäniens an Erdöl und
Erdölerzeugnissen Deutschland, Oester-
reich und Ungarn zur Verfügung gestellt
werden könnte, ohne daß die Lebensin-
teressen Rumäniens in bezug auf den
eigenen Bedarf des Landes und seiner
Industrie gefährdet werden. Demnach
treten die Bestimmungen in Ziffer IV
nur dann in Kraft, wenn bis zum 1.

transformation, the storing and
the transportation of crude oil or
mineral oil products.

2. In so far as corporations and
enterprizes of the nature men-
tioned under No. 1 have lost the
means of proof serving to attest
their rights, by reason of the fact
that the public registers, judicial
acts and other documents have
been destroyed or mislaid during
the time of the war, the determi-
nation of the respective rights
takes place in an arbitral pro-
ceeding. The arbitral court con-
sists of three arbitrators of whom
the Roumanian crude oil pro-
ducers designate one and the
Roumanian Government appoints
the second. The third arbitrator
is appointed by the Government
of the State whose nationals are
in possession of a preponderating
financial share in the enterprize
in question. The decisions ren-
dered by this arbitral court are
final.

DECLARATION.

The German Government and
the joint Austro-Hungarian Gov-
ernment on the one hand, and
the Roumanian Government on
the other hand agree as regards
No. IV of the preceding petro-
leum agreement that the Rou-
manian Government, immediately
after the ratification of the peace
treaty will enter into negotiations
with the Governments of Ger-
many and Austria-Hungary for
the purpose of determining in
what manner the Roumanian
surplus of mineral oil and of
mineral oil products may be
placed at the disposal of Ger-
many, of Austria and of Hun-
gary so that the vital interests
of Roumania with regard to the
domestic needs of the country
and of her industries may not
be jeopardized. In consequence,
the provisions of No. IV will go
into force only if by 1 December,

Dezember 1918 eine anderweitige Verständigung zwischen den Regierungen von Deutschland, Oesterreich-Ungarn und Rumänien nicht erfolgt sein sollte.

1918, another agreement should not have been reached between the Governments of Germany, of Austria-Hungary and of Roumania.

Zweiter Teil.

SECOND PART.

Wirtschaftsabkommen.

ECONOMIC AGREEMENT.

Die Getreide-, Vieh-, Fleisch- und Rohstofflieferungen.

THE SUPPLYING OF GRAINS, CATTLE, MEATS AND RAW MATERIALS.

Artikel 1. Rumänien verkauft an Deutschland, Oesterreich und Ungarn die Uberschüsse des Landes an Getreide aller Art einschließlich Delsaaten, Futtermittel, Hülsenfrüchte, Geflügel, Vieh und Fleisch, Gespinnstpflanzen und Wolle für die Ernten der Jahre 1918 und 1919. Brotgetreide kann bis zu 6 Prozent auch in Form von Mahlerzeugnissen geliefert werden. Die Preise für Getreide und Futtermittel ergeben sich aus der Anlage. Die Preise für die übrigen Waren sowie die Einzelheiten der Lieferung werden von einer Kommission von Vertretern Deutschlands, Oesterreichs, Ungarns und Rumäniens in Anlehnung an die für Getreide und Futtermittel festgesetzten Preise unter Berücksichtigung der im Jahre 1917 bestandenen Preisverhältnisse bestimmt. Die Kommission wird alsbald nach Ratifikation des Friedens in Bukarest zusammentreten.

Article 1. Roumania sells to Germany, to Austria and to Hungary the surplus of the country in grains of all kinds, inclusive of oleaginous seeds, fodder, podded grains, fowls, cattle and meat, textile plants and wool of the harvests of the years 1918 and 1919. Grains that may be made into bread may also be supplied up to 6 per cent in the form of milled products. The prices for grains and fodder will be found in the annex. The prices for the other articles as well as the details regarding the supplying thereof will be fixed by a Commission of representatives of Germany, Austria, Hungary and Roumania on the basis of prices established for grains and fodder by taking into account the price quotations existing in the year 1917. Immediately after the ratification of the peace, the Commission will meet in Bucharest.

Artikel 2. Für die auf das Jahr 1919 folgenden sieben Jahre verpflichtet sich Rumänien, an Deutschland, Oesterreich und Ungarn die Uberschüsse des Landes an Getreide aller Art einschließlich Delsaaten, Futtermittel, Hülsenfrüchte, Geflügel, Vieh und Fleisch, Gespinnstpflanzen und Wolle zu liefern, falls Deutschland, Oesterreich und Ungarn dies verlangen. Die Regierungen des Deutschen Reichs und Oesterreichs, beziehungsweise Ungarns haben sich, sobald

Article 2. For the seven years following upon the year 1919 Roumania obligates herself to furnish to Germany, to Austria and to Hungary the surplus of the country in grains of all kinds, inclusive of oleaginous seeds, fodder, podded grains, fowls, cattle and meat, textile plants and wool, in case Germany, Austria and Hungary make such demand. The Governments of the German Empire and Austria, including Hungary, must declare, as soon

es ihnen irgend möglich, und zwar für Getreide aller Art, Mahlprodukte, Futtermittel, Gespinnstpflanzen und Wolle spätestens bis zum 1. April jeden Jahres, und zwar erstmalig bis zum 1. April 1920, für Mais spätestens bis zum 15. Juni, und zwar erstmalig am 15. Juni 1920, für die übrigen Waren halbjährig, und zwar Anfang Juli und Anfang Januar, erstmalig bis zum 1. Juli 1920 zu erklären, ob und wieviel sie auf Grund dieser Verpflichtung von den Ueberschüssen übernehmen wollen. Das Verlangen kann entweder auf den gesamten Ueberschuß oder auf eine bestimmt zu bezeichnende Menge der genannten Erzeugnisse gerichtet sein. Von Brotgetreide kann bis zu 6 Prozent der Ausfuhrmengen in Mahlprodukten geliefert werden. Wenn weder Deutschland noch Oesterreich noch Ungarn für ein Jahr von dem Uebernahmerecht Gebrauch machen, erlischt die Verpflichtung Rumäniens zur Lieferung auch für die folgenden Jahre.

Artikel 3. Für die übrigen im Artikel 1 nicht genannten landwirtschaftlichen Erzeugnisse, wie Obst, Wein, bleiben besondere Vereinbarungen vorbehalten mit der Maßgabe, daß Rumänien sich bereit erklärt, die Ueberschüsse des Jahres 1918 an Deutschland, Oesterreich und Ungarn zu liefern.

Die Preisbestimmung.

Artikel 4. Die Preise der Erzeugnisse, für die Deutschland, Oesterreich und Ungarn das Ankaufsrecht nach Artikel 2 zusteht, werden alljährlich von einer Kommission bestimmt. Die Kommission besteht aus einem Vertreter von Deutschland, Oesterreich und Ungarn, soweit sie am Bezuge beteiligt sind, und einer gleichen Anzahl von Vertretern Rumäniens. Wird der Vorsitzende

as they are able to do so, and, namely with regard to grains of all sorts, milled products, fodder, textile plants and wool, at the latest by 1 April of each year and for the first time before 1 April, 1920; as regards maize, at the latest by 15 June, and for the first time before 15 June, 1920; as regards the other articles semi-annually, namely by the beginning of July and by the beginning of January, and for the first time before 1 July, 1920, if and how much they want to take over of the surplus in virtue of this obligation. The demand may bear upon either the totality of the surplus or upon a definite quantity, to be indicated, of the products mentioned. Of all grains that can be made into bread, up to 6 per cent of the exportations may be supplied in milled products. In case neither Germany nor Austria nor Hungary make use for one year of the right of pre-emption, the obligation of Roumania to furnish supplies lapses likewise for the following years.

Article 3. For the other agricultural products not named under Article 1, such as fruit, wine, special agreements are reserved upon the condition that Roumania declares herself ready to furnish the surplus of the year 1918 to Germany, Austria and Hungary.

THE FIXATION OF PRICES.

Article 4. The prices for the products regarding which Germany, Austria and Hungary have the right of purchase, according to Article 2, will be fixed annually by a Commission. The Commission consists of a representative each from Germany, Austria and Hungary in so far as each of these countries participates in the purchase, and an equal number of representatives of Roumania. If

von der Kommission nicht einstimmig gewählt, so soll der Präsident des Schweizerischen Bundesgerichts um Ernennung des Vorsitzenden ersucht werden. Bei Stimmengleichheit beider Parteien gibt die Stimme des Vorsitzenden den Ausschlag. Dem Verfahren der Preisermittlung sollen entweder die freien Marktpreise in analogen Produktionsländern, und zwar in Deutschland, Oesterreich, Ungarn, Bulgarien, der Ukraine und den übrigen europäischen Teilen des ehemaligen Kaiserreichs Rußland, oder, sobald als möglich, die Handelspreise für überseeische Waren gleicher Art und Güte in holländischen, englischen oder deutschen Seehäfen, abzüglich der Fracht und Versicherung für die Fahrt zwischen diesen Seehäfen und den Häfen des Schwarzen Meeres, zugrunde gelegt werden.

Artikel 5. Die vom rumänischen Staat erhobene Zölle und Abgaben jeder Art werden zu Lasten des Verkäufers in den Preis eingerechnet.

Artikel 6. Rumänien wird für die Erzeugnisse, die es nach Deutschland, Oesterreich oder Ungarn nach diesem Vertrag zu liefern hat, Ausfuhrverbote erlassen, um die Erfüllung des Vertrages sicherzustellen. Falls Deutschland, Oesterreich, beziehungsweise Ungarn nur einen Teil der Uberschüsse verlangen, wird eine Ausfuhr nach anderen Ländern so lange nicht gestattet werden, wie der beanspruchte Teil des Uberschusses an Deutschland, Oesterreich und Ungarn nicht geliefert oder die Lieferung nicht gesichert ist.

Artikel 7. Die Feststellung der Uberschüsse erfolgt durch die rumänische Regierung unter Mitwirkung der Vertreter des Deutschen Reiches und Oesterreich-Ungarns, soweit hinsichtlich des besetzten Gebietes nach dem Friedensvertrage keine anderen Bestimmungen Platz greifen. Bei der Feststellung wird das Verhältnis der durchschnittlichen Ausfuhr der Jahre 1908

the chairman of the Commission is not unanimously chosen, then a request will be addressed to the President of the Swiss Federal Court for the designation of the chairman. In case of a tie vote, the vote of the chairman will decide. The prices will be fixed either on the basis of the current market prices in the countries of analogous production, that is to say, in Germany, Austria, Hungary, Bulgaria, Ukrainia and the remaining European parts of the former Russian Empire, or, as soon as possible, the commercial prices for transoceanic articles of the same nature and quality in Dutch, English or German seaports by deducting therefrom the freight and insurance between these maritime ports and the ports of the Black Sea.

Article 5. The tolls and taxes of any kind levied by the Roumanian State are included in the price and borne by the vender.

Article 6. In order to insure the execution of the treaty Roumania will issue prohibitions of exportation as concerns the products which she has to furnish to Germany, Austria, or Hungary. In case Germany, Austria or Hungary respectively call for only a part of the surplus, the exportation to other countries will remain prohibited in so far as the quantity of the surplus called for by Germany, Austria and Hungary has not been supplied or its delivery has not been insured.

Article 7. The determination of the surplus is made by the Roumanian Government in cooperation with the representatives of the German Empire and of Austria-Hungary, in so far as no other provisions are agreed upon after the peace treaty with regard to the occupied territory. The relation between the average exportation for the years

bis 1913 zur Gesamterzeugung unter entsprechender Berücksichtigung der Veränderungen des rumänischen Wirtschaftsgebietes zugrunde gelegt.

Artikel 8. Die Art und Weise der Aufbringung, der Uebernahme und Zahlung wird seitens einer von Rumänien zu errichtenden Ausfuhrstelle im Einvernehmen mit einer in Rumänien von Deutschland, Oesterreich und Ungarn zu errichtenden Stelle geregelt werden, deren Vertreter über alle Geschäftsvorgänge der Ausfuhrstelle dauernd auf dem laufenden zu halten sein werden. Insoweit hinsichtlich des besetzten Gebietes nach dem Friedensvertrage andere Bestimmungen oder Vereinbarungen hierüber getroffen werden, sind diese maßgebend. Die von Deutschland, Oesterreich und Ungarn zu errichtende Stelle wird von besonderen Abgaben und Gebühren frei sein.

Artikel 9. Deutschland und Oesterreich-Ungarn werden bestrebt sein, die Ausfuhr aller in Rumänien benötigten Waren, Ganz- und Halberzeugnisse, Rohstoffe usw., insbesondere der zur Hebung der landwirtschaftlichen Erzeugung notwendigen Gegenstände nach Möglichkeit zu fördern. Um den Bedürfnissen des Landes Rechnung zu tragen, sind sie bereit, sogleich nach Ratifikation des Friedensvertrages in Verhandlungen über die Ausfuhr solcher Waren nach Rumänien einzutreten.

Kreditierung der Kaufvaluta.

Artikel 10. Deutschland und Rumänien sowie Oesterreich-Ungarn und Rumänien werden sich gegenseitig die zur Bestreitung der Zahlungsverpflichtungen aus diesem Vertrage notwendigen Zahlungsmittel gegen Einräumung von Guthaben in der Währung des anderen Landes zur Verfügung stellen. Die Einzelheiten dieser Regelung werden späterer Vereinbarung vorbehalten.

1908 to 1913 and the total production will serve as a basis for the determination by taking an equitable account of the changes in the Roumanian field of economics.

Article 8. The manner and method of collecting, taking possession of and payment will be regulated by an exportation office to be constructed by Roumania in agreement with an office to be established by Germany, Austria and Hungary whose representatives must at all times be kept informed of all operations of the exportation office. In so far as with regard to the occupied territory other provisions or agreements are reached after the peace treaty, they are authoritative. The office to be constructed by Germany, Austria and Hungary will be exempt from special taxes and dues.

Article 9. Germany and Austria-Hungary will endeavor to promote in so far as possible, the exportation of all articles, manufactured or semimanufactured products, raw materials, etc., especially those articles necessary for the promotion of agricultural production. In order to do justice to the needs of the country, they are ready, immediately after the ratification of the peace treaty, to enter into negotiations anent the exportation of such articles to Roumania.

ACCOUNTING OF THE PURCHASE VALUE.

Article 10. Germany and Roumania as well as Austria and Roumania will mutually place at each other's disposal the necessary means of payment to meet the obligations resulting from this treaty by opening a credit account in the currency of the other country. The details of this settlement are reserved for a subsequent agreement.

Artikel 11. Rumänien verpflichtet sich, den Warenverkehr durch seine Transportmittel und Tarife nach jeder Richtung hin zu fördern. In gleicher Weise werden das Deutsche Reich und Oesterreich-Ungarn den Warenverkehr mit Rumänien fördern und erleichtern.

Artikel 12. Alle Streitigkeiten aus diesem Vertrage sind durch ein aus drei Personen bestehendes Schiedsgericht zu entscheiden. Dieses Schiedsgericht wird in der Weise gebildet, daß Deutschland, Oesterreich und Ungarn zusammen einen Schiedsrichter ernennen. Die so ernannten Schiedsrichter wählen den Obmann. Können sich die Schiedsrichter innerhalb eines Zeitraumes von zwei Monaten nach der Zustellung einer entsprechenden Aufforderung der einen Partei an die andere Partei über die Person des Obmanns nicht einigen, so kann jede Partei den schweizerischen Bundespräsidenten um Ernennung des Obmannes ersuchen. Der Sitz dieses Schiedsgerichts soll Bukarest sein.

Die Preise des Getreides und der Hülsenfrüchte.

Anlage.	Lei per 100 kilo- gramm.
Weizen und Roggen	38
Gerste	29
Hafer	29
Mais	29
Sirke	31
Bohnen	47
Erbfen	42
Raps (Rübsen, Senfsaat)	65
Leinsaat	75
Sonnenblumenkerne	55

Die Preise verstehen sich für gute, gesunde Ware von Durchschnittsqualität, geliefert lose franko Waggon Station, oder franko Bord Schlepp, respektive Dampfer, wenn die Ware direkt einem Hafen zugeführt wird.

Article 11. Roumania obligates herself to promote in every direction, the traffic in merchandise through her means of transportation and her tariffs. The German Empire and Austria-Hungary will in like manner promote and facilitate traffic in merchandise with Roumania.

Article 12. All disputes arising from this treaty are to be decided by an arbitral court composed of three members. This arbitral court will be so formed that Germany, Austria and Hungary will together appoint one arbitrator. The arbitrators thus appointed choose the umpire. If within two months after one party has made the request of the other party the arbitrators are unable to agree upon the person of the umpire, each party may then request the President of the Swiss Federation to designate the umpire. The seat of this arbitral court shall be in Bucharest.

THE PRICES OF GRAINS AND
PODDED GRAINS.

	Annex:	Lei per 100 kilo- grams.
Wheat and rye		38
Barley		29
Oats		29
Maize		29
Millet		31
Beans		47
Peas		42
Colza (cole-grain, mustard seed)		65
Flaxseed		75
Sun-flower seed		55

The prices are to be understood to be for good, sound articles of average quality, delivered, unpacked, to the station, f. o. b., or on board tow boat or steamer, in case the merchandise is directly taken to a port.

Dritter Teil.

THIRD PART.

Schiffahrtsabkommen.

NAVIGATION AGREEMENT.

Artikel 1. Bei der Ausübung der Schiffahrt auf der Donau werden die deutschen, die österreichischen und die ungarischen Schiffe, die deutschen, die österreichischen und die ungarischen Schiffahrtsunternehmer und ihre Angestellten auf dem Fuße vollständiger Gleichheit mit den rumänischen Schiffen, Schiffahrtsunternehmern und ihren Angestellten oder denen eines anderen Staates behandelt werden und alle Begünstigungen genießen, die diesen hinsichtlich des Schiffahrtsbetriebes und der Benutzung der dem öffentlichen Schiffsverkehr dienenden Anlagen und Anstalten gewährt werden. Ladungen deutscher, österreichischer, und ungarischer Schiffe sowie deutsche, österreichische und ungarische Güter, die auf Schiffen fremder Staaten befördert werden, sollen hinsichtlich aller Gebühren und öffentlichen Abgaben sowie hinsichtlich der Abfertigung und Behandlung in den rumänischen Häfen, Anlege- und Umschlagsplätzen mit rumänischen Gütern und solchen der in dieser Beziehung meistbegünstigten anderen Staaten vollkommen gleich behandelt werden. Die Bestimmungen der Absätze 1 und 2 werden in gleicher Weise auf der deutschen, der österreichischen und der ungarischen Donaufreife auf rumänische Schiffe, Schiffahrtsunternehmer nebst deren Angestellten sowie auf rumänische Ladungen und Güter angewendet werden.

Article 1. In the practice of navigation on the Danube, the German, the Austrian and the Hungarian ships, the German, the Austrian and the Hungarian ship owners and their representatives will be treated on a footing of absolute equality with the Roumanian ships, ship owners and their representatives or those of another State, and they will enjoy all the privileges that are granted to the latter as regards the navigation and the utilization of the establishments and installations in the service of public navigation. The cargoes of German, of Austrian and Hungarian ships as well as German, Austrian and Hungarian merchandise transported on ships of foreign States, shall as regards all dues and public taxes as well as regards the dispatching and handling in Roumanian ports, mooring places and trans-shipment places, be treated in this respect absolutely on a par with Roumanian merchandise and merchandise of the other most favored States. The provisions of §§ 1 and 2 will be applied in the same manner within the German, Austrian and Hungarian stretch of the Danube, to Roumanian ships, to Roumanian ship owners and to their representatives, as well as to Roumanian cargoes and goods.

Artikel 2. A. Die Regierungen der vertragschließenden Teile werden wie bisher so auch fernerhin dafür Sorge tragen, daß in den Uferplätzen ihrer Gebiete die notwendigen Verkehrs- und Winterhäfen, Lade- und Landplätze sowie Niederlageplätze für Güter zur öffentlichen Benutzung zur Verfügung stehen. B. Die deutsche, die österreichische und die ungarische Regierung werden in ihren

Article 2. A. The Governments of the contracting parties will as hitherto, see to it in future that along the shore places of their territories the necessary ports of traffic and for wintering, embarkation and disembarkation places as well as storing places for goods will be available for public use. B. The German, the Austrian and the Hungarian Governments will, within their terri-

Gebieten der Erpachtung von Uferstreifen durch rumänische Schiffahrtsunternehmungen Hindernisse nicht in den Weg legen. C. Andererseits wird die rumänische Regierung in den Uferplätzen ihres Gebietes den deutschen, den österreichischen und den ungarischen Binnenschiffahrtsunternehmungen mit regelmäßigem Personen- oder Güterverkehr geeignete Uferstreifen, auf denen sie unter Beachtung der bestehenden baupolizeilichen Vorschriften Magazine mit den dazu erforderlichen Bureauräumen, Anlege- und Niederlageplätzen, Lade-, Lös- und Umschlagsvorrichtungen, Reparaturanstalten, Kohlenplätzen sowie die für diese Betriebe erforderlichen Geleise herrichten können, nach Maßgabe des Bedürfnisses der betreffenden Binnenschiffahrtsunternehmungen und, soweit die öffentlichen Verkehrsbedürfnisse es gestatten, pachtweise auf dreißig Jahre zur Verfügung stellen. D. Es wird vereinbart, daß die rumänische Regierung alsbald nach Ratifikation des Friedensvertrages die Regelung dieser Fragen an Ort und Stelle vornehmen läßt, wozu Kommissäre der deutschen, der österreichischen, und der ungarischen Regierung zur Wahrnehmung der Interessen ihrer Schiffahrtsgesellschaften werden eingeladen werden. E. Den deutschen, den österreichischen und den ungarischen Seeschiffahrtsunternehmungen sollen für ihre regelmäßigen Linien nach Möglichkeit ständige Anlegeplätze in den der Seeschiffahrt dienenden rumänischen Häfen zugewiesen werden nebst den erforderlichen, in der Nähe dieser Anlegeplätze gelegenen Magazinen. F. Deutschland und Rumänien kommen überein, daß Deutschland für die Zeit, in der Rumänien an Deutschland, Oesterreich und Ungarn seinen Getreideüberschuß verkaufen wird, die Getreide- und Kohlenelevatoren, die Deutschland

tories, put no hindrances in the way of the leasing of river stretches by Roumanian navigation enterprizes. C. On the other hand, upon the shore lands within its territory, the Roumanian Government, by lease extending over a period of thirty years, places at the disposal of German, Austrian and Hungarian internal navigation enterprizes with a regular passenger and commercial traffic, such stretches of territory along the shore as can be used for the installation of warehouses, together with the necessary offices, under the reservation of the observance of existing building regulations, places for anchorage and storing, for loading and unloading and for transfer, repair-shops, coal dumps as well as the necessary tracks for these operations, according to the needs of the respective internal navigation enterprizes, and, in so far as the public traffic needs may allow. D. It is agreed that immediately after the ratification of the peace treaty, the Roumanian Government will proceed, on the spot, with the settlement of these matters by inviting commissioners of the German, of the Austrian and of the Hungarian Government to look after the interests of their navigation companies. E. For the German, for the Austrian and for the Hungarian high-seas navigation companies permanent anchorage, in so far as possible, shall be reserved for their regular lines within the Roumanian ports doing maritime service, together with the necessary warehouses located in proximity of these places of anchorage. F. Germany and Roumania agree that for the period during which Roumania will sell to Germany, to Austria and to Hungary the surplus of her grains, Germany will use the grain and coal elevators which Germany has erected

in den Donauhäfen Calafat, Corabia, Turnu-Magurele, Giurgiu und Oltenitza errichtet hat, betreiben wird, vorausgesetzt, daß diese Einrichtungen den allgemeinen Verkehr in den vorgenannten Häfen nicht hindern. Demgemäß wird sogleich nach Ratifikation des Friedensvertrages eine deutsch-rumänische Kommission diese Einrichtungen besichtigen und die Bedingungen festsetzen, unter denen sie gebraucht und eventuell umgeändert werden sollen, wobei die jetzigen und zukünftigen Bedürfnisse dieser Häfen berücksichtigt werden sollen. Nach Ablauf der Verkaufsfrist der Getreideüberschüsse an Deutschland, Oesterreich, und Ungarn wird eine Vereinbarung über die Ueberlassung der in Frage stehenden Einrichtungen an den rumänischen Staat getroffen werden, wobei die auf Grund des Friedensvertrages von dem rumänischen Staate für diese Anlagen etwa geleisteten Zahlungen berücksichtigt werden sollen. G. Alle übrigen von Deutschland und Oesterreich-Ungarn in den rumänischen Donauhäfen während des Krieges geschaffenen Anlagen zur Verbesserung des Hafensbetriebes, einschließlich Eisenbahnanlagen, werden, soweit im Friedensvertrag oder seinen Anlagen nicht besonderers vereinbart ist, an Rumänien gegen Erstattung der Kosten übergeben werden, unter Berücksichtigung der auf Grund des Friedensvertrages vom rumänischen Staate etwa bereits geleisteten Zahlungen.

within the Danube ports of Calafat, Corabia, Turnu-Magurele, Giurgiu and Oltenitza, on the condition that such installations will not interfere with the general traffic in the aforementioned harbors. Accordingly, and immediately after the ratification of the peace treaty, a German-Roumanian Commission will examine these installations and determine the conditions under which they shall be used and eventually changed, taking into account the present and future needs of these harbors. After the expiration of the purchase-period for the surplus of grains to Germany, Austria and Hungary, an agreement will be reached concerning the transfer to the Roumanian State of the installations in question and taking into account payments that may already have been made by the Roumanian State for these installations in conformity with the peace treaty. G. All other installations erected during the war, within the Roumanian Danube harbors, by Germany and by Austria-Hungary, with a view to the improvement of the port traffic, inclusive of railway tracks, will be transferred to Roumania, in so far as no special provision exists in the peace treaty or its annexes, by refunding the expenses and taking into account payments that may already have been made by the Roumanian State on the basis of the peace treaty.

Vierter Teil.

FOURTH PART.

Schlußbestimmung.

FINAL PROVISION.

Das gegenwärtige Sonderabkommen, das einen wesentlichen Bestandteil des Friedensvertrages bildet, wird ratifiziert werden. Die Ratifikationsurkunden sollen tunlichst bald in Wien ausgetauscht werden. Es tritt, soweit nichts anderes bestimmt ist, nach Austausch der

The present special agreement which forms an essential part of the peace treaty, will be ratified. Ratifications shall, as soon as possible, be exchanged at Vienna. In so far as nothing is stipulated to the contrary, it goes into force

Ratifikationen in Kraft. Zu Urkund dessen haben die Bevollmächtigten dieses Sonderabkommen unterzeichnet und mit ihren Siegeln versehen.

Ausgefertigt in dreifacher Urschrift, in Bukarest, am 7. Mai 1918.

Burian m. p.
 R. v. Kühlmann m. p.
 v. Koerner m. p.
 Kriege m. p.
 Sell m. p.
 Bene m. p.
 A. Marghiloman m. p.
 C. C. Arion m. p.
 J. Papiniu m. p.
 M. Burghela m. p.

after the exchange of the ratifications. In witness thereof the plenipotentiaries have signed this special agreement and affixed their seals to it.

Done in triple original, in Bucharest, 7 May, 1918.

Burian, *m. p.*
 R. v. Kühlmann, *m. p.*
 v. Koerner, *m. p.*
 Kriege, *m. p.*
 Hell, *m. p.*
 Bene, *m. p.*
 A. Marghiloman, *m. p.*
 C. C. Arion, *m. p.*
 I. Papiniu, *m. p.*
 M. Burghela, *m. p.*

5. ROUMANIA—GERMANY.

ECONOMIC TREATY, PROVIDED FOR IN ARTICLE XXIX OF THE TREATY OF PEACE BETWEEN ROUMANIA AND THE CENTRAL POWERS. SIGNED AT BUCHAREST, 7 MAY, 1918.

[German text as published in the Norddeutsche Allgemeine Zeitung, 15 May, 1918.]

[Translation.]

Auf Grund des Artikels 29 Absatz 1 des Friedensvertrags zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei einerseits und Rumänien andererseits sind die Bevollmächtigten des Deutschen Reichs, nämlich:

der Staatssekretär des Auswärtigen Amtes, Kaiserlicher Wirklicher Geheimer Rat, Herr Richard von Kühlmann,

der Kaiserliche Wirkliche Geheimer Rat, Herr Paul von Koerner,

der Direktor im Auswärtigen Amte, Kaiserlicher Wirklicher Geheimer Rat, Herr Dr. Johannes Kriege,

der Königlich Preussische Generalmajor Herr Emil Hell, Chef des Generalstabs des Oberkommandos der Heeresgruppe von Mackensen,

und
der Kaiserliche Kapitän zur See Herr Hans Bene
sowie die Bevollmächtigten des Königreichs Rumänien, nämlich:

der Königl. Ministerpräsident, Herr Alexandru Marghiloman,

On the basis of Article 29, Section 1, of the Treaty of Peace between Germany, Austria-Hungary, Bulgaria, and Turkey on the one hand, and Rumania on the other hand, the Plenipotentiaries of the German Empire, viz.:

the Secretary of State for Foreign Affairs, the Imperial Actual Privy Councillor, Herr Richard von Kühlmann,

the Imperial Actual Privy Councillor, Herr Paul von Koerner,

the Director of the Foreign Office, the Imperial Actual Privy Councillor, Dr. Johannes Kriege,

the Royal Prussian Major-General, Herr Emil Hell, Chief of the General Staff of the Supreme Command of the Mackensen Army Group,

and
the Imperial Naval Captain Hans Bene;

as also the Plenipotentiaries of the Kingdom of Roumania, viz.:

the Royal Ministerial President, M. Alexandru Marghiloman,

der Königl. Minister des Aus-
 fern, Herr Constantin C. Arion,
 der Königl. bevollmächtigte Mi-
 nister, Herr Ioan N. Papiniu

und

der Königl. bevollmächtigte Mi-
 nister in Disponibilität, Herr
 Mihail N. Burghele

übereingekommen, ein besonderes Ab-
 kommen über die künftige Regelung der
 wirtschaftlichen Beziehungen, des Eisen-
 bahnverkehrs, des Post- und Telegraphen-
 verkehrs zwischen Deutschland und Ru-
 mänien sowie über eine Werftanlage in
 Giurgiu zu schließen.

Die Bevollmächtigten haben sich nach
 Vorlage ihrer in guter und gehöriger
 Form besundenen Vollmachten über
 folgende Vereinbarungen geeinigt:

A. Bestimmungen über die Regelung
 der wirtschaftlichen Beziehungen
 zwischen Deutschland und Ru-
 mänien.

1. Die vertragsschließenden Teile sind
 darüber einig, daß mit dem Friedens-
 schluß die Beendigung des Krieges auch
 auf wirtschaftlichem und finanziellem Ge-
 biet erfolgt. Sie verpflichten sich, weder
 direkt noch indirekt an Maßnahmen teil-
 zunehmen, die auf die Weiterführung
 der Feindseligkeiten auf wirtschaftlichem
 oder finanziellem Gebiet abzielen, und
 innerhalb ihres Staatsgebiets solche
 Maßnahmen mit allen ihnen zu Ge-
 bote stehenden Mitteln zu verhindern.

In der Uebergangszeit, die zur Ueber-
 windung der Kriegsfolgen und Neuord-
 nung der Verhältnisse erforderlich ist,
 verpflichten sich die vertragsschließenden
 Parteien, möglichst keine Schwierig-
 keiten in der Beschaffung der notwen-
 digen Güter durch Einführung hoher
 Eingangszölle zu bereiten, und sprechen
 die Bereitwilligkeit aus, sobald in Ver-
 handlungen einzutreten, um, soweit als
 tunlich, die während des Krieges fest-
 gesetzten Zollbefreiungen vorübergehend
 noch länger aufrechtzuerhalten und wei-
 ter auszu dehnen.

the Royal Minister for For-
 eign Affairs, M. Constantin
 C. Arion,
 the Royal Minister Plenipo-
 tentiary, M. Ioan N. Pa-
 piniu,

and

the Royal Minister Plenipo-
 tentiary on unattached
 list, M. Mihail N. Burghele

have agreed to conclude a special
 arrangement as to the future
 regulation of the economic rela-
 tions, and the railway, postal
 and telegraph communications
 between Germany and Roumania,
 as also with regard to the estab-
 lishment of a dockyard at Giurgiu.

The Plenipotentiaries, after the
 exchange of their powers, found
 in good and due form, arrived at
 the following agreements:

A.—DECISIONS ON REGULATION OF
 ECONOMIC RELATIONS BETWEEN
 GERMANY AND ROUMANIA.

1. The contracting parties agree
 that on the conclusion of peace,
 the state of war terminates like-
 wise in the spheres of commerce
 and finance. They pledge them-
 selves not to participate in any
 measures, either directly or indi-
 rectly, which aim at the continua-
 tion of hostilities in these spheres,
 and to prevent such measures
 within their own dominions with
 all the means at their disposal.

In the transition period which
 is necessary for recovery from the
 consequences of the war and the
 re-establishment of normal con-
 ditions, the contracting parties
 engage, as far as possible, to inter-
 pose no hindrances to the procur-
 ing of necessary goods by the
 adoption of high import duties,
 and are prepared to enter into
 negotiations at once with the ob-
 ject of temporarily retaining and
 extending the customs exemp-
 tions established during the war.

2. Soweit in neutralen Staaten Waren lagern, welche aus Deutschland oder Rumänien stammen, die aber mit der Verpflichtung belegt sind, daß sie weder unmittelbar noch mittelbar nach den Gebieten des anderen vertragschließenden Teiles ausgeführt werden dürfen, sollen derartige Verfügungsbeschränkungen im Verhältnis zu den vertragschließenden Teilen aufgehoben werden. Die beiden vertragschließenden Teile verpflichten sich daher, den Regierungen der neutralen Staaten von der vorerwähnten Aufhebung dieser Verfügungsbeschränkungen unverzüglich Kenntnis zu geben.

3. Bevorzugungen, die einer der vertragschließenden Teile während des Krieges anderen Ländern durch Konzessionserteilungen oder andere staatliche Maßnahmen gewährt hat, sollen aufgehoben oder auf den anderen Teil durch Gewährung gleicher Rechte ausgedehnt werden.

4. Rumänien wird keinen Anspruch erheben auf die Begünstigungen, welche Deutschland an Oesterreich-Ungarn oder an ein anderes mit ihm durch ein Zollbündnis verbundenes Land gewährt, das an Deutschland unmittelbar oder durch ein anderes mit ihm oder Oesterreich-Ungarn Zollverbündetes Land mittelbar angrenzt. Kolonien, auswärtige Besitzungen und Schutzgebiete werden in dieser Beziehung dem Mutterland gleichgestellt.

Deutschland wird keinen Anspruch erheben auf die Begünstigungen, welche Rumänien an ein anderes mit ihm durch ein Zollbündnis verbundenes Land, das an Rumänien unmittelbar oder durch ein anderes mit ihm Zollverbündetes Land mittelbar angrenzt, oder den Kolonien, auswärtigen Besitzungen und Schutzgebieten eines der mit ihm Zollverbündeten Länder gewährt.

5. Die vertragschließenden Teile werden die Anwerbung von ländlichen Arbeitern und Handarbeiten in ihren Staatsgebieten gestatten.

2. So far as goods of German or Roumanian origin lying in neutral States are concerned, which carry the condition that they must not be exported either directly or indirectly to the territories of the other contracting party, such limitations as to their disposition with regard to the contracting parties are to be abrogated. The two contracting parties engage, therefore, to inform without delay the Governments of the neutral States of the removal of such limitations.

3. Preferences accorded by one of the contracting parties during the war to other countries by the granting of concessions or other Government measures are to be cancelled, or extended to the other party by the granting of equal rights.

4. Roumania will make no claim to the preferential treatment which Germany accords to Austria-Hungary or any other country associated with it in a customs union, which borders directly on Germany, or indirectly through another country associated with it, or with Austria-Hungary in a customs union. Colonies, foreign possessions and protectorates occupy the same position as the mother country in this regard.

Germany will make no claim to the preferential treatment which Roumania accords to any other country associated with it in a customs union, which borders on Roumania directly or indirectly through another country associated with it in a customs union, or to the colonies, foreign possessions, or protectorates of one of the countries associated with it in a customs union.

5. The contracting parties will permit the recruiting of agricultural laborers and of workmen within their dominions.

Ihrer Zuwanderung aus dem Gebiete des einen Teils in das Gebiet des anderen Teils werden keine Hindernisse entgegengestellt werden. Ausgenommen sind die im öffentlichen Dienst verwendeten Arbeiter und die gewerblichen Facharbeiter.

6. Die Rumänische Regierung wird bis zum Inkrafttreten des Abschnitts IV des unter dem heutigen Tage gezeichneten Petroleumabkommens oder der etwa an die Stelle dieses Abschnittes IV tretenden anderen Bestimmungen bei der Ausfuhr von Rohöl und Erdölzeugnissen sowie sonst im Petroleumabkommen aufgeführten Waren aus Rumänien nach Deutschland weder Ausfuhrzölle erheben noch wird sie die Ausfuhr dieser Waren verbieten oder anderen Beschränkungen irgendwelcher Art unterwerfen.

7. Die Angehörigen des Deutschen Reiches sowie die Aktiengesellschaften und andere Handels-, Erwerbs- oder Finanzgesellschaften, mit Einschluß der Versicherungsgesellschaften, die nach dem Recht des Deutschen Reiches errichtet sind, sollen berechtigt sein, bewegliches Vermögen jeder Art, sowie unbewegliches Vermögen in den Städten zu erwerben und für Zwecke des Betriebs von Handel, Gewerbe und Verkehrsunternehmungen, unbewegliches Vermögen in den ländlichen Gemeinden auf die Dauer von 30 Jahren zu pachten, sowie innerhalb der Pachtzeit darüber zu verfügen. Der zweimaligen Erneuerung des Pachtvertrags um die vorgenannte Pachtdauer wird seitens der Rumänischen Regierung kein Hindernis bereitet, sofern die Erneuerungen des Pachtvertrages jeweils 5 Jahre vor Ablauf der Pachtzeit im gemeinsamen Benehmen zwischen Pächter und Verpächter erfolgt.

Die Angehörigen des Deutschen Reiches und die obengenannten Gesellschaften werden den Betrieb von Handel, Gewerbe und Berufen ausüben können, ohne daß sie in dieser Hinsicht weiteren Beschränkungen oder höheren Steuern und Abgaben unterworfen sind als die am besten gestellte Klasse der Angehörigen oder Gesellschaften Rumäniens, wo-

No obstacle will be interposed to their migration from the dominions of the one party to those of the other party. Workmen engaged in the public service and skilled mechanics are excepted.

6. Until Section IV of the Petroleum Agreement, signed today, or other decisions replacing Section IV come into force, regarding the export from Roumania to Germany of crude oil and petroleum derivatives, and other goods referred to in the Petroleum Agreement, the Roumanian Government will neither impose export duties, forbid the export of these goods, nor subject their export to other restrictions of any kind whatsoever.

7. Subjects of the German Empire, as well as joint stock companies, and other commercial, industrial, or financial (including insurance) companies, which have legal status in Germany, shall be entitled to acquire moveable property of every kind, as well as real estate in the towns, for the purpose of conducting undertakings in connection with commerce, industry or communications, to lease real estate in rural communities for a term of 30 years, with power to control the same during the term of the lease. The Roumanian Government will not make any objection to the renewal of the lease for two additional similar terms, provided that, five years before the expiry of any such term, an agreement as to the renewal has been arrived at between lessor and lessee.

Subjects of the German Empire and the above-named companies may conduct commercial and industrial enterprises and exercise professions without being subjected to further restrictions or higher taxes and imposts than the most favored class of Roumanian subjects or companies,

bei sie sich den rumänischen Gesetzen anzupassen haben. Keinesfalls sollen sie in einer der bezeichneten Beziehungen oder hinsichtlich des Erwerbs, des Besitzes oder der Verfügung über ihr unbewegliches Vermögen jeder Art ungünstiger behandelt werden als die Angehörigen oder Gesellschaften eines dritten Landes.

Den deutschen Staatsangehörigen, welche in Rumänien unbewegliches Eigentum bereits zur Zeit des Friedensschlusses besessen haben, wird dieses Eigentumsrecht sowohl für ihre Person als auch für ihre Erben uneingeschränkt gemäß den rumänischen Landesgesetzen aufrecht erhalten.

8. Die deutschen Beförderungsunternehmungen werden in Rumänien hinsichtlich des Auswanderungswezens, insbesondere hinsichtlich des Abschlusses von Beförderungsverträgen und hinsichtlich der Bestellung von Vertretern und Agenten, die gleichen Rechte wie Beförderungs- oder Auswanderungsunternehmungen Rumäniens — insoweit solche in Rumänien tätig sein sollen — oder irgend eines anderen Landes genießen mit der Maßgabe, daß die Auswanderung über deutsche Häfen in gleicher Weise gestattet wird, wie die Auswanderung über rumänische oder andere Häfen, daß den nach den deutschen Häfen sich begebenden Auswanderern keine schwereren Bedingungen auferlegt werden als Auswanderern, die auf anderen Wegen das Land verlassen, und daß bei der Beförderung über deutsche Häfen die von der deutschen Gesetzgebung zum Schutze der Auswanderer aufgestellten Vorschriften auch seitens Rumäniens als ausreichend anerkannt werden.

9. Der Handels-, Zoll- und Schifffahrtsvertrag zwischen beiden Ländern vom 21./9. Oktober 1893 und das zugehörige Schlußprotokoll sollen in der ihnen durch den Zusatzvertrag vom 8. Oktober/25. September 1904 gegebenen Gestalt mit der Maßgabe wieder in

whereby, however, they are to be amenable to the Roumanian laws. In no case are they to be treated less favorably than subjects or companies of any third country in any of the above-mentioned respects, or with regard to the acquisition and possession of or disposal over their real estate of any kind.

German subjects who already possessed real estate in Roumania at the time of the conclusion of peace are hereby confirmed in their rights of possession, as well personally as for their heirs in conformity with the Roumanian Civil Law.

8. German forwarding companies are to enjoy the same rights in Roumania with regard to emigration, and especially with regard to the conclusion of forwarding contracts and the appointment of representatives and agents as forwarding or emigration undertakings belonging to Roumania (in so far as such may exist), or to any other country, on the understanding that emigration via German harbors will be permitted in the same way as emigration via Roumanian or other harbors, that no severer conditions shall be imposed on emigrants proceeding to German harbors than on those who leave the country by other routes, and that, in the case of emigration via German harbors, the provisions established by German law for the protection of emigrants are regarded as adequate by Roumania.

9. The commercial, customs and shipping agreement between the two countries of 21/9 October, 1893,¹ and the accompanying final protocol, shall come again into force in the form given to them by the supplementary agreement of 8 October/25 September, 1904,² on the understanding that they

¹ 87 *British and Foreign State Papers*, pp. 977, 1022.

² 97 *British and Foreign State Papers*, pp. 97, 1013.

Kraft treten, daß sie bis zum 31./18. Dezember 1930 und nach diesem Zeitpunkt bis zum Ablauf eines Jahres nach der von dem einen oder dem anderen vertragschließenden Teil ausgesprochenen Kündigung in Geltung bleiben werden.

Indes werden folgende Aenderungen und Ergänzungen des Vertrags und des Schlußprotokolls Platz greifen:

I.

Es wird folgender neuer Artikel eingefügt:

Artikel 2 a.

Aktiengesellschaften und andere Handels-, Erwerbs- und Finanzgesellschaften mit Einschluß der Versicherungsgesellschaften, die im Gebiete des einen vertragschließenden Teiles ihren Sitz haben und nach dessen Gesetzen errichtet sind, sollen auch im Gebiete des anderen Teiles als gesetzlich bestehend anerkannt werden und insbesondere das Recht haben, vor Gericht als Kläger oder Beklagte aufzutreten.

Sinngemäßlich der Zulassung zum Handels- oder Gewerbebetriebe sollen diese Gesellschaften im Gebiete des anderen Teiles jedenfalls dieselben Rechte genießen wie die gleichartigen Gesellschaften irgend eines dritten Landes.

II.

Artikel 5 wird durch folgenden dritten Absatz ergänzt:

In der auf den Krieg folgenden Uebergangszeit können zur Ueberwindung der Folgen des Krieges Verkehrsbeschränkungen, wie Einfuhrverbote, Ausfuhrverbote und Durchfuhrverbote erlassen werden, soweit nicht in besonderen Abkommen etwas anderes bestimmt ist; sie sind so zu handhaben, daß sie möglichst wenig lästig empfunden werden, und sind, sobald es die Verhältnisse gestatten, außer Kraft zu setzen.

III.

Artikel 7 erhält folgenden dritten Absatz:

will remain in force till 31/18 December, 1930, and after this period till the expiration of a year after notice given by one or the other of the contracting parties.

The following alterations and additions to the agreement and the final protocol will, however, take effect:

I.

The following new article is inserted:

Article 2a.

Joint stock companies and other commercial, industrial, and financial corporations (including insurance companies), which are situated in, and are established in accordance with the laws of the dominions of one of the contracting parties, shall also be regarded as having legal status in the dominions of the other party, and shall especially be entitled to appear before the Courts as plaintiff or defendant.

With regard to permission to conduct any business or industry, these companies shall enjoy the same rights as similar companies of any third country.

II.

Article 5 is supplemented by the following third section:

In the transition period following the war, restrictions on communications, such as prohibition of export, import and transit, may be issued, so far as is not otherwise prescribed by special agreement; they are, however, to be so administered as to be as little burdensome as possible, and to be annulled as soon as conditions permit.

III.

Article 7 receives the following third section:

Soweit in der Anlage C nicht anders bestimmt ist, soll für die Höhe der Zölle, welche von den nach Rumänien einzuführenden deutschen Waren zu entrichten sind, der allgemeine rumänische Zolltarif vom 28. Januar (a. St.) 1906 maßgebend sein.

IV.

Der erste Absatz des Artikels 12 enthält folgende Fassung:

Innere Abgaben, welche im Gebiete des einen der vertragsschließenden Teile für Rechnung des Staates, der Gemeinden, der Bezirke oder der Korporationen von der Hervorbringung, der Zubereitung, der Beförderung, dem Vertrieb oder dem Verbrauch eines Erzeugnisses gegenwärtig oder künftig erhoben werden, dürfen auch den gleichartigen Erzeugnissen des anderen Teils auferlegt werden, diese jedoch unter keinen Vorwand höher oder in lästigerer Weise treffen als die Erzeugnisse des eigenen Landes.

Soweit innere Abgaben auf Rohstoffe oder Halbwaren gelegt werden, soll die Feststellung eines angemessenen Steuerenausgleichs für die Einfuhr von Erzeugnissen, welche aus oder mit solchen Rohstoffen oder Halbwaren gewonnen werden, auch dann statthaft sein, wenn die gleichartigen inländischen Erzeugnisse nicht unmittelbar den Gegenstand der Abgabe bilden.

V.

Sinter Artikel 19 werden folgende neue Artikel eingefügt:

1. Artikel 19 a.

1. Auf den Eisenbahnen soll im Personen- und Gepäckverkehr hinsichtlich der Abfertigung, der Beförderungspreise und der mit der Beförderung zusammenhängenden öffentlichen Abgaben kein Unterschied zwischen den Bewohnern der Gebiete der vertragsschließenden Teile gemacht werden.

Hierbei besteht Einverständnis darüber, daß auf Bahnen niederer Ordnung

So far as is not otherwise prescribed in Appendix C, the duties imposed on German goods imported into Roumania, are to be in conformity with the general Roumanian Customs Tariff of 28 January (old style), 1916.

IV.

The first section of Article 12 is to read as follows:

Internal dues, which are now or will in future be levied by the State, municipalities, districts, or corporations, in connection with the production, preparation, forwarding, sale or use of any product, may be imposed upon the like products of the other party, under no pretext, however, at a higher rate or in a more burdensome manner than upon those of the country itself.

So far as internal dues are levied on raw materials or half-manufactured articles, the establishment of an adequate compensatory duty on the import of articles which are produced from such raw material or half-manufactured articles, shall even in such cases be permissible, where the similar domestic articles are not directly liable to such dues.

V.

After Article 19 the following new articles are interpolated:

1. Article 19a.

1. No difference shall be made between the inhabitants of the dominions of the contracting parties, in the matter of passenger and luggage traffic on railways with regard to the dispatching, the transportation rates, and the state dues incident to the transportation.

It is, however, agreed that on lines of less importance (small

(Kleinbahnen, Lokalbahnen, Nebenbahnen), die vorwiegend dem Fremdenverkehr dienen, Fahrpreisermäßigungen auf ortsansässige Angehörige der anliegenden Gemeinden beschränkt werden können.

2. In Deutschland aufgelieferte, nach Rumänien oder durch Rumänien nach einem dritten Staate zu befördernde Gütertransporte werden bei Erfüllung der gleichen Bedingungen auf den rumänischen Eisenbahnen weder in bezug auf die Abfertigung noch hinsichtlich der Beförderungspreise oder der mit der Beförderung zusammenhängenden öffentlichen Abgaben ungünstiger behandelt werden, als gleichartige einheimische Gütertransporte in derselben Richtung und auf derselben Verkehrsstrecke. Das gleiche wird auf den deutschen Eisenbahnen für in Rumänien aufgelieferte Gütertransporte gelten, die nach Deutschland oder durch Deutschland nach einem dritten Staate befördert werden.

Dieser Grundsatz findet wechselseitig auch Anwendung auf Gütertransporte aus den Gebieten des einen vertragsschließenden Teiles, die mit anderen Beförderungsmitteln über die Grenze in die Gebiete des anderen vertragsschließenden Teiles gebracht und dort auf die Eisenbahnen aufgeliefert werden.

Sollte ein dritter Staat Erzeugnisse eines der vertragsschließenden Teile auf seinen Verkehrswegen ungünstiger behandeln als die gleichartigen eigenen Erzeugnisse, so steht diesem Teile das Recht zu, die Erzeugnisse des betreffenden dritten Staates, die über die Eisenbahnen des anderen vertragsschließenden Teiles eintreten, auf seinen Bahnen in der Einfuhr und in der Durchfuhr ungünstiger zu behandeln als die eigenen Erzeugnisse. Es besteht Uebereinstimmung darüber, daß die ungünstigere Behandlung der Erzeugnisse eines solchen dritten Staates auf allen Bahnen des betroffenen vertragsschließenden Teiles, in dessen Gebieten die Ein- oder Durchfuhr stattfindet, gleichmäßig zu erfolgen haben wird.

3. Folgende Bedingungen für die Anwendung von Eisenbahntarifen, Er-

gauge railways, local railway and side lines), which serve transients predominantly, reductions of fare may be limited to persons residing in the adjacent communities.

2. Goods which are to be forwarded from Germany to Roumania or to a third State through Roumania are not to be treated less favorably with regard to dispatch, freight charges, or state dues incident to the transportation, than similar domestic goods shipped in the same direction, and on the same section of the Roumanian railways under similar conditions. The same will hold good for Roumanian goods which are forwarded to Germany, or to a third State through Germany.

This principle is also reciprocally applicable to the transport, from the territory of one of the contracting parties, of goods, which are conveyed by other means of transport over the frontier into the territory of the other contracting party, and there delivered to the railways.

Should a third State treat the products of one of the contracting parties on its transportation lines less favorably than its own similar products, the said party is entitled to treat less favorably than its own the products of the third State in question which come to its lines over the lines of the other contracting party, both in the case of import and transit. It is agreed that the less favorable treatment of the products of such a third State is to be uniform on all lines of the contracting party concerned in whose territory the import and transit takes place.

3. The following stipulations to allow of the application of rail-

mäßigungen der Beförderungspreise oder sonstigen Begünstigung sollen für den Verkehr der gleichartigen Gütertransporte aus den Gebieten des anderen vertragschließenden Teiles unwirksam sein:

a) Die Bedingung der inländischen Herkunft des Gutes, die Forderung einer solchen Bezeichnung des Gutes, die einem gleichartigen Gute des anderen vertragschließenden Teiles nicht zugänglich ist, ist dieser Bedingung gleichzuhalten.

b) Die Bedingungen der Aufgabe am Orte, es sei denn, daß es sich um die Bedingung der Anbringung von Gütern zu Schiff oder um die Bekämpfung eines vorübergehenden besonderen Notstandes handelt, oder, daß die Tarife für Bahnen untergeordneter Bedeutung allgemein durch die Vorschrift der Aufgabe am Orte dem Durchgangsverkehr vorenthalten werden.

c) Die Bedingung, daß der Rohstoff oder das Halbfabrikat für das begünstigte Gut ganz oder zu einem Teile auf inländischen Strecken befördert worden ist.

2. Artikel 19 b.

Die vertragschließenden Teile werden dafür Sorge tragen, daß für den Personen- und Güterverkehr nach Maßgabe des tatsächlichen Bedürfnisses direkte Tarife erstellt werden.

Für den wechselseitigen Verkehr zwischen Deutschland und Rumänien werden direkte Tarife mindestens in dem Umfang hergestellt werden, in dem sie am 1. August 1914 bestanden haben.

3. Artikel 19 c.

1. Für die Einfuhr und die Durchfuhr von Waren aus Deutschland werden auf den rumänischen Eisenbahnen keine höheren Tarife oder schwereren Bedingungen zur Anwendung kommen als diejenigen, die auf gleichartige Waren eines dritten Staates in derselben Richtung und auf derselben Verkehrsstrecke angewendet werden.

way tariffs, reductions of freight rates, or other preferences, shall be inoperative as regards the transport of similar goods from the territory of the other contracting party:

(a) The stipulation of the inland origin of the goods, the exaction of such marking of the goods as is not available for similar goods of the other contracting party is to be regarded as equivalent to this stipulation.

(b) The stipulation of delivery of goods at the point of dispatch (Aufgabe am Orte), unless it concerns the delivery of goods by ship, or the combating of some temporary special emergency, or unless the tariffs on lines of subordinate importance are generally inapplicable to through traffic, owing to the direction "Aufgabe am Orte."

(c) The stipulation that the raw material or the partly prepared material of the article enjoying preferential treatment has been forwarded entirely or partly on inland sections.

2. Article 19b.

The contracting parties will take care that through rates are fixed for passenger and freight traffic in accordance with the actual requirements.

For reciprocal traffic between Germany and Roumania through rates will be settled at least to the extent that existed on 1 August, 1914.

3. Article 19c.

For the import and transit of goods from Germany no higher tariffs or severer conditions will be put in force on the Roumanian railways than those to which similar goods of a third State will be subjected, in the same direction and on the same railway section.

Für die Ausfuhr und die Durchfuhr nach Deutschland bestimmter Waren werden auf den rumänischen Eisenbahnen keine höheren Tarife oder schwereren Bedingungen zur Anwendung kommen als für die in derselben Richtung und auf derselben Verkehrsstrecke nach einem inländischen Bestimmungsort oder nach einem dritten Staat beförderten gleichartigen Waren.

Die seitens der rumänischen Eisenbahnen im Verkehr von oder nach Seehäfen gewährten Vergünstigungen hinsichtlich der Tarife oder der mit der Beförderung zusammenhängenden öffentlichen Abgaben sind dem Bahnverkehr mit Deutschland von und nach der Landgrenze und dem Donauumschlagsverkehr mit Deutschland von oder nach den Donauumschlagsplätzen zur Beförderung zu stellen.

Hierbei wird das Maß der Vergünstigung nach dem prozentuellen Verhältnis festgesetzt, in dem die Vergünstigung zum lokaltarifmäßigen Frachtsatz und zu den mit der Beförderung zusammenhängenden normalen öffentlichen Abgaben steht.

Falls Vergünstigungen im Verkehr über See an die Bedingung der Aufgabe von Mengen über 20t geknüpft werden, gilt diese Bedingung für die Uebertragung der Vergünstigungen auf den Verkehr über die Landgrenze oder die Donauumschlagsplätze als nicht beigefügt.

Es besteht Einverständnis darüber, daß die Donauhäfen zwischen Braila einschließlich und dem Schwarzen Meer auch als Seehäfen zu betrachten sind.

2. Für die Ein- und Durchfuhr von Waren aus Rumänien über die deutsch-österreichischen Grenzübergänge und die deutschen Donauumschlagsplätze sowie für die Ausfuhr nach Rumänien bestimmter Waren über diese Grenzübergänge und Donauumschlagsplätze werden auf den deutschen Eisenbahnen keine höheren Tarife oder schwereren Bedingungen zur Anwendung kommen als diejenigen, die bei der Einfuhr auf gleichartige Waren Oesterreichs oder Ungarns oder der Balkanländer oder bei der Ausfuhr auf gleichartige deutsche

For export and transit of goods destined to Germany on the Roumanian railways no higher tariffs nor severer conditions will be imposed than on similar goods forwarded in the same direction and on the same line to an inland destination or to a third State.

Preferences in regard to tariffs or state dues on transportation accorded by the Roumanian railways to traffic from or to seaports are to be granted to the railway traffic with Germany from and to the Roumanian frontier, and of the Danube transshipment traffic with Germany from and to the transfer points on the Danube.

In this connection the proportion of the preference will be established according to the percentage of the preference to the local freight rates and normal dues on transportation.

Should preferences to traffic by sea be subject to the condition of the delivery of quantities over 20 t., the condition is not to be regarded as associated with the conveyance of preferences to traffic over the frontier, or to transfer points on the Danube.

It is agreed that the Danube ports from Braila, inclusive, to the Black Sea are to be considered as seaports.

2. No higher tariffs or severer conditions will be imposed by the German railways on the import and transit of goods from Roumania, or the export to Roumania of certain goods over the German-Austrian frontiers and the German transfer points on the Danube, than those which are imposed on the import of similar goods from Austria or Hungary or the Balkan countries, or the export of similar German goods

Waren nach Oesterreich oder Ungarn oder den Balkanländern über die genannten Grenzübergänge und Donauumschlagsplätze auf derselben Verkehrsstrecke in derselben Richtung angewendet werden.

Für die Einfuhr von Waren aus Rumänien über die deutschen Seehäfen werden auf den deutschen Eisenbahnen keine höheren Tarife oder schwereren Bedingungen zur Anwendung kommen als diejenigen, die auf gleichartige Waren eines dritten Staates auf derselben Verkehrsstrecke, in derselben Richtung angewendet werden.

3. Waren, die mit der Eisenbahn in Seehäfen oder Donauumschlagsplätzen ankommen und von dort mit deutschen Schiffen weiterbefördert werden, sowie Waren, die mit deutschen Schiffen in Seehäfen oder in Donauumschlagsplätzen ankommen und von dort mit der Eisenbahn weiterbefördert werden, werden auf den rumänischen Eisenbahnen in derselben Richtung und auf derselben Verkehrsstrecke weder in bezug auf die Abfertigung noch hinsichtlich der Beförderungspreise und der sonstigen Gebühren oder der mit der Beförderung zusammenhängenden öffentlichen Abgaben ungünstiger behandelt werden als Waren, die in den gleichen Seehäfen oder Donauumschlagsplätzen mit rumänischen Schiffen oder Schiffen anderer Nationalität ankommen oder von dort mit rumänischen Schiffen oder mit Schiffen anderer Nationalität weiterbefördert werden.

Die Bedingung, wonach die Anwendung von Eisenbahntarifen, Ermäßigungen der Beförderungspreise oder sonstigen Begünstigungen auf den rumänischen Eisenbahnen von der Beförderung der Waren mit Schiffen einer bestimmten Schiffsahrtsunternehmung oder in einer bestimmten Fluß- oder Seeverkehrsverbindung abhängig gemacht werden, ist für jene Waren, die mit deutschen Schiffen in Seehäfen oder Donauumschlagsplätzen ankommen oder von dort mit deutschen Schiffen weiterbefördert werden, unwirksam.

Waren, die mit der Eisenbahn in deutschen Donauumschlagsplätzen an-

over the frontiers and points above mentioned to Austria or Hungary, or the Balkan countries on the same line and in the same direction.

No higher tariffs or severer conditions will be imposed on the import of goods from Roumania via German seaports on the German railways than those which are imposed on similar goods from a third State on the same line and in the same direction.

3. Goods which arrive by rail at seaports or Danube harbors and are shipped thence on German boats, as well as goods which arrive in German boats at seaports or Danube harbors, and are thence forwarded by rail, will not be less favorably treated on the Roumanian railways when being carried in the same direction and on the same line, in regard to either the dispatching or the transportation rates and other charges or state tolls, than goods which arrive in the same seaports or harbors or are forwarded thence by Roumanian ships or ships of other nationality.

The stipulation that the application of railway tariffs, reductions in freight rates, or other preferences on the Roumanian railways is made dependent on the carrying of the goods by ships of a certain line, or on certain river or sea routes, is inoperative for goods which arrive in or are forwarded from seaports and Danube harbors on German ships.

Goods which arrive by rail in German Danube harbors, and

kommen und von dort mit Schiffen des rumänischen Staates oder staatlich subventionierter rumänischer Schiffsahrtsunternehmungen weiterbefördert werden, sowie Waren, die mit solchen Schiffen in deutschen Donauumschlagsplätzen ankommen und von dort mit der Eisenbahn weiterbefördert werden, werden auf den deutschen Eisenbahnen in derselben Richtung und auf derselben Verkehrsstrecke weder in bezug auf die Abfertigung noch hinsichtlich der Beförderungspreise und der sonstigen Gebühren oder der mit der Beförderung zusammenhängenden öffentlichen Ausgaben ungünstiger behandelt werden als Waren, die in den gleichen Donauumschlagsplätzen mit deutschen Schiffen oder Schiffen anderer Nationalität ankommen oder mit solchen von dort weiterbefördert werden. Die Bedingung, wonach die Anwendung von Eisenbahntarifen, Ermäßigung der Beförderungspreise oder sonstigen Begünstigungen auf dem deutschen Eisenbahnen von der Beförderung der Waren mit Schiffen einer bestimmten Donauschiffsahrtsunternehmung oder in einer bestimmten Donauverkehrsverbindung abhängig gemacht wird, ist für jene Waren, die mit Schiffen des rumänischen Staates oder staatlich subventionierter rumänischer Schiffsahrtsunternehmungen in deutschen Donauumschlagsplätzen ankommen oder von dort mit solchen Schiffen weiterbefördert werden, unwirksam. Soweit auf deutschen Bahnen jedoch nach oder von den deutschen Donauumschlagsplätzen billigere Tarife, Ermäßigungen der Beförderungspreise oder sonstige Begünstigungen unter der Bedingung gewährt werden, daß die Waren auf der Donau nach oder von Oesterreich oder Ungarn sowie nach oder von den unteren Donauländern oder von diesen befördert werden, bleibt diese Bedingung auch für jene Waren wirksam, die mit Schiffen des rumänischen Staates oder staatlich subventionierter rumänischer Schiffsahrtsunternehmungen in deutschen Donauumschlagsplätzen ankommen oder von dort mit solchen weitergehen.

are forwarded thence on ships belonging to the Roumanian Government, or to companies receiving subventions from the Roumanian Government, as well as goods which arrive in German Danube harbors by such ships and are forwarded thence by rail, will not be treated less favorably on German railways, in regard to dispatching, freight-rates and other charges or state tolls, than goods which arrive in or are forwarded from the same Danube harbors on German ships or ships of another nationality. The stipulation in accordance with which the application of railway tariffs, reductions in freight rates or other preferences on German railways, is made dependent on the forwarding of the goods by ships of a specified Danube shipping company, or by a specified Danube traffic connection, is inoperative for those goods which arrive in or are forwarded from German Danube harbors by ships belonging to the Roumanian Government or subventioned by it. In so far, however, as lower tariffs, reductions in freight rates and other preferences are granted on German railways to or from German Danube harbors, on the stipulation that the goods are shipped on the Danube to or from Austria-Hungary, as well as to or from the lower Danubian countries or from these, this stipulation remains operative also for those goods which arrive in or are forwarded from German Danube harbors in ships belonging to the Roumanian Government or subventioned by it.

4. Artikel 19 d.

1. Die Grundlage des Eisenbahnverkehrs zwischen den vertragschließenden Teilen bildet das Internationale Uebereinkommen über den Eisenbahnfrachtverkehr vom 14. Oktober 1900 in der Fassung, die es am 1. August 1914 gehabt hat.

2. Die rumänischen Eisenbahnen werden ihre Mitgliedschaft bei dem Verein deutscher Eisenbahnverwaltungen erneut beantragen.

Ueber die Bedingung der Benutzung der den deutschen Eisenbahnen angehörenden Wagen wird ein Zusatzübereinkommen zu dem Uebereinkommen, betreffend die gegenseitige Wagenbenutzung im Bereiche des Vereins deutscher Eisenbahnverwaltungen, zwischen den Eisenbahnverwaltungen in den vertragschließenden Staaten getroffen werden.

