

TRANSLATION¹

TREATY OF PEACE BETWEEN POLAND, RUSSIA AND
THE UKRAINE, SIGNED AT RIGA, MARCH 18th, 1921.

PREAMBLE.

POLAND - of the one hand - and RUSSIA and the UKRAINE - of the other - being- desirous of putting an end to the war and of concluding a final, lasting and honourable peace based on a mutual understanding and in accordance with the peace preliminaries signed at Riga on October 12, 1920, have decided to enter into negotiations and have appointed for this purpose as plenipotentiaries:

The Government of the Polish Republic:

MM. Jean DABSYI.
Stanislas KAUSIK.
Edouard LECHOWICZ.
Henri STRASBURGER and
Léon WASILEWSKI.

The Government of THE FEDERAL SOCIALIST REPUBLIC OF THE RUSSIAN SOVIETS,
on its own behalf and with the authorisation of the Government of the White- Ruthenian Socialist Republic of Soviets and of the Government of the Ukrainian Socialist Republic of Soviets

MM. Adolphe JOFFÉ
Jacob GANETSKI
Emmanuel KVIRING
Leonide OBOLFNSKI and Georges- KOTSHOUBINSKI,

The above-mentioned plenipotentiaries met at Riga, and having exchanged their full powers which were recognised as sufficient and found to be in good and due form, agreed to the following provisions

Article 1.

The two Contracting Parties declare that a state of war has ceased to exist between them.

¹ Translated by the Secretariat of the League of Nations.

Article 2.

The two Constructing Parties, in accordance with the principle of national self-determination recognise the independence of the Ukraine and of White-Ruthenia and agree and decide that the eastern frontier of Poland, that is to say, the frontier between Poland on the one hand, and Russia, White-Ruthenia and the Ukraine on the other, shall be as follows

The frontier shall follow the course of the Dzwina Zapadnaia (Dvina)², from the frontier between and Latvia, to the point at which the frontier of the, former Government of Wilno meets the frontier of the former Government of Vitebsk ; thence it shall follow the frontier between the former Governments of Wilno and Vitebsk as far as the town of Orzechowno (Oriekhovno), leaving the road and the town of Orzechowno to Poland ;

It shall then cross the railway line near the town of Orzechowno, and turning towards the South West, shall run along the railway line, leaving the station of Sahacie (Zagatié) to Poland, the village of Zahacie to Russia and the village of Stelmachowo (Stelmakhovo) to Poland ;

thence it shall follow the eastern frontier of the former Government of Wilno as far as the meeting point of the districts of Dzisna, Lepel and Borysow ;

thence it shall follow the frontier of the former Government of Wilno at an approximate distance of one kilometre, as far as the point at which this frontier turns westwards near to Sosnowiec;

thence the frontier shall continue in a straight line towards the source of the river Czernica to the east of Hornow (Gornov), and thereafter it shall follow the Czernica river as far as the village of Wielka-Czemica (Bolchaia Tchernitsa) which it shall leave to White Ruthenia

thence, it shall continue in a southwesterly direction, across the Lake of Miadzid, to the village of Zarzeczyc (Zariétchitsk) which shall be left to White Ruthenia ; together with the village of Chmielewszczyzna (Khmielev Chtchlzna) ; on the other hand, the villages of Starosiele (Starosielié) and of Turowszczvzna (Tourovchtchizna) shall belong to Poland ;

thence, the frontier shall run in a southwesterly direction to the confluence of the river Wilja (Vilia) with an unnamed stream on the west of the village of Drohomicz (Drogomitch), leaving to White Ruthenia the following villages: Uhly (Ougli), Wolbarowicze, (Volbarovitchi), Borowe (Borovié), Szumowka (Chounovka), Beztrock (Biestrotsk), Daleka (Dalekaia), Klackowek (Klatchkovsk), Zarantow (Ziarantov), Maciejowce (Matviéiévtsi), and the following to Poland : Komajsk, Raszkowka (Raschkova), Osowa (Osova) , Kusk, Wardomicze (Vardomitchi), Solone (Solonofa), Milcz (Miltcha):

thence, the line shall follow the river of Wilja to the road on the south of the town of Dolhinowo (Dolginov) ;

