

Translation1

PEACE TREATY BETWEEN LITHUANIA AND THE RUSSIAN SOCIALIST FEDERAL  
REPUBLIC, AND PROTOCOL, SIGNED AT MOSCOW ON JULY 12, 1920

RUSSIA on the one part and LITHUANIA on the other part, being guided by a firm desire to establish, on the principles of right and justice, lasting foundations for future relations, guaranteeing to both countries and their peoples all the benefits of peace and good neighbourship, have decided to enter into negotiations for such purpose and have appointed as their representatives to this end :

THE GOVERNMENT OF THE RUSSIAN SOCIALIST FEDERATED SOVIET REPUBLIC:

Adolf Abramovitch JOFFE,  
Julian Josephovitch MARCHLEVSKI, and  
Leonid Leonidovitch OBOLENSKI

and

THE GOVERNMENT OF THE LITHUANIAN DEMOCRATIC REPUBLIC :-

Thomas NARUSEVICIUS,

Peter KLIMAS,

Simon ROZENBAUM,

Josef VAILOKAITIS, and Witovt RACKAUSKAS.

The said representatives having mutually produced their powers, which were found drawn up in proper form and in due order, agreed as follows :-

Article 1.

Proceeding from the right, proclaimed by the Russian Socialist Federated Soviet Republic,

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of Slobodka, Dolgaya and Prenta; from there along the small stream Narotch, and near the village of Tsheremstchitza, at a distance of about one verst from the same. it turns north-ward and passes along the eastern shore of the Bliada lake; at a distance of about one verst from same it proceeds northward across the Miastra lake, upon issuing from this lake, along the dried-up watercourse

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<sup>1</sup> Translation communicated by His Britannic Majesty's Foreign Office

between the village of Pikoltzy on the western side, and the village of Mintshaki on the eastern side; farther, northward and on the western side of the village of Volotshek at a distance of about one verst from it ; from there northward across the Madziol lake to the western side of the village of Pshegrode at a distance of about one verst from same; from there towards the source of the Miadzelka smallstream, and along this small stream to its junction with the Disna river; from there the frontier proceeds along the dried –up watercourse north-eastward towards the western side of the village of Borovyia, at a distance of about one verst from the same; farther, north-eastward in a direction across the Mikhalishiki lake; farther, along the small stream Nistshenka to the parallel of the Ozyraitzy lake, to the western edge of the Repistshe lake, to the western outskirts of Zamoshie; to the Zolva lake; along the small stream Zolvitza, across the Dryviaty lake to the Tznolake and Neslizha lake; farther, northward across the Druika river to its intersection with the boundary line of the province of Kovno; farther, along the boundary line of the province of Kovno, and, farther , to the western Dvina river near the Shafranovo farm.

#### REMARK 1.

The frontier line between Lithuania and Poland, and between Lithuania and Latvia, will be fixed by arrangement with these States.

#### REMARK 2.

The state frontier between the two contracting parties shall be established in situ, and the frontier marks shall be fixed by a mixed commission having an equal number of representatives on both sides.

In establishing the frontier in situ the mixed commission shall be guided by ethnographic and economic features, keeping as far as possible to the natural lines of division, and inhabited points shall as far as possible enter wholly into the composition of one State. In those cases where the frontier is carried along lakes, rivers, and canals, it shall pass through the middle of these lakes, rivers and canals, unless otherwise provided for in this treaty.

#### REMARKS 3.

The frontier herein described has been delineated in red line on the map hereto annexed .

In the event of any disagreement between the map and text, the text shall be the deciding factor.

#### REMARKS 4.

The artificial diversion of water from the frontier rivers and lakes, causing a lowering of the AVERAGE level of the water of same, is not permitted.

The order and conditions of navigation and fishing in these rivers and lakes shall be determined by a special arrangement, and fishing may only be carried on by means which do not exhaust the fishing resource.

### Article 3.

The conditions relating to the protection of the frontier, as also custom-house and other questions connected therewith, will be regulated by a separate agreement between the contracting parties after the occupied localities dividing Lithuania and Russia shall have been freed of occupation.