5. Artikel 19 e.

1. Die vertragschließenden Teile werden den Eisenbahnverkehr zwischen den beiderseitigen Gebieten gegen Störungen und Behinderungen sicherstellen.

2. In der Beförderung wird grundsätzlich keine Bevorzugung der Güter des eigenen Staates gegenüber denen des anderen vertragschließenden Teiles stattfinden.

3. Bei der Wagenstellung wird den Bedürfnissen für den Binnenverkehr und die Ausfuhr nach den Gebieten des anderen vertragschließenden Teiles gleichmäßig Rechnung getragen werden.

4. Die vertragschließenden Teile werden dahin wirken, daß den Bedürfnissen des durchgehenden Verkehrs durch günstige und gesicherte Zugverbindungen sowie durch Herstellung ineinander greifender Fahrpläne für den Personen- und Güterverkehr tunlichst Rechnung getragen wird. Hierbei wird Rumänien diese Zugverbindungen auf Verlangen nach Möglichkeit durch Zuganschlüsse gleichen Ranges herstellen, worüber im Einzelfalle das Einvernehmen zwischen den beiderseitigen Eisenbahnverwaltungen getroffen werden wird.

4. Article 19d.

1. The International Agreement on railway freight traffic of 14 October, 1890,¹ in the form which it had on 1 August, 1914, forms the basis of railway communication between the contracting parties.

2. The Roumanian railways will anew seek membership in the Union of German Railway Administrations.

An agreement supplementary to the agreement on reciprocal use of cars in the sphere of the Union of German Railway Administrations will be made between the railway administrations of the contracting States with regard to the conditions of the use of German railway cars.

5. Article 19e.

1. The contracting parties will insure railway traffic between both territories against interruption and delays.

2. No preference with regard to forwarding its own goods as against the goods of the other contracting party will, as a matter of principle, take place.

3. In distributing cars, the requirements of inland traffic and of export to the territory of the other contracting party will receive equal consideration.

4. The contracting parties will strive to meet the requirements of through traffic by convenient and guaranteed train connections, as well as by the construction of reciprocally adjusted time-tables for passenger and freight traffic. Roumania will, on request, arrange as far as possible for train connections of the same class, agreements as to which will be made between the two administrations in individual cases.

6. Artikel 19 f.

Die Rumänische Regierung wird spätestens im Laufe eines Jahres der revidierten internationalen Berner Uebereinkunft zum Schutze von Werken der Literatur und Kunst beitreten.

Für den Fall, daß ein solcher Beitritt unmöglich sein sollte, erklärt die Rumänische Regierung sich bereit, innerhalb derselben Frist mit der Deutschen Regierung in Verhandlungen wegen des Abschlusses einer Uebereinkunft, betreffend den gegenseitigen Schutz des Urheberrechts an Werken der Literatur, Kunst und Photographie einzutreten.

Die Vereinbarung betreffend den gegenseitigen Schutz von Handels- und Fabrikmarken vom 27. Januar 1882 bleibt aufrechterhalten.

VI.

Absatz 2 des Schlußprotokolls zu Artikel 1 erhält folgende Fassung:

Nur weiteren¹ läßt der vorgenannte Absatz vorbehaltlich anderweit getroffener Vereinbarungen diejenigen gegenwärtig in Rumänien in Kraft befindlichen gesetzlichen Bestimmungen unberührt, durch welche den Inländern in den ländlichen Gemeinden das Recht zum Grunderwerb und zum Schankgewerbe vorbehalten wird.

VII.

Der Schlußprotokollbestimmung zu Artikel 7 werden folgende neue Ziffern hinzugefügt:

3. Der Deutschen Regierung steht frei, die im Tarif der Anlage B enthaltenen Zugeständnisse ganz oder teilweise zurückzuziehen, nachdem sie von einer solchen Absicht der Rumänischen Regierung drei Monate vorher Mitteilung gemacht haben wird.

Falls die Deutsche Regierung von diesem Rechte Gebrauch machen sollte, wird sie auf die Bindung der Zollsätze der nachstehend aufgeführten Nummern des allgemeinen rumänischen Zolltarifs vom 28. Januar (a. St.) 1906 verzichten:

6. Article 19f.

The Roumanian Government will, within a year, subscribe to the revised international Berne Convention for the protection of works of literature and art.

In case the opportunity to do so should not occur, the Roumanian Government is prepared to enter into negotiations with the German Government for the conclusion of an agreement relating to the mutual protection of copyright in works of literature, art and photography.

The agreement respecting the reciprocal protection of trademarks of 27 January, 1882, remains in force.

VI.

Section 2 of the final protocol to Article 1 is to read as follows:

Until otherwise agreed the above-mentioned section leaves undisturbed the legal provisions at present in force in Roumania, in virtue of which the rights to acquire real estate in rural communities and the right to retail liquor are reserved to natives of rural communities.

VII.

The definition of the final protocol to Article 7 is enlarged by the following new numbers:

3. The German Government is at liberty to withdraw, entirely or in part, the concessions contained in the tariff of Appendix B, after three months' notice to the Roumanian Government of this intention.

Should the German Government make use of this right it will withdraw all claim to the fixation of the rates of duty on the following numbers of the general Roumanian Customs Tariff of 28 January (old style), 1906:

¹ Sic in "N. A. Z."

Nummer 16 bis 58, 106, 107 und 109, 159 bis 163, 177, 178, 200, 207, 221 bis 256, 261, 464 bis 479, 576, 583, 697 bis 701, 722 bis 724, 733, 760 bis 762, 825, 827 mit Ausnahme des Kölnischen Wassers (ex Nr. 827 a), 828.

4. Die vertragschließenden Teile sind einverstanden, daß die Zölle entweder in Gold oder nach der Wahl des Zollpflichtigen in Papier zum Goldwert erhoben werden dürfen.

VIII.

In das Schlußprotokoll werden folgende neue Bestimmungen aufgenommen:

a) Zu Artikel 8.

Rumänien wird bei der Ausfuhr von rohem oder mit der Art oder mit der Säge bearbeitetem Holz, sowie von Häuten keine anderen oder höheren Zölle erheben als am 1. August 1914 in Kraft waren. Falls Rumänien von den Waren, die Gegenstand des Wirtschaftsabkommens sind, Ausfuhrzölle erhebt, sollen diese Zölle bis zum Ablauf des Handelsvertrags nur in Uebereinstimmung mit den Vereinbarungen des gedachten Abkommens, d. h. zu Lasten des Verkäufers, erhoben werden können.

Ferner wird Rumänien Eier und Walnüsse mit keinen höheren Ausfuhrzöllen belegen als 5 % des Durchschnittswertes.

b) Zu Artikel 12.

Rumänien wird Steuerausgleiche im Sinne des Absatzes 2 des Artikels 12 nur dann erheben, wenn sowohl die Rohstoffe oder Halbwaren, wie auch die fertigen Erzeugnisse selbst in Rumänien erzeugt und mit der gleichen inneren Steuer belegt sind.

Ueber die Erhebung der inneren Steuern in Rumänien wird unter den in Artikel 12 Absatz 1 enthaltenen Voraussetzungen folgendes vereinbart:

Numbers 16 to 58, 106, 107 and 109, 159 to 163, 177, 178, 200, 207, 221 to 256, 261, 464 to 479, 576, 583, 697 to 701, 722 to 724, 733, 760 to 762, 825, 827, with exception of Eau de Cologne (ex. No. 827a) 828.

4. The contracting parties are agreed that duties may be paid in gold or in paper at gold rate.

VIII.

The following new provisions are included in the final protocol:

a. To Article 8.

Roumania will exact no other or higher duties than existed on 1 August, 1914, on the export of timber, either as logs or milled by the axe or saw, or of hides. Should Roumania levy export duties on goods which form the subject of the Economic Agreement these duties must only be levied until the expiry of the Commercial Treaty, in accordance with the above mentioned agreement, *i. e.*, at the expense of the vendor.

Further, Roumania will not impose more than 5 per cent. *ad valorem* on eggs and walnuts.

b. To Article 12.

Roumania will only levy compensatory duties in the sense of Section 2 of Article 12, when not only the raw material or half-manufactured articles, but also the completed articles are produced in Roumania, and liable to the same internal dues.

The following agreements have been arrived at with regard to the levying of internal duties in Roumania, under the presumptions contained in Article 12, Section 1:

1. Rumänien wird die innere Steuer für natürliche und künstliche Mineralwässer nicht über 0.07 Lei per kg. erhöhen. Für die übrigen Waren, die schon am 1. August 1914 mit inneren Steuern belegt waren, wird die Höhe dieser Steuern nicht gebunden.

2. Für die Waren, die am 1. August 1914 nicht mit inneren Steuern belegt waren, wird Rumänien keine inneren Steuern einheben, die mehr als 10 % der autonomen beziehungsweise vertragmäßigen Einfuhrzölle Rumäniens betragen. Die Waren der Abschnitte 33—41 und 44 des rumänischen Zolltarifs vom 28. Januar (a. St.) 1906 werden von inneren Steuern frei bleiben.

c) Zu Artikel 19 a.

1. Die Frachtermäßigungen, die auf den rumänischen Eisenbahnen einzelnen rumänischen Industrieunternehmungen bis zum 1. Juli 1916 für den Versand ihrer Erzeugnisse auf Grund des Industrieförderungsgesetzes vom 13. Februar 1912 gewährt worden sind und am 1. Juli 1916 noch in Kraft waren, sollen während ihrer Geltungsdauer für in Deutschland aufgelieferte nach oder durch Rumänien nach einem dritten Staate zu befördernde Gütertransporte innerhalb von 5 Jahren nach Ratifizierung des Friedensvertrages nicht beansprucht werden.

2. Der Bedingung der „Aufgabe am Orte“ ist die Bedingung der Anfuhr eines Gutes zur Abfertigungsstelle mit Landfuhrwerk, mit Schlepfbahnen (auf Privatanschlußgleisen), mit Kleinbahnen oder auf bestimmten Eisenbahnwegen gleichzuhalten.

3. Die auf den Eisenbahnen jeweils bestehenden Militärtarife können ausschließlich nur von der heimischen Militärverwaltung in Anspruch genommen werden.

d) Zu Artikel 19 b.

1. Für die Entscheidung der Frage, ob ein Bedürfnis für die Herstellung direkter Tariffsätze im Rahmen be-

1. Roumania will not raise the excise on natural and artificial mineral waters above 0.07 Lei per kg. As to other goods which were subjected to excise on 1 August, 1914, the height of the duties is not restricted.

2. Roumania will levy no internal duties on goods which were not liable thereto on 1 August, 1914, higher than 10 per cent of the autonomous or agreed import duties of Roumania. The goods of sections 33—41 and 44 of the Roumanian Customs Tariff of 28 January (old style), 1906, will remain free of internal duties.

c. To Article 19a.

1. Freight reductions conceded by the Roumanian railways before 1 July, 1916, on the basis of the Law for the Encouragement of Industry of 13 February, 1912, to certain Roumanian industrial undertakings for forwarding their productions, and still in force on 1 July, 1916, shall not be claimed during their validity for the transport of goods from Germany to or through Roumania to a third State, within five years after ratification of the treaty of peace.

2. The stipulation of the delivery of goods to the point of dispatch by wagon, by trains (on private connecting tracks), by small gauge railways or specified railway lines, is to be regarded as equivalent to the stipulation „Aufgabe am Orte.“

3. The military tariffs current on railways can only be taken advantage of by the home military administration.

d. To Article 19b.

1. For the settlement of the question whether there exists any necessity for the arrangement of

stehender Tarife für den Personen- und Güterverkehr vorliegt, ist das Ermessen der antragstellenden Eisenbahnverwaltungen maßgebend.

2. Die bei gebrochener Abfertigung sich ergebenden Frachtsätze sind auf Verlangen einer der Eisenbahnverwaltungen der vertragsschließenden Teile auch in die direkten Tarife einzurechnen.

3. Die Staatseisenbahnverwaltungen der vertragsschließenden Teile werden sich bezüglich der Verteilung der direkten Frachtsätze in kürzester Zeit über solche Grundsätze zu einigen haben, die eine Sonderstellung einer oder einzelner der beteiligten Eisenbahnverwaltungen ausschließen.

B. Abkommen über die Regelung gewisser Eisenbahnfragen im Verkehr zwischen Deutschland und Rumänien.

I.

Die aus dem Personen-, Gepäck- und Güterverkehr bis zum Ausbruch des Krieges sich ergebenden Zahlungsverpflichtungen der Eisenbahnen untereinander einschließlich der Vergütungen für die gegenseitige Wagenbenutzung auf Grund des Uebereinkommens über die gegenseitige Wagenbenutzung im Bereiche des Vereins deutscher Eisenbahnverwaltungen sind nebst Zinsen, soweit sie in den in Betracht kommenden Abmachungen etwa vorgesehen sind, anzuerkennen und längstens innerhalb von 6 Monaten nach Ratifizierung des Friedensvertrages zu erfüllen.

II.

Der Einwand der während des Krieges eingetretenen Verjährung wird bei Frachterstattungs- und Entschädigungsansprüchen, wenn diese Ansprüche innerhalb eines Jahres nach Ratifizierung des Friedensvertrages bei den deutschen oder rumänischen Eisenbahnen angemeldet werden, nicht geltend gemacht werden.

through tariff rates for passenger and freight traffic, the judgment of the railway administration applying shall be conclusive.

2. The freight rates resulting from interrupted dispatch, are at the request of one of the railway administrations of the contracting parties, to be included in the through tariffs.

3. The State railway administrations of the contracting parties, will have to agree as soon as possible, on such principles as to the arrangement of through freight rates as will exclude any exceptional position of one or the other of the administrations.

B.—AGREEMENT AS TO REGULATION OF CERTAIN RAILWAY QUESTIONS, IN TRAFFIC BETWEEN GERMANY AND ROUMANIA.

I.

The sums due up to the outbreak of war in connection with passenger luggage and goods traffic of the railways to each other inclusive of the compensation for the reciprocal use of wagons on the basis of the agreement on the reciprocal use of wagons in the sphere of the Union of German Railways are to be acknowledged and paid with interest as far as provided for in the said agreement at the latest within six months of the ratification of the treaty of peace.

II.

The objection of limitation having occurred during the war will not be taken advantage of with regard to claims for freight refunds and damages if these claims are notified to the German or Roumanian railways within a year after the ratification of the treaty of peace.

III.

Nach Artikel 36 des deutsch-rumänischen rechtspolitischen Zusatzvertrages zum Friedensvertrage soll das im Eigentum eines vertragschließenden Teiles oder seiner Angehörigen stehende Eisenbahnmateriale, das sich bei Ausbruch des Krieges auf dem Gebiete des anderen Teiles befunden hat, unverfehrt zurückgegeben oder, soweit dies nicht möglich ist, in Geld ersetzt werden. Dieser Ersatz hat nach den gegenwärtigen Preisen für Beschaffungen in Deutschland zu erfolgen. Hierbei können beschädigte Wagen zurückverlangt werden gegen Ersatz der Wiederherstellungskosten auf obiger Grundlage. Die Entschädigung, die für die Zeit von der Entziehung des Eisenbahnmateriale bis zur Zurückgabe oder Ersatzleistung bezahlt werden muß, erfolgt bezüglich der Wagen auf Grund des Uebereinkommens, betreffend die gegenseitige Wagenbenutzung im Berichte des Vereins deutscher Eisenbahnverwaltungen.

IV.

Rumänien wird den Verkehr von und nach Deutschland in jeder Weise namentlich auf dem Gebiete des Eisenbahnwesens und der Zollabfertigung fördern und die darauf bezüglichen Wünsche der deutschen Regierung hinsichtlich des Betriebes und des Fahrplanes auf den für die Ein-, Aus- und Durchfuhr von und nach Deutschland in Frage kommenden Linien berücksichtigen. Die Abfuhr der für das Gebiet des anderen vertragschließenden Teiles bestimmten Ausfuhrgüter nach den Binnenumschlagsstationen, Seehäfen oder Grenzübergangsstationen soll beiderseitig durch regelmäßige Zugverbindungen tunlichst unter Bildung geschlossener Züge erleichtert werden.

Die Deutsche Regierung erklärt sich bereit, die rumänischen Eisenbahnen beim Wiederaufbau ihres Betriebes, insbesondere durch Beistellung eigener Betriebsmittel der deutschen Eisen-

III.

In accordance with Article 36 of the German-Roumanian political treaty supplementary to the treaty of peace, railway equipment, the property of one of the contracting parties or its subjects, which on the outbreak of war was on the territory of the other party, shall be returned uninjured, or if this is not possible, compensated for in money. This compensation must be at the present rates for manufacture in Germany. Damaged wagons can be demanded back against payment of cost of repairs on the above basis. The compensation which must be paid for the time from the withdrawal of the rolling-stock to the return of or compensation for it will be determined on the basis of the agreement relative to the reciprocal use of wagons in the sphere of the Union of German Railway Administrations.

IV.

Roumania will further in every way traffic from and to Germany, especially with regard to railway and customs arrangements, and will respect the wishes of the German Government in regard to the management and the timetables on the lines concerned in export, import and transit from and to Germany. The dispatch of export goods for the territory of the other contracting party to inland junctions, seaports or frontier stations shall be facilitated on both sides by regular connections, as far as possible, with the formation of closed trains.

The German Government is prepared to assist in the reconstruction of the Roumanian railways, especially by the contribution of railway material to facil-

bahnen für die Ausfuhr nach Deutschland zu unterstützen, soweit dies die sonstige Inanspruchnahme des deutschen Betriebsmittelparfes zuläßt.

Die Deutsche Regierung wird einen Sachmann auf dem Gebiet des Eisenbahnverkehrswezens als ihren Vertreter abordnen. Ihm steht die ausschließliche Entscheidung über die Verwendung der den deutschen Eisenbahnen gehörenden, für die Ausfuhr in Frage kommenden Betriebsmittel zu. Ueber die Bedingungen ihrer Benutzung wird ein Abkommen zwischen den beiderseitigen Eisenbahnverwaltungen getroffen werden.

Dem Vertreter wird über die Beförderung der Waren von Deutschland nach Rumänien und darüber hinaus, sowie von oder durch Rumänien nach Deutschland, ferner über alle einschlägigen Tariffragen bereitwilligst Auskunft erteilt werden. Auch ist er berechtigt, sich über die Verwendung und Beförderung der oben genannten deutschen Betriebsmittel auf den rumänischen Eisenbahnen selbst oder durch Beauftragte örtlich zu unterrichten.

V.

Rumänien wird für den Fall, daß es auf Grund des wirtschaftlichen Zusatzvertrages mit Oesterreich = Ungarn zum Friedensvertrag zwischen Deutschland, Oesterreich = Ungarn, Bulgarien und der Türkei einerseits und Rumänien andererseits eine Eisenbahnkonvention abschließt, alle Rechte, die es in ihr auch nur einem der an dieser Eisenbahnkonvention Beteiligten einräumt, Deutschland auch für den Fall gewähren, daß dieses der Eisenbahnkonvention nicht beitrifft.

VI.

1. Für die Einfuhr und die Durchfuhr deutscher Waren, sowie für die Ausfuhr und die Durchfuhr nach

tate export to Germany, as far as other demands on the German material permit.

The German Government will appoint an expert as their representative in the sphere of railway communications. He will have exclusive jurisdiction as to the use of material belonging to the German railways lent for export to Germany. The conditions for its use will be determined by the railway administrations of both sides.

Information must be freely offered to the representative with regard to the forwarding of goods from Germany to Roumania and thence onward, as well as from or through Roumania to Germany, further as to all tariff questions involved. He is also entitled to inform himself as to the employment and forwarding of the rolling-stock above referred to by making personal investigations on the Roumanian railways or employing subordinates for the purpose.

V.

In case Roumania concludes a Railway Convention on the basis of the economic treaty with Austria-Hungary supplementary to the treaty of peace between Germany, Austria-Hungary, Bulgaria, and Turkey on the one hand, and Roumania on the other hand, she will concede to Germany all rights accorded in the Convention to any one of the parties thereto, even should Germany not be a party to the Convention.

VI.

1. For the import and transit of German goods, as well as for the export and transit of goods

Deutschland bestimmter Waren, werden auf den rumänischen Eisenbahnen bis zum 31. Dezember 1930 keine höheren Frachtsätze, Frachtanteile oder sonstige Gebühren zur Anwendung gelangen als jene, die sich auf Grund des am 1. Juli 1916 in Kraft gewesenen Lokalgütertarifs der rumänischen Eisenbahnen ergeben; sofern zurzeit der Beförderung in Lokalverkehr der rumänischen Eisenbahnen billigere Frachtsätze oder niedrigere Gebühren bestehen, können diese beansprucht werden. Die im Sinne dieser Bestimmung auf Grund des Lokalgütertarifs der rumänischen Eisenbahnen vom 1. Juli 1916 anzuwendenden Frachtsätze oder sich ergebenden Frachtanteile werden mit keinerlei mit der Beförderung zusammenhängenden öffentlichen Abgaben belastet werden.

Im Durchfuhrverkehr durch Rumänien aus oder nach Deutschland werden auf den rumänischen Eisenbahnen keinesfalls höhere Frachtsätze oder Frachtanteile zur Anwendung gelangen als jene, die sich auf Grund der folgenden Höchstheitssätze ergeben:

	Höchst- heitsätze für den Tonnen- kilometer	Absferti- gungs- gebühren für die Tonne
Gewöhnliches Eilgut	Bani 20	Lei 2,00
Ermäßigtes Eilgut	Bani 12	Lei 2,00
Für Frachtgüter:		
a) bei Aufgabe in beliebigen Mengen	Bani 11	Lei 1,50
b) bei Frachtabholung min- destens für 5000 kg für den Frachtbrief und Wagen	Bani 9	Lei 1,50
c) bei Frachtabholung min- destens für 10000 kg für den Frachtbrief und Wagen	Bani 6	Lei 1,00

Die angeführten Abfertigungsgebühren werden nur im Durchfuhrverkehr durch Rumänien über Seehäfen oder Binnenumschlagsplätze zur Anrechnung gelangen.

Die Frachtsätze oder Frachtanteile, die sich auf Grund der in den vorstehenden Bestimmungen angeführten Höchstheitssätze ergeben, werden mit keinerlei mit der Beförderung zusammenhängenden öffentlichen Abgaben belastet werden.

2. Mit Rücksicht auf das Petroleumabkommen (Anlage zum

destined for Germany no higher freight rates or other dues will be charged up to 31 December, 1930, than those of the local goods tariff in force on the Roumanian railways on 1 July, 1916; in so far as cheaper freight rates or lower dues for local traffic on the Roumanian railways exist at the time, these, too, can be claimed. The freight rates or fractional rates to be applied according to the intention of this clause on the basis of the local freight tariff of the Roumanian railways of 1 July, 1916, are not to be surcharged with any public forwarding dues.

In transit through Roumania from or to Germany no higher freight rates or fractions of freight rates will be charged than those deducible from the following maximum unit rates:

	Maximum unit rates per ton- kilometer.	Dispatch- ing dues per ton.
Ordinary express goods	Bani 20	Lei 2.00
Slower express goods	" 12	" 2.00
For freight:		
(a) On consigning in any quantity	" 11	" 1.50
(b) On paying freight for at least 5,000 kg. for bill of lading and car	" 9	" 1.50
(c) On paying freight for at least 10,000 kg. for bill of lading and car	" 6	" 1.00

The above shipping rates will be leviable only on traffic in transit through Roumania at seaports or inland junctions.

The freight rates or fractions, which result from the above maximum unit rates are not to be surcharged with any public forwarding dues.

With reference to the Petroleum Agreement (Appendix . . . to

Friedensverträge) erklärt sich Rumänien überdies bereit, nach dem unter 1 angegebenen Endtermine die Frachtsätze, einschließlich etwaiger mit der Beförderung zusammenhängender öffentlicher Abgaben, für rohes Erdöl und dessen Derivate im Verkehr nach Deutschland keinesfalls in einem größeren prozentuellen Verhältnis zu erhöhen als die im Lokalgütertarife der rumänischen Eisenbahnen am 1. Juli 1916 für den Lokalverkehr in Kraft gemessenen Frachtsätze für Steinkohle jeweils erhöht werden sollten.

VII.

Die zum Zwecke der Regelung des wechselseitigen Eisenbahnverkehrs erforderlichen weiteren Vereinbarungen sind in Artikel 19 a bis e des Handelsvertrages zwischen Deutschland und Rumänien getroffen worden.

C. Abkommen über den Post- und Telegraphenverkehr.

Die Deutsche und die Rumänische Regierung haben in bezug auf das Post- und Telegraphenwesen folgendes vereinbart:

Artikel 1.

Rumänien wird:

a) auf Grund des Artikels 21 des Weltpostvertrages mit Deutschland ein Sonderabkommen für den rumänisch-deutschen Postverkehr schließen und darin Deutschland solche Ermäßigungen der Gebühren und andere Erleichterungen zu gestehen, daß dieses in bezug auf seinen ankommenden und abgehenden Postverkehr nicht ungünstiger als irgend ein an Rumänien nicht unmittelbar angrenzendes drittes Land gilt; bis zum Ablauf von zwei Jahren nach der Ratifikation des Friedensvertrages wird jedoch Deutschland die besonderen Vergünstigungen im ankommenden und abgehenden Postverkehr nicht in Anspruch nehmen, welche Rumänien zurzeit an Griechenland und Montenegro gewährt;

the treaty of peace) Roumania is prepared, after the term indicated under 1, not to raise the freight rates (including any public forwarding dues) to Germany by a higher percentage than the freight rates for coal in force for local traffic on 1 July, 1916, may be at any time raised.

VII.

Further agreements necessary for the purpose of regulating reciprocal railway communication are laid down in Articles 19a to e of the commercial treaty between Germany and Roumania.

C.—AGREEMENT AS TO POSTAL AND TELEGRAPHIC COMMUNICATION.

The German and Roumanian Governments have agreed as follows as to the postal and telegraphic systems:

Article 1.

Roumania will:

(a) conclude on the basis of Article 21 of the International Postal Agreement with Germany¹ a special agreement for Roumanian-German postal communications and concede therein to Germany such reductions of dues and other alleviations as will place Germany in a no less favorable position with regard to incoming and outgoing postal traffic than any third country not immediately bordering on Roumania; up to two years, however, after the ratification of the treaty of peace Germany, will not claim the special privileges which Roumania at present grants to Greece and Montenegro;

b) der Zulassung des Postüberweisungs- (Postgiro-) Verkehrs zwischen Deutschland und Rumänien spätestens ein Jahr, nachdem dieser Dienstzweig für den inneren rumänischen Verkehr eingeführt wird, zustimmen.

Artikel 2.

Die Rumänische Regierung wird:

a) die auf ihr Gebiet entfallende Teilstrecke der vor dem Kriege geplanten dritten unmittelbaren Telegraphenleitung zwischen Berlin und Bukarest mit 3 mm-Bronzedraht bis zum 1. Januar 1920 herstellen und nach Fertigstellung der Anschlußstrecken in Betrieb stellen. Zu diesem Zwecke werden die von der deutschen Militärverwaltung hergestellten und betriebenen Linien vom rumänischen Staate, sobald die Militärverwaltung sie entbehren kann, und spätestens bis zur Räumung des besetzten Gebiets, gegen Wertersatz übernommen und weiterhin betrieben werden (Artikel XVII Abs. 3 und Artikel XXIII des Friedensvertrags). Die deutsche und die rumänische Telegraphenverwaltung werden in der Folge weitere unmittelbare Telegraphenverbindungen zwischen Berlin und Bukarest im Benehmen mit den beteiligten Zwischenverwaltungen herstellen, sobald die Bedürfnisse des Telegrammverkehrs Deutschlands und Rumäniens es erfordern;

b) den Fernsprecherverkehr zwischen Deutschland und Rumänien einrichten. Er wird entweder auf unmittelbaren Leitungen oder unter Benutzung der Fernsprecherverbindungen mit den Zwischenländern abgewickelt werden. Die Gebühren sowie die Einzelheiten der Herstellung und des Betriebes der für den neuen Dienst erforderlichen Einrichtungen werden durch besondere Abkommen zwischen beiden Telegraphenverbindungen geregelt werden.

Von der rumänischen Regierung wird einem etwa einzurichtenden Sprechver-

(b) agree to the introduction of the Postal Order system between Germany and Roumania by at latest one year after this branch of the service has been introduced into Roumania itself.

Article 2.

The Roumanian Government will:

(a) erect by Jan. 1, 1920, the portion falling within its territory of the third direct telegraph line from Berlin to Bucharest, planned before the war, with 3 mm. bronze wire, and after completion of the connections operate it. For this purpose the lines erected and operated by the German Military Administration (as soon as these can be dispensed with, and at the latest by the time of the evacuation of the occupied territory) will be taken over by the Roumanian Government against compensation and continued to be operated. (Article XVII, Section 3, and Article XXIII of the Treaty of Peace.) The German and Roumanian Telegraphic Administrations will thereafter undertake further direct telegraphic connections between Berlin and Bucarest in concert with the intermediate administrations concerned, as soon as the requirements of telegraphic communication between Germany and Roumania demand it;

(b) instal telephonic communication between Germany and Roumania. This will either be achieved on direct lines, or by the use of telephone connections with the intermediate countries. The rates as well as the details of installation and management of the arrangements necessary for the new service will be regulated by special agreement between the two telegraphic administrations.

Most favored privileges will be accorded by Roumania to

kehr Deutschlands mit anderen Ländern, Schutzgebieten usw. in jeder Hinsicht das Meistbegünstigungsrecht gewährt werden;

c) die auf rumänischem Gebiet bestehenden oder in Zukunft zu errichtenden Funkentelegraphen-Großstationen mit gleichartigen deutschen Stationen und Seeschiffen und mit solchen ausländischen Großstationen in Verkehr treten lassen, die mit den Organisationen einer deutschen Betriebsgesellschaft im Verkehrsverhältnisse stehen. Die Bedingungen für diesen Verkehr sollen nicht ungünstiger sein, als sie für den Verkehr mit irgend einer anderen Funkentelegraphen-Großstation jeweils festgesetzt sind.

Die Funkenanlagen in Rumänien werden den Funkverkehr auch mit Luftfahrzeugen aufnehmen. Es bleibt beiderseits vorbehalten, diesen Verkehr der rumänischen Landstationen mit Flugzeugen und Luftschiffen sowie dieser Funkstationen untereinander, soweit erforderlich, durch ein besonderes Abkommen zu regeln.

Artikel 3.

Die rumänische Regierung wird:

a) die auf ihr Gebiet entfallende Teilstrecke der für die Fortsetzung des Kabels Konstantinopel—Konstanza über Bukarest nach Berlin erforderlichen Landtelegraphenleitung und die nötigen Ersatzleitungen aus den Baustoffen, die für den Betrieb nach dem derzeitigen Stande der Technik am besten geeignet sind, bereitstellen und dauernd in betriebsfähigem Zustande erhalten. Diese Verpflichtung gilt bis Ende 1950. Der deutschen Regierung bleibt das Recht vorbehalten, ein Jahr vor Ablauf dieser Frist ihre Verlängerung für einen Zeitraum von weiteren zwanzig Jahren zu verlangen.

b) das Recht zur Wahrnehmung des Dienstes auf der Telegraphenverbindung Konstantinopel—Konstanza—Bu-

any telephonic communications which may be installed by Germany with other countries, protectorates, etc.;

(c) permit communication between any present or future main wireless stations on Roumanian territory with similar German stations and ocean-going ships, and also with such foreign stations as are connected with the organisations of a German administration company. The conditions for such communication shall not be less favorable than those established at any time for any other main wireless station.

The wireless plants in Roumania will also establish wireless communication with aircraft. Both sides reserve the right to regulate as far as is necessary by a special agreement the communication of Roumanian terrestrial stations with aircraft and airships as well as with each other.

Article 3.

The Roumanian Government will:

(a) construct, of the materials best adapted according to the present status of technical construction for the purpose, that portion of the land telegraph line and the necessary emergency lines falling within its territory for the continuation of the cable from Constantinople to Constanza via Bucharest to Berlin, and permanently keep the same in running order. This obligation remains in force till the end of 1950. The German Government reserves the right to demand its continuation for a further period of 20 years by giving notice one year before the expiry of the above term.

(b) Grant to the East European Telegraph Co. in Bucharest the right to manage the service on

faresst-Berlin für die jetzt bestehende Leitung und die künftig noch hinzutretenden Leitungen bis Ende 1950 bzw. bis zum Ablauf der unter a) bezeichneten verlängerten Frist in Bufarest der Osteuropäischen Telegraphengesellschaft gewähren. Für diesen Zweck stellt die rumänische Telegraphenverwaltung der Gesellschaft in dem Dienstgebäude des Telegraphenamts in Bufarest in den allgemeinen Betriebsräumen oder in unmittelbarer Nähe gegen eine angemessene Miete geeignete Räume zur Verfügung. Der Betrieb dieser Dienststelle beschränkt sich auf die Beförderung der durchgehenden¹ Telegramme auf der Linie Berlin-Konstantinopel und schließt nicht in sich die Annahme in Bufarest aufgegebenener sowie die Auslieferung in Bufarest ankommender Telegramme. Die Gebühren für diesen Verkehr, soweit er sich auf den rumänischen Linien abwickelt, verbleiben der rumänischen Regierung. Die Gesellschaft trägt die Kosten für die Einrichtung und Unterhaltung ihrer Betriebsstellen. Die Einzelheiten werden zwischen der Gesellschaft und der rumänischen Telegraphenverwaltung besonders geregelt und vereinbart.

Artikel 4.

Wenn im Interesse der ordnungsmäßigen Beförderung der Telegramme zwischen Konstanza und Konstantinopel, die bei dem vorhandenen einen Kabel nicht mehr gewährleistet ist, weitere Kabel auf demselben Wege gelegt werden, erklärt sich die rumänische Regierung bereit, die für den unmittelbaren Betrieb von Konstantinopel mit Bufarest und Berlin über die neuen Kabel erforderlichen Landtelegraphenleitungen nebst Ersatzleitungen nach vorheriger Vereinbarung mit der deutschen Telegraphenverwaltung auf rumänischem Gebiete rechtzeitig herzustellen und dauernd in betriebsfähigem Zustande zu erhalten. Diese Verpflichtung gilt bis Ende 1950 bzw. bis zum Ablauf der in Artikel 3 vorgesehenen verlängerten Frist. Die Bestimmung in Artikel 3 b gilt auch hier.

the telegraphic connection Constantinople-Constanza-Bucharest-Berlin for the existing line and future additional lines till the end of 1950 or the prolonged term indicated under (a). For this purpose the Roumanian Telegraphic Administration will place at the disposal of the company at a suitable rental quarters either in or near the Telegraph Office in Bucharest. The function of this office is limited to the transmission of through telegrams on the line Berlin-Constantinople, and is not concerned with the reception or delivery of telegrams for Bucharest. The fees for this communication, so far as it passes over Roumanian lines, accrue to the Roumanian Government. The company bears the costs of installation and maintenance of their offices. Details will be arranged and agreed between the company and the Roumanian Telegraphic Administration.

Article 4.

If in the interests of regular telegraphic communication between Constanza and Constantinople, which are no longer adequately subserved by the present single cable, further cables are laid on the same route, the Roumanian Government is prepared to construct and maintain in running condition the necessary land connections with emergency lines in Roumanian territory after preliminary conference with the German Telegraphic Administration. This obligation is valid up to the close of 1950, or to the expiry of the prolonged term provided in Article 3. The provisions of Article 3b are also valid in this case.

¹ "N. A. Z." has durchgehenden

Artikel 5.

Die rumänische Regierung erteilt der deutschen Regierung das Alleinrecht, bis Ende 1950 an der rumänischen Küste, einschließlich der neu hinzutretenden Landesteile, Kabel landen zu lassen und unter Anschluß an das rumänische Telegraphen- und Fernsprechnet zu betreiben. Die Bestimmung in Artikel 3 a letzter Satz findet auch hier Anwendung.

Diese Bestimmung schließt das Recht der rumänischen Regierung nicht aus, zwei Punkte der rumänischen Küste durch Kabel zu verbinden und diese Kabel durch die staatliche Telegraphenverwaltung in Betrieb nehmen zu lassen.

D. Abkommen über die Werftanlage in Giurgiu.

Zwischen der rumänischen Regierung und der deutschen Regierung wird folgender Vertrag geschlossen:

§ 1.

Die rumänische Regierung verpachtet einer vom Deutschen Reich zu bezeichnenden Gesellschaft (im folgenden Werft genannt) ein am Winterhafen von Giurgiu gelegenes Staatsgelände in folgender Ausdehnung und zwar vom Tage der Ratifikation des Friedensvertrages ab:

Das Gelände wird westlich begrenzt durch eine zur Westfront des Verwaltungsgebäudes parallele, in 15 Meter Abstand hiervon verlaufende Linie.

Die nördliche Begrenzung ist eine hierzu senkrecht verlaufende Linie in 110 Meter Entfernung von der Nordfront des Verwaltungsgebäudes.

Article 5.

The Roumanian Government conveys to the German Government the sole rights to land cables on the Roumanian coast (inclusive of the new territory to be added to the country) up to the end of 1950, and to operate these in connection with the Roumanian telegraphic and telephonic system. The provisions of Article 3a are also valid in this case.

The foregoing provision does not preclude the right of the Roumanian Government to connect two points of the Roumanian coast by cable, and to operate this cable in connection with the State telegraphic system.

D.—AGREEMENT AS TO CONSTRUCTION OF DOCKYARD AT GIURGIU.

Between the Roumanian Government and the German Government the following contract is concluded:

§ 1.

The Roumanian Government leases to a company (hereinafter called the Dockyard Co. (*Werft*)), to be nominated by the German Government, a portion of State property situated at the winter harbor of Giurgiu, of the following dimensions, the lease to date from the day of ratification of the Treaty of Peace:

The area in question is bounded on the west by a line parallel to the west front of the Administration building at a distance of 15 metres therefrom.

The northern boundary is a line at right angles to the above, at a distance of 110 metres from the north front of the Administration building.

Die östliche Begrenzung ist eine senkrecht hierzu verlaufende Linie in 330 Meter Entfernung von der Ostfront des Verwaltungsgebäudes. Die Ostgrenze hat, von ihrer oberen Ecke aus gemessen, eine Länge von 240 Meter und die Grenze verläuft dann senkrecht hierzu ans Wasser. Die Werft darf Gebäude auf dem Gelände und einen Ausrüstungsfai am Nordufer des Hafens vor der Werft ausführen.

Außerdem räumt die rumänische Regierung der Werft die Option für ein Gelände ein, welches östlich an das Hauptgelände anschließt und durch eine zur Ostgrenze parallele Linie in 200 Meter Entfernung von jener begrenzt und durch Verlängerung der oberen und unteren west-östlichen Begrenzung abgeschlossen wird.

§ 2.

Die Verpachtung erfolgt auf die Dauer von 40 Jahren. Bei Ablauf dieser Zeit kann die Werft einem Antrag auf Weiter-Pachtung stellen, welcher spätestens zwei Jahre vor Ablauf der Pacht bei der rumänischen Regierung eingereicht sein muß. Bei Beendigung des Pacht-Vertrages gehen alle festen, auf dem Pachtgelände aufgeführten Bauwerke (einschließlich aller mit dem Grund und Boden fest verbundenen tiefbautechnischen bzw. eisenbahntechnischen Anlagen) ohne Entschädigung auf den rumänischen Staat über. Auf sämtliche übrigen Einrichtungen der Werft einschließlich aller Hebezeuge, aller Maschinen-Anlagen, Kraft- und Lichtleitungen, Einrichtungsgegenstände der Werkstätten und Magazine, Werft-Fahrzeuge usw. soll der rumänische Staat ein Vorkaufsrecht haben. Findet jedoch keine Einigung über die Höhe der zu zahlenden Preise statt, so ist die Werft berechtigt, über diesen Teil ihres Besitzes frei zu verfügen.

The eastern boundary is a line at right angles to the foregoing, at a distance of 330 metres from the eastern front of the Administration building. The eastern boundary has, measured from its upper angle, a length of 240 metres and runs to the water. The Dockyard Co. may erect buildings on the property and construct an equipment quay on the north shore of the harbor in front of the dockyard.

In addition the Roumanian Government allows the Dockyard Co. the option of a portion of land which abuts easterly on the principal property and is bounded on the east by a line parallel to the eastern boundary at a distance of 200 metres, and above and below by prolongations of the west to east boundaries.

§ 2.

The lease is for a period of 40 years; at the expiry of this time the Dockyard Co. may apply for a renewal, which application must be handed in to the Roumanian Government two years before the expiry of the lease. At the close of the lease all immovable structure erected on the leased property (inclusive of all underground and railway plants) are to be transferred to the Roumanian Government without compensation. The Roumanian Government shall have an option on all other plants of the Dockyard Co., including all cranes, machines, power and light conductors, equipment of the workshops and storehouses, dock boats, etc. Should no agreement be reached as to the price to be paid therefor, the Dockyard Co. is entitled to dispose of this part of its property at its pleasure.

§ 3.

Die Option für das Gelände, welches sich östlich an das Hauptgelände anschließt, muß spätestens 5 Jahre nach Ratifikation des Friedensvertrages endgültig ausgeübt sein, darf jedoch während dieser Zeit ganz oder teilweise jederzeit ausgeübt werden. Die Dauer der Verpachtung für das auf Grund der Option beanspruchte Gelände endet mit der der Verpachtung des Hauptgeländes.

§ 4.

Die Werft kann die ganze, ihr zugehörige Wasserfront benutzen, jedoch hat sie bis zur Beendigung des von der rumänischen Regierung beabsichtigten Baues eines Kanals vom Winterhafen zum Georgs-Kanal nur das Recht, drei Schiffe nebeneinander vor jeden Teil der Front zu legen, danach vier Schiffe nebeneinander. Die Werft darf den Winterhafen nach der Ostseite hin auf ihre Kosten nach Genehmigung der Pläne durch den Serviciul Hydraulic jederzeit erweitern, um Wasserfront für das Optionsgelände zu gewinnen. Für diese Wasserfront soll keine Pacht erhoben werden, sondern nur für das benutzte feste Gelände, abgemessen bei + 3 m Giurgiu-Pegel.

§ 5.

Die rumänische Regierung wird für eine Regelung des Schiffsverkehrs im Hafen dahin Sorge tragen, daß stets eine freie, genügend breite Wasserstraße zwischen der Donau und der Werft bleibt, jedoch ist sie nicht verpflichtet, das Hafenbecken gegen Einsperrung und Zufrieren offen zu halten.

§ 6.

Die rumänische Regierung gestattet die Anlage einer Schmalspurbahn zwi-

§ 3.

The option for the piece of property which lies to the east of the main area must be exercised at latest by 5 years after ratification of the Treaty of Peace, but may, however, be exercised partly or entirely at any time during this period. The duration of the lease for the property under option terminates with the expiry of the lease of the main area.

§ 4.

The Dockyard Co. may use the whole of the water front belonging to it, but has, however, only the right, until the completion of the construction of a canal contemplated by the Roumanian Government from the winter harbor to the Georgs Canal, to lay three ships beside each other before each part of the front, thereafter four ships. The Dockyard Co. may at any time extend the winter harbor towards the east at its own cost, after approval of the plans by the Serviciul Hydraulic, in order to secure a water front for the land under option. No rent shall be charged for the water front, but only for the ground used, measured at + 3 m. Giurgiu-Pegel.

§ 5.

The Roumanian Government will arrange for the regulation of shipping in the harbor in such a way that a free, sufficiently wide water-way remains between the Danube and the dockyard, but it is not obliged to keep the harbor open against closure (*Einsperrung*) or freezing up.

§ 6.

The Roumanian Government permits the construction of a

sehen dem Ramadan-Hafen und der Werft, welche von dort mit einer vollspurigen Weiche abzweigt und in geeigneter Weise mit der Schmalspur verbunden wird, so daß es möglich ist, die Bahnwaggonen auf schmalspurige Stützwagen zu setzen und sie auf diesen weiter zu befördern. Diese Kleinbahn wird zum Teil am Rande der Chaussee entlang laufen und ihr Betrieb so geführt werden, daß dem Straßenverkehr keine Behinderungen dadurch bereitet werden. Die Bahn wird mittels einer Spitzkehre, welche hart östlich der Straße auf geschüttetem Damm vorgehen wird, mit einer Kurve über das Gelände des Serviciul Hydraulic führen, so daß sie in einer für die Werft passenden Weise in diese einmündet. Die Linienführung ist von der rumänischen Regierung zu genehmigen. Der Serviciul Hydraulic wird das Recht auf Mitbenutzung der Gleise für seine eigene Materialzufuhr haben und für dabei vorkommende Beschädigungen selbst aufkommen.

§ 7.

Falls die rumänische Regierung den Kanal vom Winterhafen zum Georgs-Kanal baut, wird die Werft auf eigene Rechnung eine bewegliche Brücke über eine lichte Oeffnung von 18 m bauen, um ihre Bahn zu überführen. Die rumänische Regierung gewährt der Werft das Recht, eine Chaussee hinter der Nordfront des Serviciul Hydraulic anzulegen, welche am Treffpunkt mit dem Kanal zur Brücke der Werft abbiegt und Verbindung mit dieser hat. Der Serviciul Hydraulic wird also hier um Chausseebreite vom Kanal entfernt sein.—Bei der Fertigstellung des Kanals wird in beiderseitigem Einvernehmen so verfahren, daß die Bahnzuführung zur Werft keine Unterbrechung erleidet.

small-gauge railway between the Ramadan Harbor and the dockyard, which from that point branches off with a full-gauge switch, and is suitably connected with the small-gauge track, so that it is possible to set the railway wagons on small-gauge bogies and carry them further on these. This small-gauge line will run partly along the side of the chaussée and will be so managed that no hindrance to the street traffic will be occasioned. The line, by means of a reversing station, which will be provided immediately east of the street on an embankment, will run with a curve over the property of the Serviciul Hydraulic, so that it will open into the dockyard in a suitable manner. The course of the line is to be sanctioned by the Roumanian Government. The Serviciul Hydraulic will have the right to use the line for conveying its own material, and be responsible for any damage done in the course of such use.

§ 7.

Should the Roumanian Government build the canal from the winter harbor to the Georgs Canal, the Dockyard Co. will construct at its own cost a swing bridge over a clear width of 18 m. in order to carry its line over. The Roumanian Government concedes to the Dockyard Co. the right to build a road behind the north front of the Serviciul Hydraulic, which bends off near the canal towards the bridge and connects therewith. The Serviciul Hydraulic will therefore be separated by the breadth of the road from the canal. On the completion of the canal measures will be adopted by mutual agreement, so that the line to the dockyard suffers no interruption.

§ 8.

Der Werft wird die zollfreie Einfuhr von Maschinen, Maschinenteilen, Rohmaterialien und Halbprodukten, die für ihre Einrichtungen und ihren Betrieb dienen, auf die Dauer von 5 Jahren gewährt.

§ 9.

Der rumänischen Regierung wird eine Kapitalbeteiligung an der Werft von mindestens 30 % zugesichert. Für den Fall, daß das Kapital der Werft je zur Hälfte aus Anteilen mit erhöhtem Stimmrecht, und aus Anteilen mit vorzugsweiser Gewinnberechtigung besteht, wird die Beteiligung an diesen letzteren Anteilen doppelt so hoch sein, wie die an den ersteren. Dem in der Werft vertretenden rumänischen Kapital wird, seiner Beteiligung entsprechend, Sitz und Stimme im Aufsichtsrat eingeräumt.

§ 10.

Die Werft wird an jährlicher Pacht zahlen:

1) 20 Bani per Quadratmeter Bodenfläche, gemessen bei einem Wasserstand von + 3 m Giurgiu-Pegel, gültig auch für das Optionsgelände nach dessen Pachtung.

2) 8000 Lei für das Nutzungsrecht an der Wasserfront.

Zur Ablösung des Besitzrechtes der von der Werft mit zu übernehmenden, teilweise zerstörten Gebäude, welche die Werft wiederherstellt und in ihrer Anlage mit benutzt, wird der rumänischen Regierung die Lieferung von Baumaterialien zum Aufbau einer eigenen Reparaturstätte zugesichert, und zwar werden binnen 14 Monaten nach Ratifikation des Friedensvertrages frei Ramadan Kai Waggon, oder vor Werft schwimmend, geliefert:

§ 8.

The duty free importation of machinery, machinery parts, raw materials and half-manufactured products, necessary for the construction and management of the dockyard, is conceded to the Company for a term of 5 years.

§ 9.

Share in the capital of the Dockyard Co. is assured to the Roumanian Government to the extent of at least 30 per cent. In case the capital of the Company consists partly of shares with increased voting power, and partly of preference shares, the participations on the latter shares will be twice as high as on the former. The Roumanian capital represented in the Company will have seats and votes in the directorate proportionate to its interest.

§ 10.

The Dockyard Co. will pay in yearly rent:

1. 20 Bani per square metre of surface, measured at the level of + 3 m. Giurgiu-Pegel, which rate will also be valid for the land under option when leased.

2. 8,000 Lei for the water front rights.

To compensate for the right of property in certain partly destroyed buildings, which the Dockyard Co. is to take over, and which it will repair and use as part of the premises, the Company will deliver to the Roumanian Government building materials for the construction of a repairing yard, and for this purpose will furnish within 14 months after ratification of the Treaty of Peace, free at Ramadan Quay by wagon or by ship at the dock:

200 000 Stück Ziegelsteine,
 130 To. Zement,
 30 To. Profil- und Platten-Stahl
 für Eisenkonstruktionen,
 20 To. Eiseneinlagen für Beton,
 2 000 qm Eternitplatten oder
 Eisenblech für Dachdeckung, nach
 Wahl des Lieferungspflichtigen,
 400 qm Glas (keine Glasdächer!)
 50 cbm Holz,
 500 cbm Schotter,
 600 cbm Sand.

Außerdem wird ein Bauzuschuß von 50 000 Lei gewährt. Bei der Uebernahme der Lieferungsverpflichtung für Materialien wird der Vorbehalt gemacht, daß Verzögerungen, welche die Kaiserlich Deutsche Regierung durch unerwartete Transport- oder Materialschwierigkeiten begründen kann, eine entsprechende Aufschiebung der Lieferfrist bedingen. Der Serviciul Hydraulic muß die jeweilig für ihn ankommenden Materiallieferungen sofort übernehmen und einlagern, ohne daß seitens des Lieferanten nachher noch eine Verantwortung in Frage kommt.

Schließlich wird der rumänischen Regierung das jetzt beim Bau der deutschen Werft benutzte Material an Lokomotiven, Gleisen, und Lowries zum Bau der neuen Aufschleppe kostenlos leihweise auf drei Monate zur Verfügung gestellt. Für beschädigtes Material wird durch die rumänische Regierung Ersatz geleistet.

§ 11.

Um den Bedürfnissen des Serviciul Hydraulic Rechnung zu tragen, wird die Werft verpflichtet, Aufträge auf Instandsetzungsarbeiten an Fahrzeugen, Maschinen und Geräten des Serviciul Hydraulic ihrer Dringlichkeit entsprechend nach Möglichkeit vorzugsweise auszuführen.

§ 12.

Die Werft wird sich baldmöglichst instandsetzen, auch die Reparatur landwirtschaftlicher Maschinen und Loko-

200,000 bricks,
 130 tons cement,
 30 tons structural and plate
 steel for iron construction,
 20 tons reinforcing iron for
 concrete,
 2,000 qm. "Eternit" plates or
 sheet-iron for roofing (ac-
 cording to the choice
 of the company),
 400 qm. glass (no glass roofs!),
 50 cbm. timber,
 500 cbm. broken stone,
 600 cbm. sand.

In addition a building-subvention of 50,000 Lei is granted. With regard to the delivery of the above materials, the Company makes the reservation that delays attributable to unexpected transport difficulties, or difficulties in securing material, may necessitate a corresponding postponement of the time of delivery. The Serviciul Hydraulic must at once take over and store the materials as they arrive, the responsibility of the Company ceasing with their arrival.

Finally, the material at present in use in the construction of the German Dockyard, such as locomotives, railway tracks, and lorries, will be lent to the Roumanian Government free of charge for three months, to aid in the construction of their new slip. The Roumanian Government is to be responsible for any damage.

§ 11.

The Dockyard Co. undertakes, in order to meet the requirements of the Serviciul Hydraulic, to carry out orders to repair boats, machines, and implements of the Serviciul Hydraulic, as far as possible, preferentially according to their order of urgency.

§ 12.

The Dockyard Co. will arrange as soon as possible to undertake the repair of agricultural ma-

mobilen besorgen zu können und bei ihrem endgültigen Ausbau eine Maschinenfabrik vorzusehen, welche neben Reparaturen auch die Herstellung solcher Maschinen betreiben kann, sofern die Wirtschaftlichkeit dieses gestattet. Die Werft legt auch einen Helling für Neubau von Schiffen an, einschließlich der dafür nötigen Werkzeugmaschinen.

E. Schlußbestimmung.

Das vorstehende Abkommen, das einen wesentlichen Bestandteil des Friedensvertrags bildet, wird ratifiziert werden. Die Ratifikationsurkunden sollen tunlichst bald in Wien ausgetauscht werden.

Das Abkommen tritt, soweit nichts anderes bestimmt ist, nach Austausch der Ratifikationen in Kraft.

Zu Urkund dessen haben die Bevollmächtigten dieses Abkommen unterzeichnet und mit ihren Siegeln versehen.

Ausgefertigt in dreifacher Urschrift in Bukarest am 7. Mai 1918.

machinery and locomobiles, and when their premises are completed to instal an engineering shop in which, in addition to repairs, the manufacture of such machines may be carried out as far as other work may permit. The Company will also instal a slip-way for building ships, with the necessary machinery for the purpose.

E.—FINAL PROVISION.

The foregoing agreement, which forms an essential constituent of the Treaty of Peace, is to be ratified. The ratification document shall be exchanged as soon as possible in Vienna.

The agreement comes into force, except where otherwise provided, after the exchange of the ratification documents.

In witness whereof the Plenipotentiaries have signed and sealed this agreement.

Done in triple original in Bucharest, 7 May, 1918.

6. ROUMANIA—AUSTRIA-HUNGARY.

ECONOMIC TREATY, PROVIDED FOR IN ARTICLE XXIX OF THE TREATY OF PEACE BETWEEN ROUMANIA AND THE CENTRAL POWERS. SIGNED AT BUCHAREST, 7 MAY, 1918.

[German text as published in the *Neue Freie Presse*, 15 May, 1918.]

[Translation.]

Beendigung des Wirtschaftskrieges.

TERMINATION OF THE ECONOMIC WAR.

Artikel 1.

ARTICLE 1.

Die vertragsschließenden Teile sind darüber einig, daß mit dem Friedensschluß die Beendigung des Krieges auch auf wirtschaftlichem und finanziellem Gebiete erfolgt. Sie verpflichten sich, weder direkt noch indirekt an Maßnahmen teilzunehmen, die auf die Weiterführung der Feindseligkeiten auf wirtschaftlichem oder finanziellem Gebiete abzielen, und innerhalb ihrer Staatsgebiete solche Maßnahmen mit allen ihnen zu Gebotestehenden Mitteln zu verhindern. In der Uebergangszeit, die zur Ueberwindung der Kriegsfolgen und Neuordnung der Verhältnisse erforderlich ist, verpflichten sich die vertragsschließenden Parteien, möglichst keine Schwierigkeiten in der Beschaffung der notwendigen Güter durch Einführung hoher Eingangszölle zu bereiten, und sprechen die Bereitwilligkeit aus, alsbald in Verhandlungen einzutreten, um, soweit als tunlich, die während des Krieges festgesetzten Zollbefreiungen vorübergehend noch länger aufrechtzuerhalten und weiter auszu dehnen.

The contracting parties are agreed that on the conclusion of peace, the state of war terminates likewise in the spheres of commerce and finance. They pledge themselves not to participate in any measures, either directly or indirectly, which aim at the continuation of hostilities in these spheres, and to prevent such measures within their own national territories with all the means at their command. In the transition period which is necessary for the recovery from the consequences of the war and the reestablishment of normal conditions, the contracting parties obligate themselves, as far as possible, to interpose no hindrances to the procuring of necessary goods by the adoption of high import duties, and are prepared to enter into negotiations as soon as possible with the object of temporarily retaining and extending the customs exemptions established during the war.

Artikel 2.

ARTICLE 2.

Soweit in neutralen Staaten Waren lagern, welche aus den Gebieten Oester-

In so far as in neutral countries merchandise has been stored

¹ Ratifications exchanged, 5 June, 1918. (*Die Zeit*, 5 June, 1918, evening edition.)

reich-Ungarns oder aus Rumänien stammen, die aber mit der Verpflichtung belegt sind, daß sie weder unmittelbar noch mittelbar nach den Gebieten des anderen vertragschließenden Teiles ausgeführt werden dürfen, sollen derartige Verfügungsbeschränkungen im Verhältnis zu den vertragschließenden Teilen aufgehoben werden. Die vertragschließenden Teile verpflichten sich daher, den Regierungen der neutralen Staaten von der vorerwähnten Aufhebung dieser Verfügungsbeschränkungen unverzüglich Kenntnis zu geben.

Artikel 3.

Bevorzugungen, die einer der vertragschließenden Teile während des Krieges anderen Ländern durch Konzessionsteilungen oder andere staatliche Maßnahmen gewährt hat, sollen aufgehoben oder auf den anderen Teil durch Gewährung gleicher Rechte ausgedehnt werden.

Artikel 4.

Im wirtschaftlichen Verkehre zwischen dem Vertragszollgebiet der beiden Staaten der österreichisch-ungarischen Monarchie einerseits und Rumänien andererseits wird Rumänien keinen Anspruch erheben auf die Begünstigungen, welche Oesterreich-Ungarn an Deutschland oder an ein anderes mit ihm durch ein Zollbündnis verbündetes Land gewährt, das an die Gebiete Oesterreich-Ungarns unmittelbar oder durch ein anderes mit diesen Gebieten oder Deutschland zollverbündetes Land mittelbar angrenzt. Kolonien, auswärtige Besitzungen und Schutzgebiete werden in dieser Beziehung dem Mutterlande gleichgestellt. Oesterreich-Ungarn wird keinen Anspruch erheben auf die Begünstigungen, welche Rumänien an ein anderes mit ihm durch ein Zollbündnis verbündetes Land, das an Rumänien unmittelbar

which originated from the territories of Austria-Hungary or from Roumania, and which carries the condition that it must not be exported either directly or indirectly to the territories of the other contracting party, such limitations as to their disposition with regard to the contracting parties are to be abrogated. The contracting parties engage, therefore, to give immediate notification to the Governments of the neutral States of the removal of such limitations.

ARTICLE 3.

Preferences accorded by one of the contracting parties during the war to other countries by the granting of concessions or other national measures shall be abrogated or extended to the other party by the granting of equal rights.

ARTICLE 4.

In the economic relations between the customs territory of the two contracting states on the basis of the treaty of the Austro-Hungarian Monarchy on the one hand, and the Roumanian on the other hand, Roumania will not lay claim to the privileges which Austria-Hungary grants to Germany or to another country united with her through a customs union and directly contiguous to Austria-Hungary, or indirectly connected with Austria-Hungary or with Germany through a customs union. Colonies, foreign possessions and protectorates will, in this respect, be accorded the same treatment as the mother-land. Austria-Hungary will not lay claim to the privileges which Roumania grants to another country united with her through a customs union and directly contiguous to Roumania,

oder durch ein anderes mit ihm zollverbündetes Land mittelbar angrenzt, oder den Kolonien, auswärtigen Besitzungen und Schutzgebieten eines der mit ihm zollverbündeten Länder gewährt.

Artikel 5.

Die vertragsschließenden Teile kommen dahin überein, daß der Post-, Telegraphen- und Telephonverkehr zwischen Oesterreich, Ungarn, Bosnien und der Herzegovina und den von Oesterreich-Ungarn besetzten Gebieten einer- und Rumänien andererseits unverzüglich wieder aufgenommen werden wird. Zu diesem Behufe werden die bezüglichen Vereinbarungen von den beteiligten Post- und Telegraphenverwaltungen im unmittelbaren Einvernehmen unverzüglich getroffen werden. Die vertragsschließenden Teile werden ferner die für die Wiederaufnahme des wechselseitigen Telegraphen- und Telephonverkehrs erforderlichen Anschlußleitungen auf ihren Gebieten mit möglichster Beschleunigung herstellen und dauernd in betriebsfähigem Zustande erhalten. Diese Verpflichtung gilt besonders für die Wiederherstellung der bestandenen unmittelbaren Leitung zwischen Wien und Bukarest sowie zwischen Budapest und Bukarest, welche mit leistungsfähigen Schnelltelegrapheneinrichtungen (System Bando oder Siemens) auszustatten sind. Die vertragsschließenden Teile werden auf ihren Gebieten die für den internationalen Telegraphen- und Fernsprechverkehr erforderlichen Transitleitungen einander zur Verfügung stellen. Die vertragsschließenden Teile behalten sich schließlich vor, über den funfentelegraphischen Verkehr zwischen ihren Landstationen und den Stationen auf den gegenseitigen Flugfahrzeugen und Schiffen besondere Vereinbarungen zu treffen.

or indirectly connected with her through a customs union, or which she grants to colonies, foreign possessions and protectorates of one of the countries united to her through a customs union.

ARTICLE 5.

The contracting parties are agreed that the postal, telegraphic, and telephonic relations between Austria-Hungary, Bosnia and Herzegovina and the territories occupied by Austria-Hungary on the one hand and by Roumania on the other hand will be resumed immediately. To this end, the necessary conventions will be immediately concluded through a direct understanding between the interested postal and telegraphic administrations. Furthermore, the contracting parties will establish within their territories, with all possible haste, the necessary connecting lines for the resumption of mutual telegraphic and telephonic relations, and will keep them in such condition that they may be operated uninterruptedly. This obligation applies especially to the reestablishment of the former direct system between Vienna and Bucharest as well as between Budapest and Bucharest, which must be provided with an efficient system of rapid telegraphic transmission (system Bando or Siemens). The contracting parties will mutually place at each other's disposition within their respective territories the necessary transit lines for the international telegraphic and telephonic communication. Finally, the contracting parties reserve unto themselves the right to conclude special agreements with regard to wireless telegraphic communication between their stations on land and the respective stations of their airships and vessels.

Artikel 6.

ARTICLE 6.

Das zwischen der k. k. österreichischen Generaldirektion der Tabakregie und der rumänischen Regie des Monopoles de l'Etat im Jahre 1911 abgeschlossene Uebereinkommen, betreffend Lieferung rumänischen Tabaks, wird mit Geltungsdauer bis zum Ablauf des Jahres 1930 mit der Maßgabe erneuert werden, daß die Offertpreise die Herstellungskosten nicht um mehr als 15 Prozent übersteigen dürfen. Ueberdies soll die rumänische Regie des Monopoles de l'Etat die k. k. österreichische und die königlich ungarische Tabakregie in betreff der Lieferung rumänischen Tabaks nicht ungünstiger behandeln als die Lieferungen für irgendein anderes Land.

The agreement concluded in 1911 between the Imperial Royal Austrian general direction of the tobacco monopoly and the Roumanian direction of the state monopoly, concerning the supplying of Roumanian tobacco, will be continued for a legal duration extending to the expiration of the year 1930, under this condition that the prices asked may not exceed the expense of production by more than 15 per cent. Furthermore, the Roumanian direction of the State monopoly will not apply to the Imperial and Royal Austrian direction of the tobacco monopoly company, and to the Royal Hungarian tobacco monopoly, in so far as the supplying of Roumanian tobaccos are concerned, less favorable terms than those relating to supplies intended for any other country whatever.

Die Eisenbahnvereinbarungen.

THE RAILWAY AGREEMENTS.

Artikel 7.

ARTICLE 7.

§ 1. Sobald die Herstellung einer neuen Eisenbahnverbindung des rumänischen mit dem bulgarischen Eisenbahnnetz in Angriff genommen sein wird, wird Rumänien mit den an der Eisenbahnkonvention vom 9. Mai 1883 zwischen der österreichisch-ungarischen Monarchie, der Türkei, Serbien und Bulgarien beteiligten und den ihr bis dahin etwa noch beigetretenen Staaten eine Eisenbahnkonvention zu dem Zwecke abschließen, um den Eisenbahnverkehr mit diesem Verkehrsgebiete in tüchtigster Anlehnung an die für dieses Verkehrsgebiet zur Zeit des Abschlusses der Konvention bestehenden Grundsätze zu regeln.

§ 1. As soon as the construction of a new railway connection between the Roumanian and the Bulgarian railway systems has been effected, Roumania will conclude a convention relative to railways with the States taking part in the railway convention of 9 May, 1883,¹ concluded between the Austro-Hungarian Monarchy, Turkey, Serbia and Bulgaria, as well as with those other States that were still entitled up to this time to adhere to it, for the purpose of regulating in a uniform manner all railway traffic with this zone, by conforming, as much as possible, to the principles admitted for this zone, at the time of the conclusion of the convention.

¹ 74 *British and Foreign State Papers*, p. 155.

§ 2. 1. Für die Einfuhr und die Durchfuhr österreichischer und ungarischer Waren sowie für die Ausfuhr und die Durchfuhr nach Oesterreich oder Ungarn bestimmter Waren werden auf den rumänischen Eisenbahnen bis zum 31. Dezember 1930 keine höheren Frachtsätze, Frachtanteile oder sonstiger Gebühren zur Anwendung gelangen als jene, die sich auf Grund des am 1. Juli 1916 in Kraft gewesenen Lokalgütertarifs der rumänischen Eisenbahnen ergeben; sofern zur Zeit der Beförderung im Lokalverkehr der rumänischen Eisenbahnen billigere Frachtsätze oder niedrigere Gebühren bestehen, können diese beansprucht werden. Die im Sinne dieser Bestimmung auf Grund des Lokalgütertarifs der rumänischen Eisenbahnen vom 1. Juli 1916 anzuwendenden Frachtsätze oder sich ergebenden Frachtanteile werden mit keinerlei mit der Beförderung zusammenhängenden öffentlichen Abgaben belastet werden. Im Durchfuhrverkehr durch Rumänien aus oder nach Oesterreich oder Ungarn werden auf den rumänischen Eisenbahnen keinesfalls höhere Frachtsätze oder Frachtanteile zur Anwendung gelangen als jene, die sich auf Grund der folgenden Höchstheftsätze ergeben:

§ 2. 1. As regards the importation and the transit of Austrian and Hungarian merchandise as well as the exportation and transit of merchandise to Austria or Hungary, there shall not be put in force on the Roumanian railways, up to 31 December, 1930, any freight rates, fractions of freight rates or other dues higher than those resulting from the local freight tariff in force 1 July, 1916, on the Roumanian railways; in so far as at the time of transportation, there exists on the Roumanian railways, for the internal traffic, cheaper transportation rates or lower dues, advantage may be taken of such cheaper rates and lower dues. The transportation rates or fractional rates to be applied according to this provision on the basis of the local freight tariff in force on the Roumanian railways on 1 July, 1916, will in no way be burdened with the public taxes relative to transportation. As regards transit traffic through Roumania out of or to Austria or Hungary no higher freight rates or fractions of freight rates will be charged than those deducible from the following maximum unit rates:

	Höchstheftsätze: für den Tonnen- kilometer	Abfertigungs- gebühren: für die Tonne	Maximum unit rates, per ton- kilometer.	Dispatch- ing dues, per ton.
Gewöhnliches Eilgut . . .	20 Bani	2.— Lei	20 Bani.	2.00 Lei.
Ermäßigtes Eilgut . . .	12 "	2.— "	12	2.00
Für Frachtgüter:				
a) bei Aufgabe in beliebigen Mengen . . .	11 "	1.50	11	1.50
b) bei Frachtzahlung min- destens für 5000 Kilo- gramm für den Fracht- brief und Wagen . . .	9 "	1.50 "	9	1.50
c) bei Frachtzahlung min- destens für 10.000 Kilo- gramm für den Fracht- brief und Wagen . . .	6 "	1.— "	6	1.00
Ordinary express goods.....			20 Bani.	2.00 Lei.
Slower express goods.....			12	2.00
For freight:				
(a) On consigning in any quantity			11	1.50
(b) On paying freight for at least 5,000 kilo- grams for bill of lading and car			9	1.50
(c) On paying freight for at least 10,000 kilograms for bill of lading and car . .			6	1.00

Die angeführten Abfertigungsgebühren werden nur im Durchfuhrverkehr durch Rumänien über Seehäfen oder Binnenumschlagplätze zur Anrechnung gelangen. Die Frachtsätze oder Frachtanteile, die sich auf Grund der in den

The indicated dues for forwarding will be applied only in the transit traffic through Roumania by way of maritime ports or internal places of transshipment. The freight rates or fractions of rates resulting from the

vorstehenden Bestimmungen angeführten Höchstpreissätze ergeben, werden mit keinerlei mit der Beförderung zusammenhängenden öffentlichen Abgaben belastet werden. 2. Mit Rücksicht auf das Petroleumabkommen zum Friedensvertrag erklärt sich Rumänien überdies bereit, nach dem unter 1 angegebenen Endtermine die Frachtsätze einschließlich etwaiger mit der Beförderung zusammenhängender öffentlicher Abgaben für rohes Erdöl und dessen Derivate im Verkehr nach Oesterreich oder Ungarn keinesfalls in einem größeren prozentualen Verhältnis zu erhöhen, als die im Lokalgütertarife der rumänischen Eisenbahnen am 1. Juli 1916 für den Lokalverkehr in Kraft gewesenen Frachtsätze für Steinkohle jeweils erhöht werden sollten.

§ 3. Die zum Zwecke der Regelung des wechselseitigen Eisenbahnverkehrs erforderlichen weiteren Vereinbarungen sind im Artikel 11, § 5 und 9 des gegenwärtigen Vertrages, die Vereinbarungen zur Regelung besonderer Eisenbahnfragen zwischen Oesterreich und Rumänien sowie zwischen Ungarn und Rumänien in den gleichzeitig unterzeichneten Eisenbahnkonventionen getroffen.

Die Rechte der Staatsangehörigen und Gesellschaften.

Artikel 8.

Die Angehörigen Oesterreichs und Ungarns sowie die Aktiengesellschaften und andere Handels-, Erwerbs- oder Finanzgesellschaften mit Einschluß der Versicherungsgesellschaften, die nach österreichischem oder ungarischem Recht errichtet sind, sollen in Rumänien befreit sein, bewegliches Vermögen jeder Art sowie unbewegliches Vermögen in den Städten zu erwerben, zu besitzen und darüber zu verfügen und für Zwecke des Betriebes von Handel, Gewerbe und Verkehrsunternehmungen unbewegliches Vermögen in den ländlichen Gemeinden für eine 30jährige

maximum unit rates specified in the preceding provisions will not be burdened with public taxes connected with transportation. 2. In regard to the petroleum agreement, supplementary to the peace treaty, Roumania declares herself furthermore willing, after the final period stated under 1, in no case to increase the freight rates, inclusive of any eventual public tax relative to transportation for crude mineral oil and its derivatives, in its traffic with Austria or Hungary to a higher proportional percentage than might be added to the freight rates established for coal in the domestic traffic by the local freight tariff of the Roumanian railways in force on 1 July, 1916.

§ 3. Any further agreements necessary for the regulation of the mutual railway traffic are provided for in Article 11, §§ 5 and 9 of the present treaty; the agreements for the regulation of special railway questions between Austria and Roumania as well as between Hungary and Roumania are adopted in the railway conventions signed at the same time.

RIGHTS OF NATIONALS AND COMPANIES.

ARTICLE 8.

The nationals of Austria and of Hungary, as well as joint stock companies and any other commercial, industrial or financial companies, inclusive of insurance companies, which have been established in conformity with the Austrian or Hungarian laws, shall be entitled in Roumania to acquire, to own and to dispose of in the towns movable property of any kind as well as immovable property, and to lease within the rural districts for a period of thirty years, immovable prop-

Grist in Pacht zu nehmen sowie innerhalb der Pachtzeit darüber zu verfügen. Der zweimaligen Erneuerung des Pachtvertrages um die vorgenannte Pachtdauer wird seitens der rumänischen Regierung kein Hindernis bereitet, sofern die Erneuerung des Pachtvertrages jeweils fünf Jahre vor Ablauf der Pachtzeit im Einvernehmen zwischen Pächter und Verpächter erfolgt. Den österreichischen und den ungarischen Staatsangehörigen, welche in Rumänien Grund und Boden was immer für einer Art bereits zur Zeit des Abschlusses des Friedens besessen haben, wird dieses Eigentumsrecht sowohl für ihre Person als auch für ihre Erben uneingeschränkt gemäß den rumänischen Landesgesetzen aufrechterhalten.

Artikel 9.

Die rumänische Regierung wird, bis zum Inkrafttreten des Abschnittes 4 des unter dem heutigen Tage gezeichneten Petroleumabkommens oder der etwa an die Stelle dieses Abschnittes 4 tretenden anderen Bestimmungen bei der Ausfuhr von Rohöl und Erdölzerzeugnissen sowie sonst in Petroleumabkommen aufgeführten Waren aus Rumänien in das Vertragszollgebiet der beiden Staaten der österreichisch-ungarischen Monarchie weder Ausfuhrzölle erheben, noch wird sie die Ausfuhr dieser Waren verbieten oder andere Beschränkungen irgendwelcher Art unterwerfen.

Artikel 10.

Die Unternehmungen, welche den Auswandererverkehr aus österreichischen oder ungarischen Häfen betreiben, werden in Rumänien hinsichtlich des Auswanderungswesens, insbesondere hin-

erty, with the purpose of exercising a commercial, industrial or transportation enterprize, and to dispose thereof during the period of the lease. No obstacle will be placed by the Roumanian Government against the renewal of the lease for two further similar periods as indicated in the lease, provided the renewal of the lease is made each time five years in advance of its expiration, in agreement between the lessor and the lessee. The right of ownership, both for themselves and their heirs, without restriction whatever and in conformity with the Roumanian laws, will be granted to the nationals of the Austrian State and of the Hungarian State who had already, at the time of the conclusion of peace, owned real estate, of whatever nature in Roumania.

ARTICLE 9.

Until the time of the going into force of Section 4 of the petroleum agreement signed this day, or of any other stipulations that may take the place of this Section 4, the Roumanian Government will levy no exportation dues on crude oil and mineral oil products as well as upon other merchandise mentioned in the petroleum agreement and exported from Roumania to the customs territory of the two States of the Austro-Hungarian Monarchy, nor will it forbid the exportation of these products or subject them to any restrictions of whatever nature.

ARTICLE 10.

Enterprizes concerning the transportation of emigrants through Austrian or Hungarian harbors will have in Roumania, with regard to all that which concerns the organization of emigration, and especially as regards

sichtlich des Abschlusses von Beförderungsverträgen und hinsichtlich von Vertretern und Agenten, die gleichen Rechte wie Beförderungs- oder Auswanderungsunternehmungen Rumäniens — insoweit solche in Rumänien tätig sein sollten — oder irgendeines anderen Landes genießen mit der Maßgabe, daß die Auswanderung über österreichische oder ungarische Häfen in gleicher Weise gestattet wird wie die Auswanderung über rumänische oder andere Häfen, daß den nach österreichischen oder ungarischen Häfen sich begebenden Auswanderern keine schwereren Bedingungen auferlegt werden als Auswanderern, die auf anderen Wegen das Land verlassen, und daß bei der Beförderung über österreichische oder ungarische Häfen die in Oesterreich, beziehungsweise in Ungarn zum Schutze der Auswanderer geltenden Vorschriften auch seitens Rumäniens als ausreichend erkannt werden.

Die Aenderungen des alten Handelsvertrages.

Artikel 11.

Die Handelskonvention zwischen Oesterreich-Ungarn und Rumänien vom 21./9. Dezember 1893 samt Zusatzartikel sowie das zugehörige Schlußprotokoll werden in der ihnen durch den Zusatzvertrag vom 23./10. April 1909 und durch die in den folgenden Paragraphen enthaltenen Bestimmungen gegebenen Gestalt in Kraft gesetzt.

§ 1. Nach Artikel 1 der Handelskonvention wird folgender neuer Artikel eingeschoben:

Artikel 1a.

Aktiengesellschaften und andere Handels-, Erwerbs- und Finanzgesellschaften

all that which refers to the conclusion of transportation contracts, and as regards their representatives or agents, the same rights as the transportation or emigration enterprises of Roumania—in so far as such enterprises operate in Roumania—or of any other country, with these stipulations, that emigration through Austrian and Hungarian harbors is authorized on the same conditions as is emigration through Roumanian ports or through other ports, that no severer measures will be imposed upon emigrants on their way to Austrian or Hungarian ports than to emigrants leaving their country by other routes, and, finally, that in case of transportation through Austrian or Hungarian ports, the ordinances decreed in Austria, or in Hungary as the case may be, for the protection of emigrants, will be considered equally as sufficient for Roumania.

MODIFICATION OF THE OLD COMMERCIAL TREATY.

ARTICLE 11.

The commercial convention between Austria-Hungary and Roumania of 21/9 December, 1893,¹ together with its supplementary articles as well as the final protocol appertaining thereto, will be again put into force in the form given them through the supplementary treaty of 23/10 April, 1909,² and the provisions contained in the following paragraphs.

§ 1. After Article 1 of the commercial convention, the following new article is inserted:

ARTICLE 1a.

Joint stock companies and other commercial, industrial and

¹ 85 *British and Foreign State Papers*, p. 368.

² 102 *British and Foreign State Papers*, p. 174.

mit Einschluß der Versicherungsgesellschaften, die in den Gebieten des einen vertragsschließenden Teiles ihren Sitz haben und nach dessen Gesetzen errichtet sind, sollen auch in den Gebieten des anderen Teiles als gesetzlich bestehend anerkannt werden und insbesondere das Recht haben, vor Gericht als Kläger oder Beklagte aufzutreten. Hinsichtlich der Zulassung zum Handels- und Gewerbebetriebe sollen diese Gesellschaften sowie die Angehörigen des einen vertragsschließenden Teiles in den Gebieten des anderen Teiles, insofern sie sich den Gesetzen des Landes, wo sie ihren Handel, ihre Industrie oder ihren Beruf betreiben, anpassen, jedenfalls dieselben Rechte genießen wie die gleichartigen Gesellschaften und die Angehörigen irgendeines anderen Landes.

§ 2. Artikel 2 der Handelskonvention in der ihm durch den Zusatzvertrag gegebenen Fassung erhält folgende Ergänzung: Soweit in der Anlage A nicht anders bestimmt ist, soll für die Höhe der Zölle, welche von den nach Rumänien einzuführenden österreichischen und ungarischen Waren zu entrichten sind, der allgemeine rumänische Zolltarif vom 28. Januar 1906 a. St. maßgebend sein. Falls Oesterreich-Ungarn von dem vorbehaltenen Rechte, die Anlage B des Zusatzvertrages zu kündigen, Gebrauch macht, wird es auf die Bindung der Zollsätze der nachstehend angeführten Nummern des allgemeinen rumänischen Zolltarifes vom 28. Januar 1906 a. St. verzichten: Nr. 16—58, 106, 107, 109, 159—163, 177, 178, 200, 207, 221—256, 261, 464 bis 479, 576, 583, 697—701, 722—724, 733, 760—762, 825, 827 mit Ausnahme des böhmischen Wassers, 828.

§ 3. Der durch den Zusatzvertrag in die Handelskonvention eingeschobene Ar-

financial companies, inclusive of insurance companies having their domicile within the territory of one of the contracting parties and constituted in conformity with the laws of this party, will be equally recognized within the territory of the other party as being entitled to the special right to appear in the courts both as plaintiff and as defendant. As regards authorization to exercise a business or industry, companies, even as the nationals of one of the contracting parties will in all cases, within the territories of the other party, in so far as they submit to the laws of the country where they carry on their commerce or their industry or where they exercise their profession, have the same rights as companies of the same kind and the nationals of any other country whatever.

§ 2. Article 2 of the commercial convention in the phraseology given to it in the supplementary treaty, will be completed as follows: In so far as it is not otherwise stipulated in Annex A, the General Roumanian Customs Tariff of 28 January (old style), 1906, will serve as basis for the determination of the customs dues to be paid for Austrian and Hungarian merchandise imported into Roumania. In case Austria-Hungary should avail herself of the right reserved to her of denouncing Annex B of the supplementary treaty, she would renounce the binding nature of the customs tariffs entered into the General Roumanian Customs Tariff of 28 January (old style), 1906 under the following numbers: No. 16—58, 106, 107, 109, 159—163, 177, 178, 200, 207, 221—256, 261, 464 to 479, 576, 583, 697—701, 722—724, 733, 760—762, 825, 827 with the exception of Eau de Cologne, 828.

§ 3. Article 2a, inserted into the commercial convention

titel 2a wird durch die folgenden Bestimmungen ersetzt: Innere Abgaben, welche in den Gebieten des einen der vertragschließenden Teile für Rechnung des Staates, der Gemeinden, der Bezirke oder Korporationen von der Hervorbringung, der Zubereitung, der Beförderung, dem Betrieb oder dem Verbrauch eines Erzeugnisses gegenwärtig oder künftig erhoben werden, dürfen auch den aus den Gebieten des anderen Teiles stammenden gleichartigen Erzeugnissen auferlegt werden, diese jedoch unter keinem Vorwand höher oder in lästigerer Weise treffen als die Erzeugnisse des eigenen Landes. Soweit innere Abgaben auf Rohstoffe oder Halbwaren gelegt werden, soll die Feststellung eines angemessenen Steuerausgleichs für die Einfuhr von Erzeugnissen, welche aus oder mit solchen Rohstoffen oder Halbwaren gewonnen werden, auch dann statthaft sein, wenn die gleichartigen inländischen Erzeugnisse nicht unmittelbar den Gegenstand der Abgabe bilden.

§ 4. Artikel 3 der Handelskonvention in der ihm durch den Zusatzvertrag gegebenen Fassung erhält folgende Ergänzung: In der auf den Krieg folgenden Uebergangszeit können zur Ueberwindung der Folgen des Krieges Verkehers, beschränkungen wie Einfuhrverbote, Ausfuhrverbote und Durchfuhrverbote erlassen werden, soweit nicht in besonderen Abkommen etwas anderes bestimmt ist; sie sind so zu handhaben, daß sie möglichst wenig lästig empfunden werden und sind, sobald es die Verhältnisse gestatten, außer Kraft zu setzen. Bis zur Feststellung der neuen Grenzlinie wird das rohe und bearbeitete Holz aus den Grenzgebieten, die den Gegenstand von Grenzberichtigungen bilden, die gleichen Vorteile wie bisher bei der Einfuhr in Rumänien

through the supplementary treaty, will be replaced by the following stipulations: Internal taxes, levied at present or to be levied in the future within the territory of one of the contracting parties for the account of the State, of the communes, of the cantons or of corporations upon the production, the preparation, the forwarding, the sale or the consumption of a product, may equally be levied upon the products of the same kind originating from the territory of the other party; but they may on no account be higher or more onerous than those levied on indigenous products. In so far as internal taxes are levied upon raw material or upon semi-manufactured articles, proper duties of compensation may likewise be laid upon the importation of products manufactured or obtained by means of these raw materials or of these semi-manufactured articles, even in case the indigenous products of the same nature are not the direct object of the tax.

§ 4. Article 3 of the commercial convention in the phraseology given to it by the supplementary treaty is completed as follows: In the period of transition following upon the war and in order to remove the consequences of the war, restrictions in the relations may be ordered, such as importation, exportation or transit prohibitions, in so far as nothing to the contrary is stipulated in special agreements; these restrictions or prohibitions shall be applied in such a way that they may be as little burdensome as possible, and they shall be abrogated as soon as circumstances may permit. Until the new boundary line is fixed, natural or dressed lumber originating from the boundary regions which have undergone rectification, will benefit upon their entrance into Roumania by the same advantages as

genießen, so daß keine Aenderung des Zustandes vor dem Kriege eintritt. Ein endgültiges Uebereinkommen in dieser Hinsicht wird im Verlauf von drei Monaten nach Feststellung der Grenzlinie zwischen den Regierungen der vertragschließenden Teile in dem Sinne abgeschlossen werden, daß der Betrieb der in diesen Gebieten gelegenen Holzunternehmungen und der Verkehr des rohen und des bearbeiteten Holzes nicht geschädigt werde.

§ 5. Nach Artikel 5 der Handelskonvention wird folgender neuer Artikel eingeschoben:

Die Parität im Verkehr.

Artikel 5a.

I. 1. Auf den Eisenbahnen soll im Personen- und Gepäckverkehr hinsichtlich der Abfertigung, der Beförderungspreise und der mit der Beförderung zusammenhängenden öffentlichen Abgaben kein Unterschied zwischen den Bewohnern der Gebiete der vertragschließenden Teile gemacht werden. Hierbei besteht Einverständnis darüber, daß auf Bahnen niederer Ordnung (Kleinbahnen, Lokalbahnen, Nebenbahnen), die vorwiegend dem Fremdenverkehr dienen, Fahrpreisermäßigungen auf ortsansässige Angehörige der anliegenden Gemeinden beschränkt werden können.

2. In Oesterreich oder Ungarn aufgelieferte, nach Rumänien oder durch Rumänien nach einem fremden Staate zu befördernde Gütertransporte werden bei Erfüllung der gleichen Bedingungen auf den rumänischen Eisenbahnen weder in bezug auf die Abfertigung noch hinsichtlich der Beförderungspreise oder der mit der Beförderung zusammenhängenden öffentlichen Abgaben ungünstiger behandelt werden als gleichartige einheimische Gütertransporte in derselben Richtung und auf derselben Verkehrsstrecke. Das gleiche wird auf

those they have enjoyed hitherto, so that there be no modification made in the state of things anterior to the war. A final agreement in this respect will be entered into between the Governments of the contracting parties within the space of three months after the frontier line has been determined to the end of not harming the timber enterprises situated in these regions, nor the transportation of natural or dressed lumber.

§ 5. After Article 5 of the commercial convention the following new article is inserted:

PARITY IN TRAFFIC.

ARTICLE 5a.

I. 1. On the railways no difference shall be made between the inhabitants of the contracting parties in the transportation of passengers and baggage as regards the forwarding, the transporting rates and public taxes relative to transportation. In this the contracting parties agree that on railways of lesser importance (small gauge railways, local railways and junction railways), mainly serving tourist traffic, reductions in fares may be limited to nationals residing in the neighboring districts.

2. The transportation of merchandise originating from Austria or Hungary and destined to Roumania or in transit from Roumania in destination to a foreign country, will not, all other conditions being equal, be treated on Roumanian railways, in so far as dispatch or transportation rates or public taxes relative to transportation are concerned, in a less favorable way than the transportation of Roumanian goods of a like character, to the same destination and over the same itinerary. The same provision holds for goods sent

den österreichischen und ungarischen Eisenbahnen für in Rumänien aufgelieferte Gütertransporte gelten, die nach Oesterreich oder Ungarn oder durch Oesterreich oder durch Ungarn oder durch Oesterreich und Ungarn nach einem fremden Staate befördert werden. Dieser Grundsatz findet wechselseitig auch Anwendung auf Gütertransporte aus den Gebieten des einen vertragschließenden Teiles, die mit anderen Beförderungsmitteln über die Grenze in die Gebiete des anderen vertragschließenden Teiles gebracht und dort auf die Eisenbahnen aufgeliefert werden. Sollte ein fremder Staat Erzeugnisse eines der vertragschließenden Teile auf seinen Verkehrswegen ungünstiger behandeln als die gleichartigen eigenen Erzeugnisse, so steht diesem Teile das Recht zu, die Erzeugnisse des betreffenden fremden Staates, die über die Eisenbahnen des anderen vertragschließenden Teiles eintreten, auf seinen Bahnen in der Einfuhr und in der Durchfuhr ungünstiger zu behandeln, als die eigenen Erzeugnisse. Es besteht Uebereinstimmung darüber, daß die ungünstigere Behandlung der Erzeugnisse eines solchen fremden Staates auf allen Bahnenwegen des betroffenen vertragschließenden Teiles, in dessen Gebieten die Ein- oder Durchfuhr staatsfindet, gleichmäßig zu erfolgen haben wird.

3. Folgende Bedingungen für die Anwendung von Eisenbahntarifen, Ermäßigungen der Beförderungspreise oder sonstigen Begünstigungen sollen für den Verkehr der gleichartigen Gütertransporte aus den Gebieten des anderen vertragschließenden Teiles unwirksam sein: a) Die Bedingung der inländischen Herkunft des Gutes; die Forderung einer solchen Bezeichnung des Gutes, die einem gleichartigen Gute des anderen vertragschließenden Teiles nicht zugänglich ist, ist dieser Bedingung gleichzuhalten; b) die Bedingung der Aufgabe am Orte, es sei denn, daß es sich um die Bedingung der Anbringung

from Roumania on the Austrian and Hungarian railways and intended for Austria or Hungary or being carried through Austria or through Hungary to another State. This applies equally, with reciprocity, to goods originating from the territory of one of the contracting parties across the frontier through other means of transportation, in order to reach the territory of the other contracting party and there to be placed aboard railway cars. If on its own lines of communication a third Power should treat the products of one of the contracting parties less favorably than the indigenous products of similar character, this party would be entitled to treat the products of the said third Power entering within its territory through the railways of the other contracting party, at the entrance upon its own rail lines and in transit over these lines, in a less favorable way than the indigenous products. It is covenanted that a less favorable treatment enforced against the production of such a third Power must be conformably enforced over the entire railway system of that one of the contracting parties into or across whose territory entrance or transit of the goods takes place.

3. The following conditions regarding the application of railway tariffs, reduction of foreign rates or other preferences shall not apply to traffic of a similar character over the territories of the other contracting party: (a) The clause of the indigenous origin of the article; demand for such designation of the article if such designation is not susceptible of application to a like article of the other contracting party is to be assimilated to the foregoing clause; (b) the clause concerning consignment to a definite place, unless reference is had to the clause relative to placing the

von Gütern zu Schiff oder um die Bekämpfung eines vorübergehenden besonderen Notstandes handelt oder daß die Tarife für Bahnen untergeordneter Bedeutung allgemein durch die Vorschrift der Aufgabe am Orte dem Durchzugsverkehr vorenthalten werden; c) die Bedingung, daß der Rohstoff oder das Halbfabrikat für das begünstigte Gut ganz oder zu einem Teile auf inländischen Strecken befördert worden ist.

goods on board ship or reference is had to the combating of a special temporary case of necessity, or unless the tariffs of railways of secondary importance be refused in general to the transit tariff by reason of the prescription relative to consignment of the goods to a definite place: (c) the clause that the raw material or the partly manufactured product for the goods accorded favored treatment has been wholly or partly carried over internal stretches.

II. Die vertragschließenden Teile werden dafür Sorge tragen, daß für den Personen- und Güterverkehr nach Maßgabe des tatsächlichen Bedürfnisses direkte Tarife erstellt werden. Für den wechselseitigen Verkehr zwischen Oesterreich und Ungarn einerseits und Rumänien andererseits werden direkte Tarife mindestens in dem Umfange hergestellt werden, in dem sie am 1. August 1914 bestanden haben.

II. The contracting parties will see to it that for the transportation of persons and goods, direct tariffs be established in proportion to actual needs. For the mutual traffic between Austria and Hungary on the one hand, and Roumania on the other hand, direct tariffs will be established at least to the extent in which they existed on 1 August, 1914.

Die Meistbegünstigung.

PREFERENTIAL TREATMENT.

III. A. 1. Für die Einfuhr und die Durchfuhr österreichischer und ungarischer Waren werden auf den rumänischen Eisenbahnen keine höheren Tarife, keine höheren mit der Beförderung zusammenhängenden öffentlichen Abgaben oder erschwerenderen Bedingungen in Anwendung kommen als diejenigen, die auf gleichartige Waren eines fremden Staates in derselben Richtung und auf derselben Verkehrsstrecke angewendet werden.

III. A. 1. As regards the importation and exportation of Austrian and Hungarian goods there will not be applied, on the Roumanian railways, higher tariffs, higher public taxes with regard to transportation, or less favorable conditions than those applied to the goods of similar nature of a third Power in the same direction and over the same itinerary.

2. Für die Einfuhr und die Durchfuhr rumänischer Waren werden auf den österreichischen und ungarischen Staatseisenbahnen keine höheren Tarife, keine höheren mit der Beförderung zusammenhängenden öffentlichen Abgaben oder erschwerenderen Bedingungen in Anwendung kommen als diejenigen, die auf gleichartige Waren eines fremden Staates in derselben Richtung und auf derselben Verkehrsstrecke angewendet werden, sofern es sich nicht um solche Ermäßigungen handelt, deren Zweck

2. As regards the importation and transit of Roumanian goods, there will not be applied, on the railways of the Austrian or Hungarian States, higher tariffs, higher public taxes with regard to transportation, or less favorable conditions than those applied to the goods of similar nature of a foreign country going in the same direction and over the same itinerary, in so far as it does not concern tariff reductions the

ausschließlich darin besteht, Sendungen des betreffenden fremden Staates, die sonst über einen außerhalb Oesterreichs und Ungarns gelegenen Weg befördert würden, für die österreichischen oder ungarischen Staatseisenbahnen oder österreichische oder ungarische Seehäfen zu gewinnen (Wegekonkurrenz).

B. Jeder der vertragschließenden Teile erklärt sich bereit, sofern er einem fremden Staate gegenüber, sei es allgemein, sei es eingeschränkt, die Verpflichtung übernehmen sollte, auf seinen Eisenbahnen, 1. für die Ausfuhr und die Durchfuhr der nach den Gebieten des betreffenden fremden Staates bestimmten Waren keine höheren Tarife, keine höheren mit der Beförderung zusammenhängenden öffentlichen Abgaben oder erschweren Bedingungen in Anwendung zu bringen, als für die nach einem anderen fremden Staate beförderten gleichartigen Waren, 2. die seitens dieser Bahnen im Verkehr von oder nach Fluß- oder Seehäfen gewährten Vergünstigungen hinsichtlich der Tarife oder der mit der Beförderung zusammenhängenden öffentlichen Abgaben dem Bahnverkehre des betreffenden fremden Staates von oder nach der Landgrenze zur Verfügung zu stellen, 3. die seitens dieser Bahnen im Verkehr von oder nach Seehäfen gewährten Vergünstigungen hinsichtlich der Tarife oder der mit der Beförderung zusammenhängenden öffentlichen Abgaben dem Flußumschlagsverkehr mit dem betreffenden fremden Staate von oder nach den Umschlagsplätzen zur Verfügung zu stellen, dieselbe Verpflichtung, und zwar in dem gleichen Umfange und dem gleichen Ausmaße auch dem anderen Teile gegenüber zu übernehmen.

C. 1. Waren, die mit der Eisenbahn in Seehäfen oder Flußumschlagsplätzen ankommen und von dort mit österreichischen oder ungarischen Seeschiffen oder Schiffen staatlicher oder staatlich subventionierter österreichischer oder ungarischer Flußschiffahrtsunternehmungen

exclusive object of which it is to secure for the State railways, Austrian or Hungarian, or for the Austrian or Hungarian maritime ports, the shipments of these foreign countries which would otherwise be transported over an itinerary situated outside of Austria and of Hungary (railway competition).

B. Each of the contracting parties declares itself ready, in so far as, with regard to a foreign State, it should assume obligations on its railway lines, either in a general way or in a limited way: 1. Not to apply to the exportation and transit of goods in destination to the territory of this foreign State, higher tariffs, higher public taxes relative to transportation, or less favorable conditions than those relating to goods of similar nature carried to another foreign State. 2. To grant in favor of railway traffic of this foreign State, from the frontier line or to the frontier line, preferences granted by its own railways for the itinerary from the fluvial or maritime ports or to these ports, with regard to tariffs or public taxes relative to transportation. 3. To grant in favor of the fluvial transshipment traffic with this foreign State, from the points of transshipment or toward these points, preferences granted by its own railways over the itinerary from the maritime ports or toward these ports with regard to tariffs or the public taxes relative to transportation, and to assume also the same obligation to the same extent and measure with regard to the other party.

C. 1. Goods arriving by rail in the maritime ports or in the fluvial transshipment places and which from there are reshipped on board Austrian or Hungarian merchant vessels, or on Austrian or Hungarian vessels of fluvial

weiter befördert werden, sowie Waren, die mit österreichischen oder ungarischen Seeschiffen oder Schiffen staatlicher oder staatlich subventionierter österreichischer oder ungarischer Flußschiffahrtsunternehmungen in Seehäfen oder in Flußumschlagsplätzen ankommen und von dort mit der Eisenbahn weiter befördert werden, werden auf den rumänischen Eisenbahnen in derselben Richtung und auf derselben Verkehrsstrecke weder in bezug auf die Abfertigung noch hinsichtlich der Beförderungspreise und der sonstigen Gebühren oder der mit der Beförderung zusammenhängenden öffentlichen Abgaben ungünstiger behandelt werden als Waren, die in den gleichen Seehäfen oder Flußumschlagsplätzen mit rumänischen Seeschiffen, Schiffen staatlicher oder staatlich subventionierter österreichischer oder ungarischer Flußschiffahrtsunternehmungen oder Schiffen anderer Nationalität einlangen oder von dort mit solchen Schiffen weiter befördert werden. Die Bedingung, wonach die Anwendung von Eisenbahntarifen, Ermäßigungen der Beförderungspreise oder sonstigen Begünstigungen auf den rumänischen Eisenbahnen von der Beförderung der Waren mit Schiffen einer bestimmten Schiffahrtsunternehmung abhängig gemacht wird, ist für jene Waren, die mit österreichischen oder ungarischen Seeschiffen oder Schiffen staatlicher oder staatlich subventionierter österreichischer oder ungarischer Flußschiffahrtsunternehmungen in Seehäfen oder Flußumschlagsplätzen anlangen oder von dort mit solchen Schiffen weiter befördert werden, unwirksam.

2. Waren, die mit der Eisenbahn in Flußumschlagsplätzen ankommen und von dort mit Schiffen staatlicher oder staatlich subventionierter rumänischer Flußschiffahrtsunternehmungen weiter befördert werden, sowie Waren, die mit Schiffen staatlicher oder staatlich subventionierter rumänischer Flußschiffahrtsunternehmungen in

navigation companies of the State or subventioned by the State, as well as goods arriving in the maritime ports or in the fluvial transshipment places on board Austrian or Hungarian merchant vessels, or on Austrian or Hungarian vessels of fluvial navigation companies of the State or subventioned by the State, and which from there are reshipped by rail, shall not be treated on the Roumanian railways, carried in the same direction, and over the same itinerary, nor in so far as concerns the transportation fares and all other dues or public taxes relative to transportation, in a way less favorable than the goods which will arrive in these same maritime ports or fluvial transshipment places on vessels of the Roumanian navy, on Austrian or Hungarian vessels of fluvial navigation companies of the State or subventioned by the State, or on vessels flying another flag, or else which are reshipped from that point on these vessels. The condition on which the application of railroad tariffs, reduced rates, or other preferences on the Roumanian railroads is made dependent on the transportation of goods on ships of a given navigation company, is inoperative for such goods as arrive in fluvial transshipment places on Austrian or Hungarian merchant vessels or vessels of Austrian or Hungarian fluvial navigation companies of the State or subventioned by the State, or else are reshipped from these on such ships.

2. Goods which arrive on the railroads at fluvial transshipment places and are reshipped from there on vessels of Roumanian fluvial navigation companies of the State or subventioned by the State and are reshipped from these on the railroads, shall not be treated on the Austrian or

Flußumschlagsplätzen ankommen und von dort mit der Eisenbahn weiter befördert werden, werden auf den österreichischen und ungarischen Staats-eisenbahnen in derselben Richtung und auf derselben Verkehrsstrecke weder in bezug auf die Abfertigung noch hinsichtlich der Beförderungspreise und der sonstigen Gebühren oder der mit der Beförderung zusammenhängenden öffentlichen Abgaben ungünstiger behandelt werden als Waren, die in den gleichen Flußumschlagsplätzen mit Schiffen staatlicher oder staatlich subventionierter österreichischer oder ungarischer Flußschiffahrtsunternehmungen oder Schiffen anderer Nationalität einlangen oder von dort mit solchen Schiffen weiter befördert werden. Die Bedingung, wonach die Anwendung von Eisenbahntarifen, Ermäßigungen der Beförderungspreise oder sonstigen Begünstigungen auf den österreichischen und ungarischen Staats-eisenbahnen von der Beförderung der Waren mit Schiffen einer bestimmten Flußschiffahrtsunternehmung abhängig gemacht wird, ist für jene Waren, die mit Schiffen staatlicher oder staatlich subventionierter rumänischer Flußschiffahrtsunternehmungen in Flußumschlagsplätzen anlangen oder von dort mit solchen Schiffen weiter befördert werden, unwirksam.

IV. 1. Die Grundlage des Eisenbahnverkehrs zwischen den vertragsschließenden Teilen bildet das internationale Übereinkommen über den Eisenbahnfrachtverkehr vom 14. Oktober 1890 in der Fassung, die es am 1. August 1914 gehabt hat.

2. Die rumänischen Eisenbahnen werden ihre Mitgliedschaft bei dem Verein Deutscher Eisenbahnverwaltungen erneut beantragen. Ueber die Bedingung der Benützung der den österreichischen oder ungarischen Eisenbahnen angehörigen Wagen wird ein Zusatzübereinkommen, zu dem Übereinkommen, betreffend die gegenseitige Wägenbenützung im

Hungarian State railways, carried in the same direction and over the same itinerary, nor in so far as concerns the transportation fares and all other dues or public taxes relative to transportation, in a way less favorable than goods which will arrive in these same fluvial transshipment places on vessels of Austrian or Hungarian fluvial navigation companies of the State or subventioned by the State or of any other nationality, or else which are reshipped from that point on such ships. The condition on which the application of railroad tariffs, reduced rates, or other preferences on the Austrian or Hungarian State railways is made dependent on the transportation of goods on ships of a given fluvial navigation company is inoperative for such goods as arrive on vessels of a Roumanian fluvial navigation company of the State or subventioned by the State in fluvial transshipment places or else which are reshipped from that point on these vessels.

IV. 1. The basis of the railway traffic between the contracting parties is the International Convention Concerning the Transportation of Goods by Rail of 14 October, 1890,¹ in conformity with the phraseology which it had on 1 August, 1914.

2. The Roumanian railways will again demand their admission as members of the Union of the German Railway Administrations. As regards the conditions for the utilization of the railway cars belonging to the Austrian or Hungarian railways, there will be concluded between the railway administrations of the contracting parties a supplementary

¹ 82 *British and Foreign State Papers*, pp. 771, 796.

Bereit des Vereines Deutscher Eisenbahnverwaltungen, zwischen den Eisenbahnverwaltungen der vertragschließenden Teile getroffen werden.

V. 1. Die vertragschließenden Teile werden den Eisenbahnverkehr zwischen den beiderseitigen Gebieten gegen Störungen und Behinderungen sicherstellen. 2. In der Beförderung wird grundsätzlich keine Bevorzugung der Güter des eigenen Staates gegenüber denen des anderen vertragschließenden Teiles stattfinden. 3. Bei der Wagengeföhlung wird den Bedürfnissen für den Binnenverkehr und die Ausfuhr nach den Gebieten des anderen vertragschließenden Teiles gleichmäßig Rechnung getragen werden. 4. Die vertragschließenden Teile werden dahin wirken, daß den Bedürfnissen des durchgehenden Verkehrs durch günstige und gesicherte Zugverbindungen sowie durch Herstellung ineinandergreifender Fahrpläne für den Personen- und Güterverkehr tunlichst Rechnung getragen wird. Hierbei wird Rumänien diese Zugverbindungen über Verlangen nach Möglichkeit durch Zuganschlüsse gleichen Ranges herstellen, worüber im Einzelfalle das Einvernehmen zwischen den beiderseitigen Eisenbahnverwaltungen getroffen werden wird.

VI. 1. Im Verkehr zwischen den zunächst der Grenze gelegenen beiderseitigen Abfertigungsstellen dürfen die im Personen- und Güterverkehr zu entrichtenden Gebühren mit den gesetzlichen Zahlungsmitteln jenes vertragschließenden Teiles beglichen werden, in dessen Gebieten die Zahlung zu erfolgen hat, auch wenn der Tarif auf die gesetzliche Währung des anderen Teiles lautet. 2. Die hier geregelte Annahme von Zahlungsmitteln soll den bestehenden oder noch zu treffenden Vereinbarungen der beteiligten Eisenbahnverwaltungen über die Abrechnung in keiner Weise vorgreifen.

arrangement to the agreement relative to the utilization of the German railway administrations.

V. 1. The contracting parties will insure the railway traffic between their reciprocal territories against all interruptions and hindrances. 2. In principle no preferences will be granted in transportation to indigenous goods in contradistinction to those of the other contracting party. 3. In the disposal of railway cars, consideration must likewise be given to the domestic traffic and the exportation to the territories of the other contracting party. 4. The contracting parties will endeavor to have consideration given, as far as possible, to the needs of the traffic, of transit, through favorable and assured train connections, as well as through the adoption of conforming time-tables for the transportation of passengers and goods. To this end, Roumania will institute these train connections, as far as possible, through train connections of the same class; an understanding will be reached in regard to this matter in each special case between the railway administrations of the two parties.

VI. 1. In the relations between the reciprocal train dispatch offices located in proximity to the frontier, the dues to be paid for the transportation of passengers and goods must be paid by legal tender of the contracting party within whose territory such payment is made, even if the tariff states the legal currency of the other party. 2. The acceptance of means of payment here specified shall in no way affect the agreements still to be concluded between the interested railway administrations with regard to the settlement of accounts.

§ 6. Dem Schlußprotokoll werden folgende neue Bestimmungen eingefügt: Zu Artikel 1, Absatz 2. Von den auf dem Wasserwege nach Rumänien eingeführten Waren dürfen keine besonderen Abgaben, welcher Art immer, erhoben werden. Diese Waren werden, nachdem sie den Eingangszoll und die inneren Abgaben entrichtet haben, keinem Zuschlage mehr unterliegen. Doch ist die Erhebung von Gebühren und Abgaben für die Benützung von Anlagen und Anstalten sowie für die Inanspruchnahme von Dienstleistungen auf den rumänischen Binnenwasserstraßen unter jenen Bedingungen gestattet, die bezüglich der rumänischen Donaufstrecke in der Vereinbarung betreffend die Donau niedergelegt sind.

§ 7. Dem Schlußprotokoll wird folgende neue Bestimmung eingefügt: Zu Artikel 2. Rumänien wird von der Ausfuhr von rohem, behauenen, gesägtem Holz und von der Ausfuhr von Säuten keine anderen oder höheren Ausfuhrzölle erheben, als die am 1. August 1914 in Kraft gestandenen. Falls Rumänien von den Waren, die Gegenstand des Wirtschaftsabkommens sind, Ausfuhrzölle erhebt, sollen diese Zölle bis zum Ablauf des Handelsvertrages nur in Uebereinstimmung mit den Vereinbarungen des gedachten Abkommens, das heißt zu Lasten des Verkäufers, erhoben werden können. Ferner wird Rumänien Eier und Walnüsse mit keinen höheren Ausfuhrzöllen belegen als 5 Prozent des Durchschnittswertes.

§ 8. In das Schlußprotokoll wird folgende neue Bestimmung aufgenommen: Zu Artikel 2a). Rumänien wird die innere Steuer für natürliche und künstliche Mineralwässer nicht über 0.07 Lei per Kilogramm erheben. Für die übrigen Waren, die schon am 1. August 1914 mit inneren Steuern belegt waren, wird die Höhe dieser Steuern

§ 6. The following new provisions are added to the final protocol: To Article 1, § 2. Upon goods imported into Roumania by river, no special taxes of whatever nature shall be levied. After having paid the entrance dues and the domestic taxes, such goods are not subject to any other supplementary dues. However, the collecting of dues and taxes for the utilization of locations and improvements, as well as for the requisition of services on the internal Roumanian fluvial courses, is permitted under the conditions determined in the agreement concerning the Danube with regard to the Roumanian part of the Danube.

§ 7. The following new provision is added to the final protocol: To Article 2. Roumania will not levy upon the exportation of natural, dressed and joined lumber and upon the exportation of hides, any other taxes of exportation or any higher dues than those which were in force on 1 August, 1914. In case Roumania should levy taxes of exportation upon the products mentioned in the economic agreement, such taxes may not be collected until after the expiration of the treaty of commerce, except in conformity with the provisions of the said convention, that is to say, at the cost of the vendor. Furthermore, Roumania will not collect upon eggs and walnuts exportation taxes higher than 5 per cent of their average value.

§ 8. The following new provision is inserted into the final protocol: To Article 2a. Roumania will not increase above 0.07 Lei per kilogram the domestic tax upon natural and artificial mineral waters. For the rest of the goods which were already subject to domestic taxes on 1 August, 1914, Roumania is not bound by the rate of these taxes. As for

nicht gebunden. Für die Waren, die am 1. August 1914 nicht mit inneren Steuern belegt waren, wird Rumänien keine inneren Steuern einheben, die mehr als 10 Prozent der autonomen, beziehungsweise vertragsmäßigen Einfuhrzölle Rumäniens betragen. Die Waren der Kapitel 33 bis 41 und 44 des allgemeinen rumänischen Zolltarifes vom 28. Januar 1906 a. St. werden von inneren Steuern freibleiben. Rumänien wird Steuerausgleiche im Sinne des Absatzes 2 des Artikels 2 a) nur dann erheben, wenn sowohl die Rohstoffe oder Halbwaren, wie auch die fertigen Erzeugnisse selbst in Rumänien erzeugt werden und mit der gleichen inneren Steuer belegt sind.

§ 9. In das Schlußprotokoll werden folgende neue Bestimmungen aufgenommen: Zu Artikel 5 a): Ad I. 1. Die Frachtermäßigungen, die auf den rumänischen Eisenbahnen einzelnen rumänischen Industrieunternehmungen bis zum 1. Juli 1916 für den Versand ihrer Erzeugnisse auf Grund des Industrieförderungsgesetzes vom 13. Februar 1912 gewährt worden sind und am 1. Juli 1916 noch in Kraft waren, sollen während ihrer Geltungsdauer für in Oesterreich oder Ungarn aufgelieferte, nach oder durch Rumänien nach einem fremden Staate zu befördernde Gütertransporte innerhalb von fünf Jahren nach Ratifizierung des Friedensvertrages nicht beansprucht werden. 2. Der Bedingung der „Aufgabe am Orte“ ist die Bedingung der Anfuhr eines Gutes zur Abfertigungsstelle mit Landfuhrwerk, mit Schleppbahnen (auf Privatanschlußgeleisen), mit Kleinbahnen oder auf bestimmten Eisenbahnwegen gleichzuhalten. Kürzungen der Abfertigungsgebühren oder ähnliche Tarifabschlüsse, die von der Anfuhr der Güter auf bestimmten Eisenbahnwegen abhängig gemacht werden, fallen nicht un-

goods which were not subject to domestic taxes on 1 August, 1914, Roumania will not levy any domestic taxes exceeding by 10 per cent the taxes of importation independently or contractually established by Roumania. Goods specified under Chapters 33 to 41 and 44 of the General Roumanian Customs Tariff of 28 January (old style), 1906, will remain exempt from domestic taxes. Roumania will not levy compensatory taxes in the sense of paragraph 2 of Article 2a, except when Roumania produces both the raw materials or partly manufactured articles and the finished products themselves, and provided they are subject to the same domestic tax.

§ 9. The following new provisions are added to the final protocol: To Article 5a: Ad I. 1. The reductions in the transportation rates which have been granted the Roumanian railways by the law of 13 February, 1912, concerning special Roumanian industrial enterprizes until 1 July, 1916, for the shipment of their products and were still in force on 1 July, 1916, shall not be demanded during the period of their validity for the transportation of goods originating from Austria or from Hungary in destination to a foreign country, for a period of five years after the ratification of the peace treaty. 2. The clause referring to the conveying of merchandise to the dispatch offices by cart, by tow lines (on private junction lines), by small gauge railway or by definite railway routes, is to be assimilated to the clause of “consignment of the goods to a definite place.” Reduction of the dispatching dues or similar tariff reductions dependent on the consignment of the goods over definite railway routes are not included in this

ter diese Bestimmung. 3. Die auf den Eisenbahnen jeweils bestehenden Militärtarife können ausschließlich nur von der heimischen Militärverwaltung in Anspruch genommen werden.

Ad II. 1. Für die Entscheidung der Frage, ob ein Bedürfnis für die Herstellung direkter Tarifsätze im Rahmen bestehender Tarife für den Personen- und Güterverkehr vorliegt, ist das Ermessen der antragstellenden Eisenbahnverwaltung maßgebend. 2. Die bei gebrochener Abfertigung sich ergebenden Frachtsätze sind auf Verlangen einer der Eisenbahnverwaltungen der vertragschließenden Teile auch in die direkten Tarife einzuzurechnen. 3. Die Staatseisenbahnverwaltungen der vertragschließenden Teile werden sich bezüglich der Verteilung der direkten Frachtsätze in kürzester Zeit über solche Grundsätze zu einigen haben, die eine Sonderstellung einer oder einzelner der beteiligten Eisenbahnverwaltungen ausschließen.

Ad III. B und C. Es besteht Einverständnis darüber, daß die Donauhäfen zwischen Braila einschließlich und dem Schwarzen Meere auch als Seehäfen zu betrachten sind.

Die Regelung des Verkehrs mit Tieren.

§ 10. Der im Schlußprotokoll zu Artikel 3 erwähnte Notenwechsel betreffend die Regelung des Verkehrs mit Tieren, tierischen Rohstoffen und Produkten zwischen Oesterreich-Ungarn und Rumänien bleibt bis 31./18. Dezember 1919 mit folgenden Änderungen und Ergänzungen in Kraft: 1. Punkt 4 erhält folgenden Wortlaut: Insofern Rumänien von der Rinderpest frei ist und insofern dort nicht andere gefährliche anzeigepflichtige Tierseuchen in einem besonders bedrohlichen Umfange herrschen, beziehungsweise eine Verschleppung einer solchen Seuche aus

provision. 3. Military tariffs in force on the railways can be demanded only by the military administration of the country.

Ad II. 1. To decide as to whether it is necessary to establish direct tariff rates on the basis of the existing tariffs for the transportation of passengers and goods, the judgment of the railway administration making the proposition is final. 2. Freight rates resulting from part shipments are to be included in the direct tariffs upon the demand of one of the railway administrations of the contracting parties. 3. The railway administrations of the State of the contracting parties will, as regards the rate of the direct tariffs, have to come to an agreement in the shortest possible space of time with regard to the principles excluding the exceptional attitude of one or several of the interested railway administrations.

Ad III. B and C. It is agreed that the ports of the Danube between Braila and the Black Sea are also to be regarded as maritime harbors.

THE REGULATION OF THE TRAFFIC IN CATTLE.

§ 10. The note exchange mentioned in the final protocol under Article 3 concerning the regulation of forwarding of cattle, animal raw materials and products between Austria-Hungary and Roumania, remains in force until 31/18 December, 1919, with the following modifications and additions: 1. Point 4 is given the following phraseology: in so far as cattle plague does not exist in Roumania and in so far as other dangerous epizootics that must be reported do not prevail in especially threatening conditions, or in so far as no such epizootics

Rumänien nach Oesterreich oder nach Ungarn nicht stattgefunden hat, wird die Einfuhr von aus seuchensfreien Gebieten Rumäniens stammenden gesunden Kindern, Schweinen und Schafen unter folgenden Bedingungen gestattet sein: a) Die Tiere müssen mit Viehpässen versehen sein, welche auch die Staats-tierärztliche Bescheinigung zu enthalten haben, daß die Tiere rumänischen Ursprungs und gesund sind. Ueberdies muß der Nachweis erbracht werden, daß das Provenienzgebiet frei von jeder auf die betreffende Tiergattung übertragbaren ansteckenden Krankheit ist; b) die Tiere werden in der Eintrittsstation sowohl auf ihre Herkunft als auch auf ihren individuellen Gesundheitszustand tierärztlich untersucht; Transporte, deren Viehpässe den obigen Vorschriften nicht entsprechen oder in denen auch nur ein Tier an einer der Anzeigepflicht unterliegenden ansteckenden Krankheit erkrankt oder deren verdächtig befunden wird, und auch solche Transporte, bezüglich welcher der begründete Verdacht der Ansteckung mit einer solchen Krankheit besteht, können von der Einfuhr ausgeschlossen werden; c) Transporte, die den vorstehenden Bedingungen entsprechen, können in geschlossenen Eisenbahnwagen ausschließlich in hiesig besonders bezeichnete Schlachthäuser zur alsbaldigen Schlachtung, Schafe eventuell auch zur Weiterhaltung, aber nur auf Grund einer besonderen Bewilligung der kompetenten Behörde des Bestimmungslandes und unter den darin enthaltenen Bedingungen, eingeführt werden; d) Eisenbahnwagen und Borrichtungen, die zu Viehtransporten verwendet worden sind, müssen vor ihrer Wiederverwendung gereinigt und wirksam desinfiziert werden.

2. Der Punkt 9 erhält folgenden Wortlaut: Die Einbringung der oben genannten,¹ zur Ein- und Durchfuhr

have not been carried from Roumania into Austria or into Hungary, the importation of cattle free from the plague and originating from the territories of Roumania, as well as hogs and sheep, will be permitted on the following conditions: (a) The animals must be accompanied by animal passes which must also bear the attestation of a State veterinary that the animals are of Roumanian origin and that they are sound. Further, the pass must show that the territory of their origin is free from any disease such as must be reported and which may be communicated to the animal species in question; (b) the animals are examined by a veterinary at the place of entrance, both as regards their origin and the state of their individual soundness; transportations not meeting the preceding conditions in which but one single animal were affected by a contagious disease subject to report or suspected of having such disease, and regarding which a well-grounded suspicion rests that they are contaminated by a disease of this sort, may be excluded from importation; (c) transportations, in the conditions hereinbefore stated, may be imported in closed cars, to specially designated slaughter-houses for immediate slaughtering, sheep eventually also for further feeding, but only in virtue of a special authorization of the competent authority of the country of destination and under the conditions therein contained; (d) railway cars and appliances that have been utilized for the transportation of cattle must, before being used again, be cleaned and properly disinfected.

2. Point 9 is given the following phraseology: The introduction of animals or of animal

¹ "N. F. P." has obgenannten.

bestimmten Tiere und tierischen Rohstoffe, beziehungsweise tierischen Produkte kann behufs Ermöglichung der Kontrolle auf gewisse Grenzstationen beschränkt werden. Die Bekanntgabe dieser Eintrittsstation bleibt vorbehalten. Die Neuregelung des Verkehrs mit Tieren, tierischen Rohstoffen und Produkten über das Jahr 1919 hinaus wird vorbehalten.

§ 11. An Stelle des Artikels 5 des Zusatzvertrages vom 23./10. April 1909 sind folgende Bestimmungen aufzunehmen: Die durch den Zusatzvertrag vom 23./10 April 1909 und durch die obigen Bestimmungen abgeänderte und ergänzte Handelskonvention samt Zusatzartikel sowie das dazugehörige Schlussprotokoll sollen bis zum 31./18 Dezember 1930 und nach diesem Zeitpunkt bis zum Ablauf eines Jahres nach der von der einen der beteiligten Parteien ausgesprochenen Kündigung in Geltung bleiben. Oesterreich-Ungarn kann die Anlage B des Zusatzvertrages (Zölle bei der Einfuhr in das Vertragszollgebiet der beiden Staaten der österreichisch-ungarischen Monarchie) vom 30./17. September 1919 an dreimonatlich kündigen. Die übrigen Teile der in Rede stehenden Vereinbarungen bleiben durch die letztere Kündigung unberührt und gelten im Falle einer Aenderung der Zollverhältnisse innerhalb eines vertragschließenden Teiles oder beider vertragschließenden Teile auch für dessen einzelne Staaten.

Artikel 12.

Dieser wirtschaftliche Zusatzvertrag, der einen wesentlichen Bestandteil des

raw materials, and, as the case may be, of products of animal origin, hereinbefore specified, and intended for importation and transit, may be restricted to certain frontier stations, for the purpose of facilitating verification. Publication of the station of entrance is reserved. The new regulation anent the traffic in animals, animal raw materials and products beyond the year 1919 is reserved.

§ 11. The following provisions are to take the place of Article 5 of the supplementary treaty of 23/10 April, 1909¹: The commercial agreement modified and completed by the additional treaty of 23/10 April, 1909 and by the provisions hereinbefore given, as well as its additional articles, and the final protocol dependent thereon remain in force until 31/18 December, 1930, and thereafter for one year following the denunciation made by one of the contracting parties. Within a period of three months, reckoned from 30/17 September, 1919, Austria-Hungary may denounce Annex B of the additional treaty (customs dues at the entrance to the customs territory provided for by the treaty of the two States of the Austro-Hungarian Monarchy). The other parts of the agreement in question are not had in view as regards this last denunciation, and in the case of a modification made in the customs system within the territory of one of the contracting parties, or within the territories of the two contracting parties, they still remain valid for each particular State of such contracting party.

ARTICLE 12.

This additional economic treaty which constitutes an integral and essential part of the treaty of

¹102 *British and Foreign State Papers*, p. 174.

Friedensvertrages bildet, wird ratifiziert werden. Die Ratifikationsurkunden sollen tunlichst bald in Wien ausgetauscht werden. Er tritt, soweit darin nichts anderes bestimmt ist, nach Austausch der Ratifikationen in Kraft. Zur Ergänzung dieses Zusatzvertrages, insbesondere zum Abschlusse der darin vorbehaltenen Vereinbarungen werden tunlichst bald nach der Ratifikation Vertreter der vertragschließenden Teile an einem noch zu bestimmenden Orte zusammentreten. Zu Urkund dessen haben die Bevollmächtigten diesen Zusatzvertrag unterzeichnet und mit ihren Siegeln versehen.

Ausgefertigt in doppelter Urschrift in
Bukarest am 7. Mai 1918.

peace, will be ratified. The ratifications must be exchanged at Vienna as soon as possible. It goes into force in so far as it contains nothing contrary thereto, after the exchange of the ratification acts. For the purpose of completing this supplementary treaty, and especially for the purpose of concluding the agreements therein reserved, representatives of the contracting parties will meet, as soon as possible, after the ratification, in a place still to be determined. In witness whereof the plenipotentiaries have signed this additional treaty and affixed their seals to it.

Done in duplicate original in
Bucharest, 7 May, 1918.

7. ROUMANIA—GERMANY.

POLITICAL-LEGAL TREATY, PROVIDED FOR IN ARTICLE XXIX OF THE TREATY OF PEACE BETWEEN ROUMANIA AND THE CENTRAL POWERS. SIGNED AT BUCHAREST, 7 MAY, 1918.

[German text as published in the Norddeutsche Allgemeine Zeitung, 11 May, 1918.]

[Translation.]

Auf Grund des Artikel . . . Abs. 2 des Friedensvertrags zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei einerseits und Rumänien andererseits sind die Bevollmächtigten des Deutschen Reichs, nämlich

der Staatssekretär des Auswärtigen Amtes, Kaiserlicher Wirklicher Geheimer Rat, Herr Richard von Kühlmann,

der Kaiserliche Wirkliche Geheimer Rat, Herr Paul von Koerner,

der Direktor im Auswärtigen Amte, Kaiserlicher Wirklicher Geheimer Rat, Herr Dr. Johannes Kriege,

der Königlich Preussische Generalmajor Herr Emil Hell, Chef des Generalstabs des Oberkommandos der Heeresgruppe von Mackensen, und

der Kaiserliche Kapitän zur See Hans Bene,

sowie die Bevollmächtigten des Königreichs Rumänien, nämlich

der Königlische Ministerpräsident Herr Alexander Marghiloman,

der Königlische Minister des Aeußern Herr Constantin C. Arion,

In virtue of Article [XXIX] paragraph 2 of the peace treaty between Germany, Austria-Hungary, Bulgaria and Turkey on the one hand, and Roumania on the other hand, the Plenipotentiaries of the German Empire, to wit:

the Secretary of State for Foreign Affairs, the Imperial Actual Privy Councillor, Herr Richard von Kühlmann,

the Imperial Actual Privy Councillor, Herr Paul von Koerner,

the Director of the Foreign Office, the Imperial Actual Privy Councillor, Dr. Johannes Kriege,

the Royal Prussian Major General, Herr Emil Hell, Chief of the General Staff of the Supreme Command of the Mackensen Army Group, and the Imperial Naval Captain Hans Bene,

as well as the Plenipotentiaries of the Kingdom of Roumania, to wit:

the Royal Ministerial President, M. Alexander Marghiloman,

the Royal Minister for Foreign Affairs, M. Constantin C. Arion,

der Königl. bevollmächtigte Minister Herr John N. Papiniu und

der Königl. Minister außer Diensten Herr Michail N. Burghela,

übereingekommen, die Herstellung der öffentlichen und privaten Rechtsbeziehungen, den Ersatz von Kriegs- und Zivilschäden, den Austausch der Kriegsgefangenen und Zivilinternierten, den Erlaß von Amnestien sowie die Behandlung der in die Gewalt des Gegners geratenen Flußfahrzeuge und sonstigen Verkehrsmittel unverzüglich zu regeln und zu diesem Zwecke einen Zusatzvertrag zu dem Friedensvertrag abzuschließen.

Die Bevollmächtigten haben sich nach Vorlage ihrer in guter und gehöriger Form befundenen Vollmachten über folgende Bestimmungen geeinigt:

Erstes Kapitel.

Wiederaufnahme der diplomatischen und konsularischen Beziehungen.

Artikel 1.

Bei der Wiederaufnahme der konsularischen Beziehungen gemäß Artikel II des Friedensvertrags wird jeder vertragsschließende Teil die Konsulate des anderen Teiles an allen Plätzen seines Gebiets zulassen, soweit nicht bereits vor dem Kriege für einzelne Gebiete Ausnahmen bestanden und diese Ausnahmen nach dem Kriege jeder dritten Macht gegenüber gleichmäßig aufrechterhalten werden.

Jeder Teil behält sich vor, aus Gründen der Kriegsnotwendigkeit an gewissen Plätzen Konsulate des anderen Teiles erst nach Abschluß des allgemeinen Friedens zuzulassen.

Artikel 2.

Unter Wahrung der Bestimmungen des Artikel 1 soll zwischen dem Deutschen

the Royal Minister Plenipotentiary, M. John N. Papiniu, and

the Royal Minister, in Retirement, M. Michail N. Burghela,

have agreed to settle immediately the re-establishment of public and private legal relations, the compensation for war and civilian damages, the exchange of war prisoners and interned civilians, the granting of amnesties as well as the treatment of river vessels and other agencies of transportation that have come into the power of the opponent, and, to that end, to conclude an additional treaty to the peace treaty.

The Plenipotentiaries, after presentation of their full powers, found, in good and due form, have agreed upon the following provisions:

FIRST CHAPTER.

RESUMPTION OF DIPLOMATIC AND CONSULAR RELATIONS.

ARTICLE 1.

Upon the resumption of consular relations according to Article II of the peace treaty, each contracting party will admit the consuls of the other party to all places within its territory, in so far as before the war there have not already been exceptions for particular territorial regions, and provided that these exceptions, after the war, will be equally enforced with regard to any third Power.

Each party reserves unto itself the right, for reasons of war necessity, to admit to certain places consuls of the other party only after the conclusion of the general peace.

ARTICLE 2.

Conformably to the provisions of Article 1, there shall be con-

Reiche und Rumänien über die Zulassung der Konsuln, über die Vorrechte und Befreiungen der Konsularbeamten sowie über die konsularischen Amtsbefugnisse, tunlichst bald ein Konsularvertrag nach dem Vorbild der in letzter Zeit von Deutschland mit anderen Staaten vereinbarten Konsularverträge geschlossen werden.

Bis zum Abschluß des in Absatz 1 vorgeseheneu Konsularvertrages sichern sich die vertragsschließenden Teile wegen der Vorrechte und Befreiungen der Konsularbeamten sowie wegen der konsularischen Amtsbefugnisse¹ unter dem Vorbehalt der Gegenseitigkeit die Rechte der meistbegünstigten Nation zu.

Artikel 3.

Jeder vertragsschließende Teil wird alle Schäden ersetzen, die in seinem Gebiete während des Krieges von seinen Organen oder seiner Bevölkerung durch völkerrechtswidrige Handlungen konsularischen Beamten des anderen Teiles zugefügt oder an Konsulatsgebäuden dieses Teiles oder an deren Inventar angerichtet worden sind. Im Falle von Meinungsverschiedenheiten würde die Feststellung dieser Schäden durch eine gemischte Kommission erfolgen, die aus je einem Vertreter der beiden Teile und einem neutralen Obmann zu bilden wäre.

Zweites Kapitel.

Kriegsschäden.

Artikel 4.

Rumänien verzichtet auf den Ersatz der Schäden, die auf seinem Gebiete durch deutsche militärische Maßnahmen mit Einschluß aller Requisitionen und Kontributionen entstanden sind.