### Article 4.

Both contracting parties undertake :-

- (1) Not to permit on their territory the formation and sojourn of the Governments, organisations or groups, who have for their object armed warfare against the other contracting party. Similarly not to permit within their territories the recruiting and mobilisation of effectives for the armies of such Governments, organisations or groups, and the sojourn of their Governments and officials.
- (2) To prohibit those countries who are *de facto* in a state of war with the other of the contracting parties, and also organisations or groups, who have as their object armed warfare against the other contracting party, the importation into their ports and the transport through their territories of all that may be made use of against the other contracting party, such as: armed forces, military equipment, technical water supplies and artillery, commissariat, engineering and flying materials.

### Article 5.

In the event of international recognition of the permanent neutrality of Lithuania, Russia on its part undertakes to conform to such neutrality and to participate in the guarantees for the maintenance of same.

### Article 6.

Persons resident at the date of the ratification of this treaty within the confines of Lithuania, who themselves or whose parents have permanently resided in Lithuania, or who were registered with the rural, municipal or corporate bodies in the territory of the Lithuanian State, and also persons, who prior to 1914 were residing in the territory of the same State for not less than the last ten years and had a permanent occupation there, excepting former civil and military officials not of Lithuanian origin and the members of their families, shall *ipso facto* be considered citizens of the Lithuanian State.

Persons of the same category, residing at the time of the ratification of this treaty in the territory of a third State, but not naturalised there, are equally considered to be Lithuanian citizens

However, all persons who have attained the age of 18 years and are resident in the territory, of Lithuania, are entitled within the period of one year from the date of the ratification of this treaty to declare their wish to opt for Russian citizenship, and their citizenship shall extend to the children under 18 years of age and to the wife, if no other arrangement has been made between the husband and wife.

Similarly, persons residing in the territory of Russia and coming under the first paragraph of this article, may within the same period and on the same conditions opt for Lithuanian citizenship.

Those who have made a declaration of optation and also those who follow their citizenship, shall retain their rights to personal and real property within the limits of the laws in force in that State in which they reside, but must within a year from the date of handing in the declaration leave its confines, they being entitled to realize all their property or to take the same away with them.

#### REMARK I.

For persons residing in the Caucasus and Russia in Asia, the periods indicated in this article for lodging the declarations, and also for departure, are extended by one year.

#### REMARK 2.

The rights of optants indicated in this article shall be enjoyed by those citizens also who prior to and during the world war were resident in the territory of one side, but at the moment of the ratification of this treaty reside in the territory of the other.

Fugitives, with regard to their property which they were unable to take out of the country under the re-evacuation of Fugitives Treaty of the 30<sup>th</sup> June, 1920, enjoy the same rights as are provided for in this article in regard to optants, but only in so far as they do prove that such property belongs to them and was at the time of the re-evacuation in their actual possession.

#### Article 7.

Fugitives of both contracting parties, who desire to return to their country of origin, shall be returned to such country at the earliest possible date.

The order and conditions of re-evacuation are to be established by arrangement between the Government of the contracting parties.

#### Article 8.

Both contracting parties mutually renounce all accounts whatsoever arising from the fact of Lithuania having in the past belonged to the past Empire of Russia, and acknowledge that State property of various denominations, existing on the territory of either of them, constitutes the inalienable property of the respective State. However, if property thus belonging to Lithuania has been removed from its territory after the 1<sup>st</sup> August, 1914, by a third State, the right of claiming same passes to the Lithuanian State.

To the Lithuanian State are transferred all the claims of the Russian Treasury burdening properties situated within the Lithuanian State, and also all claims against Lithuanian citizens,

but only for the amounts not liquidated by counter-claims subject to acceptance in payment on account.

#### REMARK.

The right of claiming from small peasants their debts to the former Russian Peasants' Land Bank and others, now nationalised Russian Land banks, and also the right of claiming the debts due to the former Russian Noblemen's Land Bank and others, now nationalised Russian land banks, secured on landed estates, in the event of such estates passing into the possession of small and landless peasants, are not transferred to the Lithuanian Government, but are considered cancelled.

The documents and deeds, in proof of the titles referred to in this article, shall be delivered by the Russian Government to the Lithuanian Government as far as they are actually in the possession of the former. In the event of it being impossible to effect this within the period of one year from the date of the ratification of the present treaty, such documents and deeds shall be deemed to be lost.