Die Beträge, die Deutschland für Schäden der im Absatz 1 bezeichneten

cluded as soon as possible, between the German Empire and Roumania, a consular treaty after the model of consular conventions recently signed between Germany and other States, relative to the admission of consuls, the privileges and immunities of consular officials, as well as concerning the official consular authority.

Up to the time of the conclusion of the consular treaty provided for in paragraph 1, the contracting parties insure unto themselves, under the reservation of reciprocity, treatment of the most favored nation, with regard to the privileges and immunities of the consular officials and official consular authority.

ARTICLE 3.

Each contracting party will make good all damages sustained by the consular officials of the other party, their consulates, or their movable property, in consequence of acts contrary to the law of nations, and committed within its territory, during the war, by its authorities or by its population. In case of differences of opinion, the determination of such damages should be entrusted to a mixed commission composed of a representative of each party and of a neutral umpire.

SECOND CHAPTER.

WAR DAMAGES.

ARTICLE 4.

Roumania renounces compensation for damages caused within her territory as a result of German military measures, with the inclusion of all requisitions and contributions.

The amounts which Germany has already paid for damages

¹ "N. A. Z." has Amtsbefugnisse.

Art bereits bezahlt hat, werden von Rumänien erstattet werden, soweit sie nicht aus Landesmitteln ersetzt oder mit neu ausgegebenen Noten der im Artikel 5 erwähnten Banca Generala Romana (Notenausgabestelle) bezahlt worden sind.

Artikel 5.

Rumänien wird binnen sechs Monaten nach der Ratifikation des Friedensvertrags die von der Banca Generala Romana (Notenausgabestelle) auf Anordnung der Okkupationsverwaltung ausgegebenen Noten aus eigenen Mitteln gegen Noten der Rumänischen Nationalbank oder andere gesetzliche Zahlungsmittel einlösen und sie nicht wieder in den Verkehr bringen, so daß die zu ihrer Deckung bei der Deutschen Reichsbank liegenden Guthaben und Depots frei werden. Bis zur Einlösung sollen die Noten der Banca Generala Romana als gesetzliches Zahlungsmittel anerkannt werden; nach der Ratifikation des Friedensvertrags werden solche Noten nicht mehr ausgegeben.

Artikel 6.

Rumänien wird Deutschen alle Schäden ersetzen, die ihnen auf seinem Gebiete durch militärische Maßnahmen einer der kriegsführenden Mächte entstanden sind.

Die Bestimmung des Absatz 1 findet auch Anwendung auf die Schäden, die Deutsche als Teilhaber, insbesondere auch als Aktionäre der auf rumänischem Gebiete befindlichen Unternehmungen erlitten haben. Sie findet keine Anwendung auf die Schäden, die Deutschen als Angehörigen der deutschen Streitmacht durch Kampfhandlungen zugefügt worden sind.

specified under paragraph 1, will be refunded by Roumania, in so far as they have not been compensated for by supplies levied from the resources of the country or paid for in bank notes newly issued by the Banca Generala Romana (an institution issuing bank notes) mentioned under Article 5.

ARTICLE 5.

Within a period of six months after the ratification of the peace treaty the notes issued upon the order of the administration of occupation by the Banca Generala Romana (an institution issuing bank notes) will be redeemed by Roumania out of her own means with notes of the National Roumanian Bank or in other legal means of payment, and Roumania will not again put them into circulation, in order that the credits and the deposits with the German Reichsbank for their covering may be liberated. Until the time of their redemption, the notes of the Banca Generala Romana will be recognized as a legal tender; after the ratification of the peace treaty, no further notes of this nature will be issued.

ARTICLE 6.

Roumania will compensate Germans for all damages caused to them within her territory as a result of military measures by one of the belligerent Powers.

The provision of paragraph 1 applies also to damages sustained by the Germans in their quality as associates, but especially as share-holders, in any enterprizes within Roumanian territory. It does not apply to damages inflicted upon Germans, through military operations, in their quality as members of the German military forces.

Artikel 7.

ARTICLE 7.

Zur Feststellung der nach Artikel 6 zu ersetzenden Schäden soll alsbald nach der Ratifikation des Friedensvertrags in Bukarest eine Kommission zusammentreten, die zu je einem Drittel aus Vertretern der beiden Teile und neutralen Mitgliedern gebildet wird; um die Bezeichnung der neutralen Mitglieder, darunter des Vorsitzenden, wird der Präsident des Schweizerischen Bundesrats gebeten werden.

In order to determine the damages to be compensated in accordance with Article 6, a Commission shall meet at Bucharest immediately after the ratification of the peace treaty to be composed of one-third each of representatives of the two parties and neutral members; for the designation of the neutral members, among them the chairman, a request will be addressed to that end to the President of the Swiss Federal Council.

Die Kommission stellt die für ihre Entscheidungen maßgebenden Grundsätze auf; auch erläßt sie die zur Erledigung ihrer Aufgaben erforderliche Geschäftsordnung und die Bestimmungen über das dabei einzuschlagende Verfahren. Ihre Entscheidungen erfolgen in Unterkommissionen, die aus je einem Vertreter der beiden Teile und einem neutralen Obmann gebildet werden. Die von den Unterkommissionen festgestellten Beträge sind innerhalb eines Monats nach der Feststellung zu bezahlen.

The Commission determines the principles, authoritative for its decisions; it adopts, likewise, the necessary business order for the fulfillment of its tasks and the provisions concerning the procedure to be followed to that end. Its decisions are taken in sub-commissions composed each of one representative of the two parties and of one neutral umpire. The amounts determined by the sub-commission are payable within one month after such determination.

Artikel 8.

ARTICLE 8.

Rumänien wird Neutrals die Schäden erstatten, die ihnen auf seinem Gebiete durch deutsche militärische Maßnahmen entstanden sind und nach allgemeinen völkerrechtlichen Grundsätzen ersetzt werden müssen.

Roumania will compensate neutrals for damages which they sustained within her territory as the result of German military measures, which damages must be compensated for according to the general principles of international law.

Drittes Kapitel.

THIRD CHAPTER.

Wiederherstellung der Staatsverträge.

REESTABLISHMENT OF POLITICAL TREATIES.

Artikel 9.

ARTICLE 9.

Die Verträge, Abkommen und Vereinbarungen, die zwischen den vertragschließenden Teilen vor der Kriegserklärung in Kraft gewesen sind, treten vorbehaltlich abweichender Bestimmungen des Friedensvertrags und seiner

The treaties, conventions, and agreements which were in force between the contracting parties before the declaration of war go again into force after the ratification of the peace treaty and its

Zusatzverträge bei deren Ratifikation mit der Maßgabe wieder in Kraft, daß, soweit sie für eine bestimmte Zeit unfündbar sind, diese Zeit um die Kriegsdauer verlängert wird.

Artikel 10.

Die Verträge, Abkommen und Vereinbarungen, an denen außer den vertragsschließenden Teilen dritte Mächte beteiligt sind, treten zwischen den beiden Teilen vorbehaltlich abweichender Bestimmungen des Friedensvertrags bei dessen Ratifikation wieder in Kraft. Auf die mit solchen Kollektivverträgen in Zusammenhang stehenden Einzelverträge zwischen den beiden Teilen findet die Bestimmung des Artikel 9 über die Verlängerung der Geltungsdauer keine Anwendung.

Artikel 11.

Wegen der Einzelverträge und Kollektivverträge politischen Inhalts behalten sich die vertragsschließenden Teile ihre Stellungnahme bis nach Abschluß des allgemeinen Friedens vor.

Artikel 12.

Die vertragsschließenden Teile werden tüchtig bald Verträge zur Regelung ihrer Rechtsbeziehungen, insbesondere über die Auslieferung von Verbrechern und die sonstige Rechtshilfe in Strafsachen, mit einander abschließen.

Viertes Kapitel.

Wiederherstellung der Privatrechte.

Artikel 13.

Alle von einem vertragsschließenden Teile für sein Gebiet erlassenen Bestimmungen, wonach mit Rücksicht auf den Kriegszustand die Angehörigen des anderen Teiles in Ansehung ihrer Privatrechte irgendwelcher besonderen

additional treaties, under reservation of contrary stipulations, on the condition that in so far as they can not be denounced for a definite time, such period of time will be extended to the duration of the war.

ARTICLE 10.

The treaties, conventions, and agreements in which, besides the contracting parties, third Powers take part, go again into force between the two parties, with the reservation of contrary provisions of the peace treaty, upon the latter's ratification. Special treaties between the two parties connected with such collective treaties are not affected by the provision of Article 9 concerning the extension of the duration of validity.

ARTICLE 11.

As regards special treaties and collective treaties of a political nature, the contracting parties reserve unto themselves their attitude till after the conclusion of the general peace.

ARTICLE 12.

The contracting parties will conclude as soon as possible, treaties for the settlement of their legal relations, especially concerning the extradition of criminals and any other legal redress relative to penal matters.

FOURTH CHAPTER.

REESTABLISHMENT OF PRIVATE RIGHTS.

ARTICLE 13.

All regulations in force within the territory of a contracting party, by which, because of the state of war, the nationals of the other party are subject to special

Regelung unterliegen (Kriegsgesetze), treten mit der Ratifikation des Friedensvertrags außer Anwendung.

Als Angehörige eines vertragschließenden Teiles gelten auch solche juristische Personen und Gesellschaften, die in seinem Gebiet ihren Sitz haben. Ferner sind den Angehörigen eines Teiles juristische Personen und Gesellschaften, die in seinem Gebiete nicht ihren Sitz haben, insoweit gleichzustellen, als sie im Gebiete des anderen Teiles den für diese Angehörigen geltenden Bestimmungen unterworfen waren.

Artikel 14.

Ueber privatrechtliche Schuldverhältnisse, die durch Kriegsgesetze beeinträchtigt worden sind, wird nachstehendes vereinbart:

§ 1.

Die Schuldverhältnisse werden wiederhergestellt, soweit sich nicht aus den Bestimmungen der Artikel 14 bis 18 ein anderes ergibt.

§ 2.

Die Bestimmung des § 1 hindert nicht, daß die Frage, welchen Einfluß die durch den Krieg geschaffenen Zustände, insbesondere die durch Verkehrs Hindernisse oder Handelsverbote herbeigeführte Unmöglichkeit der Erfüllung auf die Schuldverhältnisse ausüben, im Gebiete jedes vertragschließenden Teiles nach den dort für alle Landeseinwohner geltenden Gesetzen beurteilt wird.

Dabei dürfen die Angehörigen des anderen Teiles, die durch Maßnahmen dieses Teiles behindert worden sind, nicht ungünstiger behandelt werden als die Angehörigen des eigenen Staates,

regulations (war laws) with regard to their private rights, become void upon the ratification of the peace treaty.

Juridical persons and societies which have their domicile within the territory of one contracting party, are also regarded as nationals of that contracting party. And, furthermore, juridical persons and societies which have not their domicile within the territory of a contracting party, are to be regarded as on a par with the nationals of said party, in so far as they are subject to the regulations applying to these nationals.

ARTICLE 14.

Concerning private legal debt relations, which have been affected by laws of war, the following has been agreed upon:

§ 1.

Debt relations will be reestablished, if not otherwise specified in the provisions of Articles 14-18.

§ 2.

The provision of paragraph 1 does not prevent the question as to what influence the circumstances created by the war, especially as to the impossibility of fulfilling obligations brought about by hindrances in transportation or commercial prohibitions, exert upon debt relations, from being decided within the territory of each contracting party according to the laws applicable to all the inhabitants of the country.

In these circumstances, the nationals of one party who have been restricted through measures of the other party may not be treated less favorably than the nationals of the respective State

die durch dessen Maßnahmen behindert worden sind. Auch soll derjenige, der durch den Krieg an der rechtzeitigen Bewirkung einer Leistung behindert war, nicht verpflichtet sein, den dadurch entstandenen Schaden zu ersetzen.

§ 3.

Geldforderungen, deren Bezahlung im Laufe des Krieges auf Grund von Kriegsgesetzen verweigert werden konnte, brauchen nicht vor Ablauf von drei Monaten nach der Ratifikation des Friedensvertrags bezahlt zu werden. Sie sind von der ursprünglichen Fälligkeit an für die Dauer des Krieges und der anschließenden drei Monate ohne Rücksicht auf Moratorien mit fünf vom Hundert für das Jahr zu verzinsen; bis zur ursprünglichen Fälligkeit sind gegebenenfalls die vertraglichen Zinsen zu bezahlen.

Bei Wechzeln oder Schecks hat die Vorlegung zur Zahlung sowie die Protesterhebung mangels Zahlung innerhalb des vierten Monats nach der Ratifikation des Friedensvertrags oder, sofern die Vornahme der Handlung innerhalb dieser Frist infolge von Kriegsereignissen nicht möglich ist, innerhalb eines Monats nach dem Wegfall des Hindernisses, jedoch spätestens innerhalb eines Jahres nach der Ratifikation zu erfolgen.

§ 4.

Für die Abwicklung der Außenstände und sonstigen privatrechtlichen Verbindlichkeiten sind die staatlich anerkannten Gläubigerschutzverbände zur Verfolgung der Ansprüche der ihnen angeschlossenen natürlichen und juristischen Personen als deren Bevollmächtigte wechselseitig anzuerkennen und anzulassen.

who were restricted through measures of their own party. Even the one whom the war prevented from fulfilling an obligation in due time, shall not be obligated to make compensation for the damages occasioned thereby.

§ 3.

Pecuniary obligations whose payment could be refused in the course of the war in virtue of war laws, need not be paid before the expiration of three months from the time of the ratification of the peace treaty. They will bear interest at 5 per cent. per annum, from the date originally fixed for payment, during the war and the following three months, regardless of moratoriums; up to the original time of payment, the contractual interest must, in the given case, be paid. As regards drafts or checks, the presentation for payment as well as the establishment of a protest for want of payment must be effected before the expiration of four months after the ratification of the peace treaty, or, in so far as the formality of the action can not be executed within this period in consequence of events of war, then within one month after the removal of the hindrance, or at the latest within one year after the ratification.

§ 4.

For the liquidation of outstanding debts and other private legal obligations, the national recognized associations for the protection of creditors are to be recognized and admitted as reciprocally empowered agents for the prosecution of the claims of natural and juridical persons connected with them.

Artikel 15.

ARTICLE 15.

Jeder vertragschließende Teil wird sofort nach der Ratifikation des Friedensvertrags die Bezahlung seiner Verbindlichkeiten insbesondere den öffentlichen Schuldendienst, gegenüber den Angehörigen des anderen Teiles wieder aufnehmen; die vor der Ratifikation fällig gewordenen Verbindlichkeiten werden binnen drei Monaten nach der Ratifikation bezahlt werden. Diese Bestimmungen finden keine Anwendung auf solche gegenüber einem Teile bestehenden Forderungen, die erst nach der Unterzeichnung des Friedensvertrags auf Angehörige des anderen Teiles übergegangen sind.

Immediately after the ratification of the peace treaty, each contracting party will resume payment of its obligations, and especially payment of public obligations, with regard to the nationals of the other party; obligations that become due before the ratification will be paid within the three months after the ratification. These provisions are not applicable to such obligations of a party as have passed into the hands of nationals of the other party only after the signature of the peace treaty.

Artikel 16.

ARTICLE 16.

Urheberrechte und gewerbliche Schutzrechte, Konzessionen und Privilegien sowie ähnliche Ansprüche auf öffentlicher Grundlage, die durch Kriegsgesetze beeinträchtigt worden sind, werden wiederhergestellt, soweit sich nicht aus dem Artikel 18 ein anderes ergibt.

Copyrights and industrial patents, concessions, and privileges, as well as similar claims based upon public law, which have been prejudiced by war laws, will be reestablished, insofar as not otherwise stipulated to the contrary in Article 18.

Jeder vertragschließende Teil wird den Angehörigen des anderen Teiles, die aus Anlaß des Krieges eine gesetzliche Frist für die Vornahme einer zur Begründung oder Erhaltung eines gewerblichen Schutzrechts erforderlichen Handlung versäumt haben, unbeschadet wohlervorbener Rechte Dritter für die Nachholung der Handlung eine Frist von mindestens einem Jahre nach der Ratifikation des Friedensvertrags gewähren. Gewerbliche Schutzrechte der Angehörigen des einen Teiles sollen im Gebiete des anderen Teiles wegen Nichtausübung nicht vor Ablauf von vier Jahren nach der Ratifikation verfallen.

Each contracting party will extend to the nationals of the other party who in consequence of the war have neglected to take the necessary action within a legal period of time for the formality of establishing or maintaining an industrial patent, without prejudice to properly acquired rights of third parties, a period of at least one year after the ratification of the peace treaty in order to enable them to take such action. Industrial patents of the nationals of the one party shall not lapse within the territory of the other party as a result of non-exploitation before the expiration of four years after the ratification.

Artikel 17.

ARTICLE 17.

Die Fristen für die Verjährung von Rechten sollen im Gebiete jedes vertragschließenden Teiles gegenüber den

The dates for the expiration of rights shall, within the territory of each contracting party and in

Angehörigen des anderen Teiles, falls sie zur Zeit des Kriegsausbruches noch nicht abgelaufen waren, frühestens ein Jahr nach der Ratifikation des Friedensvertrags ablaufen. Das Gleiche gilt von den Fristen zur Vorlegung von Zinsscheinen und Gewinnanteilscheinen sowie von ausgelosten oder sonst zahlbar gewordenen Wertpapieren.

Artikel 18.

Die Tätigkeit der Stellen, die auf Grund von Kriegsgesetzen mit der Beaufsichtigung, Verwahrung, Verwaltung oder Liquidation von Vermögensgegenständen oder die Annahme von Zahlungen befaßt worden sind, soll unbeschadet der Bestimmungen der Artikel 19, 20 nach Maßgabe der nachstehenden Grundsätze abgewickelt werden:

§ 1.

Die beaufsichtigten, verwahrten oder verwalteten Vermögensgegenstände sind auf Verlangen des Berechtigten unverzüglich freizugeben; bis zur Uebernahme durch den Berechtigten ist für die Wahrung seiner Interessen zu sorgen.

§ 2.

Die Bestimmungen des § 1 sollen wohlerworbene Rechte Dritter nicht berühren. Zahlungen und sonstige Leistungen eines Schuldners, die von den im Eingang dieses Artikels erwähnten Stellen oder auf deren Veranlassung entgegengenommen worden sind, sollen in den Gebieten der vertragsschließenden Teile die gleiche Wirkung haben, wie wenn sie der Gläubiger selbst empfangen hätte.

Privatrechtliche Verfügungen, die von den bezeichneten Stellen oder auf deren Veranlassung oder ihnen gegenüber vorgenommen worden sind, bleiben mit Wirkung für beide Teile aufrechterhalten.

respect to the nationals of the other party, not expire earlier than one year after the ratification of the peace treaty, provided that they had not yet lapsed at the outbreak of the war. The same applies to the dates for the presentation of interest certificates and certificates in profit-sharing as well as to securities redeemed or else become due.

ARTICLE 18.

The activity of the institutions which in virtue of war laws have been entrusted with the supervision, safeguarding, administration, or liquidation of properties, or with the acceptance of payments shall, without prejudice to the provisions of Articles 19 and 20, be settled in accordance with the following basic rules:

§ 1.

The supervised, safeguarded, or administered properties are, upon the demand of the person entitled thereto, to be released immediately; until the transfer to the person entitled thereto has been effected, the safeguarding of his interests is to be cared for.

§ 2.

The provisions of § 1 shall not affect properly acquired rights of third parties. Payments and other obligations of a debtor which have been accepted by the institutions mentioned in the beginning of this article or upon their solicitation shall, within the territories of the contracting parties, have the same effect as if the creditor himself had received them.

Private legal measures which have been resorted to by the specified institutions or upon their solicitation or with regard to them are to remain effective for both parties.

§ 3.

Ueber die Tätigkeit der im Eingang dieses Artikels erwähnten Stellen, insbesondere über die Einnahmen und Ausgaben, ist den Berechtigten auf Verlangen unverzüglich Auskunft zu erteilen.

Ersatzansprüche wegen der Tätigkeit dieser Stellen oder wegen der auf ihre Veranlassung vorgenommenen Handlungen können nur gemäß den Bestimmungen des Artikel 20 geltend gemacht werden.

Artikel 19.

Grundstücke oder Rechte an einem Grundstück, Bergwerksgerechtfame sowie Rechte auf die Benutzung oder Ausbeutung von Grundstücken, Unternehmungen oder Beteiligungen an einem Unternehmen, insbesondere Aktien, die infolge von Kriegsgesetzen veräußert oder dem Berechtigten sonst durch Zwang entzogen worden sind, sollen dem früheren Berechtigten auf einen innerhalb eines Jahres nach der Ratifikation des Friedensvertrags zu stellenden Antrag gegen Rückgewährung der ihm aus der Veräußerung oder Entziehung etwa erwachsenen Vorteile frei von allen inzwischen begründeten Rechten Dritter wieder übertragen werden.

Fünftes Kapitel.

Ersatz für Zivilschäden.

Artikel 20.

Der Angehörige eines vertragschließenden Teiles, der im Gebiete des anderen Teiles infolge von Kriegsgesetzen durch die zeitweilige oder dauernde Entziehung von Urheberrechten, gewerblichen Schutzrechten, Konzessionen, Privilegien und ähnlichen Ansprüchen oder durch die Beaufsichtigung, Verwaltung, Verwaltung oder Veräußerung von Vermögensgegenständen einen

§ 3.

Concerning the activity of the institutions mentioned in the beginning of this article, especially concerning receipts and expenditures, information is to be immediately afforded upon the demand of those entitled to it.

Claims for damages on account of the activity of these institutions or on account of actions taken upon their solicitation can be validly presented only in accordance with the provisions of Article 20.

ARTICLE 19.

Parcels of land or rights to a parcel of land, mining privileges as well as rights to the use or exploitation of parcels of land, enterprizes or participation in an enterprize, especially shares which in consequence of war laws have been alienated or forcibly taken from the person entitled thereto, shall be returned to the former owner upon a claim to that end within one year after the ratification of the peace treaty by deducting any profit that may have accrued to him as a result of the said alienation or subtraction, exempt from all rights established in the interval by third parties.

FIFTH CHAPTER.

COMPENSATION FOR CIVIL LOSSES.

ARTICLE 20.

The national of a contracting party who within the territory of the other party, in virtue of war laws through the temporary or permanent subtraction of copyrights, industrial patents, concessions, privileges, and similar claims, or through the supervision, safeguarding, administration, or alienation of properties, is to be

Schaden erlitten hat, ist von diesem Teile in angemessener Weise zu entschädigen, soweit der Schaden nicht durch Wiedereinsetzung in den vorigen Stand ersetzt wird.

Artikel 21.

Jeder vertragsschließende Teil wird den Zivilangehörigen des anderen Teiles die Schäden ersetzen, die ihnen in seinem Gebiete während des Krieges oder unmittelbar vor dessen Ausbruch von den dortigen staatlichen Organen oder der Bevölkerung an Leben, Gesundheit, Freiheit oder Vermögen völkerrechtswidrig zugefügt worden sind. Diese Bestimmung findet auch Anwendung auf die Schäden, welche die beiderseitigen Angehörigen als Teilhaber, insbesondere auch als Aktionäre der auf dem Gebiete des anderen Teiles befindlichen Unternehmungen erlitten haben.

Artikel 22.

Die nach den Artikeln 20, 21 zu ersetzenden Schäden sollen von der im Artikel 7 bezeichneten Kommission nach Maßgabe der dort vorgesehenen Bestimmungen festgestellt und innerhalb eines Monats nach der Feststellung bezahlt werden.

Artikel 23.

Jeder vertragsschließende Teil wird die von ihm oder seinen Verbündeten in seinem Gebiete bei Angehörigen des anderen Teiles angeforderten Gegenstände, soweit dies noch geschehen ist, unverzüglich bezahlen.

Artikel 24.

Deutsche, die vor Ausbruch des Krieges in rumänischen öffentlichen Diensten aller Art gestanden haben und aus diesem Dienste wegen ihrer Eigenschaft als feindliche Ausländer entlassen worden sind, sollen auf ihren Antrag mit

compensated in adequate manner by the said party, in so far as the loss can not be made good by restoration to the former condition.

ARTICLE 21.

Each contracting party will compensate the civilian nationals of the other party for the losses which have been occasioned to them, in body, health, or property, within its territory during the war or immediately before its outbreak by the local public organs or by the population contrary to the principles of international law. This provision applies likewise to the losses which the nationals of both parties have suffered as associates, especially as shareholders in enterprizes within the territory of the other party.

ARTICLE 22.

Damages to be compensated for in accordance with Articles 20 and 21 will be appraised by the Commission designated under Article 7 on the basis of the principles therein defined and the amounts to be paid within one month after their determination.

ARTICLE 23.

Each contracting party will pay immediately for the objects which it or its allies requisitioned within the territory of the nationals of the other party, in so far as such payment has not yet been effected.

ARTICLE 24.

Germans who before the outbreak of the war were employed in the public service of Roumania, of whatever nature, and who have been discharged from such service because of their quality as enemy aliens, must, upon their request,

gleichem Rang und gleichen Bezügen wiederangestellt oder, soweit dies nicht angängig ist, in billiger Weise entschädigt werden.

be reinstated with the same rank and the same salaries, or, in so far as this can not be done, indemnified in an equitable manner.

Sechstes Kapitel.

SIXTH CHAPTER.

Austausch von Kriegsgefangenen und Zivilinternierten.

EXCHANGE OF WAR PRISONERS AND INTERNED CIVILIANS.

Artikel 25.

ARTICLE 25.

Ueber den Austausch der beiderseitigen Kriegsgefangenen werden die nachstehenden Bestimmungen getroffen:

Concerning the exchange of prisoners of the two parties, the following provisions are adopted:

§ 1.

§ 1.

Die beiderseitigen Kriegsgefangenen werden in ihr Heimatland entlassen werden, soweit sie nicht mit Zustimmung des Nehmestaates in dessen Gebiete zu bleiben oder sich in ein anderes Land zu geben wünschen.

The prisoners of war of both parties will be released into their homeland, in so far as they do not, with the consent of the capturing State, desire to remain within the latter's territory or betake themselves into another country.

Der bereits im Gange befindliche Austausch der dienstuntauglichen Kriegsgefangenen wird mit möglichster Beschleunigung durchgeführt werden. Der Austausch der übrigen Kriegsgefangenen erfolgt tunlichst bald in bestimmten, noch näher zu vereinbarenden Zeiträumen.

The exchange of prisoners unfit for service which is already under way will be carried out with all possible dispatch. The exchange of the remaining prisoners of war takes place as soon as possible within definite periods of time still to be agreed upon.

§ 2.

§ 2.

Bei der Entlassung erhalten die Kriegsgefangenen das ihnen von den Behörden des Nehmestaats abgenommene Privateigentum sowie den noch nicht ausbezahlten oder verrechneten Teil ihres Arbeitsverdienstes; diese Verpflichtung bezieht sich nicht auf Schriftstücke militärischen Inhalts.

Upon their release the war prisoners receive the private property taken from them by the authorities of the capturing State, as well as the part of their earnings not yet paid or credited to them; this obligation does not refer to written documents of military contents.

§ 3.

§ 3.

Die Aufwendungen jedes Teiles für die dem anderen Teile angehörenden Kriegsgefangenen werden in der Weise berechnet, daß für die Zeit bis zum 1. April 1918 in Deutschland ein Durch-

The expenses incurred by each party for the prisoners of war belonging to the other party will be computed in such a manner that for the period extending from 1 April, 1918, the average

schnittsatz von 2000 M für jeden im Offiziersrang stehenden und von 1000 M für jeden sonstigen Kriegsgefangenen, in Rumänien eine solche von 2500 Lei für jeden im Offiziersrang stehenden und von 1250 Lei für jeden sonstigen Kriegsgefangenen zugrunde gelegt wird; für die Zeit vom 1. April 1918 ab wird ein täglicher Zuschlag berechnet, und zwar in Deutschland von 4 und 2 M, in Rumänien von 5 und 2,50 Lei. Die Bezahlung erfolgt in der Währung des Nehmestaates in Teilbeträgen für je 10000 Kriegsgefangene, und zwar jedesmal innerhalb einer Woche nach deren Entlassung.

Die Aufwendungen für die in der Gefangenschaft verstorbenen sowie für die vor dem 1. März 1918 entlassenen Gefangenen werden gesondert berechnet, und zwar unter Zugrundelegung der Hälfte der im Absatz 1 aufgeführten Sätze. Die Bezahlung erfolgt alsbald nach Vorlage und Anerkennung der Berechnung, gegebenenfalls unter Aussetzung der noch aufzuklärenden Fälle.

Die Kosten der Heimbeförderung der Gefangenen bis zur Grenze ihres Heimatstaats werden von diesem getragen.

§ 4.

Eine aus je drei Vertretern der beiden Teile zu bildende Kommission soll alsbald nach der Ratifikation des Friedensvertrags in Bukarest zusammentreten, um die Einzelheiten des Austausches, insbesondere die im § 1 Absatz 2 Satz 2 vorgesehenen Zeiträume sowie die Art und Weise der Heimbeförderung festzusetzen und die Durchführung der getroffenen Vereinbarungen zu überwachen.

Artikel 26.

Ueber die Heimkehr der beiderseitigen Zivilangehörigen werden die nachstehenden Bestimmungen getroffen:

rate in Germany will be 2000 M for each war prisoner with the rank of officer, and 1000 M for any other war prisoner; in Roumania it will be 2500 Lei for each war prisoner with the rank of officer, and 1250 Lei for any other war prisoner; for the period beginning 1 April, 1918, a daily additional sum will be allowed: in Germany of 4 and 2 M, in Roumania of 5 and 2.50 Lei. Payment is made in the currency of the capturing State and in partial amounts for each 10,000 war prisoners, and effected each time within one week after their release.

The expenses incurred for prisoners who died in captivity or were released before 1 March, 1918, will be computed separately on the basis of one-half of the rates indicated under § 1. Payment is made immediately after the presentation and approval of the accounts, under reservation, as the case may be, of the cases still to be examined.

The expenses for the repatriation of the prisoners to the frontier of their home State will be borne by the latter.

§ 4.

A Commission to be composed of three representatives each of the two parties will meet at Bucharest immediately after the ratification of the peace treaty in order to determine the details of the periods of time foreseen in § 1, paragraph 2, sentence 2, as well as the manner and method of repatriation, and to supervise the execution of the agreements adopted.

ARTICLE 26.

Concerning the return home of civilians of the two parties, the following provisions are adopted:

§ 1.

Die beiderseitigen internierten oder verschickten Zivilangehörigen werden tunlichst bald unentgeltlich heimbe- fördert werden, soweit sie nicht mit Zustimmung des Aufenthaltsstaats in dessen Gebiete zu bleiben oder sich in ein anderes Land zu begeben wünschen.

Die im Artikel 25 § 4 erwähnte Kommission soll die Einzelheiten der Heimbeförderung regeln und die Durch- führung der getroffenen Vereinbarungen überwachen.

§ 2.

Die Angehörigen eines Teiles, die bei Kriegsausbruch in dem Gebiete des anderen Teiles ihren Wohnsitz oder eine gewerbliche oder Handelsniederlassung hatten und sich nicht in diesem Gebiete aufhalten, können dorthin zurückkehren, sobald sich der andere Teil nicht mehr im Kriegszustand befindet. Die Rück- fahrt kann nur aus Gründen der inneren oder äußeren Sicherheit des Staates ver- sagt werden.

Als Ausweis genügt ein von den Behörden des Heimatstaats aus- gestellter Paß, wonach der Inhaber zu den im Absatz 1 bezeichneten Personen gehört; ein Sichtvermerk auf dem Paße ist nicht erforderlich.

Artikel 27.

Die Angehörigen jedes vertragschlie- sende Teiles sollen im Gebiete des anderen Teiles für die Zeit, während deren dort ihr Gewerbe- oder Handels- betrieb oder ihre sonstige Erwerbs- tätigkeit infolge des Krieges geruht hat, keinerlei Auflagen, Abgaben, Steuern oder Gebühren für den Gewerbe- oder Handelsbetrieb oder die sonstige Er- werbstätigkeit unterliegen. Beträge, die hiernach nicht geschuldet werden,

§ 1.

The interned or deported ci- vilians nationals of both parties will be conveyed home as soon as possible and without expense, in so far as they do not desire, with the consent of the State where they sojourn, to remain within the latter's territory or betake themselves into another country.

The Commission referred to in Article 25, § 4, shall settle the details of the repatriation and supervise the execution of the agreements reached.

§ 2.

The nationals of a party who at the outbreak of the war had their domicile or an indus- trial or commercial occupation within the territory of the other party and who do not reside within such territory, may return thither, as soon as the other party is no longer in a state of war. Such return may be re- fused only for reasons of the in- ternal or external security of the State.

Sufficient proof of this will be a passport issued by the au- thorities of the home State, show- ing that the holder thereof be- longs to the persons specified in § 1; the passport does not require a visé.

ARTICLE 27.

The nationals of each con- tracting party shall, within the territory of the other party and for the time during which their industrial or commercial enter- prises or any other of their indus- trial activity has ceased, because of the war, not be subject to any kind of assessments, levies, taxes, or dues for the industrial or com- mercial enterprize or the other industrial activity. Amounts which, in consequence, are not

aber bereits erhoben sind, sollen binnen sechs Monaten nach der Ratifikation des Friedensvertrags zurückerstattet werden.

Auf Handels- und sonstige Erwerbsgesellschaften, an denen Angehörige des einen Teiles als Gesellschafter, Aktionäre oder in sonstiger Weise beteiligt sind und deren Betrieb im Gebiete des anderen Teiles infolge des Krieges geruht hat, finden die Bestimmungen des Absatz 1 entsprechende Anwendung.

Artikel 28.

Jeder vertragschließende Teil verpflichtet sich, die auf seinem Gebiete befindlichen Grabstätten der Seeresangehörigen sowie der während der Internierung oder Verschickung verstorbenen sonstigen Angehörigen des anderen Teiles zu achten und zu unterhalten; auch können Beauftragte dieses Teiles die Pflege und angemessene Ausschmückung der Grabstätten im Einvernehmen mit den Landesbehörden besorgen. Die mit der Pflege der Grabstätten zusammenhängenden Einzelfragen bleiben weiterer Vereinbarung vorbehalten.

Siebentes Kapitel.

Fürsorge für Rückwanderer.

Artikel 29.

Den Angehörigen jedes vertragschließenden Teiles, die aus dem Gebiete des anderen Teiles stammen, soll es während einer Frist von zehn Jahren nach der Ratifikation des Friedensvertrags freistehen, im Einvernehmen mit den Behörden dieses Teiles nach ihrem Stammland zurückzuwandern.

Die zur Rückwanderung berechtigten Personen sollen auf Antrag die Entlassung aus ihrem bisherigen Staatsverband erhalten. Auch soll ihr schriftlicher oder mündlicher Verkehr mit den diplomatischen und konsularischen Vertretern des Stammlandes in keiner Weise gehindert oder erschwert werden.

owed, but have already been levied, shall be reimbursed within six months after the ratification of the peace treaty.

The provisions of paragraph 1 are applicable to commercial and other industrial companies in which nationals of the one party are interested as associates, shareholders, or in any other manner, and whose operation within the territory of the other party has ceased in consequence of the war.

ARTICLE 28.

Each contracting party obligates itself to respect and to care for within its territory, the graves of those belonging to the army as well as of other nationals of the other party who died during their internment or deportation; persons authorized by this party may also, in agreement with the national authorities, tend to the care and proper adornment of the graves. The settlement of particular questions connected with the care of the graves is reserved for subsequent agreements.

SEVENTH CHAPTER.

CARE OF THE REPATRIATED.

ARTICLE 29.

The nationals of each contracting party originating from the territory of the other party shall, during a period of ten years after the ratification of the peace treaty, be free, in agreement with the authorities of this party, to return to the land of their origin.

Upon demand, persons entitled to repatriation, shall receive their release from the State in which they had been held up to that time. Nor shall their written or verbal intercourse with the diplomatic and consular representatives of their land of origin be hindered or made difficult in any way whatever.

Artikel 30.

ARTICLE 30.

Die Rückwanderer sollen für die ihnen während des Krieges wegen ihrer Abstammung zugefügten Unbilden von dem Aufenthaltstaat eine billige Entschädigung erhalten, auch durch die Ausübung des Rückwanderungsrechts keinerlei vermögensrechtliche Nachteile erleiden. Sie sollen befugt sein, ihr Vermögen zu liquidieren und den Erlös sowie ihre sonstige bewegliche Habe mitzunehmen; ferner dürfen sie ihre Pachtverträge unter Einhaltung einer Frist von sechs Monaten kündigen, ohne daß der Verpächter wegen vorzeitiger Auflösung des Pachtvertrages Schadensersatzansprüche geltend machen kann.

For wrongs occasioned them during the war on account of their origin, the repatriated shall receive from the State of their sojourn fair indemnification, and shall suffer no prejudice whatever in respect to property rights through the execution of the right of repatriation. They shall be entitled to liquidate their property and to take away with them the amount realized as well as other movable goods; furthermore, they may by an advance notice of six months break their leasing contracts, without the lessor being entitled to claim compensation for damages on account of the premature dissolution of the leasing contract.

Achttes Kapitel.

EIGHTH CHAPTER.

Amnestie.

AMNESTY.

Artikel 31.

ARTICLE 31.

Jeder vertragsschließende Teil gewährt den Angehörigen des anderen Teiles Straffreiheit nach Maßgabe der nachstehenden Bestimmungen:

Each contracting party grants to the nationals of the other party immunity from penalty in accordance with the following provisions:

§ 1.

§ 1.

Jeder Teil gewährt volle Straffreiheit den dem anderen Teile angehörenden Kriegsgefangenen für alle von ihnen begangenen gerichtlich oder disziplinarisch strafbaren Handlungen.

Each party grants complete immunity from penalty to the war prisoners belonging to the other party for all acts committed by them punishable by the courts or in virtue of disciplinary measures.

§ 2.

§ 2.

Jeder Teil gewährt volle Straffreiheit den Zivilangehörigen des anderen Teiles, die während des Krieges interniert oder verschifft worden sind, für die während der Internierung oder Verschiffung begangenen gerichtlich oder disziplinarisch strafbaren Handlungen.

Each party grants complete immunity from penalty to the civilians belonging to the other party, who during the war have been interned or deported, for acts committed during their internment or deportation punishable by the courts or in virtue of disciplinary measures.

§ 3.

Jeder Teil gewährt volle Straffreiheit allen Angehörigen des anderen Teiles für die zu dessen Gunsten begangenen Straftaten und für Verstöße gegen die zum Nachteil feindlicher Ausländer ergangenen Ausnahmegeetze.

§ 4.

Die in den §§ 1 bis 3 vorgesehene Straffreiheit erstreckt sich nicht auf Handlungen, die nach der Ratifikation des Friedensvertrags begangen werden.

Artikel 32.

Die vertragschließenden Teile gewähren ihren eigenen Angehörigen Straffreiheit nach Maßgabe der nachstehenden Bestimmungen:

§ 1.

Jeder Teil gewährt volle Straffreiheit den Angehörigen seiner bewaffneten Macht in Ansehung der Arbeiten, die sie als Kriegsgefangene des anderen Teiles geleistet haben. Das gleiche gilt für die von den beiderseitigen Zivilangehörigen während ihrer Internierung oder Beschickung geleisteten Arbeiten.

§ 2.

Rumänien gewährt volle Straffreiheit seinen Angehörigen für ihr politisches oder auf politischen Gründen beruhendes militärisches Verhalten während der Dauer des Krieges.

Artikel 33.

Soweit nach den Bestimmungen der Artikel 31, 32 Straffreiheit gewährt wird, werden neue Strafverfahren nicht eingeleitet, die anhängigen Strafverfahren eingestellt und die erkannten Strafen nicht vollstreckt.

§ 3.

Each party grants complete immunity from penalty to all nationals of the other party for the acts committed in favor of this party and for infractions against the exceptional laws decreed to the detriment of enemy aliens.

§ 4.

The immunity from penalty foreseen in §§ 1 to 3 does not extend to acts committed after the ratification of the peace treaty.

ARTICLE 32.

The contracting parties grant to their own nationals immunity from penalty in accordance with the following provisions:

§ 1.

Each party grants complete immunity from penalty to those belonging to its armed forces with regard to work which they performed as war prisoners of the other party. The same applies to the work performed by the civilians of both parties during their internment or deportation.

§ 2.

Roumania grants complete immunity from penalty to her nationals for their military conduct due to political reasons during the time of the war.

ARTICLE 33.

In so far as according to the provisions of Articles 31 and 32 immunity from penalty is granted, no new penal proceedings will be instituted, the pending penal proceedings being discontinued and the penalties imposed not carried out.

Kriegsgefangene, die sich wegen Kriegs- oder Landesverrats, vorsätzlicher Tötung, Raubes, räuberischer Erpressung, vorsätzlicher Brandstiftung oder Sittlichkeitsverbrechen in Untersuchung- oder Strafhaft befinden, können bis zu ihrer Entlassung, die möglichst mit dem ersten Austausch der Diensttauglichen zu erfolgen hat, in Haft behalten werden. Auch behält sich Deutschland bis zum Abschluß des allgemeinen Friedens das Recht vor, gegenüber Personen, denen es Straffreiheit gewährt, die im Interesse seiner militärischen Sicherheit erforderlichen Maßnahmen zu treffen.

Ueber Personen, denen Straffreiheit gewährt wird, und über ihre Familien dürfen auch sonstige Rechtsnachteile nicht verhängt werden; soweit dies bereits geschehen ist, sind sie in den früheren Stand wieder einzusetzen.

Neuntes Kapitel.

Behandlung der in die Gewalt des Gegners geratenen Flußfahrzeuge und sonstigen Verkehrsmittel.

Artikel 34.

Flußfahrzeuge, die sich im Eigentum von Angehörigen eines vertragschließenden Teiles befinden und in die Gewalt des anderen Teiles geraten sind sollen zurückgegeben oder, soweit sie nicht mehr vorhanden sind, in Geld ersetzt werden; für die Zeit von der Entziehung des Fahrzeugs bis zur Rückgabe oder Ersatzleistung ist Entschädigung zu gewähren.

Die Bestimmungen des Absatz 1 finden auch Anwendung auf die dem Warenverkehr dienenden staatlichen Flußfahrzeuge eines Teiles, die sich bei Ausbruch des Krieges auf dem Gebiete des anderen Teiles befanden, sowie auf

Prisoners of war who are under preliminary arrest or in prison for military or State treason, for premeditated murder, robbery, predatory extortion, premeditated arson or crime against morality, can be detained up to the time of their release which shall coincide as far as possible with the first exchange of those unfit for military service. Germany reserves unto herself the right, up to the time of the conclusion of the peace treaty, to take such measures against persons to whom she grants immunity from penalty as are in the interest of her military security.

Nor may other prejudices be decreed either against persons to whom immunity from penalty is granted or against their families; in so far as this may already have been done, such persons are to be restored to their former status.

NINTH CHAPTER.

TREATMENT OF RIVER BOATS AND OTHER MEANS OF TRANSPORTATION THAT HAVE COME INTO THE POWER OF THE OPONENT.

ARTICLE 34.

River boats that are in the possession of the nationals of a contracting party and pass into the power of the other party are to be returned, or, in so far as they no longer exist, are to be compensated for in money; for the time from the subtraction of the transport up to the time of its return or indemnification, compensation is to be granted.

The provisions of paragraph 1 are also applicable to the national river boats of a party serving for the transportation of goods which at the outbreak of the war were within the territory of the other party, as well as to river

alle für einen solchen Verkehr von einem Teile oder seinen Angehörigen unmittelbar oder mittelbar gemieteten Flußfahrzeuge.

Die Kosten für die Hebung und Instandsetzung versenkter Flußfahrzeuge der in Absatz 1, 2 bezeichneten Art sind von dem Teile zu erstatten, in dessen Interesse die Versenkung erfolgt ist.

Artikel 35.

Kaufahrteischiffe eines vertragschließenden Teiles, die sich bei Ausbruch des Krieges in einem Hafen des anderen Teiles befanden, sowie deren Ladungen sollen nach den im Artikel 34 für Flußfahrzeuge vorgesehenen Bestimmungen behandelt werden.

Artikel 36.

Das im Eigentum eines vertragschließenden Teiles oder seiner Angehörigen stehende Eisenbahnmateriale, das sich bei Ausbruch des Krieges auf dem Gebiete des anderen Teiles befand, soll unverfehrt zurückgegeben oder, soweit dies nicht möglich ist, in Geld ersetzt werden; für die Zeit von der Entziehung des Materials bis zur Rückgabe oder Ersatzleistung ist Entschädigung zu gewähren.

Artikel 37.

Als bald nach der Ratifikation des Friedensvertrags soll zur Durchführung der in den Artikeln 34 bis 36 enthaltenen Bestimmungen eine Kommission aus je¹ einem Vertreter der beiden Teile und einem neutralen Obmann in Bukarest zusammentreten; um die Bezeichnung des Obmanns wird der Präsident des Schweizerischen Bundesrats gebeten werden.

Die Kommission hat insbesondere die Frage, ob im Einzelfall die Voraus-

boats directly or indirectly leased for such transportation by a party or its nationals.

The cost incurred for raising and reconditioning of sunken river boats specified in paragraphs 1 and 2 are to be borne by the party in whose interest the sinking took place.

ARTICLE 35.

Merchant ships of a contracting party which at the outbreak of the war were in a port of the other party, together with cargoes, shall be treated in accordance with the provisions foreseen in Article 34 anent river boats.

ARTICLE 36.

Railway material that is now in the possession of a contracting party or of its nationals which at the outbreak of the war was within the territory of the other party, shall be returned undamaged, or, in so far as this is not possible, be compensated for in money; for the time of the subtraction of the material up to the return or indemnification of it, compensation is to be granted.

ARTICLE 37.

Immediately after the ratification of the peace treaty and for the execution of the provisions contained in Articles 34 to 36 there shall meet a Commission in Bucharest, consisting of one representative each of the two parties and a neutral umpire; for the designation of the umpire, a request to that end will be addressed to the President of the Swiss Federal Council.

It will devolve especially upon the Commission to decide in each case if the previous condi-

¹ "N. A. Z." has ije.

setzungen für die Rückgabe oder den Ersatz der Verkehrsmittel oder für die Zahlung einer Entschädigung vorliegen, zu entscheiden und die Höhe der zu zahlenden Beträge, und zwar in der Währung des empfangenden Staates, festzusetzen. Die Beträge sind innerhalb eines Monats nach der Festsetzung der Regierung dieses Staates für Rechnung der Berechtigten zur Verfügung zu stellen.

Zehntes Kapitel.

Deutsche Kirchengemeinden und Schulen

Artikel 38.

Die deutschen Kirchengemeinden und die deutschen Schulen in Rumänien sollen dort als zu Recht bestehend anerkannt und zur Verfolgung ihrer Rechte vor Gericht zugelassen werden; auch können sie Grundstücke in der für ihre Zwecke erforderlichen Ausdehnung erwerben.

Artikel 39.

Die im Artikel 38 bezeichneten Kirchengemeinden und Schulen sollen alle Rechte behalten, die ihnen rumänischerseits vor dem Kriege gewährt worden sind; auch werden sie auf dem Gebiete der Besteuerung nicht ungünstiger als rumänische Anstalten behandelt werden.

Unbeschadet der von Rumänien ausgeübten Staatsaufsicht, soll den Kirchengemeinden und Schulen das Recht zustehen; ihre Verwaltung sowie die Anstellung ihrer Geistlichen, Schulleiter und Lehrkräfte, und zwar ohne Rücksicht auf die Staatsangehörigkeit, selbständig zu regeln, den Schulen auch das Recht, über ihre Unterrichtssprache, Unterrichtspläne und sonstigen Schuleinrichtungen nach eigenem Ermessen zu befinden.

tions exist required for restitution of transportation material, the refunding of an amount equal to its value for the payment of an indemnity, and to determine the sum of the amounts to be paid and this in the currency of the receiving State. Within one month after the determination, the amounts are to be placed at the disposal of the Government of this State for the account of those entitled thereto.

TENTH CHAPTER.

GERMAN PARISHES AND SCHOOLS.

ARTICLE 38.

The German parishes and the German schools in Roumania shall be recognized as rightfully existing there and entitled to prosecute their rights before the courts; they may also acquire real estate to the extent necessary for their purposes.

ARTICLE 39.

The parishes and schools indicated in Article 38 shall retain all rights that were granted them before the war on the part of Roumania; nor will they be less well treated than Roumanian institutions, in the field of taxes.

Without prejudice to the national supervision exercised by Roumania, the parishes and the schools shall have the right independently to regulate their administration, as well as the appointment of their ecclesiastics, school directors, and teaching personnel, and that regardless of the sovereignty of the State; the schools shall likewise have the right to determine, as they see fit, the language to be used in instructing, the program of studies, and any other scholastic arrangements.

Artikel 40.

Alle Rechte und Vergünstigungen, die einer dritten Macht oder deren Angehörigen hinsichtlich der Errichtung, der Unterhaltung und der Besteuerung von Kirchengemeinden oder von Schulen und Lehranstalten aller Art erteilt werden, sollen ohne weiteres auch Deutschland und seinen Angehörigen zustehen. In dieser Beziehung sollen die Zugeständnisse, die dem einen Glaubensbekenntnis gemacht werden, in gleicher Weise für jedes andere Glaubensbekenntnis gelten.

Artikel 41.

Rumänien verpflichtet sich, den deutschen Kirchengemeinden und den deutschen Schulen die ihnen weggenommenen Vermögenswerte zurückzugeben oder, soweit dies nicht möglich ist, zu ersetzen. Auch sind ihnen etwaige andere durch den Krieg entstandene Schäden in gleichem Umfang wie Deutschen zu vergüten.

Elftes Kapitel.

Sicherstellung der finanziellen Verpflichtungen Rumäniens.

Artikel 42.

Rumänien erklärt sich nach eingeholter Zustimmung der Rumänischen Nationalbank damit einverstanden, daß die bei der Deutschen Reichsbank eingezahlten Guthaben und Depots der Nationalbank unter Aufrechterhaltung der darüber während der Zwangsverwaltung getroffenen Anordnungen und unter Ausschluß von Schadenersatzansprüchen als Sicherheit für den öffentlichen Schuldendienst Rumäniens gegenüber den Angehörigen Deutschlands auf die Dauer von fünf Jahren und, sofern Rumänien mit einer Rate in Verzug gerät auf die Dauer von zehn Jahren verhaftet bleiben, auch

ARTICLE 40.

All rights and privileges that shall be granted to any third Power or to its nationals with regard to the organization, maintenance, and taxing of parishes, schools, or educational institutions belong, without any formality, to Germany and her nationals. In this respect, the privileges accorded to one faith will equally accrue to any other faith.

ARTICLE 41.

Roumania obligates herself to restore to the German parishes and the German schools property taken from them, or, in so far as this is not possible, to make compensation. Any other losses occasioned to them through the war, must also be compensated for in the same measure as those sustained by Germans.

ELEVENTH CHAPTER.

GUARANTEE FOR THE FINANCIAL OBLIGATIONS OF ROUMANIA.

ARTICLE 42.

With the approval of the National Roumanian Bank, Roumania agrees that as a security for the public debt of Roumania in its dealings with nationals of Germany, the credits and deposits of the National Roumanian Bank with the German Reichsbank shall remain there for a period of five years, to the end that the stipulations which were made during the compulsory administration be maintained and that the demands for indemnity be not allowed; and, in case Roumania is belated in paying the amount due, then for a period of ten years, and that in case of

nötigenfalls zur Einlösung fälliger Zinscheine und ausgelöster¹ Stücke herangezogen werden können.

need, these credits and funds may also be used to redeem interest certificates and other repurchased obligations.

Artikel 43.

ARTICLE 43.

Binnen vier Wochen nach der Unterzeichnung des Friedensvertrags werden Vertreter der vertragschließenden Teile in Berlin zusammentreten, um wegen der Erfüllung und weiteren Sicherstellung der finanziellen Verpflichtungen Rumäniens nähere Vereinbarungen zu treffen.

Within four weeks after the signature of the peace treaty, representatives of the contracting parties will meet in Berlin to reach more detailed agreements regarding the execution and the further guarantee of the financial obligations of Roumania.

Zwölftes Kapitel.

TWELFTH CHAPTER.

Schlußbestimmungen.

FINAL PROVISIONS.

Artikel 44.

ARTICLE 44.

Dieser Zusatzvertrag, der einen wesentlichen Bestandteil des Friedensvertrags bildet, soll ratifiziert und die Ratifikationsurkunden sollen zugleich mit den Ratifikationsurkunden des Friedensvertrags ausgetauscht werden.

This additional treaty which forms an essential part of the peace treaty shall be ratified and the ratification documents shall be simultaneously exchanged with the ratification documents of the peace treaty.

Artikel 45.

ARTICLE 45.

Der Zusatzantrag tritt, soweit darin nicht ein anderes bestimmt ist, gleichzeitig mit dem Friedensvertrag in Kraft.

In so far as it is not stipulated to the contrary, the additional treaty goes into force simultaneously with the peace treaty.

Zur Ergänzung des Zusatzvertrags, insbesondere zum Abschluß der darin vorbehaltenen weiteren Vereinbarungen, werden binnen vier Monaten nach der Ratifikation Vertreter der vertragschließenden Teile in Berlin zusammentreten. Dabei soll auch die Anwendung der Bestimmungen des Zusatzvertrags auf die deutschen Schutzgebiete geregelt werden.

In order to complete the additional treaty, especially with regard to the conclusion of the further agreements therein reserved, representatives of the contracting parties will meet in Berlin four months after the ratification. At the same time the application of the provisions of the additional treaty to the German protectorates shall be regulated.

Zu Urkund dessen haben die Bevollmächtigten diesen Zusatzvertrag unterzeichnet und mit amtlichen Siegeln versehen.

In witness whereof the Plenipotentiaries have signed this additional treaty and affixed to it their official seals.

Ausgefertigt in doppelter Urschrift in Bukarest am 7. Mai 1918.

Done in duplicate original in Bucharest, 7 May, 1918.

¹ "N. A. Z." has ausgelöster.

8. ROUMANIA—AUSTRIA-HUNGARY.

POLITICAL-LEGAL TREATY, PROVIDED FOR IN ARTICLE XXIX OF THE TREATY OF PEACE BETWEEN ROUMANIA AND THE CENTRAL POWERS. SIGNED AT BUCHAREST, 7 MAY, 1918.

[German text as published in *Die Zeit*, 12 May, 1918, with additions from the *Fremden-Blatt* (Vienna), 12 May, 1918, enclosed in brackets.]

[Translation.]

Die Bestellung von Konsulen.

THE APPOINTMENT OF CONSULS.

Artikel 1.

ARTICLE 1.

Um die gegenseitige Zulassung von Konsulen zu regeln und die Vorrechte, Befreiungen und Immunitäten derselben sowie ihre Amtsbefugnisse [insbesondere auch in Verlassenschafts-, Vormundschafts- und Kuratelsangelegenheiten und bezüglich der Legalisierung von Urkunden] zu bestimmen, verpflichten sich die vertragschließenden Teile, spätestens innerhalb eines Jahres nach der Ratifikation des gegenwärtigen Vertrages in Verhandlungen miteinander einzutreten [um diese Fragen nach dem Vorbilde von gleichartigen, in den letzten Jahren zwischen Oesterreich-Ungarn und anderen Staaten vereinbarten Verträgen zu regeln. Bis zur vertragsmäßigen Regelung sichern sich die vertragschließenden Teile hinsichtlich der Vorrechte, Befreiungen und Immunitäten der Konsularbeamten sowie hinsichtlich der konsularischen Amtsbefugnisse unter dem Vorbehalte der Gegenseitigkeit die Behandlung der meistbegünstigten Nation zu].

In order to regulate the mutual admission of consuls and to determine their privileges, exemptions and immunities as well as their official powers [especially, too, in matters concerning inheritance, guardianship and custodianship, and in regard to the legitimation of documents], the contracting parties obligate themselves, at the latest within one year after the ratification of the present treaty, to enter into negotiations with one another [in order to adjust these questions on the basis of similar treaties made between Austria-Hungary and other states within the last few years. Pending the adjustment to be made by treaty, the contracting parties guarantee to each other with regard to privileges, immunities and prerogatives of consular officers, as well as with respect to powers of the said officers, treatment equally favorable to that accorded to the most favored nation, the right of reciprocation being reserved].

Ersatz der Schäden.

INDEMNIFICATION FOR DAMAGES.

Artikel 2.

ARTICLE 2.

Jeder vertragschließende Teil wird alle Schäden ersetzen, die in seinen Gebieten während des Krieges von seinen Organen oder seinen Einwohnern durch völkerrechtswidrige Handlungen konsularischen Beamten des anderen Teiles zugefügt oder an Konsulatsgebäuden dieses Teiles oder an deren Inventar angerichtet worden sind.

Ebenso wird Rumänien den österreichischen und den ungarischen Angehörigen der europäischen Donaufommision alle Schäden ersetzen, die dieselben durch Willkürakte oder völkerrechtswidrige Handlungen rumänischer Militär- oder Zivilorgane erlitten haben.

Each contracting party will make compensation for the damages occasioned within its territories during the war by its authorities or by its inhabitants, to consular officers, offices and property of the other party, through acts contrary to international law.

Roumania will likewise indemnify the Austrian and Hungarian officials of the European Danube Commission for all damages which they suffered as a result of arbitrary acts or acts contrary to international law on the part of Roumanian military or civil authorities.

Artikel 3.

ARTICLE 3.

1. Rumänien verzichtet auf den Ersatz der Schäden, die auf seinem Gebiet durch österreichisch-ungarische militärische Maßnahmen mit Einschluß aller Requisitionen und Kontributionen entstanden sind.

Die Beträge, die Oesterreich-Ungarn für Schäden der im vorstehenden Absatz bezeichneten Art bereits bezahlt hat, werden von Rumänien erstattet werden, soweit sie nicht aus Landesmitteln ersetzt oder mit neu ausgegebenen Noten der im nachstehenden Absatz erwähnten Banca Generala Romana (Notenausgabestelle) bezahlt worden sind.

2. Rumänien wird binnen sechs Monaten nach der Ratifikation des Friedensvertrages die von der Banca Generala Romana (Notenausgabestelle) auf Anordnung der Okkupationsverwaltung ausgegebenen Noten aus eigenen Mitteln gegen Noten der rumänischen Nationalbank oder andere gesetzliche Zahlungsmittel einlösen und sie nicht wieder in den Verkehr bringen, so

1. Roumania renounces indemnification for damages occasioned within her territory through Austro-Hungarian military measures, inclusive of all requisitions and contributions.

The amounts which Austria-Hungary has already paid for damages specified in the preceding article, will be refunded by Roumania in so far as they have not been compensated for by supplies levied from the resources of the country or paid for in bank notes newly issued by the Banca Generala Romana (an institution issuing bank notes) and referred to in the following sections.

2. Within a period of six months after the ratification of the peace treaty, the notes issued upon the order of the administration of occupation by the Banca Generala Romana (an institution issuing bank notes) will be redeemed by Roumania out of her own means with notes of the National Roumanian Bank or in other legal tender, and Roumania will not again put them into cir-

daß die zu ihrer Deckung bei der Deutschen Reichsbank liegenden Guthaben und Depots frei werden. Bis zur Einlösung sollen die Noten der Banca Generala Romana als gesetzliche Zahlungsmittel anerkannt werden; nach der Ratifikation des Friedensvertrages werden solche Noten nicht mehr ausgegeben.

3. Rumänien wird österreichisch-ungarischen Staatsangehörigen sowie bosnisch-herzegowinischen Landesangehörigen alle Schäden ersetzen, die ihnen auf seinem Gebiete durch militärische Maßnahmen einer der kriegführenden Mächte entstanden sind.

Die Bestimmung des vorstehenden Absatzes findet auch Anwendung auf die Schäden, die die genannten Angehörigen als Teilhaber, insbesondere auch als Aktionäre der auf rumänischem Gebiete befindlichen Unternehmungen erlitten haben. Sie findet keine Anwendung auf die Schäden, die Angehörigen der österreichisch-ungarischen Streitmacht als solchen durch Kampfhandlungen zugefügt worden sind.

4. Zur Feststellung der nach der vorstehenden Bestimmung zu ersetzenden Schäden soll alsbald nach der Ratifikation des Friedensvertrages zu Bukarest eine Kommission zusammentreten, die zu je einem Drittel aus Vertretern der vertragsschließenden Teile und neutralen Mitgliedern gebildet wird; um die Bezeichnung der neutralen Mitglieder, darunter des Vorsitzenden, wird der Schweizerische Bundespräsident gebeten werden. [Die Entscheidungen erfolgen in Unterkommissionen, die aus je einem Vertreter der interessierten Staaten und einem neutralen Obmann gebildet werden. Die von den Unterkommissionen festgestellten Beträge sind innerhalb eines Monats nach der Feststellung zu bezahlen.]

5. Rumänien wird Neutralen die Schäden erstatten, die ihnen auf seinem

territory in order that the credits and the deposits with the German Reichsbank for their covering may be liberated. Until the time of their redemption the notes of the Banca Generala Romana will be recognized as legal tender; after the ratification of the peace treaty, no further notes of this nature will be issued.

3. Roumania will compensate both Austro-Hungarian nationals and Bosnian-Herzegovinian nationals for all damages caused to them within her territory as a result of military measures by one of the belligerent Powers.

The provision of the preceding paragraph applies also to damages sustained by the said nationals in their quality as associates, especially as shareholders in any enterprises within Roumanian territory. It does not apply to damages inflicted upon the nationals of the Austro-Hungarian military forces as such in the course of military action.

4. In order to determine the damages to be compensated in accordance with the preceding provision, a Commission shall meet at Bucharest immediately after the ratification of the peace treaty to be composed of one-third each of representatives of the contracting parties and neutral members; for the designation of the neutral members, among them the Chairman, a request will be addressed to that end to the President of the Swiss Confederation. [The decisions are rendered by subcommissions composed of one representative of each of the interested States and of a neutral umpire. The sums determined upon by the subcommissions shall be paid within one month after the said determination.]

5. Roumania will compensate neutrals for damages which they sustained within her territory as

(Gebiete durch österreichisch-ungarische militärische Maßnahmen entstanden sind und nach allgemeinen völkerrechtlichen Grundsätzen ersetzt werden müssen.

Artikel 4 regelt das Wiederaufleben früherer Verträge. [Die Verträge, Abkommen und Vereinbarungen, die zwischen Oesterreich-Ungarn oder einem der beiden Staaten der österreichisch-ungarischen Monarchie und Rumänien vor der Kriegserklärung in Kraft gewesen sind, treten verbehaltslos abweichender Bestimmungen des Friedensvertrages und seiner Zusatzverträge bei deren Ratifikation mit der Maßgabe wieder in Kraft, daß, soweit sie für eine bestimmte Zeit unfündbar sind, diese Zeit um die Kriegsdauer verlängert wird.]

Artikel 5.

Die vertragsschließenden Teile werden ebensowenig in Verhandlungen eintreten, um bezüglich des gegenseitigen gewerblichen Rechtsschutzes (Schutz der Erfindungen, Warenzeichen, Muster und Modelle) eine besondere Vereinbarung zu treffen. [Bis zum Abschlusse dieser Vereinbarung bleiben im Sinne des Artikels 4 des gegenwärtigen Zusatzvertrages die Bestimmungen der Konvention vom 28. Januar 1893 über den gegenseitigen Schutz der Fabriks- und Handelsmarken in Geltung.

2. Das am 2. März/18. Februar 1908 abgeschlossene Uebereinkommen betreffend den gegenseitigen Urheberrechtsschutz im Verhältnisse zwischen Oesterreich und Rumänien wird gemäß Artikel 4 des gegenwärtigen Zusatzvertrages wieder in Kraft gesetzt. Rumänien verpflichtet sich, spätestens innerhalb eines Jahres nach der Ratifikation des gegenwärtigen Vertrages in Verhandlungen einzutreten, um diese Materie auch im Verhältnisse zwischen Ungarn und Rumänien vertragsmäßig zu regeln.]

the result of Austro-Hungarian military measures and in accordance with the general principles of international law.

Article 4 regulates the reestablishment of former treaties. [The treaties, agreements, and contracts which were in force between Austria-Hungary or one of the two States of the Austro-Hungarian Monarchy and Roumania before the declaration of war, with the exception of stipulations to the contrary contained in the treaty of peace or in the supplementary treaties, come into force again at the time of ratification of the said treaty and supplementary treaties, on condition that the stipulated period of their validity shall in every case be extended for a period equal to the duration of the war.]

ARTICLE 5.

The contracting parties will at the earliest moment enter into negotiations in order to conclude a special agreement with regard to mutual industrial legal protection (protection of inventions, trade-marks, patterns and models). [Until the consummation of this agreement the provisions of the Convention of 28 January, 1893, relative to the mutual protection of factory and commercial trade-marks remain in force in the manner provided in Article 4 of the present supplementary treaty.

2. The agreement concluded on 2 March/18 February, 1908, respecting the mutual protection of copyrights in the relations of Austria and Roumania will come into force again in the manner provided in Article 4 of the supplementary treaty. Roumania obligates herself to enter into negotiations within at least one year after the ratification of the present treaty, in order to adjust this question by treaty in her relations with Hungary as well.]

Privatrechtliche Bestimmungen.

Artikel 6.

Ueber die Wiederherstellung der Privatrechte werden nachstehende Bestimmungen getroffen:¹

1. Alle von einem der vertragschließenden Teile für seine Gebiete erlassenen Bestimmungen, wonach mit Rücksicht auf den Kriegszustand die Angehörigen des anderen Teiles in Ansehung ihrer Privatrechte irgendwelcher besonderen Regelung unterliegen (Kriegsgesetze), treten mit der Ratifikation des Friedensvertrages außer Anwendung.

2. Ueber privatrechtliche Schuldverhältnisse, die durch Kriegsgesetze beeinträchtigt worden sind, wird nachstehendes vereinbart:

Die Schuldverhältnisse werden wiederhergestellt, soweit sich nicht aus den Bestimmungen der Punkte 2 bis 6 ein anderes ergibt.

Geldforderungen, deren Bezahlung im Laufe des Krieges auf Grund von Kriegsgesetzen verweigert werden konnte, brauchen nicht vor Ablauf von drei Monaten nach der Ratifikation des Friedensvertrages bezahlt zu werden. Sie sind von der ursprünglichen Fälligkeit an für die Dauer des Krieges und der anschließenden drei Monate ohne Rücksicht auf Zahlungsverbote und Moratorien mit fünf vom Hundert für das Jahr zu verzinsen; bis zur ursprünglichen Fälligkeit sind gegebenenfalls die vertraglichen Zinsen zu zahlen.

3. Die Bestimmungen dieses Uebereinkommens finden auf den Wertpapierverkehr sowie auf Verpflichtungen aus Inhaberpapieren keine Anwendung.

Der Staatsschuldendienst wird unter den zu vereinbarenden Modalitäten wieder aufgenommen. Dagegen wird jeder vertragschließende Teil seine sonstigen, vor der Ratifikation des Friedensvertrages fällig gewordenen Verbind-

PROVISIONS REGARDING PRIVATE RIGHTS.

ARTICLE 6.

The following provisions are adopted with regard to the reestablishment of private rights:

1. All provisions decreed by one of the contracting parties with regard to its own territories and by which, because of the state of war, the nationals of the other party are subject to special regulations (war laws) with regard to their private rights, go out of force upon the ratification of the peace treaty.

2. Concerning private legal debt relations which have been affected by war laws, the following is agreed upon:

Debt relations will be reestablished provided it is not otherwise specified in the provisions of Articles 2 to 6.

Pecuniary obligations whose payment could be refused in the course of the war in virtue of war laws need not be paid before the expiration of three months after the ratification of the peace treaty. They will bear interest at 5% per annum from the date originally fixed for payment, during the war and the three months following, regardless of payment prohibitions and moratoriums; up to the original date of payment, the contractual interest must, in the given case, be paid.

3. The provisions of this agreement are not applicable to operations in paper securities nor to obligations resulting from papers payable to bearer.

The service of the national debt will be resumed under the modalities to be agreed upon. On the other hand, each contracting party will, within the three months following the ratification of this supplementary treaty, pay

¹ Of the following seven sections "F. B." prints only the last.

lichkeiten dem anderen Teile, beziehungsweise dessen Angehörigen (natürlichen und juristischen Personen) binnen drei Monaten nach der Ratifikation des gegenwärtigen Zusatzvertrages bezahlen.

4. Urheberrechte und gewerbliche Schutzrechte, Konzessionen und Privilegien sowie ähnliche Ansprüche auf öffentlich-rechtlicher Grundlage, die durch Kriegsgesetze beeinträchtigt worden sind, werden wiederhergestellt, soweit sich nicht aus Punkt 6 ein anderes ergibt.

5. Die Fristen für die Verjährung von Rechten sollen in den Gebieten jedes der vertragschließenden Teile gegenüber den Angehörigen des anderen Teiles, falls diese Fristen zur Zeit des Kriegsausbruches noch nicht abgelaufen waren, frühestens ein Jahr nach der Ratifikation des Friedensvertrages ablaufen.

6. Die Tätigkeit der Stellen, die auf Grund von Kriegsgesetzen mit der Beaufsichtigung, Verwahrung, Verwaltung oder Liquidation von Vermögensgegenständen oder der Annahme von Zahlungen befaßt worden sind, soll unbeschadet der Bestimmungen im Punkt 7 und im Artikel 7, Punkt 1, nach Maßgabe der nachstehenden Grundsätze abgewickelt werden:

Die beauftragten, verwahrten oder verwalteten Vermögensgegenstände sind auf Verlangen des Berechtigten unverzüglich freizugeben bis zur Uebernahme durch den Berechtigten ist für die Wahrung seiner Interessen zu sorgen.

Privatrechtliche Verfügungen, die von den bezeichneten Stellen oder auf deren Veranlassung, oder ihnen gegenüber vorgenommen worden sind, bleiben mit Wirkung für beide Teile aufrechterhalten.

Ersatzansprüche wegen der Tätigkeit dieser Stellen oder wegen der auf ihre Veranlassung vorgenommenen Handlungen können nur gemäß den Bestimmungen des Artikels 7, Punkt 1, geltend gemacht werden.

to the other party, or to its nationals (natural and juridical persons) its other obligations which had become due before the ratification of the peace treaty.

4. Copyrights and industrial patents, concessions and privileges, as well as similar claims based upon public law, which have been prejudiced by war laws, will be reestablished, in so far as it is not stipulated to the contrary in section 6.

5. The dates for the expiration of rights shall, within the territories of each contracting party, and in respect to the nationals of the other party, not expire earlier than one year after the ratification of the peace treaty, provided that they had not yet lapsed at the outbreak of the war.

6. The activity of the institutions which, in virtue of war laws, have been entrusted with the supervision, safe-guarding, administration, or liquidation of properties, or with the acceptance of payments, shall, without prejudice to the provisions under section 7 and in Article 7, section 1, be settled in accordance with the following basic principles:

The supervised, safe-guarded or administered properties are, upon the demand of the person entitled thereto, to be released immediately; until such properties are taken over by the person entitled thereto, his interests are to be cared for.

Private legal measures which have been resorted to by the specified institutions or upon their solicitation or with regard to them, are to remain effective for both parties.

Claims for damages on account of the activity of these institutions or on account of actions taken upon their solicitation can be validly presented only in accordance with the provisions of Article 7, section 1.

7. Grundstücke oder Rechte an einem Grundstück, Bergwerksgerechtfame sowie Rechte auf die Benützung oder Ausbeutung von Grundstücken, Unternehmungen oder Beteiligungen an einem Unternehmen, insbesondere Aktien, die infolge von Kriegsgesetzen veräußert oder dem Berechtigten sonst durch Zwang entzogen worden sind, sollen dem früheren Berechtigten auf einen innerhalb eines Jahres nach der Ratifikation des Friedensvertrages zu stellenden Antrag gegen Rückgewährung der ihm aus der Veräußerung oder Entziehung etwa erwachsenen Vorteile frei von allen inzwischen begründeten Rechten Dritter wieder übertragen werden.

Schadenersatz an Zivilpersonen.

Artikel 7.

1. Der Angehörige eines vertragschließenden Teiles, der in den Gebieten des anderen Teiles infolge von Kriegsgesetzen durch die zeitweilige oder dauernde Entziehung von Urheberrechten, gewerblichen Schutzrechten, Konzessionen, Privilegien und ähnlichen Ansprüchen oder durch die Beaufsichtigung, Verwahrung, Verwaltung oder Veräußerung von Vermögensgegenständen einen Schaden erlitten hat, ist von diesem Teile in angemessener Weise zu entschädigen, soweit der Schaden nicht durch Wiedereinsetzung in den vorigen Stand ersetzt wird.

2. Jeder vertragschließende Teil wird den Zivilangehörigen des anderen Teiles die Schäden ersetzen, die ihnen in seinen Gebieten während des Krieges oder unmittelbar vor dessen Ausbruch von den staatlichen Organen oder den Einwohnern an Leben, Gesundheit, Freiheit oder Vermögen völkerrechtswidrig zugefügt worden sind.¹ Die Bestimmung findet auch Anwendung auf Schäden, die die Angehörigen des einen vertrag-

7. Parcels of land or rights to a parcel of land, mining privileges, as well as rights to the use or exploitation of parcels of land, enterprizes, or participation in an enterprize, especially shares which in consequence of war laws have been alienated or forcibly taken from the person entitled thereto, shall be returned to the former owner upon a demand to that end made within one year after the ratification of the peace treaty upon deducting any profit that may have accrued to him as a result of the said alienation or subtraction, exempt from all rights established in the interval by third parties.

INDEMNIFICATION TO CIVILIANS.

ARTICLE 7.

1. The national of a contracting party who within the territory of the other party, in virtue of war laws; through the temporary or permanent subtraction of copyrights, industrial patents, concessions, privileges and similar claims, or through the supervision, safe-guarding, administration or alienation of properties, sustained loss s, is to be compensated in an adequate manner by the said party, in so far as the loss can not be made good by restoration to the former condition.

2. Each contracting party will compensate the civilian nationals of the other party for the losses which have been occasioned to them, in body, health, or property, within its territory during the war or immediately before its outbreak, by its national authorities or by the population, contrary to the principles of international law. The provision applies likewise to the losses which the nationals of one con-

¹ "F. B." omits the rest of section 2.

schließenden Teiles als Teilhaber, insbesondere auch als Aktionäre, der auf den Gebieten des anderen Teiles befindlichen Unternehmungen erlitten haben.

3. Die nach den vorstehenden Punkten zu erziehenden Schäden sollen von der im Artikel 3, Punkt 4, bezeichneten Kommission nach Maßgabe der dort vorgesehenen Bestimmungen festgestellt und innerhalb eines Monats nach der Feststellung bezahlt werden.¹

4. Jeder vertragschließende Teil wird die von ihm oder seinen Verbündeten in seinen Gebieten von Angehörigen des anderen Teiles angeforderten Gegenstände, soweit dies noch nicht geschehen ist, unverzüglich bezahlen.

5. Oesterreicher und Ungarn, die vor Kriegsausbruch in rumänischen öffentlichen Diensten aller Art gestanden haben und aus diesen Diensten nur wegen ihrer Eigenschaft als feindliche Ausländer entlassen worden sind, sollen auf ihr Ansuchen mit gleichem Rang und gleichen Bezügen wieder angestellt oder, soweit dies nicht angängig ist, in billiger Weise entschädigt werden.

Austausch der Kriegsgefangenen.

Artikel 8.

Ueber den Austausch der beiderseitigen Kriegsgefangenen werden die nachstehenden Bestimmungen getroffen:

1. Die beiderseitigen Kriegsgefangenen werden in ihre Heimat entlassen werden, soweit sie nicht mit Zustimmung des Nehmestaates in dessen Gebieten zu bleiben oder sich in ein anderes Land zu begeben wünschen.

2. Der bereits im Gange befindliche Austausch dienstuntauglicher Kriegsgefangener wird möglichst beschleunigt werden.

tracting party have suffered as associates, especially as shareholders in enterprises within the territory of the other party.

3. Damages to be compensated for in accordance with the preceding section shall be appraised by the Commission designated in Article 3, section 4, on the basis of the provisions therein determined and the amounts shall be paid within one month after their determination.

4. Each contracting party will pay immediately for the objects which it or its allies requisitioned within the territory of the nationals of the other party, in so far as such payment has not yet been made.

5. Austrians and Hungarians who before the outbreak of the war were employed in the public service of Roumania, of whatever nature, and who have been discharged from such service because of their quality as enemy aliens must, upon their request, be reinstated with the same rank and the same salaries, or in so far as this can not be done, indemnified in an equitable manner.

EXCHANGE OF WAR PRISONERS.

ARTICLE 8.

Concerning the exchange of prisoners of war of the two parties, the following provisions are adopted:

1. The prisoners of war of both parties will be released to their home-land, in so far as they do not, with the consent of the capturing State desire to remain within the latter's territory or betake themselves into another country.

2. The exchange of prisoners unfit for service which is already under way will be carried out with all possible dispatch.

¹ "F. B." omits section 3.

Der Austausch der übrigen Kriegsgefangenen soll tunlichst bald in bestimmten, noch näher zu vereinbarenden Zeiträumen erfolgen.

Die Kosten der Beförderung der Kriegsgefangenen bis zur Grenzübergabestation trägt der Teil, dessen Streitkräften die Kriegsgefangenen angehören.

3. Bei der Entlassung erhalten die Kriegsgefangenen das ihnen von den Behörden des Nehmestaates abgenommene Privateigentum, sowie den noch nicht ausbezahlten oder verrechneten Teil ihres Arbeitsverdienstes; diese Verpflichtung bezieht sich nicht auf Schriftstücke militärischen Inhaltes.¹

4. Jeder vertragschließende Teil wird die Aufwendungen erstatten, die für seine in Kriegsgefangenschaft geratenen Angehörigen von dem anderen Teil gemacht worden sind. Diese Aufwendungen, die insbesondere die gezahlten Gagen und Löhnungen, ferner die Kosten für die Verpflegung, Unterkunft und Bekleidung der Kriegsgefangenen in sich begreifen, werden in der Weise berechnet, daß in den Gebieten der österreichisch-ungarischen Monarchie ein Durchschnittssatz von 3000 Kronen für jeden im Offiziersrang Stehenden und von 1900 Kronen für jeden sonstigen Kriegsgefangenen, in Rumänien ein solcher von 2500 Lei für jeden im Offiziersrang Stehenden und von 1250 Lei für jeden sonstigen Kriegsgefangenen zugrunde gelegt wird. Die Bezahlung erfolgt in der Währung des Nehmestaates. Insofern hierbei Kompensation eintritt, wird die Relation zwischen Kronen und Lei mit 95.22581 Kronen = 100 Lei festgestellt. Für die Zeit vom 1. April 1918 wird ein täglicher Zuschlag berechnet, und zwar in den Gebieten der österreichisch-ungarischen Monarchie von 6 und 4 Kronen, in Rumänien von 5 und 2.5 Lei.

The exchange of the remaining prisoners of war takes place as soon as possible within definite periods of time still to be agreed upon.

The costs for transporting war prisoners to the boundary station are borne by the party to whose military forces the war prisoners belonged.

3. Upon their release the war prisoners receive the private property taken from them by the authorities of the capturing State, as well as the part of their earnings not yet paid or credited to them; this obligation does not refer to written documents of military contents.

4. Each contracting party will refund the expenditures incurred by the other party for its nationals who were made prisoners of war. These expenditures, which especially include the paid salaries and wages, as well as the costs for maintenance, lodging and clothing of war prisoners, will be so computed that within the territories of the Austro-Hungarian Monarchy the average rate of 3,000 Kronen will be allowed for each prisoner with the rank of officer and of 1,900 Kronen for any other war prisoner; in Roumania the average rate of 2,500 Lei for each man with the rank of officer and 1,250 Lei for any other war prisoner. Payment is made in the currency of the capturing State. In so far as compensation enters in this question, the relation between Kronen and Lei will be in the ratio of 95.22581 Kronen to 100 Lei. For the time from 1 April, 1918, onward a daily additional sum will be allowed, namely in the territories of the Austro-Hungarian Monarchy of 6 and 4 Kronen respectively, in Roumania of 5 and 2.5 Lei.

¹ "F. B." omits section 3.

Die Aufwendungen für die in der Gefangenschaft Verstorbenen sowie für die vor dem 1. März 1918 entlassenen Gefangenen werden gesondert gerechnet, und zwar unter Zugrundelegung der Hälfte der im vorstehenden Absatz aufgeführten Sätze. [Eine aus je vier Vertretern der beiden Teile zu bildende Kommission soll alsbald nach der Ratifikation des Friedensvertrages an einem erst zu bestimmenden Orte zusammentreten, um die unter Punkt 2, 2. Absatz, vorgesehenen Zeiträume sowie die sonstigen Einzelheiten des Austausches, insbesondere die Art und Weise der Heimbeförderung der Kriegsgefangenen festzusetzen und die Durchführung der getroffenen Vereinbarungen zu überwachen.]

Heimkehr der Zivilangehörigen.

Artikel 9.

Ueber die Heimkehr der beiderseitigen Zivilangehörigen werden die nachstehenden Bestimmungen getroffen:

1. Die beiderseitigen internierten oder verschifften Zivilangehörigen werden tunlichst bald freigelassen und jene von ihnen, die in ihre Heimat zurückkehren wollen, so bald als möglich unentgeltlich heimbefördert werden. [Eine sofort nach Ratifikation des Friedensvertrages an einem erst zu bestimmenden Orte zusammentretende, aus Vertretern der vertragsschließenden Teile gebildete Kommission wird die bezüglich der Zivilinternierten und Verschifften noch offen gebliebenen Fragen ehestens regeln und die Durchführung der getroffenen Abmachung überwachen.]

2. Die Angehörigen des einen der vertragsschließenden Teile, die bei Kriegsausbruch in den Gebieten des anderen Teiles ihren Wohnsitz oder eine gewerbliche oder Handelsniederlassung hatten

The expenses incurred for prisoners who died in captivity as well as for prisoners released before 1 March, 1918, will be computed separately, namely on the basis of one-half the rates stated in the preceding paragraph. [A commission to consist of four representatives of each of the two parties shall meet immediately after the ratification of the treaty of peace at a place to be decided upon later, in order to determine the periods of time as well as the other details of the exchange, especially the ways and means of transportation to the native country of the prisoners of war provided for in section 2, paragraph 2, and to supervise the execution of the stipulated agreements.]

RETURN HOME OF THE CIVILIAN NATIONALS.

ARTICLE 9.

Regarding the return home of the civilian nationals of both parties the following provisions are agreed to:

1. The interned or deported civilian nationals of both parties will be released as soon as possible and those who desire to return to their home-land will be conveyed home as soon as possible, without expense. [A commission to consist of representatives of the contracting parties, which is to meet immediately after the ratification of the treaty of peace at a place to be determined later, will decide the questions still remaining open with regard to interned and deported civilians and prisoners, and will supervise the stipulated agreement.]

2. The nationals of a contracting party who at the outbreak of the war had their domicile or an industrial or commercial occupation within the territory of the other party and who do

und sich nicht in diesen Gebieten aufhalten, können dorthin zurückkehren, sobald sich der andere Teil nicht mehr in Kriegszustand befindet. Die Rückkehr darf nur aus Gründen der inneren oder äußeren Sicherheit des Staates verweigert werden.

Artikel 10

Setzt die Instandhaltung der Kriegsgräber fest.¹

Artikel 11

Gewährt den Kriegsgefangenen und Internierten Straffreiheit für alle von ihnen begangenen gerichtlich oder disziplinarisch strafbaren Handlungen.

Ersatz der Verkehrsmittel.

Artikel 12.

1. Flußfahrzeuge, die sich im Eigentum von Angehörigen eines vertragsschließenden Teiles befinden und in die Gewalt des anderen Teiles geraten sind, sollen zurückgegeben oder, soweit sie nicht mehr vorhanden sind, in Geld ersetzt werden.

Die Bestimmungen des vorstehenden Absatzes finden auch Anwendung auf die dem Warenverkehr dienenden staatlichen Flußfahrzeuge eines Teiles, die sich bei Ausbruch des Krieges auf den Gebieten des anderen Teiles befanden, sowie auf alle für einen solchen Verkehr von dem einen Teile oder seinen Angehörigen unmittelbar oder mittelbar gemieteten Flußfahrzeuge. [Die Kosten für die Hebung und Instandsetzung versenkter Flußfahrzeuge der in den vorstehenden zwei Absätzen bezeichneten Art sind von dem Teile zu erstatten, in dessen Interesse die Versenkung erfolgt ist.]

not reside within such territory, may return thither as soon as the other party is no longer in a state of war. Such return home may be refused only for reasons of the internal or external security of the State.

ARTICLE 10

Determines the care of the war graves.

ARTICLE 11

Grants to the war prisoners and to interned persons exemption from penalty for all acts committed by them which are punishable by law or in virtue of disciplinary measures.

REPLACEMENT OF MEANS OF TRANSPORTATION.

ARTICLE 12.

1. Fluvial vessels which are the property of nationals of a contracting party and have come into the power of the other party, shall be returned, or, in so far as they no longer exist, shall be compensated for in money.

The provisions of the preceding section are likewise applicable to the national fluvial vessels of one party serving to carry goods and which at the outbreak of the war were within the territories of the other party, as well as to all other fluvial transports for such traffic which were leased directly or indirectly from one party or its nationals. [The expenses of salvaging and repairing sunken fluvial vessels of the category specified in the two preceding sections are to be met by the party in whose interest the sinking was effected.]

¹ "F. B." omits Article 10.

2. Seehandelschiffe eines vertragsschließenden Teiles, die sich bei Ausbruch des Krieges in einem Hafen des anderen Teiles befanden, sowie deren Ladungen sollen nach den im Punkt 1 für Flußfahrzeuge vorgeesehenen Bestimmungen behandelt werden.

3. Das im Eigentum eines vertragsschließenden Teiles oder seiner Angehörigen stehende Eisenbahnmateriale, das sich bei Ausbruch des Krieges auf den Gebieten des anderen Teiles befand, soll unverfehrt zurückgegeben oder, soweit dies nicht möglich ist, in Geld ersetzt werden.

Rückgabe geraubter Kunstschätze.

Artikel 13.

Rumänien verpflichtet sich, sämtliche Urkunden, Kirchenschätze, alte Münzen sowie überhaupt alle Gegenstände von künstlerischem oder historischem Werte, die von den rumänischen Truppen, Organen oder Privatpersonen während des Krieges aus österreichischen oder aus ungarischen Gebieten weggeführt worden sind, an die österreichische, beziehungsweise ungarische Regierung sogleich nach der Ratifizierung des Friedensvertrages zurückzustellen. Die Kosten für den Rücktransport gehen zu Lasten Rumäniens.

Artikel 14.

[Die Ordinariate in Bukarest und Jassy, die österreichischen und die ungarischen Kirchengemeinden (katholischen und reformierten Pfarreien) sowie die österreichischen und die ungarischen Schulen (katholischen und reformierten Schulen) in Rumänien werden seitens Rumäniens als zu Recht bestehend (juristische Personen) anerkannt und zur Verfolgung ihrer Rechte vor Gericht zugelassen; auch können sie Grundstücke aller Art in der

2. Maritime merchant vessels of a contracting party which at the outbreak of the war were in a port of the other party, together with their cargoes, shall be treated in accordance with the provisions foreseen in section 1 regarding fluvial vessels.

3. Railroad material, the property of a contracting party or its nationals which at the outbreak of the war was within the territories of the other party, shall be returned undamaged, or, in so far as this is not possible, be compensated for in money.

RESTITUTION OF STOLEN ART TREASURES.

ARTICLE 13.

Roumania obligates herself to return, immediately after the ratification of the peace treaty, to the Austrian, or, as the case may be, to the Hungarian Government, all documents, church treasures, old coins, and in general all objects of artistic or historic worth which were taken away by the Roumanian troops, authorities or private individuals, during the war from Austrian or Hungarian territories. The costs for the return transportation are to be borne by Roumania.

ARTICLE 14.

[The diocesan courts in Bucharest and Jassy, the Austrian and the Hungarian congregations (Catholic and Reformed parishes), as well as the Austrian and the Hungarian schools (Catholic and Reformed schools) in Roumania will be recognized by Roumania as legally existent (juridical persons) and be permitted to appear in court as plaintiff or defendant in order to protect their rights; they will be permitted to acquire real estate

für ihre Zwecke erforderlichen Ausdehnung erwerben. Das Gleiche gilt von den in Rumänien bestehenden österreichischen und ungarischen Vereinen, die sich mit der Pflege der nationalen und religiösen Bedürfnisse der in Rumänien lebenden Tasterreicher und Ungarn befassen.

Unbeschadet der von Rumänien ausgeübten Staatsaufsicht soll den Kirchengemeinden und Schulen das Recht zustehen, ihre Verwaltung sowie die Anstellung ihrer Geistlichen, Schulleiter und Lehrkräfte, und zwar ohne Rücksicht auf die Staatsangehörigkeit, selbstständig zu regeln, den Schulen auch das Recht, über ihre Unterrichtssprache, Unterrichtspläne und sonstigen Schuleinrichtungen nach eigenem Ermessen zu befinden.]¹

of every kind to the extent necessary for their purposes. The same provisions hold for the Austrian and Hungarian societies in Roumania which cultivate the national and religious needs of Austrians and Hungarians residing in Roumania.

Notwithstanding Roumanian governmental supervision, congregations and schools shall have the right to regulate independently their own supervising bodies as well as the appointment of their clergy, school officials and teachers, irrespective of their nationality; schools shall also have the right to determine according to their own wish the language of instruction, courses of study, and other questions relating to schools.]

Gegen die Irredenta.

AGAINST IRREDENTISM.

Artikel 15.

ARTICLE 15.

Die vertragsschließenden Teile verpflichten sich gegenseitig, in ihren Gebieten keine Agitation, keine Propaganda und auch keine andere Handlung zu dulden, die mittelbar oder unmittelbar gegen die Unversehrtheit der Gebiete, die gesellschaftliche Ordnung, die Sicherheit oder die öffentliche Ruhe des anderen vertragsschließenden Teiles gerichtet ist.

The contracting parties mutually obligate themselves, within their territories, to suffer no agitation, no propaganda and no other action which, indirectly or directly has for its object the injury of the territories, the lawful organization, the security or the public peace of the other contracting party.

Die vertragsschließenden Teile verpflichten sich gegenseitig insbesondere:

The contracting parties mutually obligate themselves especially:

1. In ihren Gebieten Vereinen und einzelnen Personen jegliche auf die Gebiete des anderen vertragsschließenden Teiles gerichtete Tätigkeit der im ersten Absatz bezeichneten Art zu verbieten.

1. To forbid within their territories societies and individual persons to engage in activities within the territories of the other contracting party of the character specified in the first section.

2. Das Sammeln oder die Zuwendung von jedwelchen Subventionen, Spenden und anderen Beiträgen zum Zwecke einer Propaganda der im ersten Absatz bezeichneten Art zu verhindern.

2. To prevent the collecting or securing of any subventions, gifts and other contributions for the purpose of organizing propaganda of the nature indicated in the first section.

¹ "D. Z." gives only a summary of this article.

3. Dafür zu sorgen, daß nur solche Schulbücher und sonstige Lehrmittel zugelassen werden, deren Inhalt gegen die Bestimmung des ersten Absatzes nicht verstößt.

4. Insofern ihre Gesetzgebungen gegen die im ersten Absatz bezeichnete Tätigkeit keine oder ungenügende Strafbestimmungen enthalten, für die Schaffung oder Ergänzung solcher Bestimmung innerhalb eines Jahres nach der Ratifikation dieses Vertrages Sorge zu tragen.

Artikel 16.

1. Jeder der vertragsschließenden Teile wird Einbürgerungsansuchen der Angehörigen des anderen Teiles, wenn auch sonst hierfür alle Voraussetzungen erfüllt sind, nur stattgeben, falls die Einbürgerungsvererber den Nachweis ihrer Entlassung aus dem früheren Staatsverband erbracht haben werden.

2. Rumänien verpflichtet sich, die Auswanderung von rumänischen Staatsangehörigen ungarischer Abstammung nach Ungarn nicht zu hindern.¹

Wirtschaftliche Verträge.

Artikel 17.

Rumänien wird die bei Kriegsausbruch bestandenen Wald- und Holzausnutzungsverträge des Staates mit Gesellschaften an denen österreichisches oder ungarisches Kapital durch Aktienbesitz oder Kommanditbeteiligung zu mehr als 50 Prozent interessiert ist, um eine Frist von vier Jahren verlängern und die erforderlichen Verfügungen treffen, daß die von solchen Gesellschaften mit anderen rumänischen Rechtssubjekten abgeschlossenen derartigen Verträge um die gleiche Frist verlängert werden.

3. To exercise care to the end that only such school texts and other means of instruction are permitted, the contents of which are not in contravention to the provisions of the first section.

4. In so far as their legislations contain no penal provisions or no adequate penal provisions against the activity referred to in the first section, to see to it that within one year after the ratification of this treaty such a provision is adopted or rendered adequate.

ARTICLE 16.

1. To requests for naturalization on the part of the nationals of the other party, even in case all other prerequisites have been met, each of the contracting parties will grant such naturalization only in case those desiring to be naturalized have furnished the proof of their liberation from their former allegiance.

2. Roumania obligates herself not to hinder the emigration to Hungary of Roumanian nationals of Hungarian descent.

ECONOMIC TREATIES.

ARTICLE 17.

Roumania will extend by a period of four years the forest and timber exploitation contracts of the State with companies which existed at the time of the outbreak of the war, and in which Austrian or Hungarian capital was interested through ownership of shares or participation in investments by more than 50% and enact the necessary measures to the end that such treaties concluded between such companies and other Roumanian juridical subjects will be extended by a like period.

¹ "F. B." omits Article 16.

Rumänien wird den zwischen dem rumänischen Staate und der ungarischen Bank- und Handelsaktiengesellschaft bestehenden Vertrag über den Salzexport nach Bulgarien ebenfalls um eine Frist von vier Jahren verlängern. [Rumänien wird die Bewilligung zum Bau und Betrieb der von den erwähnten Gesellschaften anzulegenden oder bereits angelegten, für den Holztransport bestimmten, nicht dem öffentlichen Verkehr dienenden Eisenbahnen gestatten.]

Roumania will also extend by a period of four years the treaty concerning exportation of salt to Bulgaria existing between the Roumanian State and the Hungarian Banking and Commercial Joint-Stock Company. [Roumania will permit the construction and operation of the railways which are to be constructed or have already been constructed by the aforementioned companies and are to serve for the transportation of timber and not for public transit.]

Zahlung von 35 Millionen Kronen in Gold.

PAYMENT OF 35 MILLION KRONEN IN GOLD.

Artikel 18.

ARTICLE 18.

1. Rumänien verpflichtet sich, von den nach diesem Vertrag an Oesterreich-Ungarn zu leistenden Zahlungen einen Betrag von 35 Millionen Kronen effektiv in Gold, berechnet zur Münzparität, zu entrichten; die Ueberweisung dieses Betrages hat binnen zwei Jahren nach der Ratifikation des Friedensvertrages zu erfolgen.

1. Roumania obligates herself to pay to Austria-Hungary, computed on a basis of a parity of currencies, an amount in gold of 35 million Kronen for payments to be made in accordance with this treaty; the transmittal of this amount has to be effected within two years after the ratification of the peace treaty.

2. Rumänien erklärt sich nach eingeholter Zustimmung der rumänischen Nationalbank damit einverstanden, daß die bei der Deutschen Reichsbank eingezahlten Guthaben und Depots der rumänischen Nationalbank unter Aufrechterhaltung der während der Zwangsverwaltung darüber getroffenen Anordnungen und unter Ausschluß von Schadenersatzansprüchen als Sicherheit für den öffentlichen Schuldendienst Rumäniens gegenüber den österreichischen und den ungarischen Staatsangehörigen, beziehungsweise den bosnisch-herzegowinischen Landesangehörigen, auf die Dauer von fünf Jahren, und sofern Rumänien mit einer Rate in Verzug gerät, auf die Dauer von zehn Jahren verhaftet bleiben, auch nötigenfalls zur Einlösung

2. Upon having had the approval of the Roumanian National Bank, Roumania declares herself agreed that the credits and deposits made for the account of the Roumanian National Bank at the German Reichsbank shall be immobilized for a period of ten years, under observance of the regulations made in this respect during the period of compulsory administration and to the exclusion of claims for damages, in order to guarantee for a period of five years the administration of the Roumanian public debt with regard to Hungarian and Austrian nationals, and, as the case may be, of the Bosnian-Herzegovinian nationals, and in case Roumania is late in paying an amount due, and that in case

fälliger Zinsscheine und ausgeloster Stücke herangezogen werden können.

[3. Binnen vier Wochen nach der Unterzeichnung des Friedensvertrages werden Vertreter der vertragsschließenden Teile in Berlin zusammentreten, um wegen der Erfüllung und weiteren Sicherstellung der finanziellen Verpflichtungen Rumäniens nähere Vereinbarungen zu treffen.]

Artikel 19.

Dieser Zusatzvertrag, der einen wesentlichen Bestandteil des Friedensvertrages bildet, wird ratifiziert werden. Die Ratifikationsurkunden sollen möglichst bald in Wien ausgetauscht werden.

In einer „Aufzeichnung über die Anwendung gewisser Bestimmungen des Zusatzvertrages“ heißt es dann: Seitens Oesterreich-Ungarns besteht die Geneigtheit, auf die Entrichtung des im Artikel 18, Punkt 1, des rechtspolitischen Zusatzvertrages bezeichneten Betrages von 35 Millionen Kronen in effektivem Golde zu verzichten, wenn hinsichtlich der Ordnung des in den nächsten Jahren abzuwickelnden Zahlungsverkehrs zwischen der Monarchie und Rumänien eine beide Teile befriedigende Regelung zustande kommt.

of need, these credits and funds may be used to redeem interest certificates and repurchased obligations that have become due.

[3. Within four weeks after the signing of the treaty of peace representatives of the contracting parties shall meet in Berlin in order to arrive at further agreements with regard to the guarantee of fulfillment of the financial obligations of Roumania.]

ARTICLE 19.

This supplementary treaty which forms an essential part of the peace treaty, will be ratified. The ratification acts shall be exchanged at Vienna as soon as possible.

In a "note regarding the application of certain provisions of the supplementary treaty" we read as follows: On the part of Austria-Hungary there is a disposition to forego the payment of the amount of 35 million Kronen indicated under Article 18, section 1 of the political-legal supplementary treaty, provided that in respect of the arrangement of the financial operations to be effected in the next years between the Monarchy and Roumania, a settlement may be reached satisfactory to both parties.

9. ROUMANIA—AUSTRIA.

RAILWAY CONVENTION, PROVIDED FOR IN ARTICLE VII OF THE AUSTRO-HUNGARIAN-ROUMANIAN ECONOMIC TREATY, SUPPLEMENTARY TO THE TREATY OF PEACE BETWEEN ROUMANIA AND THE CENTRAL POWERS. SIGNED AT BUCHAREST, 7 MAY, 1918. PROTOCOL OF 17 APRIL, 1918.

[German text as published in the Pester Lloyd, at Budapest, 19 May, 1918.]

[Translation.]

Artikel 1.

ARTICLE 1.

Im Interesse der Erleichterung des Eisenbahnverkehrs sichern sich die vertragsschließenden Teile zu, gegebenenfalls über die Herstellung neuer, den beiderseitigen Verkehrsbedürfnissen dienenden Eisenbahnan schlüsse in Verhandlung zu treten.

To the end of facilitating their railway communications, the contracting parties insure to each other to enter into negotiations, as occasion arises, concerning the construction of new branch railways in order to meet their mutual needs of communication.

Bei diesen Verhandlungen wird für den Fall der Erbauung einer Eisenbahnbrücke über die Donau auf der Stromstrecke zwischen Corabia und Giurgiu auch die Herstellung der Eisenbahnverbindung zwischen dem ungarischen Bahnnetz und dieser Brücke über den Kotten-Turm-Paß, sowie die Ausgestaltung der Strecke Jassy—Pascani zu einer Hauptbahn ersten Ranges erörtert werden.

In these negotiations, should the occasion of the construction of a railway bridge across the Danube, along the course of the river between Corabia and Giurgiu arise, the construction of a junction line between the Hungarian railway system and this bridge through the gorge of the Red Tower will likewise be discussed, together with the transformation of the Jassy-Pascani line into a first class railway line.

Artikel 2.

ARTICLE 2.

An Stelle der Konvention vom 26. Februar 1891 betreffend den Eisenbahnan schluß bei Suczawa-Itzkany und Burdujeni werden Oesterreich und Roumanien eine neue Anschlußkonvention schließen. Der Betriebswechsel und Uebergangsdienst wird bei diesem Eisen-

Austria and Roumania will conclude a new convention to take the place of that of 26 February, 1891,¹ concerning the branch road of Suczawa-Itzkany and of Burdujeni. The change in the administration and the transit service will be insured for this branch road by the Imperial and Royal Austrian State Railways,

¹ 18 Martens, *Nouveau Recueil Général* (2d series), 817.

bahnanschluß in der Station Itzkany als gemeinschaftlicher Betriebswechsel und Uebergangsstation durch die k. k. österreichischen Staatsbahnen besorgt werden. Das Recht der Tariffestsetzung steht für die auf österreichischem Gebiet gelegenen Bahnstrecken bis zur Landesgrenze den k. k. österreichischen Staatsbahnen, für die auf rumänischem Gebiet gelegenen Bahnstrecken bis zur Landesgrenze den rumänischen Eisenbahnen zu.

Soweit zwischen den beteiligten Eisenbahnverwaltungen keine andere Vereinbarung getroffen wird, werden die Tarife der Anschlußbahnen bis und von der Landesgrenze ohne Einrechnung einer Ueberfuhrgebühr gebildet. Neben der Regelung neuer Anschlußverhältnisse werden zeitgerecht besondere Anschlußvereinbarungen zu treffen sein.

Artikel 3.

Nach Artikel 12 des österreichisch-ungarisch-rumänischen rechtspolitischen Zusatzvertrages zum Friedensvertrag soll das im Eigentum eines der vertragsschließenden Teile oder seiner Angehörigen stehende Eisenbahnmateriale, das bei Ausbruch des Krieges sich auf dem Gebiet des anderen Teiles befunden hat, unverfehrt zurückgegeben werden, oder, soweit dies nicht möglich ist, in Geld ersetzt werden. Dieser Ersatz hat nach den gegenwärtigen Preisen für Beschaffungen in Oesterreich zu erfolgen. Hierbei können beschädigte Fahrbedriebsmittel zurückverlangt werden gegen Ersatz der Wiederherstellungskosten auf obiger Grundlage. Die Entschädigung, die von der Zeit der Entziehung des Eisenbahnmateriale bis zur Zurückgabe oder Ersatzleistung bezahlt werden muß, erfolgt bezüglich der Wagen auf Grund des Uebereinkommens betreffend die gegenseitige Wagenbenutzung im Bereiche des Vereins deutscher Eisenbahnverwaltungen.

at the Itzkany station, regarded as a common station in the matter of the change of administration and of transit service. The right to fix tariffs belongs, for lines situated within Austrian territory, to the Imperial and Royal Austrian State Railways, and, for lines situated within Roumanian territory, as far as the frontier, to the Roumanian railways.

In so far as no other agreement has been concluded by the interested railway administrations, the tariffs on the junction roads, up to the frontier or from the frontier shall be fixed without including payment for transit dues. Special agreements will be concluded in due time to regulate the new connection schedules.

ARTICLE 3.

In conformity with Article 12 of the juridical and political additional treaty to the treaty of peace concluded between Austria-Hungary and Roumania, the railway material belonging to one of the contracting parties or to its nationals, which at the time of the declaration of war was within the territory of the other party, must be restored in good condition, or, in so far as that is not possible, a sum equivalent in value thereto shall be paid in money. Such payment is to be computed upon the basis of current Austrian rates. Further, the damaged equipment may be claimed by refunding the expenses of reparation computed as hereinbefore stated. Damages to be paid from the moment when the railway material was seized up to the time of its restitution or payment in money will be computed, as regards railway cars, on the basis of the agreement concerning the mutual use of cars within the operation area of the Union of German Railway Administrations.

Artikel 4.

ARTICLE 4.

Die aus dem Personen-, Gepäck- und Güterverkehr bis zum Ausbruch des Krieges sich ergebenden Zahlungsverpflichtungen einschließlich der Vergütungen für die gegenseitige Wagenbenutzung auf Grund des Uebereinkommens über die gegenseitige Wagenbenutzung im Bereiche des Vereins deutscher Eisenbahnverwaltungen sind nebst Zinsen, soweit sie in den in Betracht kommenden Abmachungen etwa vorgesehen sind, anzuerkennen und längstens innerhalb von sechs Monaten nach Ratifikation des Friedensvertrages zu erfüllen.

Die Einwendung der während des Krieges eingetretenen Verjährung wird bei Frachterstattungs- und Entschädigungsansprüchen, wenn sie innerhalb eines Jahres nach Ratifikation des Friedensvertrages bei den österreichischen oder rumänischen Eisenbahnen angemeldet werden, nicht geltengemacht werden.

Artikel 5.

ARTICLE 5.

Rumänien wird den Verkehr von und nach Oesterreich in jeder Weise, namentlich auf dem Gebiete des Eisenbahnwesens und der Zollabfertigung fördern und die darauf bezüglichen Wünsche der österreichischen Regierung hinsichtlich des Betriebes und des Fahrplanes auf den für die Ein-, Auf- und Durchfuhr von und nach Oesterreich in Frage kommenden Linien tunlichst berücksichtigen. Die Abfuhr der für das Gebiet des anderen vertragschließenden Teiles bestimmten Ausfuhrsgüter nach den Donauhäfen, Seehäfen oder den Grenzübergangsstationen soll beiderseitig durch regelmäßige Zugverbindung tunlichst unter Bildung geschlossener Züge erleichtert werden.

Payment obligations resulting from the traffic of passengers, baggage and goods up to the time of the declaration of war, inclusive of the indemnities to be paid for the mutual use of cars on the basis of the agreement anent this mutual use within the operation area of the Union of German Railway Administrations must be recognized, together with interest, in so far as these are provided for in the agreements in question; such debts must be paid at the latest within a period of six months after the ratification of the peace treaty.

Refusal to meet the demands for the refunding of transportation expenses and damages in virtue of prescription in the course of the war can not be regarded as valid if such demands were submitted to the Austrian and Roumanian railways within one year after the ratification of the peace treaty.

Roumania will facilitate in every manner, especially with regard to railways, an examination at the customs houses, of all traffic originating from or destined for Austria, and, as far as possible, Roumania will take into account the wishes of the Austrian Government with regard to the administration and the schedules of the lines used for the importation, the exportation and the transit, originating from or in destination to Austria. Transportation towards the ports of the Danube, the maritime ports or the frontier stations of goods destined for exportation and directed to the territory of the other contracting party must be facilitated on both sides through regular train schedules, and, as far as possible, through closed trains.

Die österreichische Regierung erklärt sich bereit, die rumänischen Eisenbahnen bei Wiederaufbau ihres Betriebes insbesondere durch Beistellung eigener Betriebsmittel der österreichischen Eisenbahnen für die Ausfuhr nach Oesterreich zu unterstützen, soweit dies die sonstige Inanspruchnahme des österreichischen Betriebsmittelparks zuläßt. Die österreichische Regierung wird einen Fachmann auf dem Gebiete des Eisenbahnverkehrswezens als ihren Vertreter abordnen. Ihm steht die ausschließliche Entscheidung über die Verwendung der den österreichischen Eisenbahnen gehörenden, für die Ausfuhr in Frage kommenden Betriebsmittel zu. Ueber die Bedingungen ihrer Benutzung wird ein Abkommen zwischen den beiderseitigen Eisenbahnverwaltungen getroffen werden. Dem Vertreter wird über die Beförderung der Waren von Oesterreich nach Rumänien und darüber hinaus, sowie von oder durch Rumänien nach Oesterreich, sowie über alle einschlägigen Tariffragen bereitwilligst Auskunft gegeben werden. Auch ist er berechtigt, sich über die Verwendung und Beförderung der oben genannten österreichischen Betriebsmittel auf den rumänischen Eisenbahnen selbst oder durch Beauftragte örtlich zu unterrichten.

Artikel 6.

Wegen der Zollabfertigung in den Uebergangsstationen werden die beteiligten Eisenbahnverwaltungen Vereinbarungen treffen, die eine anstandslose Abwicklung des Zolldienstes in diesen Stationen gewährleisten.

Artikel 7.

Diese Konvention wird ratifiziert werden. Die Ratifikationsurkunden sollen tunlichst bald in Wien ausgetauscht werden. Sie tritt, soweit darin

The Austrian Government declares itself ready to aid the Roumanian railways upon the resumption of their operation, in particular by placing at their disposal, for the exportation into Austria, equipment belonging to the Austrian railways, to the extent to which utilization for other purposes makes Austrian equipment available. The Austrian Government will delegate to represent it, an expert in the matter of railway operation. It will devolve upon him to decide definitively with regard to the use of equipment belonging to the Austrian railways in their work of exportation. An agreement will be entered into between the railway administrations of the two parties with regard to the conditions under which this material may be used. This delegate will be supplied readily with information concerning the transportation of goods from Austria into Roumania and beyond, as well as the transportation in destination to Austria from Roumania or in transit through Roumania, and all questions of tariff in reference thereto. This delegate will likewise be entitled to inform himself on the spot, in person or through representatives, with regard to the use and the transportation of this Austrian equipment on the Roumanian railways.

ARTICLE 6.

As regards the administration of customs in the transitional stations, the interested railway administrations will enter into agreements guaranteeing unhindered operation of this service.

ARTICLE 7.

This convention will be ratified. The ratification acts will be exchanged at Vienna as soon as possible. In so far as it contains

nichts anderes bestimmt ist, nach Austausch der Ratifikationen in Kraft. Zum Abschluß der darin vorbehaltenen weiteren Vereinbarungen werden zunächst bald nach der Ratifikation Vertreter der Eisenbahnverwaltungen der vertragschließenden Teile an einem noch zu bestimmenden Orte zusammentreten.

Zu Urkund dessen haben die Bevollmächtigten diese Konvention unterzeichnet und mit ihren Siegeln versehen.

Ausgefertigt in doppelter Urschrift in Bukarest am 7. Mai 1918.

no provision to the contrary, it enters into force after the exchange of the ratifications. For the purpose of concluding the further agreements herein provided for, representatives of the railway administrations of the contracting parties will meet as soon as possible after the ratification, in a place still to be determined.

In faith thereof, the plenipotentiaries have signed this convention and affixed thereto their seals.

Done in double original at Bucharest, 7 May, 1918.

[Protocol.]

Protokoll,¹ aufgenommen zu Bukarest am 17. April 1918 aus Anlaß der Parafierung der Eisenbahnkonvention zwischen Oesterreich und Rumänien zu dem Friedensvertrag zwischen Deutschland, Oesterreich-Ungarn, Bulgarien und der Türkei einerseits und Rumänien andererseits.

Die rumänische Delegation erklärt namens der rumänischen Regierung, daß die rumänische Regierung unter Anerkennung ihrer aus dem Uebereinkommen vom 10./22. Januar 1889 sich ergebenden Verpflichtungen gegenüber der Lemberg-Czernowitz-Jassy Eisenbahngesellschaft bereit ist, die seit dem 1./13. Oktober 1916 nicht bezahlten Raten der im Punkte 2 dieses Uebereinkommens vereinbarten Annuitätzahlung nebst 5 Prozent Zinsen im Sinne der Bestimmungen in Artikel 6 des österreichisch-ungarisch-rumänischen rechtspolitischen Zusatzvertrages zum Friedensvertrage längstens innerhalb dreier Monate nach der Ratifikation dieser Eisenbahnkonvention an die Lemberg-Czernowitz-Jassy Eisenbahngesellschaft nachzuzahlen. Die österreichische Delegation nimmt diese Erklärung namens ihrer Regierung zur Kenntnis.

Protocol recorded at Bucharest on 17 April, 1918 in virtue of the signing of the railway convention between Austria and Roumania, additional to the peace treaty between Germany, Austria-Hungary, Bulgaria and Turkey on the one hand, and Roumania on the other hand.

The Roumanian delegation declares, in the name of the Roumanian Government, that the Roumanian Government, under recognition of the obligations devolving upon it by the agreement of 10/22 January, 1889, towards the Lemberg-Czernowitz-Jassy Railway Company, is ready to pay, at the latest within three months after the ratification of this railway convention, to the Lemberg-Czernowitz-Jassy Railway Company, the installments not paid since 1/13 October, 1916, of the annuity payment agreed upon in No. 2 of the said agreement, together with five per cent. interest, in the sense of the provisions of Article 6 of the Austro-Hungarian-Roumanian political-legal treaty supplementary to the treaty of peace. In the name of its Government, the Austrian delegation takes note of this declaration.

¹ P. L. has Protokoll.

10. ROUMANIA—HUNGARY.

RAILWAY CONVENTION, PROVIDED FOR IN ARTICLE VII OF THE AUSTRO-HUNGARIAN-ROUMANIAN ECONOMIC TREATY, SUPPLEMENTARY TO THE TREATY OF PEACE BETWEEN ROUMANIA AND THE CENTRAL POWERS. SIGNED AT BUCHAREST, 7 MAY, 1918.

[German text as published in the Pester Lloyd, Budapest, 20 May, 1918.]

[Translation.]

Artikel I.

ARTICLE I.

Die vertragschließenden Teile sichern sich gegenseitig zu, gegebenenfalls im Interesse der Erleichterung des Eisenbahnverkehrs über die Herstellung neuer, den beiderseitigen Verkehrsbedürfnissen dienenden Eisenbahnschlüsse in Verhandlungen zu treten. Für den Fall der Herstellung einer Verbindung zwischen und dem rumänischen und dem bulgarischen Eisenbahnnetz durch Erbauung einer Eisenbahnbrücke über die Donau auf der Stromstrecke zwischen Corabia und Giurgiu werden die vertragschließenden Teile bestrebt sein, die Eisenbahnverbindung zwischen dem ungarischen Bahnnetz und der gedachten Brücke über den Roten-Turm-Paß zu einer Hauptbahn ersten Ranges auszugestalten.

The contracting parties mutually insure to each other, for the purpose of facilitating relations through the railway systems, to enter into negotiations, as occasion arises, with regard to the establishment of new railway branches, to meet the needs of the relations between the two parties. In case a connection should be effected between the Roumanian and Bulgarian railway systems through the construction of a railroad bridge across the Danube along the course of the river between Corabia and Giurgiu, the contracting parties will endeavor to raise the junction line between the Hungarian system and the bridge in question, passing through the gorge of the Red Tower, to a first-class railway line.

Artikel II.

ARTICLE II.

An Stelle der am 31/19. Mai 1874 in Bukarest and am 14/2. März 1891 in Budapest geschlossenen Konventionen

Hungary and Roumania will conclude an additional convention to take the place of that of Bucharest, of 31/19 May, 1874,¹ and that of Budapest of 14/2

¹ 73 *British and Foreign State Papers*, p. 1032; 54 *Archives Diplomatiques*, 361.

betreffend die Herstellung von Eisenbahnan schlüssen zwischen Ungarn und Rumänien bei Verciorova (Orsova) und Tömös (Predeal), ferner zwischen Gyimes—Palanka und Veröstorony—Raul-Vadului werden Ungarn und Rumänien eine neue Anschlußkonvention schließen. Der Betriebswechsel- und Uebergangsdienst wird bei diesen Eisenbahnan schlüssen in den Stationen Palanka—Predeal, Raul-Vadului und Verciorova als gemeinschaftlichen Betriebswechsel- und Uebergangstationen durch die königlich ungarischen Staatsbahnen besorgt werden. Diese gemeinsamen Stationen können nach Maßgabe der Verkehrsbedürfnisse verlegt werden. Das Recht der Tariffestsetzung steht für die auf ungarischem Gebiet gelegenen Bahnstrecken bis zur Landesgrenze den ungarischen, für die auf rumänischem Gebiet gelegenen Bahnstrecken bis zur Landesgrenze den rumänischen Eisenbahnen zu. Soweit zwischen den beteiligten Eisenbahnverwaltungen keine andere Vereinbarung getroffen wird, werden die Tarife der Anschlußbahnen bis und von der Landesgrenze ohne Einrechnung einer Ueberfuhrgebühr gebildet. Wegen der Regelung neuer Anschlußverhältnisse werden zeitgerecht besondere Anschlußvereinbarungen zu treffen sein.

[Notiz.]—Artikel III bis VI sind mit den bereits mitgetheilten gleichen Vereinbarungen der österreichisch-rumänischen Eisenbahnkonvention identisch, nur werden hiebei Ungarn dieselben Rechte eingeräumt, die Oesterreich in der Konvention zugestanden sind.

March, 1891,¹ concerning the construction of branch roads between Hungary and Roumania at Verciorova (Orsova) and Tömös (Predeal) and between Gyimes-Palanka and Vorostorony-Raul-Vadului. The change in the administration and the transitional service will be provided for these branch roads by the State railways of the kingdom of Hungary at the stations of Palanka-Predeal; Raul-Vadului and Verciorova, regarded as common stations with reference to the change in administration and the transitional service. These common stations may, according to the needs of communication, be modified. The right to establish tariffs belongs, as regards railroad lines situated within Hungarian territory, and up to the frontier, to the Hungarian railways; as regards railroad lines situated within Roumanian territory, that right belongs to the Roumanian railways as far as the national frontier. In so far as between the interested railway administrations no other agreement is adopted, the tariffs on the junction lines, even to the frontier or from the frontier, will be established without including therein any transit dues. In due time special additional conventions are to be concluded with regard to the regulation of new connection schedules.

[NOTE.]—Articles III to VI are identical with those contained in the convention concluded between Austria and Roumania with regard to railways. The same rights granted to Austria by this convention are likewise granted to Hungary.

ARTICLE III.²

In conformity with Article 12 of the political-legal treaty supplementary to the treaty of

¹ 18 Martons, *Nouveau Recueil Général* (2d series), 823.

² Constructed from the text of the Railway Convention between Roumania and Austria. *Supra*, p. 154.

peace concluded between Austria-Hungary and Roumania, the railway material belonging to one of the contracting parties or to its nationals, which at the time of the declaration of war was within the territory of the other party, must be restored in good condition, or, in so far as that is not possible, a sum equivalent in value thereto shall be paid in money. Such payment is to be computed upon the basis of current Hungarian rates. Further, the damaged equipment may be claimed by refunding the expenses of reparation computed as hereinbefore stated.

Damages to be paid from the moment when the railway material was seized up to the time of its restitution or payment in money will be computed, as regards railway cars, on the basis of the agreement concerning the mutual use of cars within the operation area of the Union of German Railway Administrations.

ARTICLE IV.¹

Payment obligations resulting from the traffic of passengers, baggage and goods up to the time of the declaration of war, inclusive of the indemnities to be paid for the mutual use of cars on the basis of the agreement anent this mutual use within the operation area of the Union of German Railway Administrations must be recognized, together with interest, in so far as these are provided for in the agreements in question; such debts must be paid at the latest within a period of six months after the ratification of the peace treaty.

Refusal to meet the demands for the refunding of transportation expenses and damages in virtue of prescription in the course of the war can not be

¹ Constructed from the text of the Railway Convention between Roumania and Austria. *Supra*, p. 155.

regarded as valid if such demands were submitted to the Hungarian and Rumanian railways within one year after the ratification of the peace treaty.

ARTICLE V.¹

Roumania will facilitate in every manner, especially with regard to railways, an examination at the customs houses, of all traffic originating from or destined for Hungary, and, as far as possible, Roumania will take into account the wishes of the Hungarian Government with regard to the administration and the schedules of the lines used for the importation, the exportation and the transit, originating from or in destination to Hungary. Transportation towards the ports of the Danube, the maritime ports or the frontier stations of goods destined for exportation and directed to the territory of the other contracting party must be facilitated on both sides through regular train schedules, and, as far as possible, through closed trains.

The Hungarian Government declares itself ready to aid the Roumanian railways upon the resumption of their operation, in particular by placing at their disposal, for the exportation into Hungary, equipment belonging to the Hungarian railways, to the extent to which utilization for other purposes makes Hungarian equipment available. The Hungarian Government will delegate to represent it, an expert in the matter of railway operation. It will devolve upon him to decide definitively with regard to the use of equipment belonging to the Hungarian railways in the work of exportation. An agreement will be entered into between the railway administra-

¹ Constructed from the text of the Railway Convention between Roumania and Austria. *Supra*, pp. 155-156.

tions of the two parties with regard to the conditions under which this material may be used. This delegate will be supplied readily with information concerning the transportation of goods from Hungary into Roumania and beyond, as well as the transportation in destination to Hungary from Roumania or in transit through Roumania, and all questions of tariff in reference thereto. This delegate will likewise be entitled to inform himself on the spot, in person or through representatives, with regard to the use and the transportation of this Hungarian equipment on the Roumanian railways.

ARTICLE VI.¹

As regards the administration of customs in the transitional stations, the interested railway administrations will enter into agreements guaranteeing unhindered operation of this service.

Artikel VII.

Diese Konvention wird ratifiziert werden. Die Ratifikationsurkunden sollen tunlichst bald in Wien ausgetauscht werden. Sie tritt, soweit darin nichts anderes bestimmt ist, nach Austausch der Ratifikationen in Kraft. Zum Abschluß der darin vorbehaltenen weiteren Vereinbarungen werden tunlichst bald nach der Ratifikation Vertreter der Eisenbahnerverwaltungen der vertragsschließenden Teile an einem noch zu bestimmenden Orte zusammentreten.

ARTICLE VII.

This convention will be ratified. The ratification acts will be exchanged at Vienna as soon as possible. In so far as it contains no provision to the contrary, it enters into force after the exchange of the ratifications. For the purpose of concluding the further agreements therein provided for, representatives of the railway administrations of the contracting parties will as soon as possible after the ratification meet in a place still to be determined.

¹ Constructed from the text of the Railway Convention between Roumania and Austria. *Supra*, p. 156.

11. ROUMANIA—AUSTRIA-HUNGARY.

LEASE OF TURN-SEVERIN DOCKS, SUPPLEMENTARY TO THE TREATY OF PEACE BETWEEN ROUMANIA AND THE CENTRAL POWERS. SIGNED AT BUCHAREST, 7 MAY, 1918.

[German text as published in the Pester Lloyd, at Budapest, 19 May, 1918.]

[Translation.]

Rumänien überläßt vom Tage der Ratifizierung des Friedensvertrags an pachtweise, vorläufig auf dreißig Jahre, an Oesterreich-Ungarn die Werfte von Turn-Severin mit allen ihren Anlagen, das Donauufer und das vorliegende Gewässer, soweit es für Vertau- und Anlageplätze in Betracht kommt, von der ungarisch-rumänischen Grenze bis einschließlic das Gebiet der Werfte, endlich das Hinterland dieser Donauuferstrecke bis zur Eisenbahn Orsova-Turn-Severin. Die Eisenbahn mit Gebäuden, Betriebs- und Geleiseanlagen—jene der Werfte ausgenommen—ist von der Pachtung ausgeschlossen.

Oesterreich-Ungarn verpflichtet sich, als Anerkennungszius für diese pachtweise Ueberlassung jährlich den Betrag von 1000 Lei an Rumänien zu zahlen. Oesterreich-Ungarn übernimmt weiter die Verpflichtung, die von Rumänien gepachtete Werftanlage niemals an eine andere Macht weiter zu verpachten. Sollte später einmal Oesterreich-Ungarn die Werfte samt allem, was dazu gehört, vor Ablauf der Pachtzeit an

Beginning with the date of the ratification of the peace treaty, Roumania leases to Austria-Hungary, provisionally for a term of thirty years, the shipyard of Turn-Severin with all of its installations, the shore of the Danube and the waters adjoining thereto, in so far as concerns anchorage, embarkation and debarkation, from the Hungarian-Roumanian frontier to including the area of the shipyard, and finally the Hinterland of this stretch of the Danube as far as the Orsova-Turn-Severin railway. The railway with its buildings, its equipment and other improvements, together with its tracks—excluding those of the shipyard itself—are excepted from the lease.

By way of rent, in principle, for this transfer in the form of a lease, Austria-Hungary obligates herself to pay to Roumania an annual sum of 1000 (one thousand) Lei. Austria-Hungary furthermore assumes the obligation never to sub-lease to another Power the shipyard with its installations which Roumania leases to her. In case Austria-Hungary should subsequently retransfer to Roumania the shipyard with all its installations before the expiration of the period of

Rumänien zurückgeben, so steht es Rumänien frei, die Investitionen, die Oesterreich-Ungarn dortselbst gemacht hat, abzulösen. Sollte Rumänien hiervon keinen Gebrauch machen, so hat Oesterreich-Ungarn das Recht, das gesamte, in die Werft eingebrachte Inventar und Material sowie die dortselbst errichteten Anlagen zu entfernen. Das gleiche gilt für den Fall, daß der Pachtvertrag nach Ablauf der Pachtzeit von Rumänien nicht verlängert werden sollte, was die rumänische Regierung Oesterreich-Ungarn spätestens drei Jahre vor dem Ablauf des Vertrages mitzuteilen hat, widrigenfalls der Vertrag für weitere zehn Jahre verlängert erscheint.

Oesterreich-Ungarn behält sich das Recht vor, unter den gleichen Bedingungen, die für die Pachtung des Werftgebietes gelten, die Inseln Sinianu, Corbu und Ostovu-Mare ganz oder teilweise in Pacht zu nehmen. Die Exploitation der Bodenoberfläche der Inseln bleibt dem rumänischen Staate vorbehalten, soweit durch die Ausübung dieses Rechtes die Errichtung von Hafenanlagen und Anlageplätzen durch Oesterreich-Ungarn nicht beeinträchtigt wird. Die noch erforderlichen Einzelheiten dieser Pachtung werden in einer besonderen Vereinbarung festgesetzt, insbesondere auch was die genaue¹ Abgrenzung des Pachtgebietes zwischen Werft und Bahnhof anbelangt. Es besteht indes schon jetzt zwischen den vertragsschließenden Teilen Einverständnis über nachstehende Punkte:

1. Auf dem Pachtgebiete werden von seiten der rumänischen Militär- und Zivilorgane Amtshandlungen nur im Einverständnis mit der Werftverwaltung vorgenommen werden.

the lease, Roumania would be entitled to refund the expenses there incurred by Austria-Hungary. Should Roumania not avail herself of this right, Austria-Hungary would then be entitled to remove thence all the movable property and material brought to the shipyard besides the improvements there made by her. This also applies in case the leasing contract should not be extended by Roumania after the expiration of the period of the lease, a fact of which the Roumanian Government would have to advise Austria-Hungary at least three years in advance of the expiration of the contract, failing which the contract is extended for a further period of ten years.

Austria-Hungary reserves unto herself the right to take over the lease of all or part of the islands of Sinianu, Corbu and Ostovu-Maró, on the same conditions as have been agreed upon in the lease of the shipyard. The exploitation of the soil of these islands is reserved unto the Roumanian State in so far as the exercise of this right does not interfere with the erection of harbor installations and debarkation places on the part of Austria-Hungary. The necessary details of this lease will be defined in a special agreement, with particular reference to the exact delimitation of the territory leased between the shipyard and the station. In the meantime an understanding has already been come to between the contracting parties with regard to the following points:

1. Within the territory leased the military and civil administrations of Roumania will officially intervene only in agreement with the administration of the shipyard.

¹ "P. 1." has genau.

2. Dem Frachten- und Personenverkehr der Werfte mit den beiden Staaten der Monarchie wird rumänischerseits jede nur mögliche Erleichterung gewährt werden.

3. Rumänischerseits wird die zoll- und gebührenfreie Einfuhr sämtlicher für den Betrieb der Werfte bestimmten Materialien und für das Zugehör eingeräumt. Die gleiche Freiheit gewährt Rumänien für die nach den beiden Staaten der Monarchie beförderten Erzeugnisse der Werft.

4. Die Werfte sowie deren Angestellte sollen in Rumänien keinerlei Steuern unterworfen sein, die nicht schon zur Zeit des Abschlusses des Vertrages für rumänische Untertanen bestanden haben.

Der Vertrag tritt gleichzeitig mit dem Friedensvertrag in Kraft. Zum Abschluß der darin enthaltenen Vereinbarungen werden sogleich nach der Ratifikation Vertreter der vertragsschließenden Teile in Turn-Severin zusammentreffen.

2. By all means possible Roumania will facilitate the communication between the shipyard and the two States of the Monarchy in respect to the transportation of goods and passengers.

3. Roumania will grant exemption from customs dues and taxes of whatever nature for all material intended for the use of the shipyard and for accessories necessary to its operation. Roumania grants the same exemption to all the products of the shipyard destined for the two States of the Monarchy.