#### Article 9.

(1) The Russian Government shall return at its expense to Lithuania, and shall hand over to the Lithuanian Government, the libraries, archives, museums, object of vertu, educational supplies, documents, and other property of educational establishments, scientific, governmental, religious, communal and professional institutions, in so far as the said objects have been removed beyond the limits of Lithuania during the world war of 1914-1917, and which actually are or shall prove to be in the keeping of the government or communal establishments of Russia.

As regards the archives, libraries, museums, objects of vertu, and documents, which are of material scientific, artistic, or historical value to Lithuania, and had been removed from the confines of Lithuania to Russia prior to the world war of 1914-1917, the Russian Government agrees to return the same to Lithuania, in so far as elimination may not cause serious deficiencies in the Russian archives, libraries, museums, picture galleries, in which they are kept.

The questions relating to such elimination are to be dealt with by a special mixed commission of an equal number of members of the two contacting parties.

(2) The Russian Government shall return at its expense, and shall hand over to the Lithuanian Government, all the judicial and governmental archives, including amongst these also the archives of senior and junior notaries, the archives of mortgage registries, the archives of the Consistorial Departments of all confessions, the archives and plans of the surveying, landestablishment, forestall, railway, roadway, postal and telegraphic and other offices, the plans, drawings, maps and, generally, all the material of the topographical section of the military district of Vilno, removed during the world war of 1914-1917 from the confines of Lithuania, in so far as they refer to the territory of the Lithuanian State; the archives of the local branches of the noblemen's and peasants' banks, of the branches of the State bank and of all other credit, co-operative, mutual assurance establishments; also the archives and affairs of private

establishments of Lithuania in so far as all the said objects actually are or shall prove to be in the keeping of governmental or communal establishments of Russia.

(3) The Russian Government shall return at its expense, and shall hand over to the Lithuanian Government for delivery to whomsoever it may concern, all kinds of title deeds, such as: purchase and mortgage deeds, agreements of lease, all kinds of securities, etc. including amongst these books, papers and documents required to effect settlements, and generally, documents which are of importance for determining the ownership and legal titles of Lithuanian citizens, and which have been removed from the confines of Lithuania during the world war of 1914-1917, as far as the same actually are or shall prove to be in the keeping of governmental or communal establishments of Russia. In the event of their not being returned within two years from the date of the ratification of this treaty, such documents shall be deemed to be lost.

(4) As regards parts of the archives of the central establishments which relate to the territory of Lithuania and which are subject to elimination, there is to be a special arrangement, for which purpose a mixed commission of an equal number of members of the two contracting parties is to be appointed.

#### Article 10.

(1) The Russian Government shall return at its expense, and shall hand over to the Lithuanian Government for delivery to whomsoever it may concern, the property of communal, benevolent, culture, educational establishments, and also the bells and utensils of churches and places of worship of all denominations which have been evacuated during the world war of 1914-1917, in so far as the said objects actually are or shall prove to be in the keeping of the governmental or communal establishments of Russia.

(2) (a) As regards the payments in savings banks, deposits, guarantees and other amounts paid into the former Russian governmental and judicial establishments, as far as such payments and amounts belong to citizens of Lithuania.

(b) as regards deposits or amounts of various descriptions paid into the branches of the State bank and into the nationalised and liquidated credit establishments, and their branches, in so far as such deposits and amounts belong to citizens of Lithuania, the Russian Government binds itself to admit to the Lithuanian citizens all those rights which at the time were admitted to all Russian citizens, and, therefore, grant permission to Lithuanian citizens, who in consequence of the occupation were not able to make use at the time of these their rights, to make use of the same now and to receive compensation for their claims in paper money values which have currency in the Russian Republic at the time such compensation is paid, and at the rate of exchange of the paper rouble existing on the internal money market at the time of the final occupation of Lithuania, that is, on the 1<sup>st</sup> September, 1915.

As regards securities and properties now kept, and which have been kept, at the offices of the banks and in their safes, as far as such securities and properties belong to citizens of Lithuania, the conditions set out in the first paragraph of this clause are to apply.

The sums, securities and properties mentioned in this article are to be handed over to the Lithuanian Government for delivery to whomsoever it may concern.