4. The shipyard and all its employes shall not be subject in Roumania to any kind of imposts which did not already apply to Roumanian subjects at the time of the conclusion of the contract.

This treaty goes into force simultaneously with the treaty of peace. For the purpose of reaching the agreements referred to herein, representatives of the contracting parties will meet at Turn-Severin immediately after the ratification.

12. AUSTRIA-HUNGARY—GERMANY.

SUB-LEASE OF THE TURN-SEVERIN DOCKS, SUPPLEMENTARY TO THE TREATY OF PEACE BETWEEN ROUMANIA AND THE CENTRAL POWERS. SIGNED AT BUCHAREST, 7 MAY, 1918. ADHESION BY ROUMANIA.

[German text as published in the Pester Lloyd, at Budapest, 19 May, 1918.]

[Translation.]

§ 1. Oesterreich-Ungarn wird spätestens vier Wochen nach Unterzeichnung des Friedens mit Rumänien dem Deutschen Reiche oberhalb der Schiffswerft Turn-Severin, innerhalb des Pachtstreifens zwischen der Werft und der neuen österreichisch-ungarischen Grenze ein am Wasser liegendes Gelände (im Umfange der Oesterreich-Ungarn auf Grund des Pachtvertrages am 7. Mai 1918 zustehenden Rechte) zur Verfügung stellen, welches die gleiche Größe besitzt wie der jetzige deutsche Sonderbetrieb nach der Vereinbarung vom 10. September 1917 und welches ebenso geeignet wie dieser für eine Werftanlage mit Aufschleppe ist.

Das Gelände für den neuen deutschen Betrieb wird gemeinsam von österreichischer, ungarischer und deutscher Seite ausgesucht werden, wobei der Grundsatz gilt, daß das Gelände gegen Eisgang, Strom- und Westwind nicht schlechter liegt als die jetzige Werft. Der neuen Werft wird Möglichkeit eines Geleisanschlusses an die rumänische Staatsbahn auf kürzestem Wege gewährt werden. Die Route für den

§1. Four weeks at the most after the signing of peace with Roumania, Austria-Hungary will place at the disposal of the German Empire at the upper end of the Turn-Severin shipyard, within the strip leased between the shipyard and the new Austro-Hungarian frontier, a section of land bordering on the river course (according to the rights granted to Austria-Hungary by the leasing contract of 7 May, 1918) of the same area as that over which operates at present the special German enterprize in accordance with the agreement of 10 September, 1917, and which is adapted, even as the latter, for the maintenance of a shipyard with space enough for towing purposes.

The ground destined for the new German enterprize will be defined in common between Austria, Hungary and Germany on the condition that it will not occupy a less favorable site than the present shipyard with regard to the driving of ice, the river and western winds. A possibility will be allowed the new shipyard of constructing a rail connection with the Roumanian State railway by the most direct route.

Bahnanschluß wird bei der Bestimmung des Geländes mitfestgelegt. Die Fertigstellung der neuen deutschen Werft und Uebergabe des jetzigen deutschen Sonderbetriebes an Oesterreich-Ungarn erfolgt spätestens mit Ablauf des unter § 2 festgelegten Pachtrechtes. Für die Aufgabe des deutschen Sonderbetriebes an jetziger Stelle wird Deutschland von Oesterreich-Ungarn in der Weise entschädigt werden, daß es von Oesterreich-Ungarn eine einmalige Abfindung von Mark 350.000 (dreihundertfünfzigtausend) erhält.

§ 2. Die Uebergabe des neuen Geländes zur Bearbeitung erfolgt sofort. Die Uebergabe des jetzigen deutschen Sonderbetriebes erfolgt bis zur Fertigstellung dieser Werft, und zwar spätestens drei Jahre nach Wiederherstellung des allgemeinen Friedens zwischen den Großmächten. Gelingt es Deutschland, den neuen Betrieb zu einem früheren Zeitpunkte fertigzustellen und in Betrieb zu bringen, so wird das Deutsche Reich den jetzigen Sonderbetrieb der Werft Turn-Severin schon früher zurückgeben.

Bis zur Räumung nach diesen Bestimmungen läßt Oesterreich-Ungarn denjenigen Teil des Pachtgeländes, der nach der Vereinbarung zwischen der deutschen und der österreichisch-ungarischen Obersten Heeresleitung vom September 1917 der deutschen Heeresverwaltung überwiesen ist, nebst allen auf ihm befindlichen Baulichkeiten und Anlagen sowie dem davorliegenden Donauufer und Gewässer dem Deutschen Reich zur freien Benützung für den Betrieb einer deutschen Werft. Auf den dem Deutschen Reich überlassenen Teil des Pachtgeländes und seinen Betrieb finden alle Bestimmungen sinn-gemäße Anwendung, die in dem Vertrage zwischen Oesterreich-Ungarn und Rumänien über die Gesamtpachtung verein-

The junction line on the railway will be defined at the same time as the determination of the land area itself. The completion of the new German shipyard and the transfer of the present German ship enterprise to Austria-Hungary will be effected at the latest with the expiration of the leasing right established under § 2. For the surrender of the German ship enterprise in its present location, Germany will be indemnified by Austria-Hungary in the amount of 350,000 (three hundred and fifty thousand) marks payable in one sum.

§ 2. The transfer of the new land will take place immediately for the use intended. The transfer of the German ship enterprise will take place upon the completion of this shipyard and at the latest three years after the reestablishment of general peace between the Great Powers. If Germany is able to complete the new enterprise and to operate it within a shorter period of time, the German Empire will, even at an earlier date, turn over its present ship enterprise to the Turn-Severin shipyard.

Until the time of the evacuation in accordance with these provisions, Austria-Hungary puts at the disposal of the German Empire, with a view to the operation of a German shipyard, that part of land leased by her and made over to the German military administration in accordance with the agreement of September 1917 between the German and Austro-Hungarian High Military Command, together with all constructions and installations within this area, as well as the frontal shore of the Danube and its waters. All the provisions agreed upon in the treaty between Austria-Hungary and Roumania regarding the joint leasing of the

bart worden sind. Der Betrieb des an Deutschland überlassenen Teiles der Werftanlage bleibt unter deutscher militärischer Oberleitung so lange, als der Betrieb der österreichisch-ungarischen Werft unter militärischer Leitung steht. Geht die k. u. k. Werft an eine Privatgesellschaft über, so darf auch der deutsche Werftteil einer Privatgesellschaft übertragen werden. Der Betrieb der deutschen Werft ist von dem k. u. k. Werftbetriebe unabhängig und untersteht dessen Leitung nicht. Kraft und Licht werden dem deutschen Betriebe gegen Kostenersatzung wie bisher weiter gewährt. Der deutsche und der österreichisch-ungarische Werftteil werden sich in ihren Betrieben nach Möglichkeit unterstützen und Aufträge für einander zu den gleichen Bedingungen ausführen wie für eigene Staatsangehörige, so lange, als beide Betriebe militärisch geleitet werden.

§ 3. Oesterreich-Ungarn überläßt dem Deutschen Reiche die freie Mitbenützung des als „Winterstand“ bezeichneten Wassergeländes oberhalb der Schiffswerfte Turn-Severin nach Maßgabe der zwischen der österreichisch-ungarischen und der deutschen Verwaltung zu treffenden Vereinbarungen.

§ 4. Die deutsche Regierung, beziehungsweise die deutsche Privatgesellschaft für die in den §§ 1-3 benannten Pachtrechte einen jährlichen Zins von 100 (hundert) Lei bezahlen. Außerdem verpflichtet sich die deutsche Regierung, Oesterreich-Ungarn an der

whole of the terrain, apply, according to their sense, to that part of the ground made over to the German Empire and to its exploitation. The exploitation of that part of the shipyard made over to Germany is left under the high direction of the German authorities as long as the exploitation of the Austro-Hungarian shipyard is under the direction of the military authorities. If the imperial and royal shipyard passes into the hands of a private company, the German operation of the shipyard may also be made over to a private company. The maintenance of the German shipyard is independent of the operations of the imperial and royal shipyard and does not come under the latter's direction. Power and light will continue to be supplied at cost to the German enterprise, as at present. The German and Austro-Hungarian shipyards will assist each other in their exploitation, as far as possible, and they will carry out orders for one another, on the same conditions as for the nationals of their own State, as long as the two enterprises remain under military direction.

§ 3. Austria-Hungary makes over to the German Empire the right, jointly with her freely to use pieces of land situated along the river above the Turn-Severin shipyard and corresponding to what is denoted as "winter moorings," on the basis of the agreement to be entered into between the Austro-Hungarian and German administrations.

§ 4. The German Government and eventually any private German company shall pay for the leasing rights specified in §§ 1-3, an annual rent of 100 (one hundred) Lei. Furthermore, the German Government pledges itself to furnish to Austria-Hun-

deutschen Schiffswerft in Giurgiu eine Kapitalbeteiligung von 10 Prozent anzubieten. Dem österreichischen und ungarischen Kapital wird, entsprechend dieser Beteiligung, Sitz und Stimme im Aufsichtsrat der deutschen Schiffswerft Giurgiu gewährt werden. Auch wird die Werft Giurgiu verpflichtet werden, österreichische und ungarische Aufträge ebenso zu behandeln und zu denselben Bedingungen auszuführen, wie deutsche Aufträge.

§ 5. Die deutsche und die österreichisch-ungarische Regierung werden die Zustimmung der rumänischen Regierung zu diesen Abmachungen alsbald nach deren Unterzeichnung gemeinsam herbeiführen.

Bukarest, am 7. Mai 1918.

Burian *m. p.*
Kühlmann *m. p.*
v. Koerner¹ *m. p.*

Die rumänische Regierung hat von dem vorstehenden Vertrage Kenntnis genommen und erteilt zu demselben in allen Punkten ihre Zustimmung.

Bukarest, am 7. Mai 1918.

gary an interest of ten per cent. on the capital of the German shipyard at Giurgiu. To Austrian and Hungarian capital there will be granted, to correspond to this participation, a number of seats and votes in the council of supervision of the German shipyard at Giurgiu. Furthermore, the Giurgiu shipyard obligates itself to treat Austrian and Hungarian orders in the same manner and upon the same terms as German orders.

§ 5. The German Government and the Austro-Hungarian Government will by mutual effort secure the adhesion of the Roumanian Government to these conventions immediately upon their signature.

Bucharest, 7 May, 1918.

Burian, *m. p.*
Kühlmann, *m. p.*
v. Koerner, *m. p.*

The Roumanian Government has taken cognizance of the above treaty, and upon all points therein, it gives its full adhesion to this treaty.

Bucharest, 7 May, 1918.

¹ "P. L." has Kooren.

13. OBSERVATIONS OF ENTENTE MINISTERS.

OBSERVATIONS BY ENTENTE MINISTERS AT JASSY WITH REGARD TO THE CONDITIONS OF PEACE IMPOSED UPON ROUMANIA BY THE CENTRAL POWERS, 16 MAY, 1918.

[English text as published in British Parliamentary Papers, Cd. 9102, 1918.]

To complete the information we have already furnished we communicate a statement of the conditions imposed on Roumania, which demonstrate in the best possible manner the insatiable greed and hypocrisy of German Imperialism.

By request of the Germans, one of the reports states that the treaty admits of neither annexation nor indemnity; but the territories taken from Roumania in the Dobrudja and in the mountain districts contain about one-tenth of the entire population, or more than 800,000 inhabitants, and extend to more than 26,000 square kilometers. Strategic reasons have been invoked to justify the rectification of frontiers. That pretext is absurd; if the Central Empires were to emerge victorious, Roumania would remain in the position of a German colony, and could not in any way constitute a menace to them; on the other hand, the victory of the Entente would reestablish the kingdom in its integrity, a fact which can not but be recognized by our enemies. In reality the most fertile forests of the mountain district are included in the territories joined to Hungary, and the principal object of these rectifications has been by this means to round off the sporting estates of the Hungarian nobles and to insure the prosperity of the forest exploitation companies, in which so many persons of importance in the two Empires are interested, and which will thus be in a position to create a monopoly of building timber.

The Central Empires have stated that the territories taken from Roumania were uninhabited. That is not the case. The district annexed to Hungary contains 170 villages, with a total population of over 130,000 inhabitants. This population is exclusively of the purest Roumanian stock, and has preserved its nationality through successive invasions in the mountain valleys, where it found an inviolable refuge during the domination of the Turk.

Finally, the monopoly in the exploitation of the forests and the sale of timber, as well as in the export of cereals, set up by the treaty to the profit of Germany, in reality represent a war indemnity, the payment of which will weigh heavily on Roumania for a long time to come. From this year onward the profit which Germany will realize as a result of the difference between the real value of the cereals and the prices imposed will be considerable.

Furthermore, the Austro-Germans have enforced the concession to themselves of the right to fix the amount of cereals to be exported, and the valuation of this amount is to be made in relation to their needs, and not in relation to the abundance of the harvests. By virtue of this arrangement Roumania, even after the signature of peace, will be forced to submit to a measure of rationing which may well amount to famine. Finally, it is the Roumanian Government who must advance the price of the produce purchased by the Central Empires, opening for them a current account, which need not be settled till a later date and at the latter's convenience.

The treaty has laid down a time limit within which the Roumanian Parliament are to approve its terms; no limit is provided for the exchange of ratifications, and unwillingness on the part of one of the interested Governments will thus be sufficient to ensure the indefinite prolongation to their profit of the enormous advantages which the Austro-Germans are still gaining from the state of war, which, in theory, still exists. The peace of 1913 has not yet been ratified by the Bulgarian Chambers, and this is a precedent which can be followed; besides, the ratification of the treaty by the Roumanian Parliament, which will certainly take place, can scarcely be considered as strictly legal. The two great historical Roumanian parties abstained from participating in the election of this Parliament, which thus took place under the pressure of the German occupation, before the Roumanian soldiers had been able to return to their homes in order to take part in it, and in pursuance of an electoral law which had been abrogated by the Parliament dissolved by the Marghiloman Ministry; this former Parliament was alone qualified to set up the new electoral system on the basis of universal suffrage, which had already been voted in principle. The names of the candidates in this pretence of an election were submitted for the approval of the German authorities, who, in any case, were already in possession of all necessary guarantees, owing to the previous appointment of M. Marghiloman and to the abstention of the pro-Entente party. Far from giving Roumania partial freedom, the present peace will complete her subjugation and her ruin; Germany will continue to occupy her territories, even after the ratification, which, as we have seen, she can put off as long as she may wish; the navigation of the Danube, the posts and telegraphs, and the railways remain under German control; by request of the Roumanian Government, a German delegate has been appointed to each ministry. War material and munitions are to be stored in the occupied territories and under the care of the German military authorities; finally, Roumania may only keep in being the forces necessary for policing her territory.

A German company for agricultural exploitation has been founded with a capital of 80 millions. It seeks to create a monopoly of Roumanian agricultural produce under the form of long leases, concluded under cover of the occupation, recognized by the treaties, and amounting, in reality, to expropriation in disguise. On the signature of the treaty of peace, the German command promulgated an order requiring the entire male population of the occupied territories, that is to say, of two-thirds of Roumania, between the ages of 14 and 60, to carry out such work as may be assigned to them. The penalties for disobedience include deportation and imprison-

ment, and, in some cases, which are not expressly defined, even that of death.

To sum up, Germany, by the treaty she has imposed on Roumania, has cynically ignored her own declarations. This treaty provides for the spoliation of the public lands, for the scarcely concealed annexation of the whole country, and, after the peace, for its barbarous exploitation, and for the draining of its resources to the profit of the conquerors; it turns Roumania into a veritable convict settlement, where the entire population is condemned to hard labor for the benefit of the conquerors. It is a fair example of a German peace. We should consider it all the more closely, inasmuch as the German delegates informed the Roumanian delegates, who were appalled at being required to accept such conditions, that they would appreciate their moderation when they knew those which would be imposed on the Western Powers after the victory of the Central Empires.

14. PROTEST OF ENTENTE MINISTERS.

PROTEST OF ENTENTE MINISTERS AT JASSY AGAINST MODIFICATION OF LEGAL STATUS OF THE DANUBE COM- MISSION, 19 MAY, 1918.¹

The Governments of the Entente have learned that the treaty signed at Bucharest on 7 May² between Roumania and the Central Powers contained clauses formally contravening international agreements and conventions to which they are signatories. The treaty of Bucharest in fact provides that the Danube below Braila shall be placed under the régime of a new Danube Commission which will only include delegates of States bordering on the Danube or on the European coast of the Black Sea. The constitution of this Commission, as well as every alteration brought about in the statutes of the European Danube Commission without the assent of all the signatories to the Conventions now in force, is a flagrant violation of these Conventions. Article XI of the Treaty of London, of 10 March, 1883,³ laid down the procedure to be followed for any alterations in the statutes of the Commission. Article IV of the Treaty of Paris of 30 March, 1856,⁴ laid down that the principles set forth in the Act of the Congress of Vienna for the regulation of navigation on rivers which pass through, or along the borders of, several States should in the future also be applied to the Danube and its mouths.

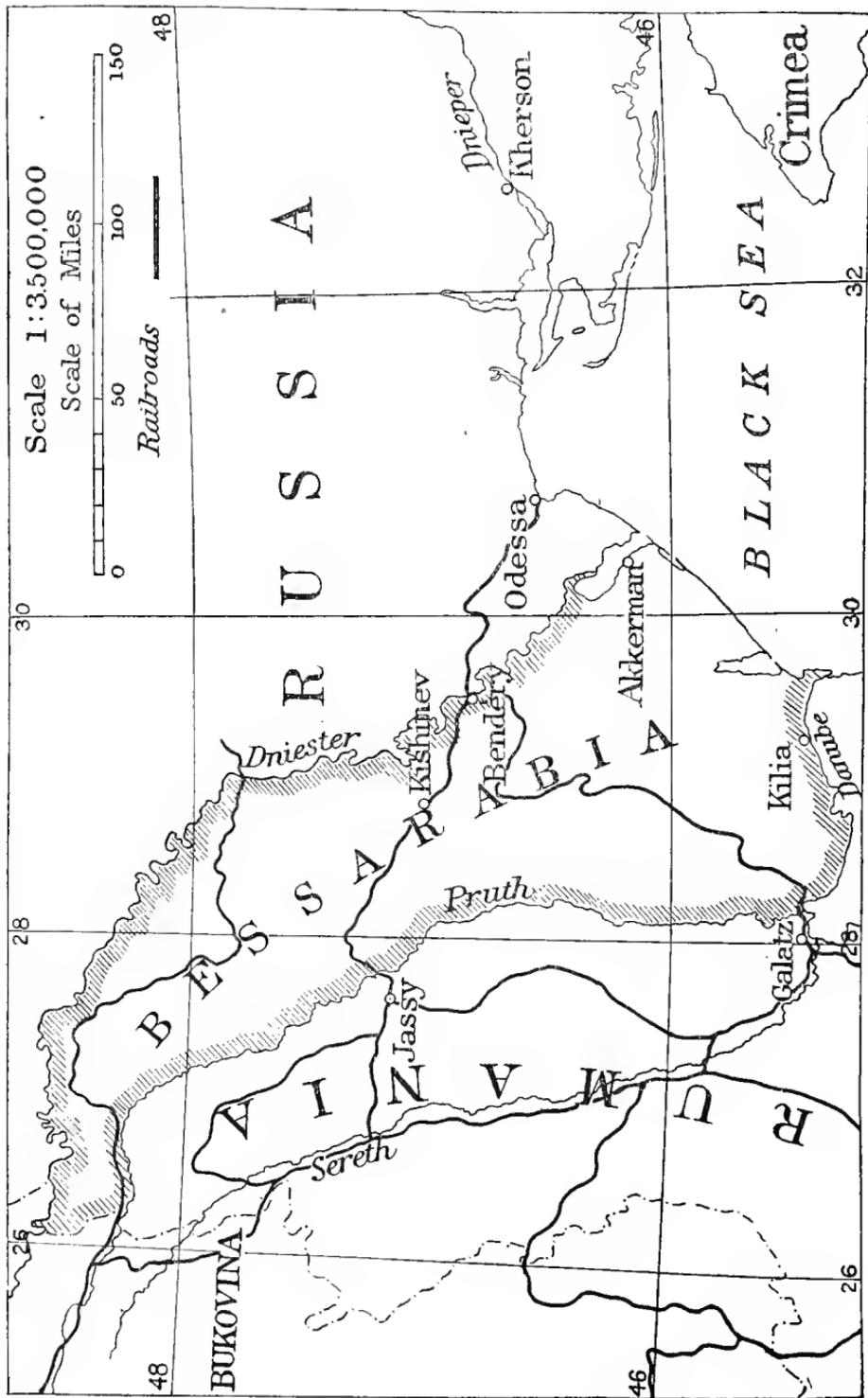
The provisions of the treaty of Bucharest are in opposition, both in form and substance, to the conditions which constitute the conventional legislation relating to the Danube, inasmuch as it modifies them, and the modifications it introduces take no account of the rules specially laid down on this subject. In these conditions, the Ministers of France, Great Britain, and Italy have the honour, by order of their respective Governments, to notify the Roumanian Government that the countries which they represent consider as non-existent any arrangement made independently of them regarding the navigation of the Danube, this question being one that can only be decided by the general peace and by agreement between all the Powers interested. In addition they make every reservation as to the consequence that may arise from any provisional régime which may be applied until that time.

¹ Text as published in the *London Times*, 21 May, 1918, p. 6.

² *Supra*, p. 5.

³ 46 *British and Foreign State Papers*, p. 8.

⁴ 74 *British and Foreign State Papers*, p. 20.



15. ROUMANIA—BESSARABIA.

ARTICLES OF UNION.¹

The Moldavian Democratic Republic (Bessarabia), within its boundaries the Prut, Dnyestr, Danube, Black Sea, and the old frontiers with Austria, torn away by Russia over a century ago from the body of old Moldavia, in virtue of historic and racial right, on the basis of the principle that nations alone shall determine their own destiny, henceforward and for ever unites itself with Roumania, its mother.

This union is made on the following bases:

1. The present Council of the Land ('Sfatul Tarii') continues in power in order to resolve and realise agrarian reform in accordance with the needs and demands of the nation. These decisions will be recognized by the Roumanian Government.

2. Bessarabia preserves its provincial autonomy, having a Council of the Land (Diet) elected in future by means of universal, equal, direct, and secret suffrage, with an executive organ and administrations of its own.

3. The Council of the Land is competent to

(a) vote the local budgets;

(b) control all the organs of the Zyemstva and towns;

(c) nominate all functionaries of the local administration through its executive organ while the high functionaries are confirmed by the Government.

4. The army will be recruited on the territorial principle.

5. The laws now obtaining and the local organization (Zyemstva and towns) remain in force and can only be changed by the Roumanian Parliament after representatives of Bessarabia shall take part in its labours.

6. Respect of the rights of the minorities of Bessarabia.

7. Two representatives of Bessarabia will enter the Roumanian Council of Ministers. For this once they will be appointed by the present Council of the Land, but in future taken from among the representatives of Bessarabia in the Roumanian Parliament.

8. Bessarabia will send to the Roumanian Parliament a number of representatives in proportion to the population, elected on the bases of universal, equal, direct, and secret suffrage.

9. All elections in Bessarabia for cantonal (volosti), village, and town councils, for the Zyemstva, and for Parliament, shall be made on the basis of universal, equal, direct, and secret suffrage.

¹ From the Political Intelligence Department, British Foreign Office, 12 August, 1918.

10. Personal liberty, liberty of the press, of speech, of belief, of assembly, and all communal liberties will be guaranteed by the Constitution.

11. All infringements of laws made for political reasons during the troubled times which have passed are amnestied.

As Bessarabia is uniting herself as a daughter with her mother Roumania, the Roumanian Parliament will decide on the convocation without delay of the Constituent in which, proportionately to its population, there will take part representatives of Bessarabia, elected by universal, equal, direct, and secret suffrage, to determine, together with them all, the insertion in the Constitution of the principles and guarantees aforementioned.

Long live the union of Bessarabia with Roumania for all time!

Accepted in the Council of the Land on the 27th March, 1918,
Chisinau.

(Signed) I. INCULET
(President of the Council of the Land)
I. BUZDUGAN
(Secretary of the Council of the Land.)

16. MEMORANDUM.

THE GEOGRAPHIC AND STRATEGIC CHARACTER OF THE FRONTIER IMPOSED ON ROUMANIA BY THE TREATY OF BUCHAREST.

By DOUGLAS W. JOHNSON, Major, U. S. A.

The accompanying maps show the approximate position of the new frontier between Roumania and Hungary as delimited in the Treaty of Bucharest, according to the terms of that treaty as published in the "Deutscher Reichsanzeiger" of 8 May, 1918, and printed in French translation in "La Roumanie" of 13 June, 1918. The present memorandum relates to certain geographic and strategic aspects of the new frontier, and is based on information furnished at my request by Professor L. Mrazec, Director of the Institut Geologique de Roumanie at Bucharest, member of the Roumanian Government's mission to the United States, and at present serving that Government in certain capacities at Paris; and on an inspection of certain of the terms of the treaty and its appendices, as published by the Ministère du Blocus et des Régions Libérées, at Paris.

1. Region of the Iron Gates of the Danube. By displacing the frontier 12 kilometers down stream, Austria-Hungary secures complete control of the strategically important Iron Gates, from time immemorial one of the great defiles of Europe, and the gate of entry to the Roumanian plain and the whole basin of the lower Danube. All of the mountain topography dominating the gateway on the north goes to Austria-Hungary, who can readily fortify the defile so as to render it impassable to an enemy. Her military control of the gateway would be even more complete if, as the plans of the Central Powers contemplate, northeastern Serbia passes under their domination. On the other hand, Roumania is left without any natural defense against an enemy debouching from the gateway, and all western Wallachia is left open to invasion from the west. The physical character of the river in the Gateway requiring extensive improvements which become the basis of tariffs on passing tonnage, assures to Austria-Hungary complete control over Roumanian commerce seeking exit or entrance by this route. Water power of enormous potential value passes to Austria-Hungary, for the descent of the stream through the narrow gorge is capable of supplying electric power sufficient to pump water for the irrigation of vast areas of the Wallachian plain, or for other useful purposes. At Gura Vaei, in the belt taken by Austria-Hungary, is located the quarry producing the best stone for hydraulic engineering work anywhere on the Danube, a sandstone exceedingly resistant and very durable under water.

It should further be noted that the change demanded by Austria-Hungary brings her within 4 kilometers of Turnu Severin, the port

d'entrée to the lower Danube basin and in many respects the most important port on the lower part of the river. Indeed, Austro-Hungarian territory is actually extended to the city itself by a provision of the treaty by which Roumania must lease to her enemy for 30 years the important shipyards at Turnu Severin, all of the north bank of the river from the shipyards up to the frontier, the hinterland back of the river bank as far as the railroad, and the waters of the river in front of this strip of land. (For all this Austria-Hungary pays a rental of \$200 a year.)

2. Sector of Danube for 50 kilometers downstream from the Iron Gates. Austria-Hungary reserves the right to lease, in whole or in part, the three largest islands in this sector of the Danube, viz., Sinianu, Corbu, and Ostovu-Maru. The first is of importance as a depot in connection with the shipbuilding yards at Turnu Severin. The physical conditions at the other two islands are significant. In each case the main current of the Danube is the right-hand or western branch, while the branch next to the Roumanian mainland is shallow and is filling with débris descending from steep, sandy banks. When the shallow eastern branches become inaccessible even to small vessels, or when the Austro-Hungarians construct great warehouses and ports on the islands, all steamer traffic will be limited to the western or deep branches of the river. Austria-Hungary will then control the Roumanian shore of the river for three long stretches of the first 50 kilometers below the Iron Gates: from the frontier to Turnu Severin as already explained, and the two sectors at the large islands. Now the latter two sectors are of the very greatest importance, for they cover the principal grain shipping points whose wheat will inevitably find exit through the new alien ports of western Roumania. In other words, the Austrian control of the Danube traffic arising from the possession of the Iron Gates and strengthened by acquisition of the Turnu Severin shipyards, is made more complete through the physical character of the river near the islands leased by Austria-Hungary, and extends to the commerce of Western Roumania tributary to the river at points controlled by the Austro-Hungarian authorities. When it is remembered (a) that Austria-Hungary in turn leases part of the Turnu Severin concession to Germany and that German interests have already established shipyards there; (b) that Germany compels Roumania to lease to her the best territory available for shipyards at Giurgevo, the river port of Bucharest and one of the most important ports on the river and that German shipyards are already in operation there; (c) that German and Austrian interests import duty free the machinery and other necessities for shipyards, ships, etc., and (d) that the Roumanians can not therefore hope to compete against their enemies in the matter of river transportation, one can readily see that the Danube River ceases to be open to the Roumanians and becomes in point of fact a Teutonic possession.

3. Sector from the Iron Gates to and including the Jiu River gorge. Northward from the Danube the frontier lies at the east base of the mountains, giving to Austria a terrain which forms an admirable defensive barrier for the route through the Iron Gates, and leaves Roumania with no natural protection on her western border. Farther north and east the frontier lies on the southern slope of the range, assuring to Austria-Hungary (a) secure protection for the Jiu coal basin near Petroseny, one of the largest and most important

coal deposits in Hungary; (b) possession of the valuable pine forests, which are especially important in the western part of this sector; (c) possession of water-power which is one of the great potential natural resources of Roumania; (d) control of the crest of the defensive barrier of the Transylvanian Alps, with a glacis on the southern slope, assuring excellent visibility of Roumanian movements in the lower country to the south, while at the same time affording exceptionally perfect concealment of possible future Austrian military concentrations on the Roumanian frontier; (e) complete control of Vulcan Pass and the Jiu gorge just east of it, through which the Austrian irruption into the Roumanian plain was first achieved in the present war. It should be noted that these Austro-Hungarian positions outflank every Roumanian position west of the Olt River, and would render imperative the evacuation of all western Wallachia immediately upon the mere threat of a new attack from the north. It was the capture of these positions after some months of heavy fighting which brought disaster to the Roumanian armies in the present war. By the Treaty of Bucharest, Austria-Hungary makes sure that the disaster will be repeated in a new war, instantaneously and without fighting.

4. Sector from Jiu Gorge to and including the Red Tower Pass. Again the Austro-Hungarians secure (a) the crest of the range and a glacis on the southern slope, giving them an enormous advantage in visibility of any future Roumanian military operations while concealing their own concentrations; (b) possession of the most important pine forests, together with valuable pasture lands; (c) extensive water power; and (d) control of the Red Tower Pass, which is in the hands of the Roumanians, defeated many attempts to enter the Wallachian plain in the present war, but which in Austro-Hungarian hands in a future war will outflank the defensive line of the Olt River and jeopardize the security of Bucharest itself.

5. Fogaras Mountains sector and eastward to the great bend of the Transylvanian Alps. Here also the crest of the range with its military advantages, the most important pine forests, valuable water power, and the highly important Predeal and Törzburg Passes are taken by Austria-Hungary. The passes in hostile hands open the direct route to Bucharest and insure quick possession of the petroleum fields. It is true that both here and south of the Red Tower Pass there are secondary crests which could be used for defensive purposes by the Roumanian armies in case of a new invasion, so that disaster would not be so imminent as farther west where the frontier lies nearer the southern base of the mountains; but there can be no doubt that the advantages to the Austro-Hungarian forces would be so great as to make a successful resistance by the Roumanian armies difficult if not impossible.

6. Moldavian sector, from the great bend of the Transylvanian Alps to Bukowina. Austria-Hungary takes additional territory east of the crest throughout most of this sector, thereby increasing the strategic advantages she already enjoyed; the principal pine forests, including the great forests of the Upper Bistrita River, rich pasture lands; valuable water power, including the especially important resources of the Upper Bistrita and its tributaries; the mountain passes, particularly the Gyimes and Oituz Passes, possession of which by the Roumanian armies absolutely checked all attempts of the

Austrian armies to invade Moldavia in the present war; and finally, the rich valley of the Sereth River northeast of Suczawa.

In general it may be said that the effects of the new frontier are (a) to deprive Roumania of all her important pine forests, forcing her to import her pine timber from the enemy in the future, and giving to Austria-Hungary a rich prize in the shape of state and crown forests which pass direct to the conquering States without any such payment to the owners as is necessary in the case of privately owned forests; (b) a large proportion of the most valuable water power of Roumania, a potential source of great wealth, passes to the enemy; (c) complete control of all the mountain passes, of the defensive crest of the greatest strategic value, of the observation stations having the highest visibility value, and of outflanking positions rendering Roumanian defense of much of their country impossible are secured by Austria-Hungary; (d) the Danube River becomes a Teuton-owned waterway.

With respect to the ultimate cession of the Dorbrudga to Bulgaria and the addition of Bessarabia to Roumania, it should be noted that the net result is practically to exclude Roumania from the sea. This situation arises from the fact that the shores of Bessarabia consist of a series of sand bars nearly or quite closing shallow lagoons which at best could be kept navigable for small vessels only. The outlet by the Danube mouth, from a port far inland and situated on a Teuton-controlled river, will in the future be even less satisfactory than in the past. The future development of Roumanian commerce will depend in important measure upon the development of the port Constanza, which alone affords an effective outlet for the country.

17. MEMORANDUM.

THE EFFECT ON DANUBE NAVIGATION OF THE "PEACE OF BUCHAREST."

By JOSEPH P. CHAMBERLAIN.

1. FREEDOM OF NAVIGATION.

The Treaty of Paris of 1856 assured freedom of navigation on the Danube to ships of all nations, and especially provided that no tolls should be laid on goods in transit. Austria unsuccessfully opposed the application of this principle to the upper river and attempted through her control of the riparian commission created by that treaty to limit navigation even on the lower river to vessels of riparian States, except navigation by seagoing vessels from and into the sea. The powers refused to accept her interpretation of the Treaty of Paris, but she has persisted in it for her part of the river. In the mouths of the Danube, under the control of the European commission, and in Roumanian waters there has been complete freedom of navigation for all flags since 1856.

The Treaty of Bucharest would put the control of the whole river into the hands of Germany, Austria-Hungary, Bulgaria, Turkey, and Roumania, which would in effect mean into the hands of the Teutonic powers. No limitations are put upon the regulations to be adopted, except that Roumanian waters must be free to the ships of the other contracting parties, and that the "obligations" of the European commission will continue. If this expression is interpreted to include the duty of keeping the mouths of the river open under equal terms to all flags, free navigation from the sea will be assured, subject to criticism noted hereafter; but Austria-Hungary and Germany will be able to close the river above Braila to all nonriparian steamers, tugs, or barges, or to so limit their activities that this lucrative traffic may be largely monopolized by German or Austro-Hungarian corporations or banking houses. Trade between Roumanian river ports, even, is open to the ships of the other contracting parties, who are free to refuse a like right to her ships in their own waters. With her long history of particularism on the Danube it is certain that Austria-Hungary will limit the participation of nonriparians in navigation and commerce in as many ways as her experienced ingenuity can contrive, and the principle of free navigation formerly in force on the lower Danube will disappear.

Goods as well as vessels of nonriparians may be discriminated against by the tolls which appear by Article XXIV B to be contemplated by the new convention of navigation, by exempting or putting into a special class goods of riparian, especially of Austro-Hungarian or German origin.

The Roumanian merchandise tax of one-half of 1 per cent ad valorem was instituted in 1863 to provide a fund for the improvement of ports and of the channel of the river. It has supplied most of the revenue for the river improvement in Roumania.¹ The new treaty takes from Roumania and vests in the powers who draw up the new river convention the right of determining her own sources of taxation for river improvement, since the taxes which are to take the place of the ad valorem tax must be in accordance with the new convention. (See Article XXIV C.)

2. EUROPEAN COMMISSION OF THE DANUBE.

The European commission was created by the Treaty of Paris of 1856, to prepare and have executed the works necessary for the improvement of navigation at the mouths of the Danube. It was composed of representatives of Austria-Hungary, Great Britain, France, Prussia, Sardinia, and Turkey. A commission, composed of representatives of the riparian States, was authorized by the same treaty to draft rules of navigation and to supervise the whole river, including its mouths. Under the lead of Austria, the riparian commission prepared a treaty signed by the riparian States which violated the requirements of the Paris Treaty that navigation should be free, and contained the germs of complete Austrian control of the river. The powers refused to approve the work of the riparian commission which then practically ceased to function. The European commission proved its worth so that its powers and the territorial limits of its jurisdiction were steadily extended in 1866, 1871, 1878, and 1883, though Austria in the main opposed its progress.

At the outbreak of the war, the commission had practically the control of the police of navigation and the engineering works on the Danube from Braila to the sea, except for the northern arm of the delta, which, by the Treaty of London of 1883, was taken from its control and put in effect under Russia, the local sovereign of the northern bank of that arm, and of almost all of its delta. The commission also controlled the port of Soulina, its own creation, at the mouth of the principal navigable arm of the river. Soulina, in Roumanian territory, was by Roumanian law a free port.²

The same powers were represented on the commission in 1914, except that Italy had taken the place of Sardinia, the German Empire, that of Prussia, and Roumania had been added, as nearly the whole stretch of the river over which the commission exercised authority, and the seat of the commission, Galatz, were in Roumanian territory.

The European commission has a high reputation for fairness and efficiency. Its rules were generally approved, its engineering works were well done, and the navigation tolls it collected to pay the cost of its improvements and operation have been reduced from 3.75 to 1.70 francs a ton. Its membership, the European great powers and Roumania, was such that it could not be made the instrument of selfish aims directed against or in the interest of any State, either represented or not, and in every instrument to which it owed its

¹ Raicoianu, *Le Danube*, p. 171, *passim*.

² Demorgny, *La Question du Danube*, p. 207.

authority, the principles of equal treatment for all flags, and freedom of navigation were laid down. Its membership was not illogical, though it was the only river commission on which nonriparian States were represented, as its authority solely extended over that stretch of the river navigable and navigated, from the sea, a recognized European interest, and the weak State most interested, Roumania, considered it as a bulwark against Austrian and Russian aggression. Each of the nonriparian great powers represented had commercial interests at stake in the transport trade by sea. British ships, in particular, supplied in 1913 more seagoing tonnage than all the riparian powers, including Germany and Austria-Hungary.¹

The projected commission would not offer the same security to States interested in seagoing traffic to the Roumanian ports or to the small Danube States. Its composition would depend upon the outcome of the war, as Servia and Russia were, to the contracting powers, uncertain quantities. But the political preponderance of Austria-Hungary and Germany, especially if Turkey and Bulgaria remain in the quadruple alliance, would be sufficient to enable the Teutonic States to dictate tolls and regulations to hamper the Danube commerce of not represented States. The chief sufferer would be Roumania, interested above all in keeping the river open for its water-borne commerce, with England and Western Europe, and in cheap rates for its grain.

The treaty does not require equality of treatment for all flags, nor does the commission as instituted seem likely to assure it. The commission can easily be used as a means of pressure on Roumania and Bulgaria, as in effect it vests in the Teutonic powers that control of the lower river which Austria has steadily sought. No commission is created for the upper river, so the lower Danube States have no right in the Austrian-Hungarian Danube corresponding to the Teutonic influence in their waters.

3. THE CATARACTS AND IRON GATES.

The Cataracts and Iron Gates are a series of rapids where the Danube breaks through the mountains dividing the Roumanian and Serbian from the Hungarian Plains. The worst of the rapids lie between Moldava and Turnu-Severin. The whole southern bank before the war was Serbian, the northern, Hungarian to Orsova, then Roumanian to Turnu-Severin. The navigation is very difficult on account of the shallowness and rapidity of the river and the dangerous reefs in its bed; in low water only light-draught steamers can pass, so that the season for navigation of larger boats is short, and the transshipment necessary in consequence increased river freights very appreciably.²

By Article VI of the Treaty of London (1871) the States riparian to the Cataracts and the Iron Gates were authorized to lay a toll to repay the cost of the works of improvement which they were expected to make, but nothing having been accomplished by 1878, the Powers by Article LVII of the Treaty of Berlin in that year, delegated to Austria-Hungary the duty of carrying out the necessary improve-

¹ Baicoianu, *op. cit.* pp. 110-111.

² Demorgny, *op. cit.* p. 14; Baicoianu, *op. cit.* pp. 133-134; Blociszewski, *Revue General Droit, International Public*, 1897, Vol. IV, p. 105.

ments with the same right of levying a toll to pay the cost. This duty was delegated by Austria to Hungary and the works of improvement between Moldava and Turnu-Severin were opened in 1899. They have been much criticised even by Austrian writers as insufficient and costly, and as requiring heavy added expense to make them practical.¹

Hungary has made regulations, laid a passage toll and established a Hungarian authority for the whole river from Moldava to Turnu-Severin, though on part of this stretch she owns neither bank.² The toll is on both boats and cargoes, and for certain heavy goods, chiefly Austrian products, it is considerably reduced. Furthermore, it is laid on tonnage without regard to value, so that high-priced Austrian manufactured products pay the same rate per ton as low-priced Roumanian wheat. Tonnage dues are also fixed by the regulation and the Hungarian authority decided finally on all contests.³ This claim of Hungary's to fix and change tolls arbitrarily is contested on strong grounds as not supported by the treaties. Austria-Hungary was authorized only to recoup the cost of construction, which implies at least some supervision of the receipts, and the estimate of the cost either by the riparian Powers or the signatories to the treaty of Berlin.⁴ No treaty gives Hungary the right to make regulations governing the use of the river outside her own territory and it is claimed that Austria has no authority to delegate her power to collect tolls.

The new treaty consecrates the claim of Hungary to its fullest extent and turns over to that power control of the important reach of the river between Roumania and Hungary and their up-river neighbors. It emphasizes the condemnation by a recent Roumanian author of the Hungarian régime:

The régime of the Iron Gates, in classifying goods and subjecting them to different tolls, according to the special interests of Hungary, assumes the character of a terrible arm of commercial policy of a nature not only to render illusory the principle of freedom of navigation, but also to seriously injure the development of international commerce on the Danube.⁵

4. WARSHIPS AND NEUTRALITY.

The powers represented in the European commission since 1856 have had the right to keep two light warships at the mouth of the river, whose duty it was to enforce the regulations and the treaties, each against merchantmen flying its own flag. The guard ship of the territorial Power was called upon to act against the merchant vessels of Powers not represented. The Treaty of Paris contained no specific provision in regard to warships on the river, as by that treaty the Black Sea was neutralized [and only a few small Turkish or Russian warships were allowed in its waters]. By the Public Act of 1866, signed by Austria-Hungary, France, Great Britain, Italy, Prussia, Russia, and Turkey, the works of the European Com-

¹ Baicoianu, *op. cit.* p. 147, *passim.*; Domorgny, *op. cit.* p. 310; Bloiczewski, *op. cit.* p. 111.

² Baicoianu, *op. cit.* p. 138.

³ For Regulations, see Maican, *La Question du Danube*, p. 180, *passim.*

⁴ See writers cited, also *Nouv. Rev.*, June 30, 1916, article by D. Mitrany. For Servian view see Cvijic, *L'annexion de Bosnie et la Question Serbe*, pp. 7-8, 12.

⁵ Baicoianu, *op. cit.* p. 144.—The "rectification" of the frontier between Roumania and Austria-Hungary grants to Austria-Hungary the Roumanian bank of the river nearly to Turnu-Severin, thus making practically the whole of the northern bank of the Iron Gates-Cataracts stretch of the Danube Hungarian territory. See Art. IX.

mission were expressly put under the guaranty of international law, and, as well as its personnel, neutralized. This neutrality was again declared in the Treaty of London of 1871 which abolished the neutrality of the Black Sea, with the additional provision that Turkey, as a territorial power, could send her warships up the Danube.

After the Turko-Russian war of 1877, the powers, by the Treaty of Berlin of 1878, prohibited fortifications on the river from the Iron Gates to its mouths and prohibited *any* warship from navigating the river below the Iron Gates. This provision has raised objection in Roumania as it prevents the defense of the country on the lower Danube.¹

The Bucharest Treaty authorizes the riparian States, except Servia and Turkey, to keep warships on the river, a complete reversal of former policy of neutralization. Furthermore, it permits the upper riparians, Austria-Hungary and Germany, to keep their warships in Roumanian and Bulgarian waters, but does not grant to Bulgaria and Roumania reciprocal rights to send their ships up stream through Austria or Germany. This provision is an effective means of advancing German and Austro-Hungarian interests on the lower river and of coercing the lower States under the cover of conferring apparently equal rights to all riparians, except Serbia. German U-boats would have an inside passage to the Black Sea, closed to them by Article LII of the Treaty of 1878. It does not respond to the Roumanian desire to defend the Danube, but in fact makes that defense less easy.

5. CONCLUSION.

The treaty secures the hold of the Teutonic powers on the Danube through the organization of States to draft a new navigation act, through the exclusion of other great powers from the Danube mouths commission, through the right to keep an unlimited number of warships on the river, and through the recognition of Hungary's claim to fix tolls and to make rules for the regulated stretch at the Iron Gates. Bulgaria and Roumania are in appearance given an equal share in drafting the new navigation act and in the new Danube mouths commission, but opposition from them to the will of the great powers, especially with Russia out of the way, could scarcely be expected, and if it should arise, the vote of Turkey was evidently depended upon to support the Central Powers. Turkey has no right as a riparian to share in the drafting of a navigation act except as one of the joint grantees of part of the Dohrudja²; she has no territory of her own on the river, and of all the powers on the old European commission, she was the least important as a guardian of European interests, while her own share in the trade of the mouths of the river was less than that of most of her associates. The rights given her appear either as a concession to her pride, or as a result of the wish of the dominant States to create a sure majority for themselves.

The Danube provisions of the treaty, important enough in themselves, become still more impressive in connection with the plan to link the Danube with German rivers by barge canals. The Central

¹ Baicoianu, *op. cit.*, p. 127, *passim*.

² See Art. X, b.

Powers by this treaty would secure that control of the navigation and development of the Danube necessary to give them a German water highway to the Black Sea and the Balkans and to police it with their own warships.

APPENDIX: SOME DOCUMENTS CONCERNING THE NAVIGATION OF THE DANUBE.

[*Treaty of Paris, Mar. 30, 1856; Hertslet, Map of Europe by Treaty, Vol. 2, p. 1257.*]

ART. XV. The Act of the Congress of Vienna having established the principles intended to regulate the Navigation of Rivers which separate or traverse different States, the Contracting Powers stipulate among themselves that those principles shall in future be equally applied to the Danube and its Mouths. They declare that its arrangement henceforth forms a part of the Public Law of Europe, and take it under their Guarantee.

The Navigation of the Danube cannot be subjected to any impediment or charge not expressly provided for by the Stipulations contained in the following Articles: In consequence, there shall not be levied any Toll founded solely upon the fact of the Navigation of the River, nor any Duty upon the Goods which may be on board of Vessels. The Regulations of Police and of Quarantine to be established for the safety of the States separated or traversed by that River, shall be so framed as to facilitate, as much as possible the passage of Vessels. With the exception of such Regulations, no obstacle whatever shall be opposed to Free Navigation.

ART. XVI. With a view to carry out the arrangements of the preceding Article, a Commission, in which Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey, shall each be represented by one delegate, shall be charged to designate and to cause to be executed the Works necessary below Isatcha, to clear the Mouths of the Danube, as well as the neighboring parts of the Sea, from the sands and other impediments which obstruct them, in order to put that part of the River and the said parts of the Sea in the best possible state for Navigation.

In order to cover the Expenses of such Works, as well as of the establishments intended to secure and to facilitate the Navigation at the Mouths of the Danube, fixed Duties, of a suitable rate, settled by the Commission by a majority of votes, may be levied, on the express condition that, in this respect, as in every other, the Flags of all Nations shall be treated on the footing of perfect equality.

ART. XVII. A Commission shall be established, and shall be composed of delegates of Austria, Bavaria, the Sublime Porte, and Wurtemberg (one for each of those Powers), to whom shall be added Commissioners from the Three Danubian Principalities, whose nomination shall have been approved by the Porte. This Commission, which shall be permanent: 1. Shall prepare Regulations of Navigation and River Police; 2. Shall remove the impediments, of whatever nature they may be, which still prevent the application to the Danube of the Arrangements of the Treaty of Vienna; 3. Shall order and cause to be executed the necessary Works throughout the whole

course of the River; and 4. Shall, after the dissolution of the European Commission, see to maintaining the Mouths of the Danube and the neighbouring parts of the Sea in a navigable state.

ART. XVIII. It is understood that the European Commission shall have completed its task, and that the River Commission shall have finished the Works described in the preceding Article, under Nos. 1 and 2, within the period of two years. The signing Powers assembled in Conference having been informed of that fact, shall, after having placed it on record, pronounce the Dissolution of the European Commission, and from that time the permanent River Commission shall enjoy the same powers as those with which the European Commission shall have until then been invested.

ART. XIX. In order to insure the execution of the Regulations which shall have been established by common agreement, in conformity with the principles above declared, each of the Contracting Powers shall have the right to station, at all times, Two Light Vessels at the Mouths of the Danube.

**PUBLIC ACT OF NOV. 1, 1865, RATIFIED AT THE CONFERENCE OF PARIS
ON THE 28TH OF MARCH, 1866.**

[British and Foreign State Papers, Vol. 55, pp. 93, 94, 99.]

ART. I. All the works and establishments created in execution of Article XVI of the Treaty of Paris of 30th March, 1856, with all belonging to or depending from them, shall continue to be devoted exclusively to the use of the navigation of the Danube, and can never be turned aside from this object for any motive whatever; to this end they are placed under the guarantee and protection of international law.

ART. XXI. The works and establishments of all kinds created by the European Commission of the Danube, or by the authority which shall succeed it, in execution of Article XVI of the Treaty of Paris, particularly the Navigation Cash Office at Sulina, and those which it may hereafter create, shall enjoy the neutrality stipulated by Article XI of the said Treaty, and shall be, in case of war, equally respected by all the belligerents.

The benefit of this neutrality shall be extended, with the obligations which spring from it, to the general inspection of the navigation, to the administration of the port of Sulina, to the staff of the Navigation Cash Office and Seamen's Hospital, and lastly to the Technical Staff charged with the superintendence of the works.

TREATY OF LONDON, MARCH 13, 1871.

[Herslet, Map of Europe by Treaty, Vol. 3, p. 1921.]

ART. IV. The Commission established by Article XVI of the Treaty of Paris in which the Powers who joined in signing the Treaty are each represented by a delegate, and which was charged with the designation and execution of the works necessary below Isaktcha, to clear the Mouths of the Danube, as well as the neighboring parts of the Black Sea, from the sands and other impediments which obstruct

them, in order to put that part of the River and the said parts of the sea in the best state for navigation, is maintained in its present composition. The duration of that Commission is fixed for a further period of 12 years, counting from the 24th April, 1871, that is to say, till the 24th April, 1883, being the term of the Redemption of the Loan contracted by that Commission, under the Guarantee of Great Britain, Germany, Austria-Hungary, France, Italy, and Turkey.

ART. VI. As the Powers which possess the shores of that part of the Danube where the Cataracts and the Iron Gates offer impediments to navigation reserve to themselves to come to an understanding with the view of removing those impediments, the High Contracting Parties recognize from the present moment their right to levy a Provisional Tax on Vessels of commerce of every flag which may henceforth benefit thereby, until the extinction of the Debt contracted for the execution of the Works; and they declare Article XV of the Treaty of Paris of 1856 to be inapplicable to that part of the River for a space of time necessary for the repayment of the debt in question.

ART. VII. All the Works and Establishments of every kind created by the European Commission in execution of the Treaty of Paris of 1856 or of the Present Treaty, shall continue to enjoy the same Neutrality which has hitherto protected them, and which shall be equally respected for the future, under all circumstances, by the High Contracting Parties. The benefits of the immunities which result therefrom shall extend to the whole administrative and engineering staff of the Commission. It is, however, well understood that the provisions of this Article shall in no way affect the right of the Sublime Porte to send, as heretofore, its Vessels of War into the Danube in its character of Territorial Power.

TREATY OF BERLIN, JULY 13, 1878.

[*Herslet, Map of Europe by Treaty, Vol. 4, p. 2793.*]

ART. LII. In order to increase the guarantees which assure the freedom of navigation on the Danube which is recognized as of European interest, the High Contracting Parties determine that all the fortresses and fortifications existing on the course of the river from the Iron Gates to its mouths shall be razed, and no new ones erected. No vessel of war shall navigate the Danube below the Iron Gates with the exception of vessels of light tonnage in the service of the river police and Customs. The "stationnaires" of the Powers at the mouths of the Danube may, however, ascend the river as far as Galatz.

ART. LIII. The European Commission of the Danube, on which Roumania shall be represented, is maintained in its functions, and shall exercise them henceforth as far as Galatz in complete independence of the territorial authorities.

ART. LVII. The execution of the works which have for their object the removal of the obstacles which the Iron Gates and the Cataracts place in the way of navigation is entrusted to Austria-Hungary. The Riverain States on this part of the river shall afford every facility which may be required in the interest of the works.

The provisions of the VIth Article of the Treaty of London of the 13th March, 1871, relating to the right of levying a provisional tax in order to cover the cost of these works, are maintained in favor of Austria-Hungary.

TREATY OF LONDON, MARCH 10, 1883.

[*Herslet, Map of Europe by Treaty, Vol. 4, p. 3107.*]

ART. I. The jurisdiction of the European Commission of the Danube is extended from Galatz to Ibraila.

ART. II. The powers of the European Commission are prolonged for a period of 21 years, dating from the 24th April, 1883 [then for three-year terms unless denounced].

ART. III. The European Commission shall exercise no effective control over those portions of the Kilia branch of which both banks belong to one of the Riverain States of that branch.

[NOTE.—This refers to the Delta of the Kilia or northern arm where Russia owns both banks of the Delta Arms.]

[Arts. IV to VI give to the Russian and Roumanian Delegates of the European Commission the duty of enforcing the regulations of the Commission on the Kilia branch where Russia and Roumania are co-riparians and limit their rights to undertake works. Russia, by Art. VI, is expressly granted the right to "levy tolls intended to cover the expenses of the Works undertaken by her" in the Kilia Branch.]

18. ROUMANIA.

AMNESTY BILL, PRESENTED TO THE CHAMBER OF DEPUTIES, IN CONSEQUENCE OF ARTICLES 31, 32, AND 33 OF THE TREATY OF PEACE BETWEEN ROUMANIA AND THE CENTRAL POWERS. PRESENTED 17 SEPTEMBER, 1918.

[English text as published in the (British) Daily Review of the Foreign Press, 27 September, 1918, p. 463.]

ARTICLE 1. A full and complete amnesty is granted to all persons forming part of the armed forces of the country for acts committed by them while prisoners of war of Powers at enmity with Roumania in the present war. The same amnesty is granted to all civilians for acts committed by them during internment or enforced residence. The same amnesty is granted to all subjects of the country for their political conduct during the war or for their military conduct based on political motives. Consequently no new prosecutions will be instituted, the trials now proceeding will be stopped, and the sentences imposed will not be carried out.

ART. 2. Persons amnestied will cease to be members of the army as officers, without suffering any loss of their rights and of their pensions, which remain intact.

ART. 3. Officers condemned in their absence who desire to retain their posts in the active army or in the reserve are at liberty to declare in writing that they renounce the benefit of the amnesty and ask for a fresh trial in the full possession of their rights.

ART. 4. Regulations will be framed dealing with the procedure and application of the present law.

19. ROUMANIA.

STATEMENT OF GROUNDS FOR THE AMNESTY BILL PRESENTED TO THE CHAMBER OF DEPUTIES, 17 SEPTEMBER, 1918.

[English text as published in the (British) Daily Review of the Foreign Press, 27 September, 1918, p. 462.]

The statement of grounds for the Amnesty Law lodged to-day by the Government with the Bureau of the Chamber of Deputies, runs as follows: "Gentlemen, the Bill which we have the honour to lay before you for discussion is an inevitable consequence of the treaty of peace, we may even say it is a faithful copy of *Articles 31, 32, and 33* of the *Peace of Bucharest* which you have already voted. To-day, as at the moment you voted the peace, we can only conform rigorously to the prescriptions of the treaty which was imposed on us by the circumstances of the war, and which should be voted as soon as possible so that the peace may be ratified and the country return to normal conditions. With whatever sentiments we may regard this political act, and whatever may be the sentiments concerning it of all Roumanians, all meet here to-day in unanimous agreement. It remains for us to discharge the duty of making the supreme sacrifice and to consent to this last moral concession which still stands in the way of our return to normal national life. Even should the present Bill have the effect of throwing the veil of oblivion over dishonest and criminal proceedings, it constitutes nevertheless a just remedy for many acts of injustice, and many abuses committed owing to the unfortunate circumstances and conditions in which the war was carried on, and in any case the guilty parties, even though placed under the protection of the law in question, will not escape the verdict of public opinion.

20. ROUMANIA.

LAW REGARDING THE CANCELLING OF ALL LAWS AND MEASURES PASSED BY THE ENEMY AUTHORITIES IN THE PART OF ROUMANIA OCCUPIED BY THE ENEMY.

[Translation as published in the Department of State Weekly Reports, Near Eastern Affairs, No. 20, 20 June, 1918.]

Ferdinand,

Through the Grace of God and the National will—King of Roumania,

To those present and future, Health;

In view of the report of Our Minister Secretary of State of the Department of Justice under No. 8484/917;

And in view of the journal of the Council of Ministers No. 486/917, closed in the meeting of December 9th, 1917,

Under the reserve of the ratification by the Chambers,

We have decreed and decree:

ART. 1. The laws, the decrees, the regulations, the decisions, and in general all the dispositions taken by the legal powers are obligatory in the whole of the Roumanian kingdom, from the moment of their promulgation or their edict.

The administrative and judicial authorities will follow their application in such measure as the country will be freed and without any new publication.

ART. 2. Are without right and nonexistent:

(a) Any decisions of transfer of property or establishing of rights ordered or made by the enemy, direct or indirect, with regard to property or money belonging to the Roumanian state.

(b) Any decision of transfer of property or establishing of rights, all making or cancelling of mortgages, all removals from office, or revocations, all acts of confiscation, requisitioning, forced sales, fiscal spoliation, as also all other measures whether of political nature, or only of taking, pronouncing, ordering or executed by the enemy, direct or indirect, to the detriment of the goods and rights of any nature belonging to Roumanians in the occupied territory, in allied lands or enemy lands, even if made through judicial decisions.

Possessions belonging to the counties and districts, public foundations and of public use are also considered as property of particulars.

(c) Any decision of transfer of property or establishing of rights especially of the property and rights which will be made, directly or indirectly, on the part of the enemy, the object of one of the measures mentioned in the preceding articles.

(d) Any forced judgment in regard to property or effects made even in virtue of an indisputable executory title, against Roumanians or the civilian persons who are absent from the territory occupied by the enemy, whether they have left a representative or not. (Mandatory.)

A judgment against these persons will not be considered valid until six months after the signing of a general peace.

(e) All other measures taken by the enemy direct or indirect not in accordance with international conventions as also those which constitute an abuse of rights.

ART. 3. The money and property foreseen in Art. 2 above, reenters with retroactive effects and free of any burden posterior to the judgment into the possession of the rightful owner, in virtue of a presidential decision, of evacuation or of restitution, given in conformity with the dispositions of Art. 66 bis of the Civil Procedure, under the simple condition for the reclaimant to prove his possession in the moment of dispossession and without any obligations for the reclaimant to restitute the price or to pay any damages or any other kind of payment, and without that to him the rights of retention can be opposed for one year, or of any other right.

The procedure to be followed in resolving any such reclamation and the modes of attack against the presidential decisions are those enumerated in Art. 66 bis of the Civil Procedure.

Contrary, however, to the dispositions of the above-mentioned Art. 66 bis of the same decisions, executory through themselves, will have a definite character and not temporary.

ART. 4. No action in regard to money or property can be started against Roumanians, civilian persons, allies, or neutrals, who are absent from the occupied territory, even if they have left a mandatory, till six months after the signing of a general peace.

The judging of the actions in which these persons figure, whether as plaintiff, whether as defendant, and which will have been started before the occupation by the enemy, will remain suspended till after six months from the signing of a general peace.

Obligations of any kind, even small, as also judicial terms, will be suspended in the benefit of these persons and will not begin until six months after the signing of a general peace.

The time fixed for the fulfillment where there remains an interval of less than thirty days will be prolonged by one month after this time.

Decisions given which do not observe this disposition are null and void.

ART. 5. Money and property belonging to subjects of allied and neutral countries from the occupied territory come under the provisions of this decree.

ART. 6. Any person who, from the date of the publication of the present law, will give of his own will the support of his help whether for the execution of the illegal measures taken by the enemy with regard to the properties above mentioned, or will have sold, taken, given, or received in mortgage or pawn, property or goods as provided in these measures, will be punished with imprisonment from one to five years and with a fine from 500 lei to 20,000 lei, or only with one of these punishments.

In case of condemnation the Courts and Tribunals will be able to pronounce the interdiction of one or more of the rights shown in Art. 22 Codul Penal for the time of ten years.

All dispositions of Book 1 of the Penal Code are applicable to such infractions.

ART. 7. The dispositions taken through this decree, with the reservation of those stipulated through Art. 6, are applicable to the measures taken by the enemy from the day in which a state of war was declared.

ART. 8. Our Minister Secretary of State at the Department of Justice is entrusted with the execution of this decree.

21. MEMORANDUM.

THE GEOGRAPHY OF THE DOBRUDJA FRONTIER OF MAY, 1918.

By ELLEN C. SEMPLE, under the direction of MARK JEFFERSON.

That section of the Dobrudja crossed by the proposed frontier of the Bucharest Treaty is a rolling country of low relief, stretching for 35 miles between the Danube River and the Black Sea. The valley floors lie from 50 to 150 feet above sea level, and the hills between rise about 300 feet higher. The proposed frontier follows valley lines for the most part, except where it runs along Trajan's Wall across the middle zone of uplands, and where it crosses the coastal hill range to the Black Sea.

The advantages to Bulgaria of the proposed frontier are the following: The new boundary would bring Bulgaria within three miles of the Bucharest-Constanza Railroad, and give it ready access to the 12-mile bridge over the Danube, which is the strategic line of invasion of Roumania proper from the east. It would shorten the vulnerable Dobrudja frontier of Bulgaria to about 35 miles, as opposed to the 93-mile line of 1913. Though at the same time it would lengthen the Danubian frontier of Bulgaria, this constitutes no disadvantage because the river with its broad band of swamps forms a barrier boundary of natural defense. Only at one point, between Oltenita and Turtukai, is the Danube confined in a narrow channel readily crossed. The proposed frontier would transfer the control of this strategic point from Roumania to Bulgaria. The proposed boundary would also add to Bulgaria about 5,000 square miles of territory inhabited by Turks and Bulgars in the south and by Turks and Roumanians in the north. A meager rainfall, ranging from 16 to about 25 inches, explains the prevailing pastoral life in this region and the sparse population.

22. MEMORANDUM.

THE GEOGRAPHY OF BESSARABIA.

By ELLEN C. SEMPLE, under the direction of MARK JEFFERSON.

I. *Area* of Bessarabia is 17,143 square miles, population 2,686,600.

II. *The boundaries* are almost entirely natural, formed by the Black Sea and the Dniester, Pruth, and Danube Rivers. An arbitrary line, about 30 miles long, defines the northwestern frontier between the upper Dniester and Pruth. The Black Sea coast is a low, silted littoral, fringed with lagoons, and therefore accessible only to small vessels of shallow draft.

III. *Climate*.—The rainfall ranges from 17 inches in the south to 25 inches in the northwest. The summers are hot, and the winters fairly mild. The mean January temperature is 25° F.

IV. *Relief and soil*.—The southern part is a low-lying steppe, which furnishes pasturage for large herds of sheep, cattle, horses, and goats. The middle and northern parts are a hill country cut by many streams, valleys, and deep ravines. The fertile black-earth characteristic of the Ukraine stretches across Bessarabia in a broad belt, covering all of it except the extreme north and south.

V. *Agriculture*.—Owing to the conditions of climate and soil, agriculture and stock-breeding are the dominant occupations of Bessarabia. Grazing prevails in the southern grasslands. In the north tillage is well developed and very varied. The chief grain crops are wheat and maize; but this field agriculture is balanced by extensive vineyards, orchards, and gardens, together with beet and tobacco plantations.

VI. *Manufactures* are in their infancy, limited to working up certain local raw products. They embrace tanneries, soap works, cloth mills, and wine-making. Only the latter assumes considerable proportions. The exploitation of the mineral resources is restricted to salt, saltpeter, and marble.

VII. *Race elements* in Bessarabia are heterogeneous. Roumanians constitute 50 per cent of the population, reflecting the old political union of Bessarabia with Roumania. They are distributed over the northern and middle sections; Bulgars prevail in the southern steppes. Ukrainians form a narrow intermittent belt along the west bank of the Dniester, while about 30 colonies of Germans, aggregating 60,000 in 1897, are grouped west of the Dniester lagoon. Jews also are numerous, as indicated by the recent massacre in Kishinev. In 1897 they constituted 37 per cent of the population in the towns, and 12 per cent in the rural districts.

23. ROUMANIA—RUSSIA.

TREATY BETWEEN ROUMANIA AND RUSSIA, SIGNED 9 MARCH, 1918.

[English text as transmitted to the Department of State by the American Consul at Moscow.]

ARTICLE 1.

Roumania agrees to evacuate Bessarabia during the course of two months. She will evacuate immediately the strategic point of Jebrtavzy, the position is situated at the lower end of the bay near the mouth of the Danube. All positions evacuated by the Roumanians will be immediately occupied by Russian troops. By the end of two months there will remain in Bessarabia only one detachment of ten thousand men to guard the depots and railway lines.

ARTICLE 2.

At the signing of the treaty Bessarabian guard passes into the hands of the local, city, and country militia. The Roumanian military commander gives up the right of arrest and all judiciary and administrative functions generally, and these will pertain exclusively to the elected local authorities.

ARTICLE 3.

Roumanian subjects arrested in Russia will be exchanged for the Russian revolutionary officers and soldiers arrested in Roumania.

ARTICLE 4.

Roumania agrees not to take any hostile military or other action against the Russian Republican Federation of Councils of Workmen and Peasants and will not attempt to support those made by other States.

ARTICLE 5.

Russia agrees to put at the disposition of Roumania the excess grain in Bessarabia after the needs of the local population and the Russian troops have been satisfied. On the other hand Roumania has the right to purchase from the rest of Russia the products necessary to sustain the Roumanian population now located in Bessarabia (fish, fats, sugar, grain, *etc.*).

ARTICLE 6.

Russia returns to Roumania the food distribution points constructed by the Allies and destined for the alimentation of the Roumanian population.

ARTICLE 7.

In case the Roumanian army is forced to abandon Roumanian territory it will find refuge and sustenance on Russian soil.

ARTICLE 8.

In case of equal sections against enemies States and their Allies contact will establish itself between the high Russian command of the Russian armies, the Councils, and the Roumanians.

ARTICLE 9.

For the solution of eventual conflicts between Roumania and the Russian Federation of Councils of Workmen and Peasants there is formed an international commission at Odessa, Kief, Moscow, Petrograd, Jassy, and Galatz of representatives of Russia, Roumania, England, France, and the United States.

ARTICLE 10.

By reason of the aforesaid agreement the Roumanian Consul General at Moscow has proposed to the Commissary of Foreign Affairs the revival of official relations and the restitution to Roumania of the distributing depots in Russia. The Commissary has agreed to the first point and has proposed to make the international commission look to the treaty for the realization of all the points of the treaty.



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OF
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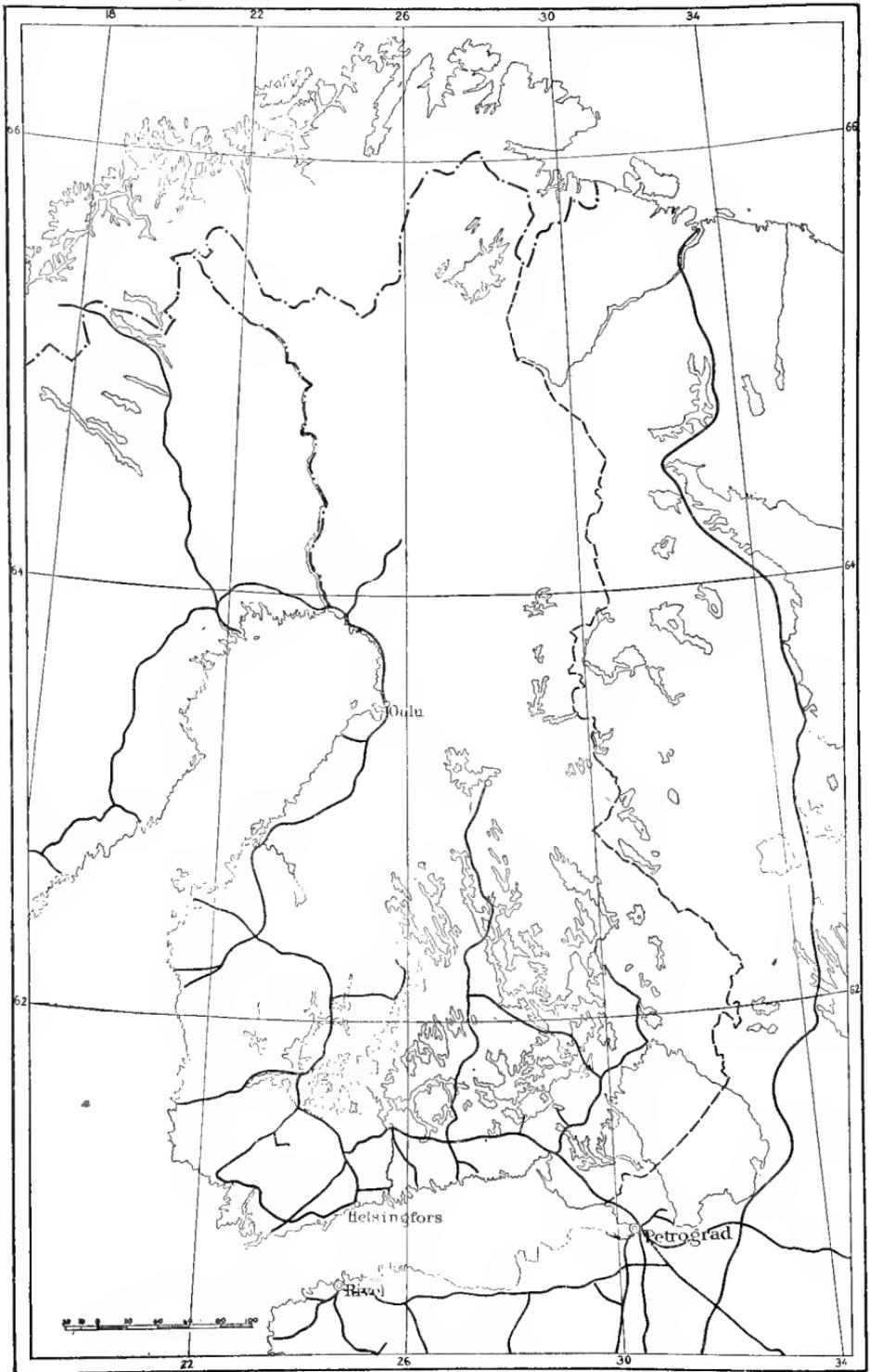
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1918

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MAP OF FINLAND

1. FINLAND—RUSSIA.

TREATY OF AMITY BETWEEN THE FINNISH SOCIAL REPUBLIC OF WORKMEN, AND THE RUSSIAN FEDERAL REPUBLIC OF SOVIETS: SIGNED 1 MARCH, 1918.

[*French text as produced by the Ministry of Blockade from the Russian wireless.*]

[*Translation.*]

Le Soviet des Commissaires du Peuple de la République Fédérale Russe des Soviets, et le Soviet des Plénipotentiaires du Peuple de la République Socialiste Finlandaise des Travailleurs, afin de renforcer l'amitié et la fraternité entre les deux républiques libres ci-dessus mentionnées, ont conclu le traité suivant:

The Soviet of the Commissioners of the People of the Russian Federal Republic of Soviets, and the Soviet of the People's Plenipotentiaries of the Finnish Socialist Republic of Workmen, in order to strengthen amity and fraternity between the two free Republics above mentioned, have concluded the following treaty:

ARTICLE I.

La République Fédérale Russe des Soviets remet à la République indépendante Socialiste Finlandaise des Travailleurs toutes les propriétés immobilières, à savoir: terres, voies d'eau, terrains urbains, bâtiments, usines et fabriques, comme aussi les installations télégraphiques, chemins de fer, forteresses, phares et balises, etc., appartenant à la République russe ou aux Institutions d'Etat russes, par droit de possession ou par droit d'usage, et qui sont situés sur le territoire de l'ancien Grand Duché de Finlande.

ARTICLE I.

The Russian Federal Republic of Soviets transfers to the Independent Finnish Socialist Republic of Workmen all the immovable properties, to wit: lands, water-courses, urban properties, buildings, forges, and workshops, as well as the telegraphic improvements, railways, fortresses, light-houses, and buoys, etc., belonging to the Russian Republic or to the Russian national institutions, by right of possession or by right of use, and which are situated within the territory of the ancient Grand Duchy of Finland.

ARTICLE II.

La République Socialiste Finlandaise des Travailleurs, de son côté remet à la République Fédérale Russe des Soviets toutes les

ARTICLE II.

The Finnish Socialist Republic of Workmen on its part, transfers to the Russian Federal Republic of Soviets, all the immovable prop-

propriétés immobilières, à savoir: voies d'eau, terrains urbains, bâtiments, usines et fabriques, ainsi que les chemins de fer, phares et balises appartenant au Trésor Finlandais ou aux Institutions d'Etat Finlandaises par droit de possession ou par droit d'usage, et qui sont situés sur le territoire de la République Fédérale Russe des Soviets.

ARTICLE III.

La République Socialiste Finlandaise des Travailleurs consent à acquérir aussi les biens non désignés à l'article 1^{er} du présent traité, et appartenant à la République Fédérale Russe des Soviets, et situés sur le territoire de l'ancien Grand Duché de Finlande et à un droit d'option pour l'achat de tout bien semblable dans la mesure où l'exercice de ce droit ne lèse pas les droits de la République Fédérale Russe des Soviets.

ARTICLE IV.

Sont exclus de la liste des biens ci-dessus mentionnés qui doivent être remis à la République Socialiste Finlandaise des Travailleurs, les biens qui, conformément aux règlements de la Commission de Conciliation Russo-Finlandaise, devront être remis directement aux Institutions de Travailleurs.

ARTICLE V.

En vue d'aider à la nationalisation de la Marine marchande Finlandaise la République Fédérale Russe des Soviets remet à la République Socialiste Finlandaise des Travailleurs dans leur état actuel tous les navires qui appartiennent au Trésor Finlandais ou à des compagnies ou personnes privées et qui ont étéquisitionnés

erties, to wit: water-courses, urban properties, buildings, forges, and workshops, as well as the railways, light-houses and buoys, belonging to the Finnish Treasury or to the Finnish national institutions by right of possession or by right of use, and which are situated within the territory of the Federal Russian Republic of Soviets.

ARTICLE III.

The Finnish Socialist Republic of Workmen consents to acquire as well the properties not designated under Article 1 of the present treaty, and belonging to the Russian Federal Republic of Soviets, and situated within the territory of the ancient Grand Duchy of Finland, and to a right of option for the purchase of any similar property to the extent in which the exercise of this right does not injuriously affect the rights of the Federal Russian Republic of Soviets.

ARTICLE IV.

Excluded from the list of properties above mentioned which must be transferred to the Finnish Socialist Republic of Workmen are those properties which, in conformity with the regulations of the Russo-Finnish Commission of Conciliation, shall be transferred directly to the institutions of workmen.

ARTICLE V.

With a view to assisting the nationalization of the Finnish merchant navy, the Russian Federal Republic of Soviets transfers to the Finnish Socialist Republic of Workmen, in their present condition, all vessels belonging to the Finnish treasury or to companies or to private individuals and which have been

par le Gouvernement Russe avant ou pendant la guerre. Toute autre propriété se trouvant au moment de la conclusion du présent traité sur le territoire de l'ancien Grand-Duché de Finlande devra aussi être remise.

ARTICLE VI.

Les articles ci-dessus ne seront pas considérés comme s'appliquant aux propriétés immobilières récupérées par la République Fédérale Russe des Soviets sur le territoire de la République Socialiste Finlandaise des Travailleurs, ni par la République Socialiste Finlandaise des Travailleurs sur le territoire de la République Fédérale des Soviets, pour des établissements destinés au service diplomatique, consulaire, ou commercial, aussi bien que pour des Instituts de science, d'éducation et de médecine.

ARTICLE VII.

Le montant de l'indemnité à payer pour les biens remis en vertu des articles 1, 2, 3, et 4 du présent traité devra être déterminé par une Commission spéciale de conciliation Russo-Finlandaise.

Il sera tenu un compte spécial de tous les paiements effectués en raison de ces transferts, en vue de donner satisfaction aux demandes de la Commission russe de liquidation, des affaires Finlandaises qui sera chargées de l'attribution de ces sommes au moment du règlement final.

ARTICLE VIII.

Les dettes des Institutions de l'Etat Finlandais du Trésor Finlandais vis-à-vis des Institutions de l'Etat Russe et du Trésor Russe, et vice-versa, ainsi que les obligations à court terme sous-

requisitionned by the Russian Government before or during the war. Any other property which at the time of the conclusion of the present treaty is situated within the territory of the ancient Grand Duchy of Finland shall likewise be transferred.

ARTICLE VI.

The foregoing articles shall not be considered as applicable to the immovable properties recovered by the Russian Federal Republic of Soviets within the territory of the Finnish Socialist Republic of Workmen, nor by the Finnish Socialist Republic of Workmen within the territory of the Russian Federal Republic of Soviets, for establishments intended for the diplomatic, consular, or commercial service, as well as for scientific institutions of education and medicine.

ARTICLE VII.

The amount of the indemnity to be paid for the properties transferred in virtue of Articles 1, 2, 3, and 4 of the present treaty shall be determined by the special Russo-Finnish Commission of Conciliation.

A special record shall be kept of all payments made by reason of these transfers, with a view to giving satisfaction to the requests of the Russian Commission of Liquidation of Finnish affairs upon which it will devolve to apportion these amounts at the time of the final settlement.

ARTICLE VIII.

The debts of the Finnish national institutions of the Finnish treasury in respect of the Russian national institutions and of the Russian treasury, and vice versa, as well as the short-term obliga-

crites par l'intermédiaire de la Banque Finlandaise sont reconnues par deux Républiques Socialistes; et les procédés d'amortissement indépendamment des paiements faits en vertu de l'article 7 ci-dessus, seront déterminés par une sous-commission financière spéciale, mixte, de la Commission de Conciliation Russo-Finlandaise.

ARTICLE IX.

Les Parties Contractantes assurent à jamais à tous les vaisseaux marchands des Républiques Socialistes Russe et Finlandaise, l'accès libre et sans entraves à toutes les mers, à tous les lacs et rivières, ports, lieux d'ancrage et chenaux, et accordent à ces navires le droit d'embarquer et de débarquer des marchandises librement et sans entraves, et d'avoir recours au service de pilotage. Les règlements relatifs aux conditions d'exercice du libre usage ci-dessus mentionné seront précisés par des accords spéciaux.

ARTICLE X.

Une communication ininterrompue, sans transbordement, est établie entre les chemins de fer russes et finlandais.

ARTICLE XI.

Les conditions d'emploi des télégraphes, postes et communications par la République Fédérale Russe des Soviets sur le Territoire de la République Socialiste Finlandaise des Travailleurs et par la République Socialiste Finlandaise des Travailleurs sur le territoire de la République Fédérale Russe des Soviets, respectivement, seront déterminées par des accords spéciaux tandis que le . . . des règlements généraux de l'Article I sera applicable aux règlements et accords internationaux existants. Des câbles suivants

tions subscribed to through the intermediary of the Finnish Bank, are recognized by the two Socialist Republics; and the modes of amortization, independent of the payments made in virtue of the foregoing Article 7, will be determined by a special mixed financial subcommission of the Russo Finnish Commission of Conciliation.

ARTICLE IX.

The contracting parties insure forever to all merchant ships of the Russian and Finnish Socialist Republics, free and unobstructed access to all seas, and all lakes and rivers, ports, anchorages, and roadways, and concede to these vessels the right freely and unhindered to load and unload merchandise, and to have recourse to the piloting service. Regulations relative to the conditions of exercising the free use hereinbefore mentioned shall be recorded in detail in special agreements.

ARTICLE X.

An uninterrupted communication, without transshipment, is established between the Russian and Finnish railways.

ARTICLE XI.

The conditions for the use of telegraphs, posts and communications by the Russian Federal Republic of Soviets within the territory of the Finnish Socialist Republic of Workmen, and by the Finnish Socialist Republic of Workmen within the territory of the Russian Federal Republic of Soviets, respectively, will be determined by special agreements, whilst the . . . of the general regulations of Article I will be applicable to the existing international regulations and agreements. The following cables shall remain

devront rester la propriété de la République Fédérale Russe des Soviets pendant cinquante ans, en ce qui concerne les droits d'exterritorialité; les trois câbles (n° 13, 60 et 42) passant sur le territoire de la République Socialiste Finlandaise des Travailleurs et reliant Pétrograd à Stockholm, Newcastle, Friedrich et Stein et la ligne directe et libre Pétrograd-Vartclieni-Alexandrovsk (câble murman, passant par Viborg et Kuopis). La République Fédérale Russe des Soviets conserve tous les droits reconnus par le traité conclu avec la Compagnie danoise pour trois câbles directs partant de Justad, et établissant une communication avec la Suède par les îles d'Åland.

ARTICLE XII.

Les deux Parties Contractantes nommeront immédiatement une Sous-Commission de la Commission de Conciliation Russo-Finlandaise pour élaborer un projet de traité de commerce entre les deux Républiques.

ARTICLE XIII.

En Russie, les citoyens russes d'origine Finlandaise, et en Finlande, les citoyens finlandais d'origine russe, jouiront de droits égaux à ceux des autres citoyens de ces pays respectifs. Les citoyens finlandais en Russie, de même que les citoyens russes en Finlande, jouiront des mêmes droits privés, civils et sociaux que les citoyens de ces pays respectifs. La République Fédérale Russe des Soviets garantit aux citoyens finlandais se trouvant en Russie, tous les droits politiques reconnus aux citoyens russes qui appartiennent aux classes ouvrières ou paysannes et n'emploient pas de main-d'œuvre, s'ils vivent sur le territoire russe et sont employés à des travaux manuels.

the property of the Russian Federal Republic of Soviets during 50 years, as regards the rights of ex-territoriality; the three cables (Nos. 13, 60, and 42) passing through the territory of the Finnish Socialist Republic of Workmen and connecting Petrograd with Stockholm, Newcastle, Friedrich, and Stein and the direct and open line Petrograd-Vartclieni-Alexandrovsk (Murman cable, passing through Viborg and Kuopis). The Russian Federal Republic of Soviets retains all the rights recognized by the treaty concluded with the Danish Company for three direct cables starting from Justad, and establishing communication with Sweden by way of the Åland Islands.

ARTICLE XII.

The two contracting parties will immediately appoint a sub-commission to the Russo-Finnish Commission of Conciliation in order to draft a project for a treaty of commerce between the two republics.

ARTICLE XIII.

In Russia, the Russian citizens of Finnish origin, and in Finland, the Finnish citizens of Russian origin, shall enjoy rights equal to those of the other citizens of these respective countries. The Russian Federal Republic of Soviets guarantees to the Finnish citizens in Russia all the political rights accorded to the Russian citizens of the workmen or peasant classes who do not employ labor, if the said Finnish citizens dwell within Russian territory and are engaged in manual labor.

La République Socialiste Finlandaise des Travailleurs s'engage de son côté à accorder aux citoyens de la République Fédérale Russe des Soviets, en Finlande, les conditions les plus favorables pour leur faciliter l'obtention de l'intégralité des droits politiques et prendra plus spécialement en considération les intérêts des membres des classes ouvrières qui n'ont pas de domicile fixe.

ARTICLE XIV.

La République Socialiste Finlandaise des Travailleurs s'engage à ne créer aucun obstacle, et à apporter son concours à la continuation et au rapide achèvement de l'évacuation déjà commencée des forces de terre et de mer des Départements de la Guerre et de la Marine de la République Fédérale Russe des Soviets.

ARTICLE XV.

[Pas reproduit dans le texte.]

The Finnish Socialist Republic of Workmen obligates itself, on the other hand, to afford to the citizens of the Russian Federal Republic of Soviets in Finland the most favorable conditions in order to make it easy for them to secure all political rights, and will more especially take into account the interests of the members of the working classes who have no fixed domicile.

ARTICLE XIV.

The Finnish Socialist Republic of Workmen obligates itself to raise no obstacle against and to give its aid to the continuation and the completion of the evacuation already under way of the land and sea forces of the Departments of War and Navy of the Russian Federal Republic of Soviets.

ARTICLE XV.¹

The Russian Federal Soviet Republic shall transfer to the absolute possession of the Finnish Socialist Workmen's Republic the territories described below, if the freely questioned population of these districts agree to this step.

The frontier between the States of Finland and Russia shall from henceforth be the line which extends from Korvantunturi, which is on the present Russo-Finnish State frontier, in a direct line to the source of the river Petchengi (Petsamo), thence along the eastern waterway of the river Petchengi (Petsamo) through the Motov bay (Muotkofjord) and Rybachi Nos, and comes in a straight line to the shore of the Arctic Ocean at Zuboga (Supuski).

The Commission provided for in article 17 must define the special conditions, which shall guarantee (1) the rights of the Russian population occupied in the fishing or other industries in the alienated territory; (2) the right of the Russian Federal Soviet Republic to and from

¹ British Daily Review of the Foreign Press, 26 April, 1918, p. 671.

Norway; and (3) the rights proceeding from the agreements concluded and in operation between Russia and Norway.

Payments, resulting from the alienation of the above-mentioned territory shall be effected in accordance with the conditions set forth in Article 7 of this agreement.

ARTICLE XVI.

[Pas reproduit dans le texte.]

ARTICLE XVI.¹

The contracting parties shall establish a subcommission to the Russo-Finnish Conciliation Commission for the purpose of an exact determination of the alterations in the Russo-Finnish frontier. The Finnish Socialist Workmen's Republic, however, shall immediately transfer to the absolute possession of the Russian Federal Soviet Republic the territory of the fortress of Ino, situated on the shore of the Gulf of Finland, and shall guarantee the necessary transit to and from this fortress.

ARTICLE XVII.

La Commission de Conciliation nommée par les Gouvernements des deux parties contractantes fixera les détails d'exécution en ce qui concerne les règlements édictés par ce Traité fondamental, de même que les projets d'accords spéciaux qui sont sujets à ratification par les Gouvernements de la République Socialiste Fédérale Russe et par le Gouvernement Socialiste Finlandais des Travailleurs.

ARTICLE XVII.

The Commission of Conciliation appointed by the Governments of the two contracting parties will determine the details of execution as regards the regulations decreed by this basic treaty, and also the drafts of special agreements subject to ratification by the Government of the Russian Federal Socialist Republic and by the Finnish Socialist Government of Workmen.

ARTICLE XVIII.

Tous les différends pouvant s'élever au sujet de la rédaction des accords spéciaux ci-dessus mentionnés, ou de l'interprétation du présent Traité et des accords spéciaux qui en font partie, de même que tous les cas de violation du présent traité et desdits accords, seront réglés par une cour d'arbitrage dont le président sera nommé par l'Administration

ARTICLE XVIII.

Any and all differences which might arise with regard to the phraseology of the special agreements above mentioned, or with regard to the interpretation of the present Treaty and of the special agreements which form part thereof, as well as with regard to all cases of violation of the present Treaty and of the said agreements, will be settled

¹ *British Daily Review of the Foreign Press*, 26 April, 1918, p. 671.

du Parti Socialiste démocrate du Gauche Suédois, sauf convention contraire ultérieure.

ARTICLE XIX.

Les Plénipotentiaires des Représentants de la République Fédérale Russe des Soviets et de la République Socialiste Finlandaise des Travailleurs ont signé et ont apposé leurs sceaux sur les deux originaux de ce traité, en langues russe et finlandaise.

Au nom du Soviet des Commissaires du Peuple,

LENINE,

Président du Soviet des Commissaires du Peuple.

L. TROTSKY,
E. STALIN,
P. PROCHIAN,

Commissaires du Peuple.

Au nom du Soviet des Plénipotentiaire du Peuple de Finlande,

EDOUARD GULLING,
OSCAR TOKOI.

by an arbitration court of which the president shall be appointed by the administration of the democratic socialist party of the Swedish Left, except if otherwise stipulated later.

ARTICLE XIX.

The plenipotentiaries of the representatives of the Russian Federal Republic of Soviets and of the Finnish Socialist Republic of Workmen have signed this treaty and affixed their seals to the two originals, in the Russian and Finnish languages.

In the name of the Soviet of the People's Commissioners,

LENINE,

President of the Soviet of the People's Commissioners.

L. TROTSKY,
E. STALIN,
P. PROCHIAN,

Commissioners of the People.

In the name of the Soviet of the Plenipotentiaries of the Finnish People,

EDOUARD GULLING,
OSCAR TOKOI.

2. FINLAND—GERMANY.

TREATY OF PEACE BETWEEN FINLAND AND GERMANY. SIGNED AT BERLIN, 7 MARCH, 1918.¹

[German text as published in the Deutscher Reichsanzeiger, 8 March, 1918.]

[Translation.]

Die Kaiserlich Deutsche Regierung und die Finnische Regierung, von dem Wunsche geleitet, nach der Erklärung der Selbständigkeit Finnlands und ihrer Anerkennung durch Deutschland den Zustand des Friedens und der Freundschaft zwischen den beiden Ländern auf eine dauernde Grundlage zu stellen, haben beschlossen, einen Friedensvertrag zu vereinbaren und zu diesem Zwecke zu Bevollmächtigten ernannt: die Kaiserlich Deutsche Regierung: den Kanzler des Deutschen Reichs, Dr. Grafen von Hertling, die Finnische Regierung: Herrn Dr. phil. Edward Immanuel Hjelt, Staatsrat, stellvertretenden Kanzler der Universität Helsingfors, und Herrn Dr. jur. Rafael Waldemar Erich, Professor des Staats- und Völkerrechts an der Universität Helsingfors, welche nach gegenseitiger Mitteilung ihrer in guter und gehöriger Form befundenen Vollmachten über nachstehende Bestimmungen übereingekommen sind:

The Imperial German Government and the Finnish Government, inspired by the wish, after the declaration of the independence of Finland and her recognition on the part of Germany, to bring about a condition of peace and amity between both countries on a lasting basis, have resolved to conclude a treaty of peace, and for this purpose they have appointed the following plenipotentiaries: For the Imperial German Government, the Chancellor of the German Empire, Dr. Count von Hertling; for the Finnish Government, Edward Immanuel Hjelt, Ph. D., State Counselor, Vice Chancellor of the University of Helsingfors, and Rafael Waldemar Erich, LL. D., Professor of Civil and International Law at the University of Helsingfors, who, after the mutual presentation of their powers, found in good and due form, have come to an agreement on the following provisions:

Erstes Kapitel.

Artikel 1.

Die vertragschließenden Teile erklären, daß zwischen Deutschland und Finnland kein Kriegszustand besteht und daß sie entschlossen sind, fortan in Frieden und Freundschaft mit einander zu leben.

CHAPTER I.

ARTICLE 1.

The contracting parties declare that between Germany and Finland no state of war exists and that they are resolved henceforth to live in peace and amity with each other.

¹ Ratifications exchanged at Berlin 25 June, 1918 (*Frankfurter Zeitung*, 26 June, 1918, 2d morning edition).

Deutschland wird dafür eintreten, daß die Selbständigkeit und Unabhängigkeit Finnlands von allen Mächten anerkannt wird. Dagegen wird Finnland keinen Teil seines Besitzstandes an eine fremde Macht abtreten noch einer solchen Macht ein Servitut an seinem Hoheitsgebiet einräumen, ohne sich vorher mit Deutschland darüber verständigt zu haben.

Artikel 2.

Die diplomatischen und konsularischen Beziehungen zwischen den vertragsschließenden Teilen werden sofort nach der Bestätigung des Friedensvertrags aufgenommen werden. Wegen möglichst weitgehender Zulassung der beiderseitigen Konsula bleiben besondere Vereinbarungen vorbehalten.

Artikel 3.

Jeder Teil wird die Schäden ersetzen, die in seinem Gebiet aus Anlaß des Krieges von den dortigen staatlichen Organen oder der Bevölkerung durch völkerrechtswidrige Handlungen konsularischen Beamten des anderen Teiles an Leben, Freiheit, Gesundheit oder Vermögen zugefügt oder an Konsulatsgebäuden dieses Teiles oder an deren Inventar angerichtet worden sind.

Zweites Kapitel.

Artikel 4.

Die vertragsschließenden Teile verzichten gegenseitig auf den Ersatz ihrer Kriegskosten, d. h. der staatlichen Aufwendungen für die Kriegsführung, sowie auf den Ersatz der Kriegsschäden, d. h. derjenigen Nachteile, die ihnen und ihren Angehörigen in den Kriegesgebieten durch militärische Maßnahmen mit Einschluß aller in Feindesland vorgenommenen Requisitionen entstanden sind.

Germany will do what she can to bring about the recognition of the independence of Finland by all the Powers. On the other hand, Finland will not cede any part of her possessions to any foreign Power nor grant a servitude on her sovereign territory to any such Power before first having come to an understanding with Germany on the matter.

ARTICLE 2.

Diplomatic and consular relations between the contracting parties will be resumed immediately after the confirmation of the Peace Treaty. As regards the widest possible admission of Consuls on both sides, special agreements are reserved.

ARTICLE 3.

Each of the contracting parties will indemnify the damages which have been caused in its own territory by virtue of the war, or which the local public authorities or the population have occasioned by actions contrary to international law, or which have been caused to consular officials of the other party either in body, liberty, health, or property, or to consular offices of the other party or to their contents.

CHAPTER II.

ARTICLE 4.

The contracting parties renounce mutually the refunding of war costs, that is to say, State expenses for the carrying on of the war as well as the payment of indemnities for war damages, that is to say, for those prejudices which have been caused them and their nationals in the war zones by reason of military measures, inclusive of all requisitions made in the country of the enemy.

Drittes Kapitel.

CHAPTER III.

Artikel 5.

ARTICLE 5.

Die in Folge des Krieges außer Kraft getretenen Verträge zwischen Deutschland und Rußland sollen für die Beziehungen zwischen den vertragschließenden Theilen tunlichst bald durch neue Verträge ersetzt werden, die den veränderten Anschauungen und Verhältnissen entsprechen. Insbesondere werden die beiden Theile alsbald in Verhandlungen treten, um einen Handels- und Schiffsahrtsvertrag abzuschließen.

Einstweilen werden die Verkehrsbeziehungen zwischen den beiden Ländern durch ein gleichzeitig mit dem Friedensvertrag zu unterzeichnendes Handels- und Schiffsahrtsabkommen geregelt werden.

Artikel 6.

ARTICLE 6.

Die Verträge, an denen außer Deutschland und Rußland dritte Mächte beteiligt sind und in welche Finnland neben Rußland oder an dessen Stelle eintritt, treten zwischen den vertragschließenden Theilen bei der Bestätigung des Friedensvertrags oder, sofern der Eintritt später erfolgt, in diesem Zeitpunkt in Kraft.

Wegen der Kollektivverträge politischen Inhalts, an denen noch andere kriegsführende Mächte beteiligt sind, behalten sich die beiden Theile ihre Stellungnahme bis nach Abschluß des allgemeinen Friedens vor.

Viertes Kapitel.

CHAPTER IV.

Artikel 7.

ARTICLE 7.

Alle in dem Gebiet eines vertragschließenden Theiles bestehenden Bestimmungen, wonach mit Rücksicht auf den Kriegszustand die Angehörigen des anderen Theiles in Ansehung ihrer Privatrechte irgendwelcher besonderen Regelung unterliegen (Kriegsgesetze) treten mit Bestätigung dieses Vertrages außer Anwendung.

The treaties which went out of force as a consequence of the war between Germany and Russia shall be replaced as soon as possible by new treaties for relations between the contracting parties, to meet the changed viewpoint and conditions. Especially, the two parties shall, as soon as possible, enter into negotiations in order to conclude a treaty of commerce and navigation.

In the meantime the trade relations between the two countries will be regulated through an agreement of commerce and navigation which is to be signed at the same time as the Peace Treaty.

Treaties in which, apart from Germany and Russia, also third Powers take part, and in which Finland appears together with Russia or in the place of the latter, come into force between the contracting parties on the ratification of the Peace Treaty or, in case the accession takes place later, at that moment.

In connection with collective treaties of political purport, in which other belligerent Powers also participate, the two parties reserve their attitude until after the conclusion of a general peace.

All stipulations existing in the territories of either of the contracting parties, according to which, in view of the state of war, nationals of the other party are subjected to any special regulation (war laws) whatever in regard to their private rights, go out of force on the confirmation of this treaty.

Als Angehörige eines vertragsschließenden Theiles gelten auch solche juristische Personen und Gesellschaften, die in seinem Gebiet ihren Sitz haben. Ferner sind den Angehörigen eines Theiles juristische Personen und Gesellschaften, die in seinem Gebiete nicht ihren Sitz haben, insoweit gleichzustellen, als sie in Gebiete des anderen Theiles den für diese Angehörigen geltenden Bestimmungen unterworfen waren.

Artikel 8.

Ueber privatrechtliche Schuldverhältnisse, die durch Kriegsgesetze beeinträchtigt worden sind, wird nachstehendes vereinbart:

§ 1.

Die Schuldverhältnisse werden wieder hergestellt, soweit sich nicht aus den Bestimmungen der Artikel 8 bis 12 ein anderes ergibt.

§ 2.

Die Bestimmung des § 1 hindert nicht, daß die Frage, welchen Einfluß die durch den Krieg geschaffenen Zustände, insbesondere die durch Verkehrs- hindernisse oder Handelsverbote herbeigeführte Unmöglichkeit der Erfüllung, auf die Schuldverhältnisse ausüben, im Gebiete jedes vertragsschließenden Theiles nach den dort für alle Landeseinwohner geltenden Gesetzen beurteilt wird.

Dabei dürfen die Angehörigen des anderen Theiles, die durch Maßnahmen dieses Theiles verhindert worden sind, nicht ungünstiger behandelt werden als die Angehörigen des eigenen Staates, die durch dessen Maßnahmen verhindert worden sind. Auch soll derjenige, der durch den Krieg an der rechtzeitigen Be-

Juridical persons and companies that have their domicile in the territory of a contracting party are likewise to be regarded as nationals of this contracting party. Furthermore, juridical persons and companies which do not have their domicile in the territory of one of the contracting parties, must be regarded as on the same level as the nationals of the said party, in so far as in the territory of the other party they were subject to stipulations applying to the said nationals.

ARTICLE 8.

With regard to private debt relations which have been affected by war laws, the following has been agreed upon:

§ 1.

The debt relations will be re-established in so far as the stipulations of Articles 8 to 12 do not provide otherwise.

§ 2.

The stipulations of § 1 do not prevent the decision, in accordance with the local laws applicable to all the inhabitants of the country, of the question as to what extent the conditions created by the war, especially the impossibility of fulfilling an obligation, owing to the obstacles in traffic or commercial prohibitions in the territory of either of the contracting parties, exert upon debt relations.

In this connection nationals of the one party who have been interfered with by the measures of the other party, are not to be dealt with more unfavorably than the nationals of the latter State, who have been interfered with by measures of that State. A person who by the war has been

wirkung einer Leistung verhindert war, nicht verpflichtet sein, den dadurch entstandenen Schaden zu ersetzen.

§ 3.

Geldforderungen, deren Bezahlung im Laufe des Krieges auf Grund von Kriegsgesetzen verweigert werden konnte, brauchen nicht vor Ablauf von drei Monaten nach der Bestätigung des Friedensvertrags bezahlt zu werden. Sie sind, soweit nicht im Ergänzungsvertrag (Artikel 32 Abs. 2) etwas anderes bestimmt wird, von der ursprünglichen Fälligkeit an für die Dauer des Krieges und anschließenden drei Monate ohne Rücksicht auf Moratorien mit fünf vom Hundert für das Jahr zu verzinsen; bis zur ursprünglichen Fälligkeit sind gegebenenfalls die vertraglichen Zinsen zu zahlen.

Bei Wechseln oder Schecks hat die Vorlegung zur Zahlung sowie die Protesterhebung mangels Zahlung innerhalb des vierten Monats nach der Bestätigung dieses Vertrags zu erfolgen.

§ 4.

Für die Abwicklung der Außenstände und sonstigen privatrechtlichen Verbindlichkeiten sind die staatlich anerkannten Gläubigerschutzverbände zur Verfolgung der Ansprüche der ihnen angeschlossenen natürlichen und juristischen Personen als deren Bevollmächtigte wechselseitig anzuerkennen und zuzulassen.

Artikel 9.

Jeder vertragschließende Teil wird sofort nach der Bestätigung des Friedensvertrags die Bezahlung seiner Verbindlichkeiten, insbesondere den öffentlichen Schuldendienst gegenüber den Angehörigen des anderen Teiles, wieder-

prevented from carrying out in good time a payment shall not be obliged to make good the damages which has occurred owing thereto.

§ 3.

Pecuniary claims, whose payment could be refused during the war on the strength of war laws, need not be paid until after the expiration of three months after the confirmation of the Peace Treaty. In so far as nothing to the contrary is stipulated in the supplementary treaty, (Article 32, Paragraph 2), an interest of 5 per cent per annum must be paid on such debts from the original date on which they were due, for the duration of the war and the further three months, regardless of moratoriums. Up to the day on which they were originally due, the interest agreed upon in the given case must be paid.

In the case of bills or cheques submission to payment as well as protests for nonpayment must take place within the fourth month after the confirmation of this treaty.

§ 4.

For the settlement of outstanding debts and other private obligations, the officially recognized associations for the protection of creditors are to be mutually recognized and admitted as plenipotentiaries for the prosecution of claims of the natural and juridical persons associated with them.

ARTICLE 9.

Each contracting party will immediately after the confirmation of the peace treaty resume payment of its obligations, especially the public debt service to the nationals of the other party.

aufnehmen. Die vor der Bestätigung fällig gewordenen Verbindlichkeiten werden binnen drei Monaten nach der Bestätigung bezahlt werden.

Artikel 10.

Urheberrechte, gewerbliche Schutzrechte, Konzessionen und Privilegien sowie ähnliche Ansprüche auf öffentlich-rechtlicher Grundlage, die durch Kriegsgesetze beeinträchtigt worden sind, werden wiederhergestellt, soweit sich nicht aus dem Artikel 12 ein anderes ergibt.

Jeder vertragsschließende Teil wird den Angehörigen des anderen Teiles, die aus Anlaß des Krieges eine gesetzliche Frist für die Vornahme einer zur Begründung oder Erhaltung eines gewerblichen Schutzrechts erforderlichen Handlung veräußert haben, unbeschadet wohlervorbener Rechte Dritter, für die Nachholung der Handlung eine Frist von mindestens einem Jahre nach der Bestätigung des Friedensvertrags gewähren. Gewerbliche Schutzrechte der Angehörigen des einen Teiles, die bei Kriegsausbruch in Kraft waren, sollen im Gebiet des anderen Teiles wegen Nichtausübung nicht vor Ablauf von vier Jahren nach der Bestätigung dieses Vertrags verfallen.

Wenn in dem Gebiet eines der vertragsschließenden Teile ein gewerbliches Schutzrecht, das nach Kriegsgesetzen nicht angemeldet werden konnte, von demjenigen, der es während des Krieges in dem Gebiete des anderen Teiles vorschrittmäßig angemeldet hat, binnen sechs Monaten nach der Bestätigung des Friedensvertrags unter Beanspruchung der Priorität dieser Anmeldung angemeldet wird, so soll die Anmeldung, vorbehaltlich der Rechte Dritter, allen inzwischen eingereichten Anmeldungen vorgehen und durch inzwischen eingetretene Tatsachen nicht unwirksam gemacht werden können.

The obligations which come due before the confirmation of the treaty will be paid within three months after the confirmation.

ARTICLE 10.

Copyrights, industrial patents, concessions, and privileges, as well as similar claims based on public law, which have been prejudiced by war laws, shall be reestablished in so far as nothing else has been stipulated to the contrary in Article 12.

Each contracting party will grant to the nationals of the other party who, on account of the war, have neglected to avail themselves of the legal period in which to undertake an action necessary for the establishment or maintenance of an industrial patent without prejudice to the properly acquired rights of third parties, a period of at least one year in which to recover the action. Industrial patents of the nationals of one party which were in force at the outbreak of the war shall not lapse in the territory of the other party, owing to their non-application, till after the termination of four years from the confirmation of this treaty.

If in the territory of one of the contracting parties an industrial patent which because of the war laws could not be applied for in accordance with the rules, is applied for by him who during the war has taken protective measures in the territory of the other party, such application if made within six months after the confirmation of the treaty and on the claim of priority, shall, with the reservation of the rights of third parties, have priority over all applications submitted in the meantime, and can not be made ineffective by facts which have arisen in the meantime.

Artikel 11.

Die Fristen für die Verjährung von Rechten sollen im Gebiete jedes vertragschließenden Teiles gegenüber den Angehörigen des anderen Teiles, falls sie zur Zeit des Kriegsausbruchs noch nicht abgelaufen waren, frühestens ein Jahr nach der Bestätigung des Friedensvertrags ablaufen. Das gleiche gilt von den Fristen zur Vorlegung von Zinsscheinen und Gewinnanteilscheinen sowie von ausgelosten oder sonst zahlbar gewordenen Wertpapieren.

Artikel 12.

Die Tätigkeit der Stellen, die auf Grund von Kriegsgesetzen mit der Beaufsichtigung, Verwahrung, Verwaltung oder Liquidation von Vermögensgegenständen oder der Annahme von Zahlungen befaßt worden sind, soll, unbeschadet der Bestimmungen des Artikel 13, nach Maßgabe der nachstehenden Grundsätze abgewickelt werden.

§ 1.

Die beaufsichtigten, verwahrten oder verwalteten Vermögensgegenstände sind auf Verlangen des Berechtigten unverzüglich freizugeben; bis zur Uebernahme durch den Berechtigten ist für seine Wahrung seiner Interessen zu sorgen.

§ 2.

Die Bestimmungen des § 1 sollen wohlerworbene Rechte Dritter nicht berühren. Zahlungen und sonstige Leistungen eines Schuldners, die von den im Eingang dieses Artikels erwähnten Stellen oder auf deren Veranlassung entgegengenommen worden sind, sollen in den Gebieten der vertragschließenden Teile die gleiche Wirkung haben, wie wenn sie der Gläubiger selbst empfangen hätte.

ARTICLE 11.

Periods for the expiration of rights shall, in the territory of each of the contracting parties, with regard to the nationals of the other party, expire at the earliest one year after the confirmation of the peace treaty in so far as they had not expired at the time of the outbreak of war. The same applies to periods for the submission of interest or share certificates as well as to bills which have been redeemed or have become otherwise payable.

ARTICLE 12.

The activity of the institutions who on the strength of war laws have been entrusted with the supervision, custody, administration, or liquidation of property or with the receiving of payments, is without prejudice to the stipulations of Article 13, to be wound up, in accordance with the following principles:

§ 1.

Properties under supervision, in custody or under administration, are to be set free immediately on the demand of the parties entitled to them. Until the moment of transfer to the entitled party care must be taken for the safeguarding of his interests.

§ 2.

The provisions in Paragraph 1 shall not modify the properly acquired rights of third parties. Payments and other obligations of a debtor which, as mentioned at the beginning of the article, have been received or caused to be received at the places mentioned, shall, in the territories of the contracting parties, have the same effect as if the creditor himself had received them.

Privatrechtliche Verfügungen, die von den bezeichneten Stellen oder auf deren Veranlassung oder ihnen gegenüber vorgenommen worden sind, bleiben mit Wirkung für beide Teile aufrechterhalten.

§ 3.

Ueber die Tätigkeit der im Eingang dieses Artikels erwähnten Stellen, insbesondere über die Einnahmen und Ausgaben, ist den Berechtigten auf Verlangen unverzüglich Auskunft zu erteilen.

Ersatzansprüche wegen der Tätigkeit dieser Stellen oder wegen der auf ihre Veranlassung vorgenommenen Handlungen können nur gemäß den Bestimmungen des Artikel 14 geltend gemacht werden.

Artikel 13.

Grundstücke, oder Rechte an einem Grundstück, Bergwerksgerechtsame sowie Rechte auf die Benutzung oder Ausbeutung von Grundstücken, Unternehmungen oder Beteiligungen an einem Unternehmen, insbesondere Aktien, die infolge von Kriegsgesetzen veräußert oder dem Berechtigten sonst durch Zwang entzogen worden sind, sollen dem früheren Berechtigten auf einen innerhalb eines Jahres nach der Bestätigung des Friedensvertrags zu stellenden Antrag gegen Rückgewähr der ihm aus Anlaß der Veräußerung oder Entziehung etwa erwachsenen Vorteile frei von allen inzwischen begründeten Rechten Dritter wieder übertragen werden.

Sechstes Kapitel.

Artikel 14.

Der Angehörige eines vertragschließenden Teiles, der im Gebiete des anderen Teiles infolge von Kriegsgesetzen durch die zeitweilige oder dauernde Entziehung von Konzessionen, Privile-

Private measures which have been taken at the places mentioned at the instigation of the parties or by them will have full effect and are to be maintained by the parties.

§ 3.

Regarding the activity of the places mentioned at the beginning of this article, especially regarding receipts and payments, information shall at once be given to the authorized parties immediately upon demand.

Claims which have been presented by reason of the activity of these places can only be dealt with according to the stipulations of Article 14.

ARTICLE 13.

Parcels of land or rights in a parcel of land or in mines as well as rights in the use or exploitation of lands, enterprises or participation in an enterprise, especially shares which by reason of war laws have been alienated or forcibly taken from the persons entitled to them, shall be transferred to the former owner upon his demand within a period of one year after the confirmation of the peace treaty, and there shall be returned to him any profits which have accrued on such property during the alienation or deprivation, exempt from all rights of third parties which may have arisen in the meantime.

CHAPTER VI.

ARTICLE 14.

The national of one of the contracting parties resident in the territory of the other contracting party who, by reason of war laws, has suffered damage either by the temporary or permanent privation of concessions, privileges, and

gien und ähnlichen Ansprüchen oder durch die Beaufsichtigung, Verwahrung, Verwaltung oder Veräußerung von Vermögensgegenständen einen Schaden erlitten hat, ist in angemessener Weise zu entschädigen, soweit der Schaden nicht durch Wiedereinsetzung in den vorigen Stand ersetzt wird. Dies gilt auch von Aktionären, die wegen ihrer Eigenschaft als feindliche Ausländer von einem Bezugsrecht ausgeschlossen worden sind.

Artikel 15.

Jeder vertragschließende Teil wird den Zivilangehörigen des anderen Teiles die Schäden ersetzen, die ihnen in seinen Gebiete während des Krieges von den dortigen staatlichen Organen oder der Bevölkerung durch völkerrechtswidrige Gewaltakte an Leben, Gesundheit oder Vermögen zugefügt worden sind.

Artikel 16.

Jeder vertragschließende Teil wird die von ihm in seinem Gebiete bei Angehörigen des anderen Teiles angeforderten Gegenstände, soweit dies noch nicht geschehen ist, unverzüglich bezahlen.

Artikel 17.

Zur Feststellung der nach Artikel 14, 15 zu ersetzenden Schäden soll alsbald nach der Bestätigung des Friedensvertrags eine Kommission in Berlin zusammentreten, die zu je einem Drittel aus Vertretern der beiden Teile und neutralen Mitgliedern gebildet wird; um die Bezeichnung der neutralen Mitglieder, darunter des Vorsitzenden, wird der Präsident des Schweizerischen Bundesrats gebeten werden.

Die Kommission stellt die für ihre Entscheidungen maßgebenden Grundsätze auf; auch erläßt sie die zur Erledigung ihrer Aufgaben erforderliche Geschäftsordnung und die Bestimmungen über das dabei einzuschlagende Verfahren. Ihre Entscheidungen erfolgen

similar claims, or by the supervision, trusteeship, administration or alienation of property, is to be appropriately indemnified so far as the damage by the war cannot be replaced by the actual reestablishment of the former condition. This also applies to shareholders who, on account of their character, as enemy aliens, are excluded from certain preferential rights.

ARTICLE 15.

Each contracting party will indemnify the civilian nationals of the other party for damages which have been caused to them in its territory during the war by the local authorities or the population through acts of violence contrary to international law and against their body, health, or property.

ARTICLE 16.

Each contracting party will at once pay the nationals of the other party for property requisitioned within its territory in so far as this has not already been done.

ARTICLE 17.

For the fixing of the damages, according to Articles 14 and 15, there shall meet in Berlin a commission immediately after the confirmation of this treaty which shall consist of one-third each of representatives of the contracting parties and one-third of neutrals. The President of the Swiss Federal Council shall be asked to nominate the neutral members, and among them the Chairman.

The commission shall establish the principles, on the basis of which it is to render its decisions; also adopt the necessary business order for the settlement of its tasks and the proper rules of procedure. Its decisions shall be

in Unterkommissionen, die aus je einem Vertreter der beiden Teile und einem neutralen Obmann gebildet werden. Die von den Unterkommissionen festgestellten Beträge sind innerhalb eines Monats nach der Feststellung zu bezahlen.

carried out by subcommissions, which shall consist of one representative from each of the contracting parties and a neutral umpire. The amounts fixed by the subcommission are to be paid within one month of the decision being made.

Siebentes Kapitel.

CHAPTER VII.

Artikel 18.

ARTICLE 18.

Die kriegsgefangenen Finnländer in Deutschland und die kriegsgefangenen Deutschen in Finnland sollen tunlichst bald in bestimmten, von einer deutsch-finnischen Kommission zu vereinbarenden Zeiträumen und unter Ersatz der für sie aufgewendeten Kosten ausgetauscht werden, soweit sie nicht mit Zustimmung des Aufenthaltsstaats in dessen Gebiete zu bleiben oder sich in ein anderes Land zu begeben wünschen.

Finnish prisoners of war in Germany and German prisoners of war in Finland shall, as soon as practicable, be exchanged within periods to be fixed by a German-Finnish Commission, subject to the payment of the costs entailed in such exchange, in so far as those prisoners, with the consent of the State where they are held, do not wish to stay in the country, or to go to another country.

Die Kommission hat auch die weiteren Einzelheiten des Austauschs zu regeln und seine Durchführung zu überwachen.

The commission will also have to settle the further details of such exchange and to supervise its execution.

Artikel 19.

ARTICLE 19.

Die beiderseitigen verschickten oder internierten Zivilangehörigen werden tunlichst bald unentgeltlich heimbefördert werden, soweit sie nicht mit Zustimmung des Aufenthaltsstaats in dessen Gebiete zu bleiben oder sich in ein anderes Land zu begeben wünschen. Die Regelung der Einzelheiten und die Ueberwachung ihrer Durchführung soll durch die im Artikel 18 erwähnte Kommission erfolgen.

The deported or interned civilians on both sides will be sent home as soon as practicable free of charge so far as, subject to the consent of the country on whose territory they are staying, they do not wish to remain there or wish to go to another country. The settlement of the details and the supervision of their execution shall be carried out by the commission mentioned in Article 18.

Die Finnische Regierung wird sich bemühen, von der Russischen Regierung die Freilassung derjenigen Deutschen zu erlangen, die auf finnischem Gebiete festgenommen worden sind und sich zurzeit außerhalb Finnlands auf russischem Gebiete befinden.

The Finnish Government will endeavor to obtain from the Russian Government the release of those Germans who were captured in Finnish territory and who at the present time are outside Finnish but on Russian territory.

Artikel 20.

ARTICLE 20.

Die Angehörigen eines Teiles, die bei Kriegsausbruch in dem Gebiete des

The nationals of one party who at the outbreak of war had their

anderen Theiles ihren Wohnsitz oder eine gewerbliche oder Handelsniederlassung hatten und sich nicht in diesem Gebiet aufhalten, können dorthin zurückkehren, sobald sich der andere Theil nicht mehr im Kriegszustande befindet. Die Rückkehr kann nur aus Gründen der inneren oder äußeren Sicherheit des Staates verweigert werden.

Als Ausweis genügt ein von den Behörden des Heimatstaats ausgestellter Paß, wonach der Inhaber zu den im Absatz 1 bezeichneten Personen gehört; ein Sichtvermerk auf dem Passe ist nicht erforderlich.

Artikel 21.

Jeder vertragschließende Theil verpflichtet sich, die auf seinem Gebiete befindlichen Grabstätten der Seeresangehörigen sowie der während der Internierung oder Verschickung verstorbenen Angehörigen des anderen Theiles zu achten und zu unterhalten; auch können Beauftragte dieses Theiles die Pflege und angemessene Ausschmückung der Grabstätten im Einvernehmen mit den Landesbehörden besorgen. Die mit der Pflege der Grabstätten zusammenhängenden Einzelfragen bleiben weiterer Vereinbarung vorbehalten.

Achtes Kapitel.

Artikel 22.

Jeder vertragschließende Theil gewährt volle Straffreiheit den dem anderen Theile angehörenden Kriegsgefangenen für alle von ihnen begangenen Straftaten, ferner den internierten oder verschickten Zivilangehörigen des anderen Theiles für die während der Internierung oder Verschickung begangenen Straftaten, endlich allen Angehörigen des anderen Theiles für die zu dessen Gunsten begangenen Straftaten sowie für Verstöße gegen die zum Nachteil feindlicher Ausländer ergangenen Ausnahmegesetze.

domicile or commercial establishments in the territory of the other party and who did not remain in that territory may return there as soon as the other party is no longer in a state of war. Their return can only be refused for reasons of the internal or external safety of the State.

A pass made out by the authorities of the home State, in which it is to be stated that the bearer is one of those persons specified in paragraph 1, will be sufficient proof. No visé is necessary on such passes.

ARTICLE 21.

Each of the contracting parties obligates itself to respect and to tend the burial places of those belonging to the military forces of the other party who fell in the war as well as of those who died during internment or deportation; and the persons entrusted by each party with the care and proper decoration of the burial places may attend to these duties in accord with the authorities of each country. Questions connected with the care of such burial places are reserved for further agreements.

CHAPTER VIII.

ARTICLE 22.

Each of the contracting parties concedes full immunity from penalty to those belonging to the other party who are prisoners of war for all criminal acts committed by them and further to all civilian interned or deported nationals of the other party for all punishable acts committed by them during their internment or deportation period, and lastly to all nationals of the other party for infractions against all exceptional laws made to the disadvantage of enemy aliens.

Die Straffreiheit erstreckt sich nicht auf Handlungen, die nach der Bestätigung des Friedensvertrags begangen werden.

Artikel 23.

Jeder Teil gewährt volle Straffreiheit seinen eigenen Angehörigen in Ansehung der Arbeiten, die sie im Gebiete des anderen Teiles als Kriegsgefangene, Zivilinternierte oder Verschiede geleistet haben.

Artikel 24.

Die vertragsschließenden Teile behalten sich vor, weitere Vereinbarungen zu treffen, wonach jeder Teil wegen der zu seinen Ungunsten begangenen Handlungen Freiheit von Strafen und sonstigen Rechtsnachteilen gewährt.

Neuntes Kapitel.

Artikel 25.

Kauffahrtschiffe eines vertragsschließenden Teiles, die bei Kriegsausbruch in den Häfen des anderen Teiles lagen, werden ebenso wie ihre Ladungen zurückgegeben oder, soweit dies nicht möglich ist, in Geld ersetzt werden. Für die Benutzung solcher Embargoschiffe während des Krieges ist die übliche Tageszeitfracht zu vergüten.

Artikel 26.

Deutsche Kauffahrtschiffe und ihre Ladungen, die sich, abgesehen von den Fällen des Artikel 25, bei der Unterzeichnung dieses Vertrags im Machtbereich Finnlands befinden oder später dorthin gelangen, sollen zurückgegeben werden, wenn sie bei Kriegsausbruch in einem feindlichen Hafen lagen oder in neutralen Hoheitsgewässern von feindlichen Streitkräften aufgebracht worden sind.

The amnesty will not apply to actions committed after the confirmation of the Peace Treaty.

ARTICLE 23.

Each party concedes complete amnesty to its own nationals with regard to work which they have performed in the territory of the other party as prisoners of war, interned civilians, or deported civilians.

ARTICLE 24.

The contracting parties reserve to themselves the right to make further agreements according to which each party may grant immunity from penalty for actions committed to its disadvantage.

CHAPTER IX.

ARTICLE 25.

Merchant ships of one contracting party which lay in the ports of the other contracting party at the outbreak of the war, as well as their cargoes, are to be given back to their owners, or in so far as this is not possible they are to be paid for in money. For the use of such embargoed vessels during the war the usual daily freight is to be paid.

ARTICLE 26.

German merchant ships and their cargoes which are in the power of Finland, except in cases foreseen in Article 25, at the signing of this treaty or which may arrive there later, are to be given back if at the outbreak of the war they were in an enemy port or were brought into neutral territorial waters by enemy forces.

Artikel 27.

Die im Machtbereich eines vertragsschließenden Theiles befindlichen, als Preisen aufgebrauchten Kauffahrteischiffe des anderen Theiles sollen, wenn sie vor der Bestätigung des Friedensvertrags durch rechtskräftiges Urteil eines Preisengerichts kondemniert worden sind und nicht unter die Bestimmungen der Artikel 25, 26 fallen, als endgültig eingezogen angesehen werden; im übrigen sind sie zurückzugeben oder, soweit sie nicht mehr vorhanden sind, in Geld zu ersetzen.

Die Bestimmungen des Absatz 1 finden auf die als Preisen aufgebrauchten Schiffs Ladungen von Angehörigen der vertragsschließenden Theile entsprechende Anwendung. Doch sollen Güter von Angehörigen des einen Theiles, die auf Schiffen feindlicher Flagge in die Gewalt des anderen Theiles geraten sind, in allen Fällen den Berechtigten herausgegeben oder, soweit dies nicht möglich ist, in Geld ersetzt werden.

Artikel 28.

Die Durchführung der in den Artikeln 25 bis 27 enthaltenen Bestimmungen, insbesondere die Festsetzung der zu zahlenden Entschädigungen, erfolgt durch eine gemischte Kommission, die aus je einem Vertreter der vertragsschließenden Theile und einem neutralen Obmann besteht und binnen drei Monaten nach der Bestätigung des Friedensvertrags in Stettin zusammentreten wird; um die Bezeichnung des Obmanns wird der Präsident des Schweizerischen Bundesrats gebeten werden.

Artikel 29.

Die vertragsschließenden Theile werden alles, was in ihrer Macht liegt, tun, damit die nach Artikel 25 bis 27 zurückgebenden Kauffahrteischiffe nebst ihren Ladungen frei nach der Heimat zurückgelangen können.

ARTICLE 27.

The merchant vessels of either of the contracting parties held as prizes in the zone of power of the other party shall be regarded as definitely confiscated if they have been legally condemned as prizes, and if they do not come under the provisions of Articles 25 and 26; otherwise they are to be given back, or, in so far as they are no longer available, they are to be paid for.

The provisions of paragraph 1 are to apply also to ship cargoes taken as prizes and belonging to nationals of the contracting parties. But goods belonging to nationals of one of the contracting parties on board ships flying an enemy flag which have fallen into the hands of the other contracting party are in all cases to be handed over to their rightful owners, or, so far as this is not possible, they are to be paid for.

ARTICLE 28.

The carrying out of the provisions contained in Articles 25 to 27, especially the fixing of the damages to be paid, shall be decided by a mixed commission, which shall consist of one representative from each of the contracting parties and a neutral umpire, and shall sit in Stettin within three months after the date of confirmation of the Peace Treaty; the President of the Swiss Federal Council shall be requested to nominate the umpire.

ARTICLE 29.

The contracting parties will do all in their power to facilitate the free return of the merchant ships and their cargoes to their homes as set forth in Articles 25 to 27.

Auch werden beide Teile einander bei der Herstellung gesicherter Schiffsahrtswege für den durch den Krieg gestörten gegenseitigen Handelsverkehr jede Unterstützung zuteil werden lassen.

The contracting parties will also give their support to each other in the reestablishment of the mutual commercial intercourse, after the assuring of safe shipping lanes, which had been disturbed by the war.

Zehntes Kapitel.

CHAPTER X.

Artikel 30.

ARTICLE 30.

Die vertragschließenden Teile sind darüber einig, daß die auf den Alandinseln angelegten Befestigungen sobald als möglich zu entfernen und die dauernde Nichtbefestigung dieser Inseln, wie ihre sonstige Behandlung in militärischer und schiffahrtstechnischer Hinsicht durch ein besonderes Abkommen zwischen Deutschland, Finnland, Rußland und Schweden zu regeln sind; hierzu werden auf Wunsch Deutschlands auch andere Anliegerstaaten der Ostsee hinzuzuziehen sein.

The contracting parties are agreed that the forts built upon the Aland Islands are to be removed as soon as possible, and that the permanent non-fortified character of these islands and also their treatment in a military and technical sense for purposes of shipping, shall be settled by agreement between Germany, Finland, Russia, and Sweden; and to these agreements, at the wish of Germany, the other States bordering upon the Baltic Sea shall be invited to assent.

Elftes Kapitel.

CHAPTER XI.

Artikel 31.

ARTICLE 31.

Dieser Friedensvertrag wird bestätigt werden. Die Bestätigungsurkunden sollen tunlichst bald in Berlin ausgetauscht werden.

This Peace Treaty shall be confirmed. The confirmatory documents shall be exchanged as soon as practicable in Berlin.

Artikel 32.

ARTICLE 32.

Der Friedensvertrag tritt, soweit darin nicht ein anderes bestimmt ist, mit seiner Bestätigung in Kraft.

The Peace Treaty, in so far as is not otherwise stipulated, shall come into force with its confirmation.

Zur Ergänzung des Vertrags werden binnen vier Monaten nach der Bestätigung Vertreter der vertragschließenden Teile in Berlin zusammenzutreten.

To complete the Treaty the representatives of the contracting parties shall meet in Berlin within four months of its confirmation.

Zur Urkund dessen haben die beiderseitigen Bevollmächtigten den gegenwärtigen Vertrag unterzeichnet und ihre Siegel beigebracht.

In faith whereof the plenipotentiaries of both parties have signed the present treaty and affixed their seals to it.

Ausgefertigt in doppelter Urschrift in Berlin am 7. März 1918.

Done in duplicate original at Berlin, 7 March, 1918.

3. FINLAND—GERMANY.

TREATY OF COMMERCE AND NAVIGATION BETWEEN FINLAND AND GERMANY. SIGNED AT BERLIN, 7 MARCH, 1918.¹

[German text from the Norddeutsche Allgemeine Zeitung, 9 March, 1918. The text of the introduction is from a copy transmitted to the Department of State by the American Consul at Helsingfors.]

[Translation.]

Die Kaiserlich Deutsche Regierung und die Finnische Regierung, von dem Wunsche geleitet, die durch den Krieg zwischen Deutschland und Rußland unterbrochenen Beziehungen des freundschaftlichen Verkehrs zwischen Deutschland und Finnland wieder anzuknüpfen und für die Zukunft möglichst erspriesslich zu gestalten, haben beschlossen, ein Handels- und Schiffsahrtsabkommen zu vereinbaren, und zu diesem Zwecke zu Bevollmächtigten ernannt:

die Kaiserlich Deutsche Regierung,
den Kanzler des Deutschen Reichs,
Dr. Grafen von Hertling,

die Finnische Regierung,
Herrn Dr. phil. Edvard Immanuel Hjelt, Staatsrat, stellvertretenden Kanzler der Universität Helsingfors, und
Herrn Dr. jur. Rafael Waldemar Erich, Professor des Staats- und Völkerrechts an der Universität Helsingfors,

welche nach gegenseitiger Mitteilung ihrer in güter und gehöriger Form befundenen Vollmachten über nachstehende Bestimmungen übereingekommen sind:

The Imperial German Government, and the Finnish Government, being animated by the desire to resume the relations of friendly intercourse between Germany and Finland which were interrupted by the war between Germany and Russia and to render them as advantageous as possible, have decided to conclude a commerce and navigation agreement and for this purpose have appointed as their plenipotentiaries, to wit:

The Imperial German Government,

Count von Hertling, Chancellor of the German Empire;

The Finnish Government,

Edvard Immanuel Hjelt, Ph.D., Counselor of State, Deputy Chancellor of the Helsingfors University, and
Rafael Waldemar Erich, LL.D., Professor of Civil and International Law at the Helsingfors University,

who, after exhibiting to each other their full powers, which were found to be in due and proper form, have agreed upon the following provisions:

¹ Ratifications exchanged at Berlin, 25 June, 1918 (*Frankfurter Zeitung*, 26 June, 1918, 2d morning edition).

Artikel 1.

ARTICLE 1.