- (3) The Russian Government shall return at its expense, and hand over to the Lithuanian Government the funds which are intended for the endowment of stipends for the educational establishments of Lithuania and for the Lithuanian citizens in the educational establishments in Russia.

(4) As regards payment of Russia monetary assignats, securities, governmental or state-guaranteed, and also private securities issued by companies and institutions, the undertakings of which have been nationalised by the Russian Government and which are circulating within the confines of Lithuania, and also as regards satisfaction of claims by Lithuanian citizens against the Russian Exchequer and against the nationalised institutions, Russia binds herself to allow Lithuania and Lithuanian citizens all those privileges, rights and preferences which are directly or indirectly granted by her or which may be granted to any third State or to its citizens, companies and institutions.

In the event of the securities, and title deeds not being available, the Russian Government expresses its willingness, in the case of the application of this clause of this article, to recognise as the holders of the securities and others those who submit adequate proofs of the evacuation of the papers belonging to them during the war.

#### Article 11.

(1) The Russian Government shall return to the Lithuanian Government, for delivery to whomsoever it may concern, the property of Lithuanian citizens or partnerships, companies and joint stock companies, the majority of the stock or shares of which at the time of the promulgation of the respective decrees of nationalisation by the Russian Government, belonged to Lithuanian Citizens, and which had been evacuated during the world war of 1914-1917, in so far as such property actually is or shall prove to be in the keeping of the Russian Government.

#### REMARK.

The present clause does not apply to funds, deposits and securities in the care of the branches of the State Bank or private banks, credit establishments and savings banks in the territory of Lithuania.

(2) As regards the railway rolling stock and telegraph and telephone installations, as well as all the equipment of the railway shops evacuated into Russia during the world war of 1914-1917, Russia agrees to make good to Lithuania part of these at a rate corresponding to the local

requirements of the Lithuanian State, and marking allowance for the general lowering of the tone of the economic life.

In order to exactly determine the amount of the said replacement, a mixed commission consisting of an equal number of members of the two contracting parties shall be appointed immediately upon the ratification of the present treaty.

#### REMARK.

The replacement of railway rolling stock and telegraph and telephone installations and railway shop plant due to the occupied territory of Lithuania can only commence after the same has been relieved from occupation.

(3) For the purpose of carrying out the conditions set forth in Articles 8,9,10 and 11 of the present Treaty, the Russian Government undertakes to supply the Government of Lithuania with all the particulars and data referring thereto and to give every possible assistance in tracing returnable property, archives, documents, etc. The more detailed arrangement of the questions arising in connection with this subject shall be entrusted to a special mixed commission consisting of an equal number of members of the two contracting parties.

#### Article 12.

The Russian Government taking into consideration that during the world war Lithuania has been almost entirely ruined, and that Lithuanian citizens are deprived of the possibility even of re-establishing their homesteads, their partly destroyed and gutted buildings, owing to the destruction of the forests of Lithuania, expresses its willingness :

(1) To release Lithuania from responsibilities in regard to the debts and any other liabilities of Russia, including such as have resulted from the issue of paper money, treasury notes, bonds, series and certificates of the Russian Treasury in connection with the foreign and internal loans of the Russian State, guarantees to sundry institutions and undertakings and the guaranteed loans of same, etc. All such claims of creditors of Russia for the share relating to Lithuania shall only be directed against Russia.

(2) In the localities nearest to the frontiers of Lithuania and as near as possible to rivers down which timber can be floated , and to railways, to grant to the Lithuanian Government the right to cut timber over an area of 100,000 dessiatins with a gradual allocation during the period of twenty years of timber- cutting areas in accordance with the plans of the Russian Forestal Department. The fixing of the detailed conditions of the cutting of timber is left to a mixed commission consisting of an equal number of members of both contracting parties.

(3) To give to the Lithuanian Government 3,000,000 roubles in gold within the period of one month and a half from the date of the ratification of this treaty.



### Article 13.

- (1) The contracting parties agree to commence within the earliest possible time after the ratification of the present treaty, negotiations for the conclusion of trading and transit conventions.
- (2) The principle of the most-favoured nation shall be the basis of the trading convention.
- (3) The following principles shall form the basis of the transit convention :
  - (a) Goods passing in transit through the territory of one of the contracting parties shall not be subject to any import dues or taxes.
  - (b) The freight rates for goods in transit shall not be higher than the freight rates for similar goods of local destination.

### REMARK.

Prior to the commencement of normal conditions, mutual transit traffic between Russia and Lithuania shall be regulated by the same principles. Other conditions in reference to the transit trade shall be fixed by special temporary agreements.

- (1) The Russian and Lithuanian commercial fleets shall mutually make use of the harbours of the contracting parties on equal rights.
- (2) Property left after the death of a citizen of one of the contracting parties on territory of the other shall be handed *in toto* into the charge of the consular or respective representative of the country to which the testator belonged, to be dealt with by the same in accordance with the laws of such country.

### Article 14.

The diplomatic and consular relations between the contracting parties shall be established immediately after the ratification of the present treaty. Upon the ratification of the present treaty the parties shall proceed with the making of a consular Convention.

### Article 15.

Upon the ratification of this treaty the Russian Government shall release Lithuanian citizens and those opting Lithuanian citizenships, and the Lithuanian Government shall release Russian citizens and those opting Russian citizenship of military and civil classes from penalties in connection with all political and disciplinary actions. However, if judgments have as yet not been given in such cases, the proceedings in connection with the same shall be stopped.

Persons who commit the aforesaid acts after the ratification of this treaty shall not enjoy this amnesty.

Persons condemned by a criminal court for acts not coming under the amnesty shall be returned to their country of origin after serving sentence. However, in the event of judgment in cases of such description not being given prior to the expiration of one year from the date of the accused being charged, he shall on the expiration of this period be handed over to the home authorities with all the proceedings relating thereto.

In connection therewith both contracting parties also release their own citizens from punishment for acts committed by them prior to the ratification of the present treaty for the benefit of the other party.

#### Article 16.

In dealing with the present treaty the two contracting parties shall take into consideration the fact of their never having been in a state of war one with the other and that Lithuania as a region of military operations during the world war of 1914-1917 has particularly suffered from the latter. Therefore, all the conditions of the present treaty can in no way serve as a precedent for any third country. On the other hand, should one of the contracting parties allow a third country or the citizens thereof special privileges, rights and preferences, the same shall without special agreement also extend to the other party or to the citizens thereof.

#### REMARK.

The contracting parties, however, shall not prefer any claims to preferential rights which one of them may grant to a third country united to it by custom house or any other union.

#### Article 17.

The settlement of questions of a public-legal and private-legal description arising between the citizens of the contracting parties, and also the adjustment of any separate points between the two countries, or between the countries and citizens of the other party, shall be effected by a special mixed commission of an equal number of members of the two parties, appointed immediately upon the ratification of the present treaty, the composition, powers and duties of which shall be fixed by an instruction, to be agreed upon between the two contracting parties.

#### Article 18.

The present treaty is drawn up in the Russian and Lithuanian languages. In its reading both texts are to be considered authentic.

#### Article 19.

The present treaty is subject to ratification.

The exchange of the letters of ratification is to take place at Moscow.

Wherever the time of the ratification of the treaty is mentioned in the present treaty.

This applies to the time of the mutual exchange of the letters of ratification.

In witness whereof the representatives of both parties have set their hands to the present treaty and have affixed their seals thereto.

The original was drawn up in duplicate and executed in the city of Moscow on the twelfth day of July, one thousand nine hundred and twenty.

## Translation<sup>2</sup>

### Protocol

The signatories of the present Protocol met on October 14<sup>th</sup>, 1920, at Moscow, in the offices of the Commissary of the People for Foreign Affairs, in order to exchange the instruments of ratification of the Peace Treaty, between Russia on the one hand and Lithuania on the other, which was signed at Moscow on July 12<sup>th</sup>, 1920, in accordance with Article 19 of that Treaty.

After presentation of the instruments of ratification, which were found to be in good and due form, the two Parties satisfied themselves that the contents were identical and the exchange of ratifications took place. In testimony whereof the undersigned have drawn up this Protocol and have thereto affixed their hand and seal.

This Protocol is drawn up in duplicate.

(Signed) J. BALTRUŠAITIS.

(Signed) L. KARACHAN.

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<sup>2</sup> Translated by the secretariat of the League of Nations.