Da zwischen Deutschland und Finnland kein Kriegszustand besteht und die vertragsschließenden Teile entschlossen sind, fortan in Frieden und Freundschaft miteinander zu leben, versteht es sich von selbst, daß auch auf wirtschaftlichem und finanziellem Gebiete feindliche Handlungen zwischen den beiden Ländern ausgeschlossen sein müssen.

Demgemäß werden die vertragsschließenden Teile sich wechselseitig an keinerlei Maßnahmen, die auf Feindseligkeiten auf wirtschaftlichem oder finanziellem Gebiete hinauslaufen, unmittelbar oder mittelbar beteiligen und innerhalb ihres Staatsgebiets solche Maßnahmen, auch wenn sie von privater oder sonstiger Seite ausgehen, mit allen ihnen zu Gebote stehenden Mitteln verhindern. Andererseits werden sie Hindernisse, die der Wiederaufnahme freundlicher Handels- und Geschäftsbeziehungen entgegenstehen, aus dem Wege räumen und den wechselseitigen Warenaustausch nach Möglichkeit erleichtern.

In der Uebergangszeit, die zur Ueberwindung der Kriegsfolgen und zur Neuordnung der Verhältnisse erforderlich ist, werden sie die Verkehrsbeschränkungen, wie Ausfuhrverbote, Regelung der Einfuhr usw., die während dieser Zeit unumgänglich sind, derart handhaben, daß sie möglichst wenig lästig empfunden werden. Andererseits werden sie in dieser Zeit die Versorgung mit den nötigen Gütern möglichst wenig durch Eingangszölle belasten und daher soweit wie tunlich die während des Krieges festgesetzten Zollbefreiungen und Zollerleichterungen vorübergehend noch länger aufrechterhalten und weiter ausdehnen.

Artikel 2.

ARTICLE 2.

Die Angehörigen eines jeden der vertragsschließenden Teile sollen im Gebiete

As no state of war exists between Germany and Finland and the contracting parties are determined to live with each other henceforth in peace and amity, it is self-evident that hostile actions between the two countries in economic and financial matters must also be precluded.

Accordingly, the contracting parties will mutually refrain from participating, directly or indirectly, in any measures which tend toward hostilities in an economic or financial way, and they will also use all means at their disposal to prevent such measures from being taken within their national territory, whether by private parties or otherwise. On the other hand, they will remove any obstacles which may impede the resumption of friendly commercial and business relations, and facilitate mutual commercial exchange as far as possible.

During the transitional period necessary in order to overcome the effects of the war and reorganize conditions, they shall administer all trade restrictions such as export embargoes, regulation of imports, etc., which are indispensable during this period in such a manner that they shall be as little burdensome as possible. On the other hand, they shall, during the same period, burden the supply of necessary goods as little as possible with import duties and therefore, as far as may be, temporarily continue and extend the exemptions from and reductions in customs duties established during the war.

The nationals of the contracting parties shall enjoy the same rights and privileges in the territory

des anderen Teiles in bezug auf Handel und sonstige Gewerbe dieselben Rechte und Begünstigungen aller Art genießen, welche den Inländern zustehen oder zustehen werden.

Sie sollen gleich den Inländern be- rechtigt sein, bewegliches oder unbeweg- liches Vermögen zu erwerben, zu besitzen und zu verwalten, sowie darüber zu verfügen. Sie sollen weder für ihre Person oder ihren Geschäfts- oder Gewerbebetrieb noch in bezug auf ihren Grundbesitz, ihr Einkommen oder ihr Vermögen größeren allgemeinen oder örtlichen Abgaben oder Lasten unter- liegen als die Inländer.

Die Bestimmung des ersten Absatzes findet keine Anwendung auf Apotheker, Drogisten, Handels- und Börsenmakler, Hausierer und andere Personen, welche ein im Umherziehen ausgeübtes Ge- werbe betreiben.

In Festungstrajons und solchen Ge- bieten, die als Grenzschutzgebiete er- klärt sind, ist jeder Staat berechtigt, die Angehörigen des anderen vertragsschlie- fenden Teiles Beschränkungen im Er- werb und in der Benutzung von Grund- eigentum zu unterwerfen.

In keinem der vorerwähnten Fälle sollen jedoch die Angehörigen des einen Teiles im Gebiete des anderen Teiles ungünstiger behandelt werden als die Angehörigen irgendeines dritten Landes.

Artikel 3.

Aktiengesellschaften, Gesellschaften mit beschränkter Haftung und andere kom- merzielle, industrielle und finanzielle Gesellschaften mit Einschluß der Ver- sicherungsgesellschaften, die in dem Ge- biete des einen vertragsschließenden Teiles ihren Sitz haben und nach dessen Gesetzen errichtet sind, sollen auch in dem Gebiete des anderen Teiles als gesetzlich bestehend anerkannt werden und insbe- sondere das Recht haben, vor Gericht als Kläger und Beklagte aufzutreten. Die Zulassung solcher Gesellschaften des einen vertragsschließenden Teiles zum

of the other party with respect to commerce and industry as are or may in future be enjoyed by the inhabitants.

They shall be entitled, like the inhabitants, to acquire, own, ad- minister, and dispose of personal property or real estate. Neither with respect to their person or their business or industry nor in regard to their real estate, their income, or their intangibles shall they be subject to any higher general or local taxes or charges than the inhabitants.

The provision of the first para- graph shall not be applicable to apothecaries, druggists, commer- cial and stock-exchange brokers, peddlers, and other persons who carry on an itinerant industry.

In the regions about fortresses and in areas declared to be "fron- tier protective areas," each nation shall have a right to impose re- strictions upon the citizens or subjects of the other contracting party in regard to the acquisition or utilization of real estate.

However, in none of the afore- mentioned cases shall the nation- als of one party be treated more unfavorably in the territory of the other party than the nationals of any third country whatever.

ARTICLE 3.

Joint-stock companies, limited- liability companies, and other commercial, industrial, and finan- cial associations, including insur- ance companies, which have their headquarters in the territory of one of the contracting parties and are organized under its laws, shall be recognized in the territory of the other party also as existing legally and shall especially have the right to appear before court as plaintiffs and defendants. The permission of such associations of one of the contracting parties to

Gewerbe- oder Geschäftsbetriebe sowie zum Erwerb von Grundstücken und sonstigem Vermögen in dem Gebiete des anderen Teiles bestimmt sich nach den dort geltenden Vorschriften. Doch sollen die Gesellschaften in diesem Gebiete jedenfalls dieselben Rechte genießen welche den gleichartigen Gesellschaften irgendeines dritten Landes zustehen.

Artikel 4.

Die Boden- und Gewerbszeugnisse des einen Teiles sollen in dem Gebiete des anderen nach dem Grundsatz der Meistbegünstigung behandelt werden. Diese Behandlung gilt für die Einfuhr, Ausfuhr und Durchfuhr und im allgemeinen in jeder die Zölle und sonstigen Abgaben, die Eisenbahntarife sowie die Handelsgeschäfte betreffende Beziehung, ferner für die Behandlung, welche staatliche oder unter staatlicher Kontrolle stehende Monopolverwaltungen des einen vertragsschließenden Teiles den Abnehmern oder Lieferanten des anderen Teiles in der Preisstellung oder der sonstigen Geschäftsgebarung zuteil werden lassen.

Artikel 5.

Vorrechte, die einer der vertragsschließenden Teile während des Krieges anderen Ländern durch Erteilung von Konzessionen oder durch andere staatliche Maßnahmen gewährt hat, sollen aufgehoben oder auf den anderen Teil durch Gewährung gleichwertiger Rechte ausgedehnt werden.

Artikel 6.

Die Bestimmungen der Artikel 2 bis 5 berechtigen nicht zur Teilnahme an den Vergünstigungen,

1) die angrenzenden Ländern zur Erleichterung des örtlichen Verkehrs innerhalb einer Grenzzone bis zu fünfzehn Kilometer Breite gegenwärtig oder künftig gewährt werden,

carry on industry or commerce or acquire real estate or other property in the territory of the other party shall be determined according to the regulations in force in the territory of said other party. However, the associations in this territory shall at all events enjoy the same rights as are granted similar associations of any third country.

ARTICLE 4.

The products of the soil or industry of one party shall be treated in the territory of the other according to the most-favored-nation principle. This treatment shall apply to importation, exportation, and transit carriage, and in general to every case in which customs duties and other taxes, railroad rates, and business deals are concerned, and it shall also be that accorded by government or government-controlled monopolies of one contracting party to purchasers or purveyors of the other party in the fixing of prices or other modes of business conduct.

ARTICLE 5.

Privileges which have been granted during the war by one of the contracting parties to other countries in the way of concessions or other government measures shall be revoked or else extended to the other party by the granting of equivalent rights.

ARTICLE 6.

The provisions of articles 2 to 5 shall not involve a right to participate in the following favors:

1. Those already granted or to be granted in future to adjoining countries for the sake of facilitating local trade within a frontier zone up to fifteen kilometers broad.

2) Die gegenwärtig oder künftig einer der vertragsschließenden Teile den mit ihm zollgeeinigten Ländern oder Gebieten gewährt,

3) die Deutschland Oesterreich-Ungarn oder einem anderen mit ihm durch ein Zollbündnis verbundenen Lande, das an Deutschland unmittelbar oder durch ein anderes mit ihm oder Oesterreich-Ungarn zollverbündetes Land mittelbar angrenzt, oder seinen eigenen Kolonien, auswärtigen Besitzungen und Schutzgebieten oder denen der mit ihm zollverbündeten Länder etwa gewähren wird.

Artikel 7.

Die vertragsschließenden Teile verpflichten sich, den gegenseitigen Verkehr durch keinerlei Einfuhr-, Ausfuhr- oder Durchfuhrverbote zu hemmen.

Ausnahmen, sofern sie auf alle oder doch auf alle diejenigen Länder angewendet werden, bei denen die gleichen Voraussetzungen zutreffen können in folgenden Fällen stattfinden:

1) in Beziehung auf Kriegsbedarf unter außerordentlichen Umständen,

2) aus Rücksichten auf die öffentliche Sicherheit,

3) aus Rücksichten der Gesundheitspolizei oder zum Schutze von Tieren oder Nutzpflanzen gegen Krankheiten oder Schädlinge,

4) zu dem Zwecke, um hinsichtlich fremder Waren Verbote oder Beschränkungen, die durch die innere Gesetzgebung für die Erzeugung, den Vertrieb, die Beförderung oder den Verbrauch gleichartiger einheimischer Waren im Inland festgesetzt sind oder festgesetzt werden, durchzuführen.

Artikel 8.

Innere Abgaben, welche im Gebiete des einen der vertragsschließenden Teile

2. Those which are now or may in future be granted by one of the contracting parties to the countries or regions joined to it in a customs union.

3. Those which Germany may grant to Austria-Hungary or to any other country with which she has formed a customs alliance and which is immediately adjacent to Germany or to another country with which she or Austria-Hungary has formed a customs alliance, or adjacent to her own colonies, foreign possessions, and protectorates, or to those of the countries with which she has a customs alliance.

ARTICLE 7.

The contracting parties pledge themselves not to hinder their mutual intercourse by means of any export, import, or transit embargoes.

Exceptions may take place in the following cases, provided they are applied to all countries or at least to all those coming under the same conditions:

1. In regard to munitions of war under extraordinary circumstances;

2. For reasons of public security;

3. Out of considerations of sanitary police or for the protection of animals or useful plants against disease or pests;

4. For the purpose of enforcing, with respect to foreign goods, embargoes or restrictions which have been or may be established by the domestic legislation in regard to the production, transportation, or consumption of similar domestic goods at home.

ARTICLE 8.

Domestic taxes which are or may be levied in the territory of one of the contracting parties for

für Rechnung des Staates, der Gemeinden oder der Korporationen von der Hervorbringung, der Zubereitung, der Beförderung, dem Vertrieb oder dem Verbrauch eines Erzeugnisses gegenwärtig oder künftig erhoben werden, dürfen auch den gleichartigen Erzeugnissen des anderen Teiles auferlegt werden, diese jedoch unter keinem Vorwand höher oder in lästigerer Weise treffen als die Erzeugnisse des eigenen Landes. Soweit innere Abgaben auf Rohstoffe oder Halbwaren gelegt werden, soll die Feststellung eines angemessenen Steuerausgleichs für die Einfuhr von Erzeugnissen, welche aus oder mit solchen Rohstoffen oder Halbwaren gewonnen werden, auch dann statthaft sein, wenn die gleichartigen inländischen Erzeugnisse nicht unmittelbar den Gegenstand der Abgabe bilden.

Es bleibt jedem der vertragschließenden Teile unbenommen, geeignete Waren einem Staatsmonopol oder einer zur Gewinnung von Staatseinkünften dienenden monopolähnlichen Regelung zu unterwerfen. Die vorstehenden Grundsätze finden in diesem Falle entsprechende Anwendung.

Artikel 9.

Kaufleute, Fabrikanten und andere Gewerbetreibende, welche sich durch den Besitz einer von den zuständigen Behörden des Heimatlandes ausfertigten Gewerbe- = Legitimationskarte darüber ausweisen, daß sie in dem Staate, wo sie ihren Wohnsitz haben, die gesetzlichen Steuern und Abgaben entrichten, sollen befugt sein, persönlich oder durch in ihren Diensten stehende Reisende im Gebiete des anderen vertragschließenden Teiles, soweit es den Angehörigen des eigenen Landes gestattet ist, bei Kaufleuten oder in offenen Verkaufsstellen oder bei solchen Personen, welche die Waren produzieren, Warenankäufe zu machen oder bei Kaufleuten in deren Geschäftsräumen oder bei solchen Personen, in deren Gewerbebetriebe Waren

the sake of the national, municipal, or corporational governments on the production, preparation, transportation, sale, or consumption of a product may also be imposed on the same products of the other party, though they shall under no pretext be any higher or more burdensome than those on the domestic products. If domestic taxes are levied on raw materials or semimanufactured goods, it shall be permissible to reach an appropriate compromise in regard to the duty on the importation of products which are obtained from or by means of such raw materials or semimanufactured goods, and this even if domestic products of the same class are not immediately subject to the tax.

Each of the contracting parties shall remain at liberty to subject appropriate goods to a government monopoly or to a monopolistic regulation serving to produce government revenues. In this case the foregoing rules shall be duly applicable.

ARTICLE 9.

Merchants, manufacturers, and others engaged in industry, who demonstrate by means of an industrial permit issued by the proper authorities of their home country that they pay the legal taxes and assessments in the nation where they have their residence shall be authorized to make purchases of goods, personally or through traveling agents in their service, in the territory of the other contracting party provided the same permission is given to the inhabitants, such purchases to be made of merchants or in open markets or of persons producing the goods, and likewise to seek orders from merchants in their places of business or from persons in whose industrial es-

der angebotenen Art Verwendung finden, Bestellungen zu suchen. Weder in dem einen noch in dem anderen Falle sollen sie hierfür eine besondere Abgabe entrichten müssen.

Die Inhaber der Gewerbe-Legitimationskarten dürfen nur Warenmuster, aber keine Waren mit sich führen.

Die vertragschließenden Teile werden sich gegenseitig Mitteilung darüber machen, welche Behörden zur Erteilung von Gewerbe-Legitimationskarten befugt sein sollen, und welche Vorschriften von den Inhabern dieser Karten bei Ausübung ihrer Tätigkeit als Handlungsreisende zu beachten sind.

Für zollpflichtige Gegenstände, welche als Muster von den vorbezeichneten Handlungsreisenden eingebracht werden, wird beiderseits Befreiung von Eingang- und Ausgangsabgaben unter der Voraussetzung zugestanden, daß diese Gegenstände binnen einer Frist von sechs Monaten wieder ausgeführt werden und die Identität der ein- und wieder ausgeführten Gegenstände außer Zweifel ist, wobei es gleichgültig sein soll, über welches Zollamt die Gegenstände ausgeführt werden.

Die Wiederausfuhr der Muster muß in beiden Ländern bei der Einfuhr durch Niederlegung des Betrages der bezüglichen Zollgebühren oder durch Sicherstellung gewährleistet werden.

Die Erkennungszeichen (Stempel, Siegel, Bleie usw.), die zur Wahrung der Identität der Muster amtlich angelegt worden sind, sollen gegenseitig anerkannt werden, und zwar in dem Sinne, daß die von der Zollbehörde des Ausfuhrlandes angelegten Zeichen auch in dem anderen Lande zum Beweise der Identität dienen. Die beiderseitigen Zollämter dürfen jedoch weitere Erkennungszeichen anlegen, falls dies im einzelnen Falle notwendig erscheint.

establishments goods of the kind offered are used. In neither case shall they be obliged to pay a special tax for this privilege.

The holders of the industrial permits shall be allowed to carry samples with them but not goods.

The contracting parties shall mutually inform each other what authorities are competent to issue industrial permits and what rules the holders of these permits are to observe while carrying on their business as commercial travelers.

On dutiable articles imported as samples by the aforementioned commercial travelers both parties shall grant exemption from import and export duties on condition that the articles shall be reexported within a period of six months and that there shall be no doubt as to the identity of the imported and reexported articles, it being a matter of indifference through what customs house the articles are exported.

In both countries the reexportation of the samples must be guaranteed upon importing them by means of a deposit of the amount of the customs duties due or by means of a bond.

The identification marks (stamps, seals, lead, etc.) which have been placed upon the samples to enable them to be distinguished shall be recognized mutually, the signs placed on the samples by the customs authority of the exporting country serving as proofs of identity in the other country. However, the customs houses of either party may place further marks of identification on the samples in case this should appear necessary in particular instances.

Artikel 10.

Während des Bestehens dieses Abkommens wird der finnische Zolltarif nach dem Stande vom 1. Januar 1914 gegenüber Deutschland in Anwendung kommen. Der Tarif kann während dieser Zeit Deutschland gegenüber weder erhöht noch durch Zölle auf am 1. Januar 1914 zollfreie Waren erweitert werden. Die Finnische Regierung behält sich jedoch vor, vorzuschreiben, daß die im genannten Zolltarif in Finnischer Mark festgesetzten Zölle entweder in Gold oder nach Wahl des Zollpflichtigen in Papier zum Goldwerte zu entrichten sind.

Artikel 11.

Auf Eisenbahnen soll hinsichtlich der Vorfahrt und Benutzung der Beförderungsmittel und der übrigen Einrichtungen, hinsichtlich der Abfertigung und hinsichtlich der Beförderungspreise und der übrigen Abgaben kein Unterschied zwischen Deutschen und Finnländern oder den Angehörigen des meistbegünstigten dritten Landes und ihren Gütern bestehen.

Artikel 12.

Jeder der vertragschließenden Teile wird die Seeschiffe des anderen und deren Ladungen unter denselben Bedingungen und gegen dieselben Abgaben wie die eigenen Schiffe zulassen, so daß ein Unterschied wegen der Nationalität der Schiffe in keiner Weise und auch nicht hinsichtlich der Zollbehandlung der ein-, aus- und durchgeführten Waren sowie auch nicht hinsichtlich der anschließenden oder vorhergehenden Beförderung auf Eisenbahnen oder Wasserwegen stattfindet.

Jedes Vorrecht und jede Befreiung, welche in dieser Hinsicht oder sonst in bezug auf Schifffahrt von einem der vertragschließenden Teile einer dritten Macht gegenwärtig oder künftig eingeräumt ist, soll ohne weiteres und bedingungslos auch dem anderen Teile zustehen.

ARTICLE 10.

During the continuance of this agreement the Finnish customs tariff as existing 1 January, 1914, shall be applicable with respect to Germany. During this time the rates shall neither be increased against Germany nor shall duties be extended to goods which are free on 1 January, 1914. However, the Finnish Government reserves the right to prescribe that the duties fixed in the said tariff in Finnish marks shall be payable either in gold or, at the choice of the importer, in paper at gold value.

ARTICLE 11.

No discrimination shall be made on railroads between Germans and Finns or the nationals of the most favored third nation and their goods with respect to the furnishing and utilization of means of transportation and other establishments, with respect to dispatching goods, and with respect to freight rates and other charges.

ARTICLE 12.

Each of the contracting parties shall admit the ships of the other and their cargoes under the same conditions and in consideration of the same dues as its own ships, so that there shall be no discrimination as to the nationality of the ships and likewise none as to the customs treatment of imported, exported, or transit goods or as to the previous or subsequent conveyance on railroads or waterways.

Every privilege and every exemption that is granted in this regard or otherwise with respect to navigation by one of the contracting parties to a third Power now or in future shall immediately and unconditionally belong to the other party.

Von den Bestimmungen dieses Artikels wird eine Ausnahme in betreff derjenigen besonderen Begünstigungen, welche den Erzeugnissen des inländischen Fischfanges in dem einen oder dem anderen Lande jetzt oder in Zukunft gewährt werden sollten, sowie in betreff der Küstenschifffahrt gemacht. Indes soll jeder der beiden Teile alle Rechte und Begünstigungen, welche der andere Teil hinsichtlich der Küstenschifffahrt irgend einer dritten Macht eingeräumt hat oder einräumen wird, insoweit für seine Schiffe in Anspruch nehmen können, als er den Schiffen des anderen Teiles für sein Gebiet dieselben Rechte und Begünstigungen einräumt.

Artikel 13.

Um die Rechtsbeziehungen zwischen beiden Ländern hinsichtlich des Schutzes des gewerblichen Eigentums und des Urheberrechts mit den im internationalen Verkehr anerkannten Rechtsgrundsätzen in Einklang zu bringen, verpflichten sich beide Regierungen, daß zur Gewährung eines gegenseitigen Schutzes die zuletzt international vereinbarten Regeln, und zwar:

1) für den Schutz auf dem Gebiete des gewerblichen Eigentums die Bestimmungen der revidierten Pariser Übereinkunft vom 2. Juni 1911,

2) für den Schutz auf dem Gebiete des literarischen und künstlerischen Urheberrechts die Bestimmungen der revidierten Berner Übereinkunft vom 13. November 1908, derart maßgebend sein sollen, als ob sie Inhalt dieses Vertrags wären.

Artikel 14.

Die vertragsschließenden Teile kommen überein, zwischen beiden Ländern den Post- und Telegraphenverkehr unter Zugrundelegung der Bestimmungen des Weltpostvertrags und seinen Neben-

An exception is made from the provisions of this article in regard to those special privileges which may be granted now or in future in one or the other country to domestic fishery products and coastwise navigation. However, all rights and privileges which one party grants or may grant to the coastwise navigation of a third Power shall be enjoyed by the other party for its ships provided it grants the same rights and privileges to the ships of the said party in its territory.

ARTICLE 13.

In order to bring the legal relations between the two countries in regard to trademarks and copyrights into harmony with the principles of law recognized in international intercourse, the two Governments pledge themselves to be governed, in affording mutual protection, by the international rules last agreed upon just as if these rules were part of this treaty, they being as follows:

1. As regards protection in the domain of industrial property, the provisions of the revised Paris Convention of 2 June, 1911;¹

2. As regards literary and artistic copyrights, the provisions of the revised Bern Convention of 13 November, 1908.²

ARTICLE 14.

The contracting parties agree to establish postal and telegraph communications between the two countries on the basis of the provisions of the universal postal convention and its accessory

¹ 104 *British and Foreign State Papers*, pp. 116, 126.

² 102 *British and Foreign State Papers*, p. 439.

abkommen, des Internationalen Telegraphenvertrages und des Internationalen Funkentelegraphenvertrages aufzunehmen. Die näheren Festsetzungen erfolgen durch Abkommen, die zwischen den beiderseitigen Verwaltungen geschlossen werden. Schon jetzt wird vereinbart:

1) die Telegramme werden bis auf weiteres über Schweden geleitet,

2) als Wortgebühr für ein gewöhnliches Telegramm ist der Betrag von 25 Centimen in Aussicht genommen. Die Festsetzung der Anteile der beteiligten Länder bleibt der Vereinbarung der Verwaltungen vorbehalten.

Artikel 15.

Die vertragschließenden Teile behalten sich vor, zur Regelung der Konsularverhältnisse, der Nachlässe, des Rechtsschutzes und der Rechtshilfe in bürgerlichen Angelegenheiten tunclichst bald Verträge abzuschließen, die den Anschauungen und den Verhältnissen der Gegenwart entsprechen. Bis zum Inkrafttreten dieser Verträge sollen zwischen den beiden Ländern die Bestimmungen der nachstehenden Vereinbarungen Anwendung finden:

1) des deutsch-russischen Konsularvertrages vom 8. Dezember/26. November 1874,

2) der deutsch-russischen Konvention über die Regulierung von Hinterlassenschaften vom 12. November/31. Oktober 1874,

3) des Haager Abkommens über den Zivilprozeß vom 17. Juli 1905 und des Notenwechsels, betreffend die wechselseitige Befreiung des Deutschen Reichs und Rußlands von der ihnen für Ausländer in Rechtsstreitigkeiten obliegenden Verpflichtung zur Sicherheitsleistung, Vorschußzahlung und Gebührenentrichtung, vom 8. September/27. August 1897.

Ferner verpflichten sich die beiden vertragschließenden Teile, sobald wie mög-

agreements, of the international telegraph convention, and of the international wireless telegraph convention. Details shall be regulated by agreements to be concluded between the respective administrative departments.

The following is agreed upon even now:

1. Telegrams shall for the time being be transmitted via Sweden;

2. The fee per word for an ordinary telegram is fixed at 25 centimes. The fixing of the quotas of the interested countries is reserved for agreement between the administrative departments.

ARTICLE 15.

The contracting parties reserve the right to conclude treaties as soon as possible for the regulation of consular relations, inheritances, and legal protection and remedies in civil matters, such treaties to be in accord with the views and the conditions of the present time. Until these treaties go into force, the provisions of the following compacts shall be applicable between the two countries:

1. The Russo-German consular treaty of 8 December/26 November, 1874.¹

2. The Russo-German convention for the regulation of inheritances of 12 November/31 October, 1874.²

3. The Hague agreement on the civil suit of 17 July, 1905, and the exchange of notes regarding the mutual release of the German Empire and Russia from the obligation devolving upon them to furnish bonds, make advance payments, and pay fees for aliens in lawsuits of 8 September/27 August, 1897.³

The two contracting parties furthermore pledge themselves to

¹ 65 *British and Foreign State Papers*, p. 244.

² *Ibid.*, p. 250.

³ 80 *British and Foreign State Papers*, p. 1019.

lich in Verhandlungen über den Abschluß eines Vertrages über die gegenseitige Auslieferung von Verbrechern und die gegenseitige Rechtshilfe in Strafsachen auf neuzeitlicher Grundlage einzutreten. Bis zum Inkrafttreten dieses Vertrags räumen sie sich gegenseitig die Rechte und Begünstigungen ein, die jeder Teil mit Beziehung auf die Auslieferung von Verbrechern und die Rechtshilfe in Strafsachen der meistbegünstigten Nation eingeräumt hat oder künftig einräumen wird, sofern der ersuchende Teil bei Stellung des Antrags dem ersuchten Teile die Gegenseitigkeit für gleiche Fälle zusichert.

Artikel 16.

Jeder vertragschließende Teil wird die Zeitwanderung seiner Angehörigen in das Gebiet des anderen Teiles zur Beschäftigung in landwirtschaftlichen und gewerblichen Betrieben gestatten und sie in keiner Weise, insbesondere auch nicht durch Paßerschmerzen, hindern. Die Vertreter von Organisationen, die im Gebiete des einen Teiles zur Vermittelung der Anwerbung solcher Arbeiter gegründet sind, und die von der Regierung dieses Teiles der Regierung des anderen Teiles bezeichnet werden, sollen im Gebiete des letzteren ohne weiteres zugelassen werden und ihre Vermittlungstätigkeit ungehindert ausüben dürfen.

Artikel 17.

Dieses Abkommen soll zwei Wochen nach dem Austausch der Bestätigungsurkunden in Wirksamkeit treten und bis zur Inkraftsetzung eines Handels- und Schiffsverkehrsvertrags, über dessen Abschluß die vertragschließenden Teile tunlichst bald in Verhandlungen treten werden, in Geltung bleiben.

Sollte bis zum 31. Dezember 1920 der Handels- und Schiffsverkehrsvertrag nicht abgeschlossen und in Kraft getreten

enter into agreements as soon as possible regarding the conclusion of a treaty for the mutual surrender of criminals and mutual legal relief in penal matters on a modern basis. Until such a treaty goes into force, they will grant to each other the rights and favors which each party has granted or may in future grant to the most favored nation in regard to the extradition of criminals and to legal relief in penal cases, provided the soliciting party in presenting its petition gives assurance of reciprocity in similar cases.

ARTICLE 16.

Each of the contracting parties shall permit the temporary emigration of its nationals to the territory of the other party for the purpose of engaging in agricultural or industrial pursuits and shall not hinder them in any way, especially by placing restrictions on the issuance of passports. The representatives of organizations which are established in the territory of one party for the purpose of securing such laborers and which are indicated by that party to the government of the other party, shall be admitted freely into the territory of the latter party and allowed to carry on their work without hindrance.

ARTICLE 17.

This agreement shall take effect two weeks after the exchange of the ratifications and remain in force until the enforcement of a commerce and navigation treaty in regard to the conclusion of which the contracting parties will enter into negotiations as soon as possible.

If the commerce and navigation treaty should not have been concluded and put into force by

sein, so soll jeder der vertragschließenden Teile befugt sein, das gegenwärtige Abkommen mit einjähriger Frist zu kündigen.

Artikel 18.

Dieses Abkommen wird bestätigt werden. Die Bestätigungsurkunden sollen tunlichst bald in Berlin ausgetauscht werden.

Zu Urkund dessen haben die beiderseitigen Bevollmächtigten das gegenwärtige Abkommen unterzeichnet und ihre Siegel begedrückt.

Ausgefertigt in doppelter Urschrift in Berlin, am 7. März 1918.

31 December, 1920, either of the contracting parties shall be authorized to terminate the present agreement by giving one year's notice.

ARTICLE 18.

This agreement shall be ratified. The ratifications shall be exchanged at Berlin as soon as possible.

In witness whereof the plenipotentiaries of both parties have signed the present agreement and affixed thereto their seals.

Done in duplicate original at Berlin on 7 March, 1918.

4. FINLAND—GERMANY.

ADDITIONAL PROTOCOL TO THE PEACE TREATY AND THE TREATY OF COMMERCE AND NAVIGATION BETWEEN FINLAND AND GERMANY. SIGNED AT BERLIN, 7 MARCH, 1918.

German text as transmitted to the Department of State by the American Consul at Helsingfors.]

[*Translation.*]

Die unterzeichneten Bevollmächtigten der kaiserlich deutschen Regierung und der finnischen Regierung, nämlich:

für die kaiserlich deutsche Regierung:

der Kanzler des deutschen Reichs,
Dr. Graf von Hertling,

für die finnische Regierung:

Herr Dr. phil. Edvard Immanuel Hjelt, Staatsrat, stellvertretender Kanzler der Universität Helsingfors, und

Herr Dr. jur. Rafael Waldemar Erich, Professor des Staats- und Völkerrechts an der Universität Helsingfors,

stellen bei Unterzeichnung des Friedensvertrags und des Handels- und Schifffahrtsabkommens zwischen Deutschland und Finnland fest, daß unter ihnen über folgende Punkte Einverständnis besteht:

1. Es werden nachträglich finnische und schwedische Texte des Friedensvertrags und des Handels- und Schifffahrtsabkommens angefertigt werden. Diese Texte, die durch eine aus der gleichen Anzahl von Vertretern beider Vertragsteile zu bildende Kommission

The undersigned Plenipotentiaries of the Imperial German Government and the Finnish Government, to wit:

For the Imperial German Government:

The Chancellor of the German Empire, Dr. Count von Hertling;

For the Finnish Government:

Edvard Immanuel Hjelt, Ph. D., Counselor of State, Deputy Chancellor of the University of Helsingfors, and

Rafael Waldemar Erich, LL.D., Professor of Civil and International Law at the University of Helsingfors,

record the fact, in signing the Peace Treaty and the Commerce and Navigation Agreement between Germany and Finland, that an understanding exists between them on the following points:

1. Finnish and Swedish texts of the peace treaty and the commerce and navigation agreement will be subsequently prepared. These texts, which will be examined by a commission to be composed of an equal number of representatives of both contracting

geprüft werden, sollen nach erfolgter Genehmigung in gleicher Weise wie der deutsche Text als Wortlaut des Friedensvertrags und des Handels- und Schifffahrtsabkommens maßgebend sein.

2. Die deutsche Regierung wird sich bemühen, daß der Schaden, für den Finnland gemäß Artikel 15 des Friedensvertrags haftet, von der russischen Regierung an Finnland erstattet wird, soweit er nachweislich durch völkerrechtswidrige Gewaltakte russischer staatlicher Organe entstanden ist.

3. Die finnische Regierung wird sich bei den in Artikel 24 des Friedensvertrags vorbehaltenen Vereinbarungen verpflichten, ihren Angehörigen für alle Handlungen, die sie bis zur Bestätigung des Friedensvertrags im Kriege oder vor dem Kriege zu Gunsten Deutschlands begangen haben, volle Straffreiheit zu gewähren und ihnen auch sonst keinerlei rechtliche Nachteile zuzufügen.

4. Die der finnischen Regierung nach Artikel 25 des Friedensvertrags obliegende Verpflichtung zur Rückgabe deutscher Kauffahrteischiffe und ihrer Ladungen oder zum Wertersatz tritt hinsichtlich derjenigen Schiffe und Ladungen, welche von der russischen Regierung fortgeführt oder zerstört worden sind, für den Fall nicht ein, daß Rückgabe oder Ersatz von der russischen Regierung innerhalb eines Jahres nach der Bestätigung des Friedensvertrags erfolgt. Soweit solche Schiffe von der russischen Regierung benutzt worden sind, gilt das gleiche hinsichtlich der für die Benutzung der Schiffe zu leistenden Vergütung.

5. Ueber den Post-, Telegraphen- und Reiseverkehr zwischen Deutschland und Finnland sollen durch eine gemischte Kommission Uebergangsbestimmungen getroffen werden, die dem Umstande Rechnung tragen, daß sich Deutschland noch mit anderen Mächten im Kriegszustande befindet.

parties, shall, after approval, be considered as the standard reading of these treaties on a par with the German text.

2. The German Government will endeavor to have the damages for which Finland is held under article 15 of the peace treaty restored to Finland by the Russian Government as far as it is proven that they arose as a result of acts of violence of Russian Government organs contrary to international law.

3. In concluding the agreements for which reservation is made in article 24 of the peace treaty, the Finnish Government shall obligate itself to grant its nationals full exemption from punishment for any acts which they have committed up to the ratification of the peace treaty in or before the war in favor of Germany, as well as not to inflict on them any other legal disadvantages.

4. The obligation incumbent on the Finnish Government under Article 25 of the Peace Treaty to restore German merchantmen and their cargoes or their value shall not exist with respect to ships and cargoes captured or destroyed by the Russian Government in case restoration or compensation by the Russian Government takes place within one year after the ratification of the Peace Treaty. As far as such ships have been utilized by the Russian Government, the same shall apply with respect to the compensation to be made for the use of the ships.

5. In regard to postal, telegraph, and traveling connections between Germany and Finland, a mixed commission shall adopt transitory provisions which shall take into account the circumstance that Germany is still at war with other powers.

Dieses Protokoll soll ohne besondere Bestätigung mit dem Austausch der Bestätigungsurskunden zum Friedensvertrag und zum Handels- und Schifffahrtsabkommen als von beiden Regierungen genehmigt gelten.

Zu Urkund dessen haben die beiderseitigen Bevollmächtigten dieses Protokoll unterzeichnet und mit ihren Siegeln versehen.

Ausgefertigt in doppelter Urschrift in Berlin am 7. März 1918.

Graf von Hertling.

Dr. Hjelt.

Dr. Erich.

Without special ratification, this protocol shall be regarded as ratified by both Governments upon the exchange of ratifications of the Peace Treaty and the Commerce and Navigation Agreement.

In witness whereof the respective plenipotentiaries have signed this protocol and affixed their seals thereto.

Prepared in duplicate original at Berlin, 7 March, 1918.

Count von HERTLING.

Dr. HJELT.

Dr. ERICH.

5. FINLAND—GERMANY.

EXCHANGE OF NOTES CONCERNING THE TREATY OF COMMERCE AND NAVIGATION BETWEEN FINLAND AND GERMANY, 7 MARCH, 1918.

[German text as transmitted to the Department of State by the American consul at Helsingfors.]

[Translation.]

Die Bevollmächtigten der Finnischen Regierung,

Berlin, den 7. März 1918.

Die Unterzeichneten beehren sich, Seiner Excellenz dem Kanzler des Deutschen Reichs, Herrn Dr. Grafen von Hertling, mitzuteilen:

Nach Artikel 2 des Handels- und Schiffsabkommens zwischen Finnland und dem Deutschen Reich vom heutigen Tage sollen die Angehörigen des einen Teiles im Gebiete des anderen Teiles in bezug auf Handel und Gewerbe den Inländern gleichgestellt sein.

Von der finnischen Regierung wird vorausgesetzt, daß durch diese Bestimmung vorerst keine Aenderung der in Finnland geltenden Vorschriften bewirkt wird, welche in bezug auf Gesellschaften gewisser Art für die Mitgliedschaft oder für die Besetzung des Vorstandes die finnische Staatsangehörigkeit zur Bedingung machen.

Die finnische Regierung wird jedoch mit tunlichster Beschleunigung dem finnischen Landtag ein Gesetz vorschlagen, durch welches ermöglicht wird, auch in dieser Hinsicht die Angehörigen des deutschen Reichs den Inländern gleichzustellen und wird das Übrige tun, um dieses Gesetz zur Annahme zu bringen und in Kraft zu setzen.

The Plenipotentiaries of the Finnish Government,

Berlin, 7 March, 1918.

The undersigned have the honor to communicate the following to His Excellency Count Von Hertling, Chancellor of the German Empire:

According to Article 2 of the Commerce and Navigation Agreement between Finland and the German Empire of this date, the nationals of one party are to be placed on an equal footing with the inhabitants in the territory of the other party with respect to commerce and industry.

The Finnish Government takes it for granted that this provision will not effect any change in the provisions in force in Finland and which make Finnish citizenship a prerequisite to membership or directorship in associations of a certain kind.

However, the Finnish Government will present a bill to the Finnish diet with the greatest possible haste whereby it shall be possible to place the nationals of the German Empire on an equal footing with the inhabitants even in this regard, and it will do all in its power to have this bill enacted into a law and duly enforced.

Die Unterzeichneten benutzen auch diesen Anlaß, um Seiner Excellenz dem Herrn Kanzler des Deutschen Reichs die Versicherung ihrer ausgezeichnetsten Hochachtung zu erneuern.

Dr. Hjelt,
Dr. Erich.

An den Kanzler des Deutschen Reichs
Herrn Dr. Grafen von Hertling,
Erzellenz.

Der Reichskanzler. Ausw. Amt. Jr.
II. 676.

Berlin, den 7. März 1918.

Der Unterzeichnete beehrt sich, den Bevollmächtigten der finnischen Regierung, Herrn Staatsrat Dr. Hjelt und Herrn Professor Dr. Erich, den Empfang der gefälligen Note vom heutigen Tage zu bestätigen. Namens der Kaiserlich Deutschen Regierung hat er davon Akt genommen, daß die finnische Regierung mit tunlichster Beschleunigung dem finnischen Landtag ein Gesetz vorschlagen wird, durch welches ermöglicht werden soll, die Angehörigen des deutschen Reichs in Finnland hinsichtlich der Zulassung zur Mitgliedschaft und zum Vorstand von kommerziellen, industriellen und finanziellen Gesellschaften den Inländern gleichzustellen, und daß sie das übrige tun wird um dieses Gesetz zur Annahme zu bringen und in Kraft zu setzen.

Der Unterzeichnete benutzt auch diesen Anlaß, um den Herren Bevollmächtigten der finnischen Regierung die Versicherung seiner ausgezeichnetsten Hochachtung zu erneuern.

Graf von Hertling.

An die Bevollmächtigten der Fin-
nischen Regierung,
Herrn Staatsrat Dr. Hjelt, Hoch-
wohlgeboren, und
Herrn Professor Dr. Erich, Hoch-
wohlgeboren.

The undersigned avail themselves of this opportunity to insure His Excellency the Chancellor of the German Empire of their most distinguished regards.

Dr. HJELT.
Dr. ERICH.

The Chancellor of the German
Empire, Dr. Count Von
HERTLING, Excellency.

The Imperial Chancellor
(For. Off. Fr. II. 676),

Berlin, 7 March, 1918.

The undersigned has the honor to acknowledge the receipt of the kind note under this date from Counselor of State Dr. Hjelt and Professor Erich, Plenipotentiaries of the Finnish Government. On behalf of the German Government he has taken note of the fact that the Finnish Government will with the greatest possible haste present a bill to the Finnish Diet whereby it shall be made possible to place the nationals of the German Empire in Finland on an equal footing with the inhabitants regarding their admission as members or directors in commercial, industrial, and financial associations, and that it will do all in its power to have this bill enacted into a law and enforced.

The undersigned avails himself of this opportunity to renew to the Plenipotentiaries of the Finnish Government the assurances of his most distinguished regards.

COUNT VON HERTLING.

The Plenipotentiaries of the
Finnish Government,
Counselor of State Dr. HJELT,
Excellency, and
Professor Dr. ERICH, Excel-
lency.

6. FINLAND—GERMANY.

EXCHANGE OF NOTES CONCERNING THE TREATY OF PEACE BETWEEN FINLAND AND GERMANY, 11 MARCH, 1918.

[German text as transmitted to the Department of State by the American Consul at Helsingfors.]

[Translation.]

Auswärtiges Amt. Fr. III a 89.

Berlin, den 11. März 1918.

Der Unterzeichnete beehrt sich, den Bevollmächtigten der Finnischen Regierung, Herrn Staatsrat Dr. Hjelt und Herrn Professor Dr. Erich, nachstehendes mitzuteilen:

Die Kaiserlich Deutsche Regierung legt Wert darauf, daß die Vertreter der deutschen und der finnischen Regierung, die zur Ergänzung des Friedensvertrags zwischen Deutschland und Finnland vom 7. d. M. zusammentreten sollen (Artikel 32 Abs. 2), auch damit beauftragt werden, die Anwendung der Bestimmungen des Friedensvertrags sowie des Handels- und Schiffahrtsabkommens zwischen Deutschland und Finnland vom gleichen Tage auf die deutschen Schutzgebiete zu regeln.

Indem der Unterzeichnete einer gefälligen Antwort darüber entgegenfieht, ob die finnische Regierung bereit ist, dieser Anregung zu entsprechen, benutzt er auch diesen Anlaß, um den Herren Bevollmächtigten der finnischen Regierung die Versicherung seiner ausgezeichneten Hochachtung zu erneuern.

gez. von Stumm.

An die Bevollmächtigten der Finnischen Regierung

Herrn Staatsrat Dr. Hjelt, Hochwohlgeboren und
Herrn Professor Dr. Erich, Hochwohlgeboren.

FOREIGN OFFICE. Fr. III a 89.

Berlin, 11 March, 1918.

The undersigned has the honor to communicate the following to Counselor of State Dr. Hjelt and Professor Dr. Erich, Plenipotentiaries of the Finnish Government:

The Imperial German Government attaches importance to having the representatives of the German and Finnish Governments who are to meet for the purpose of supplementing the treaty between Germany and Finland of the 7th instant (Article 32, Par. 2) also charged with regulating the application of the provisions of the peace treaty as well as of the commerce and navigation agreement of the same date to the German protectorates.

While looking forward to favorable answer as to whether the Finnish Government is willing to accede to this desire, the undersigned avails himself of this opportunity to renew to the Plenipotentiaries of the Finnish Government the assurances of his most distinguished regards.

(Signed) VON STUMM.

The Plenipotentiaries of the Finnish Government,

Counselor of State Dr. Hjelt, Excellency, and
Professor Dr. Erich, Excellency.

Die Bevollmächtigten der Finnischen Regierung,

Berlin, den 11. März 1918.

Die Unterzeichneten beehren sich, dem Herrn Unterstaatssekretär im Auswärtigen Amte von Stumm den Empfang des gefälligen Schreibens vom heutigen Tage—Fr. III a 89—zu bestätigen und zugleich zu erklären, daß die finnische Regierung der darin enthaltenen Anregung der Kaiserlich Deutschen Regierung wegen der Anwendung der Bestimmungen des Friedensvertrags sowie des Handels- und Schiffahrtsabkommens zwischen Deutschland und Finnland auf die deutschen Schutzgebiete Folge geben wird.

Die Unterzeichneten benutzen auch diesen Anlaß, um den Herrn Unterstaatssekretär die Versicherung ihrer ausgezeichnetsten Hochachtung zu erneuern.

gez. Hjelt.
gez. Erich.

An den Herrn Unterstaatssekretär im Auswärtigen Amte Herrn von Stumm, Hochwohlgeboren.

The Plenipotentiaries of the Finnish Government.

Berlin, 11 March, 1918.

The undersigned have the honor to acknowledge the receipt of letter Fr. III a 89 of this date from the Undersecretary of the Foreign Office and at the same time to declare that the Finnish Government will comply with the request made therein regarding the application of the provisions of the Peace Treaty and the Commerce and Navigation Agreement between Germany and Finland to the German protectorates.

The undersigned avail themselves of this occasion to renew to the Honorable Undersecretary the assurances of their most distinguished regards.

(Sgd) HJELT.
(Sgd) ERICH.

His Excellency Herr VON STUMM,
Undersecretary in the Foreign Office.

7. FINLAND—AUSTRIA-HUNGARY.

TREATY OF PEACE BETWEEN FINLAND AND AUSTRIA-HUNGARY. SIGNED AT VIENNA, 29 MAY, 1918.

[German text as published in the *Neue Freie Presse*, 31 May, 1918, morning edition.]

[Translation.]

Oesterreich-Ungarn und Finnland, von dem Wunsch geleitet, nach der Erklärung der Selbständigkeit Finnlands und ihrer Anerkennung durch Oesterreich-Ungarn den Zustand des Friedens und der Freundschaft zwischen ihnen auf eine dauernde Grundlage zu stellen, haben beschlossen, einen Friedensvertrag zu vereinbaren. Zu diesem Zweck sind die Bevollmächtigten der vorbezeichneten Mächte, nämlich

für die österreichisch-ungarische Regierung der Minister des Aeußern Graf Burian, Botschafter v. Merer;

für die finnische Regierung der Staatsrat, Gesandte und bevollmächtigte Minister Finnlands beim deutschen Kaiser, stellvertretender Kanzler der Universität Helsingfors, Herr Dr. phil. Edvard Immanuel Hjelt, der Geschäftsträger ad interim Finnlands bei der norwegischen Regierung, Professor der Rechte an der Universität Helsingfors, ehemaliger Senator, Herr Dr. jur. Allan Serlachius;

zur Einleitung von Friedensverhandlungen in Wien zusammengetreten und haben sich nach gegenseitiger Mitteilung ihrer in guter und gehöriger Form befundenen Vollmachten über nachstehende Bestimmungen geeinigt:

Artikel 1.

Oesterreich-Ungarn und Finnland erklären, daß zwischen ihnen kein Kriegszustand besteht, und daß sie entschlossen sind, fortan in Frieden und Freundschaft miteinander zu leben.

Austria-Hungary and Finland, animated by the desire, after the declaration of the independence of Finland and her recognition by Austria-Hungary, to put the condition of peace and of amity between them upon a permanent basis, have resolved to agree upon a peace treaty. To that end, the plenipotentiaries of the aforementioned Powers, to wit:

for the Austro-Hungarian Government, the Minister of Foreign Affairs Count Burian and Ambassador von Merer;

for the Finnish Government, the State Counselor, the Envoy and Minister Plenipotentiary of Finland to the German Emperor, Acting Chancellor of the Helsingfors University, Edvard Immanuel Hjelt, Ph. D.; the ad interim Chargé d'Affaires of Finland to the Norwegian Government, Professor of Law at the Helsingfors University, former Senator, Allan Serlachius, L.L. D. have met at Vienna to enter into peace negotiations, and upon the mutual communication of their full powers, found in good and due form, have agreed upon the following provisions:

ARTICLE 1.

Austria-Hungary and Finland declare that there is no state of war between them and that they are resolved henceforth to live in peace and amity with each other.

Artikel 2.

Die diplomatischen und konsularischen Beziehungen zwischen den vertragsschließenden Teilen werden sofort nach der Ratifikation dieses Friedensvertrages aufgenommen werden. Wegen Zulassung der beiderseitigen Konsuln bleiben besondere Vereinbarungen vorbehalten.

Artikel 3.

Die vertragsschließenden Teile verzichten gegenseitig auf den Ersatz ihrer Kriegskosten, das heißt der staatlichen Aufwendungen für die Kriegführung sowie auf den Ersatz der Kriegsschäden, das heißt derjenigen Nachteile, die ihnen und ihren Angehörigen in den Kriegsgebieten durch militärische Maßnahmen mit Einschluß aller im Feindesland vorgenommenen Requisitionen entstanden sind.

Artikel 4.

Die wirtschaftlichen Beziehungen zwischen den vertragsschließenden Teilen werden in einem besonderen Vertrage geregelt, der einen wesentlichen Bestandteil dieses Friedensvertrages bildet.

Das gleiche gilt von der Herstellung der öffentlichen und privaten Rechtsbeziehungen, der Regelung der Zivilschäden, dem Austausch der Kriegsgefangenen und Zivilinternierten, dem Erlaß von Amnestien sowie der Behandlung der in die Gewalt des Gegners geratenen Handelsschiffe und ihrer Ladungen.

Artikel 5.

Dieser Friedensvertrag wird ratifiziert werden. Die Ratifikationsurkunden sollen in Wien ausgetauscht werden.

Er tritt, soweit darin nicht ein anderes bestimmt ist, mit seiner Ratifikation in Kraft.

Zu Urkund dessen haben die Bevollmächtigten diesen Vertrag unterzeichnet und mit ihren Siegeln versehen.

Ausgefertigt in doppelter Urschrift in Wien am 29. Mai 1918.

ARTICLE 2.

Immediately after the ratification of this peace treaty, the diplomatic and consular relations will be resumed between the contracting parties. As regards the admission of consuls of both sides, special agreements are reserved.

ARTICLE 3.

The contracting parties mutually renounce refunding of their war costs, that is to say, their national expenses for the conduct of the war, as well as indemnification for war damages, that is to say, those prejudices which have accrued to them and to their nationals within the war zones as a result of military measures, inclusive of all requisitions made in enemy country.

ARTICLE 4.

The economic relations between the contracting parties will be regulated in a special treaty which forms an essential part of this peace treaty.

The same applies with regard to the establishment of public and private legal relations, the settlement of civilian damages, the exchange of war prisoners and interned civilians, the decree of amnesty as well as the treatment of merchant ships and their cargoes that have come into the power of the opponent.

ARTICLE 5.

This peace treaty shall be ratified. The ratification acts shall be exchanged in Vienna.

In so far as nothing to the contrary is stipulated in it, it goes into force upon its ratification.

In faith whereof the plenipotentiaries have signed this treaty and affixed their seals to it.

Done in duplicate original in Vienna, 29 May, 1918.

8. FINLAND—AUSTRIA-HUNGARY.

LEGAL-POLITICAL TREATY SUPPLEMENTARY TO THE TREATY OF PEACE BETWEEN FINLAND AND AUSTRIA-HUNGARY. SIGNED AT VIENNA, 29 MAY, 1918.

[*Summary and extracts as published in Die Zeit, 1 June, 1918.*]

[*Translation.*]

Ein rechtspolitischer Zusatzvertrag zu dem Friedensvertrag zwischen Oesterreich-Ungarn und Finnland regelt die Herstellung der öffentlichen und privaten Rechtsbeziehungen, die Frage des Ersatzes von Zivilschäden, den Austausch der Kriegsgefangenen und Zivilinternierten, die Amnestiefrage sowie die Frage der Behandlungen der in die Gewalt des Gegners geratenen Handelsschiffe und ihrer Ladungen. Er befaßt im wesentlichen: Die Verträge, Abkommen und Vereinbarungen, die zwischen Oesterreich-Ungarn oder einem der beiden Staaten der österreichisch-ungarischen Monarchie und Rußland vor der Kriegserklärung in Kraft gewesen sind, sollen für die Beziehungen zwischen den vertragsschließenden Teilen tunlichst bald durch neue Verträge, Abkommen und Vereinbarungen ersetzt werden, die den veränderten Anschauungen und Verhältnissen entsprechen.

Ueber die Wiederherstellung der Privatrechte werden nachstehende Bestimmungen getroffen:

Alle in den Gebieten des einen der vertragsschließenden Teile bestehenden Bestimmungen, wonach mit Rücksicht auf den Kriegszustand die Angehörigen des anderen Teiles in Ansehung ihrer Privatrechte irgendwelcher besonderen

The politico-legal supplementary treaty to the Peace Treaty between Austria-Hungary and Finland regulates the reestablishment of public and private relations, the matter of the indemnification for civilian damages, the exchange of war prisoners and interned civilians, the question of amnesty as well as that of the treatment of merchant ships and their cargoes that have come into the power of the opponent. In its essential parts it declares: The treaties, agreements and conventions which were in force before the declaration of war, between Austria-Hungary or one of the two States of the Austro-Hungarian monarchy and Russia, shall, as soon as practicable, be replaced, for the relations between the contracting parties, by new treaties, agreements and conventions that will meet the changed views and conditions.

As regards the reestablishment of private rights the following provisions have been agreed to:

All ordinances within the territories of one of the contracting parties which, in view of the state of war, the nationals of the other party, with regard to their private rights, are subject to any

Regelung unterliegen (Kriegsgesetze), treten mit der Ratifikation dieses Vertrages außer Anwendung.

Ueber privatrechtliche Schuldverhältnisse, die durch Kriegsgesetze beeinträchtigt worden sind, wird nachstehendes vereinbart:

Die Schuldverhältnisse werden wiehergestellt.

Jener, der durch den Krieg an der rechtzeitigen Bewirkung einer Leistung behindert war, soll nicht verpflichtet sein, den dadurch entstandenen Schaden zu ersetzen.

Geldforderungen, deren Bezahlung im Laufe des Krieges auf Grund von Kriegsgesetzen verweigert werden konnte, brauchen nicht vor Ablauf von drei Monaten nach der Ratifikation dieses Vertrages bezahlt zu werden. Sie sind von der ursprünglichen Fälligkeit an für die Dauer des Krieges und der anschließenden drei Monate ohne Rücksicht auf Zahlungsverbote und Moratorien mit fünf vom Hundert für das Jahr zu verzinsen.

Bei Wechseln und Schecks, die nach dem vorhergehenden Absatz nicht vor Ablauf von drei Monaten nach der Ratifikation dieses Vertrages bezahlt zu werden brauchen, hat die Vorlegung zur Zahlung sowie die Protesterhebung mangels Zahlung vor Ablauf des sechsten Monats zu erfolgen. Die Zinsen zu fünf vom Hundert für das Jahr laufen vom ursprünglichen Verfallstag an ohne Rücksicht auf Vorlegung und Benachrichtigung über den Inhaber.

Die Bestimmungen dieses Uebereinkommens finden auf den Wertpapierverkehr sowie auf Verpflichtungen aus Inhaberpapieren keine Anwendung und bleibt die Regelung der hierbei in Betracht kommenden Fragen einer besonderen Vereinbarung vorbehalten.

Der Angehörige eines der vertragsschließenden Teile, der in den Gebieten des anderen Teiles infolge von Kriegsgesetzen einen Schaden erlitten hat, ist

special regulation whatever (war laws), go out of force upon the ratification of this treaty.

As regards private legal debt relations that have been affected, the following has been agreed to:

The debt relations are reestablished.

He, who in consequence of the war, was prevented from the due performance of an obligation, shall not be obligated to make good any damage that may have resulted therefrom.

Pecuniary claims the payment of which, in the course of the war, could be refused on the ground of war laws, need not be paid before the expiration of three months after the ratification of this treaty. They are to be paid with 5 per cent interest per year, reckoned from the original date when they were due and for the duration of the war and the additional three months, regardless of inhibitions to payment and regardless of moratoriums.

In the case of bills and checks which, in accordance with the preceding paragraph, need not be met before the expiration of three months after the ratification of this treaty, an offer to pay as well as protest for lack of payment must be made before the expiration of the sixth month. Interest at 5 per cent per year is reckoned from the original day when payment was due, regardless of offer and information concerning the holder.

The provisions of this agreement are not applicable to operations in securities nor to obligations arising from bills payable to bearer, and the regulation of questions in connection therewith is reserved to a special agreement.

The nationals of one of the contracting parties who, in virtue of war laws, have sustained damages within the territory of the

von diesem Teil in angemessener Weise zu entschädigen, soweit der Schade nicht durch Wiedereinsetzung in den vorigen Stand ersetzt wird. Dies gilt auch von Aktionären, die wegen ihrer Eigenschaft als feindliche Ausländer von einem Bezugsrecht ausgeschlossen worden sind.

Jeder der vertragschließenden Teile wird den Zivilangehörigen des anderen Teiles die Schäden ersetzen, die ihnen in seinen Gebieten während des Krieges von den dortigen staatlichen Organen oder der Bevölkerung durch völkerrechtswidrige Gewaltakte an Leben, Gesundheit oder Vermögen zugefügt worden sind.

Ueber den Austausch der beiderseitigen Kriegsgefangenen werden die nachstehenden Bestimmungen getroffen:

1. Die beiderseitigen Kriegsgefangenen werden, soweit sie nicht im Gebiete des Aufenthaltsstaates zu bleiben oder sich in ein anderes Land zu begeben wünschen, mit aller Beschleunigung in ihr Heimatland entlassen werden.

Der bereits im Gange befindliche Austausch verwundeter und fränker Kriegsgefangener wird möglichst beschleunigt werden.

Die Kosten der Beförderung der Kriegsgefangenen bis zur Grenzübergangsstation trägt der Teil, der die Kriegsgefangenen zurückgibt.

2. Bei der Entlassung erhalten die Kriegsgefangenen das ihnen von den Behörden des Aufenthaltsstaates abgenommene Privateigentum sowie den noch nicht ausbezahlten oder verrechneten Teil ihrer Bezüge oder ihres Arbeitsverdienstes; diese Verpflichtung bezieht sich nicht auf Schriftstücke militärischen Inhalts.

Die vertragschließenden Teile verzichten gegenseitig auf dem Ersatz ihrer Aufwendungen für die Kriegsgefangenen.

Ueber die Heimkehr der beiderseitigen Zivilangehörigen werden die nachstehenden Bestimmungen getroffen:

other party, are to be adequately indemnified by such party, in so far as the damage can not be repaired by putting the particular thing which suffered the damage back into its former condition. This applies also to shareholders who, on account of their quality as aliens, were excluded from a right of preemption.

Each of the contracting parties will indemnify the civilian nationals of the other party for damages inflicted upon them within its territories, during the war, by the local national authorities or by the population, through acts of violence contrary to international law and against their body, health or property.

As regards the exchange of war prisoners of both parties, the following provisions are agreed to:

1. In so far as they do not wish to remain in the territory of the State where they are held or betake themselves into another country, the war prisoners of both parties shall be released with all despatch to their home land.

The exchange of wounded and sick prisoners of war already under way will be hastened as far as possible.

The costs of conveying the war prisoners to the frontier station are borne by the party returning the war prisoners.

2. Upon their release, the war prisoners receive the private property taken from them by the authorities of the State where they are held, together with that part of their earnings not yet paid nor yet credited to them; this obligation does not apply to written documents of military purport.

The contracting parties mutually renounce compensation for expenses incurred for war prisoners.

Regarding the return home of the civilian nationals of both parties, the following provisions are agreed to:

1. Die beiderseitigen internierten oder verschickten Zivilangehörigen werden, soweit sie nicht in den Gebieten des Aufenthaltsstaates zu bleiben oder sich in ein anderes Land zu begeben wünschen, mit aller Beschleunigung unentgeltlich heimbefördert werden.

Die in Petersburg über die Heimkehr der beiderseitigen Zivilangehörigen getroffenen Vereinbarungen werden mit möglichster Beschleunigung durchgeführt werden.

2. Die Angehörigen des einen der vertragsschließenden Teile, die bei Kriegsausbruch in den Gebieten des anderen Teiles ihren Wohnsitz oder eine gewerbliche oder Handelsniederlassung hatten und sich nicht in diesen Gebieten aufhalten, können dorthin zurückkehren, sobald sich der andere Teil nicht mehr im Kriegszustand befindet. Die Rückkehr darf nur aus Gründen der inneren oder äußeren Sicherheit des Staates verjagt werden.

1. The interned or deported civilian nationals of both parties, in so far as they do not desire to remain within the territories of the State where they sojourn, or to betake themselves into another land, will be conveyed home with all due haste and with no expense to them.

The agreements come to in Petrograd concerning the conveying home of the civilian nationals of both parties will be carried through with all possible despatch.

2. The nationals of one of the contracting parties who, at the outbreak of the war, were domiciled within the territories of the other party or were engaged in an industrial or commercial enterprise though not residing within such territories, may return thither as soon as the other party is no longer in a state of war. The return to their former domicile may be refused only for reasons of the internal or external security of the State.

9. FINLAND—RUSSIA.

AGREEMENT BETWEEN THE REPRESENTATIVES OF THE GERMAN EMBASSY AT MOSCOW, IN THE NAME OF THE GOVERNMENT OF FINLAND, AND THE REPRESENTATIVE OF THE COUNCIL OF THE PEOPLE'S COMMISSIONERS OF THE RUSSIAN REPUBLIC. SIGNED AT MOSCOW, JULY, 1918.

[English text as published in the (British) Daily Review of the Foreign Press, 1 August, 1918, purporting to be a translation from a Russian wireless message.]

1. All citizens of Russia and Finland arrested for political reasons in Finland and Russia are liberated, including those who have been accused of spying and conveying contraband of war.

2. A Chancellery composed of two Finns is formed in connection with the German consulate at Petrograd, and another composed of two Russians, in connection with the Norwegian consulate at Helsingfors. All four of these representatives enjoy the inviolability of diplomatic offices and free passage over the frontiers.

3. The frontier will be open for Finns who enter Finland from Russia with passports delivered by the German consulate, and for Russians who enter Russia from Finland with passports delivered by the Norwegian consulate. The frontier can be closed only by an order of the military authorities of either side given for military reasons, and after they have informed the consulates which are in charge of the interests of the two parties concerned.

4. The first arrested persons who are to be exchanged will be Finnish citizens who were arrested at Petrograd in return for the Russian citizens Kamanev, Savitsky, Wolf, Kavanko, and Svinto. In the future the consulates defending the respective interests will be informed of new arrests and will receive the necessary documents, and will have the right of protest.

10. MEMORANDUM.

FINLAND.

By S. E. MORISON.

The Grand Duchy of Finland has an area of 144,750 square miles, and a population of about 3 million, of which 88 per cent are Finnish-speaking, and all the rest, save a fraction of one per cent, Swedish-speaking. It has natural boundaries on the west, south, and east, but on the north comes within 20 miles of the Arctic Ocean at two or three places, without touching it. The surface is rolling though not mountainous (the highest elevations about 1,500 feet); and broken by numerous marshes, rivers, and lakes. About 11 per cent of the entire surface is water, about 20 per cent in addition is marsh; and half the dry land is forested, mainly with pine, spruce, and birch.

Only 15 per cent of the population live in the towns, which are mostly very small. Helsingfors, the capital, had a population of 138,000 in 1910; and only three others (Abo, Tammerfors, and Viborg) had a population of 20,000. Seventy-one per cent of the rural population are engaged in agriculture and forestry, the two principal industries of Finland.

Agriculture is difficult in Finland on account of the poor soil, northern latitude, and consequent short summer. Less than half the grain and flour consumed is produced in the country; but there is a flourishing dairy industry, which produced almost 14 million kilograms of butter in 1913, and exported over 7 million dollars' worth, mainly to England.

No mineral or coal deposits of any value have yet been discovered in Finland. Her forests, one-third of which are owned by the State, are her principal natural resource, and largely determine her industrial life and her place in world trade. The long winters, and the numerous lakes, canals, and rivers facilitate the transport of logs to the seaboard, where they are sawed into lumber, converted into wood pulp and paper, or exported in an unworked state. Wood and wood products constituted 75 per cent of Finland's total exports in 1913. Over half the wood and lumber went to England and Russia; about 90 per cent of the paper to Russia. Yet Finland imported less from Russia and England together than from Germany, which supplied 40 per cent of her imports, before the war.

Finland is connected by rail with Russia and Sweden, but five-sixths of her foreign commerce trade before the war was carried by water. Her harbors are closed by ice for four or five months of the year, but Government ice-breakers keep Hango and Abo open.