thence, it shall pass to the south of the village of Baturyn (Botourino), leaving to White Ruthenia all that road and the villages of Rahozin (Ragozin), of Tokary (Tokari), of Polosy and of Hluboczany (Gloubotchani), and to Poland the following villages : Owsianiki, Czarnorucze (Tchernoroutchié), Zurawa (Jourava), Ruszczyce (Rouchitsé), Zaciemien (Zatiémié), Borki, Caerwiaki and Baturyn (Botourino) ;

thence, it shall run to the town of Radoszkowisge (Radochkovitchi), leaving to White Ruthenia the villages of Papysze (Papichi), Sieliszczce, Podworany (Podvorani), Trusowicze-North(Trusovitchi), Doszki, Cyganowo, Dworzyszczce (Dworiszczzi) and Czyrewicze .

² The names in brackets are the transcription of the Russian form of the same names.

(Tchirévitchi) and to Poland the villages of Lukawiec (Lounkoviets), Mordasy, Rubce (Roubtsi), Lawcowicze (Lavtovitchi)- North and Lawcowicze-South, Budzki (Boutski), Klimonty, Wielkie Batszty (Bolchié-Bakhté, and the town of Radoszkowicze (Radochkovitchi);

thence it shall follow the river of Wiazowka (Viazovka) to the village of Lipienie (Lipieni), leaving the latter village to Poland, then running in a southwesterly direction, crossing the railway and leaving the station of Radoszkowicze (Radochkovitchi) to White Ruthenia

thence it shall run to the East of the town of Rakow (Rakov), leaving to White Ruthenia the villages of Wiekszyce (Viekchitchi), Dolzenie (Dolgeni), Mietkowa (Mietkowa), Wielka Borozdynka (Bolchaia Borozdinka) and Kozielszczyzna (Kogelchtchizna) and to Poland the villages of Szypowaly (Chipovali), Macewicze (Matsévitchi), Stari Rakow (Starii Rakov), Kuczkuny and the town of Rakow;

thence the frontier shall continue as far as the town of Woma (Voma), leaving to White Ruthenia the villages of : Wielkie-siolo (Vielkojé Siélo), Malawka(Malavka), Lukaszewice(Loukachi) and Szczepki, and to Poland the villages of : Duszkowo(Douchkova), Chimorydy(Himarydy), Jankowce(Jankovtsi) and the town of Wolma:

thence it shall follow the road from the town of Wolma as far as the town of Rubiezewicze (Roubiegevitshi), leaving that Toad and the town to Poland:

thence it shall continue south as far as the unnamed inn situated at the point at which the Baranowicze-Minsk railway crosses the Nowy Swierzen-Minsk road (see map, scale one English inch to 10 versts, above the letter M at the beginning of the word Miezinowka, and map scale one English inch to 25 versts near Kolosowo) leaving the inn to Poland ; the villages of Papki, Zywiec (Givitsa), Poloniewicze (Polonievitchi), Osinowka (Ossinovka) shall go to White Ruthenia and the villages of Lichacz (Likhatchi) and of Rozanka shall go to Poland

thence the frontier shall pass across the centre of the Nieswiez (Niesvige) Cimkowicze (Timkovitchi) road to the west of Kukowicze (Koukovitchi) leaving the villages of Swerynowo (Swérinowo), Kutiec, Lunina (Lounina), Jazwina (Iasvina)-North, Bieliki ; Jazwin (Iazvine), Rymasze (Rymachi) and Kukowicze (all three) to White Ruthenia ; the villages of Kul, Buczne (Boutchnoié), Dwianopol Zurawy, Posieki, Juszewicze(Iouchévitchi), Lisuny-North and Lisuny-South, Sutanowszczyzna (Soultanovchtchina) and Pleszewicze (Pléchéitchi) to Poland. ;

thence it shall pass halfway between Kleck (Kletsk) and Cimkowicze (between the villages of Puzowo and Procbody), leaving to White Ruthenia the villages of Pajowka (Raiouvka), Sawicze (Sawitchi) Zarakowce (Zarakovtsi) and Puzowo, and to Poland the villages of Marusin, East Smolicze (Smolitchi), Lecieszyn (Letiéchine) and Procbody;

thence it shall continue as far as the Warsaw Moscow road, crossing it to the west of the village of West Filipowicze (Filipovitchi) and leaving the village of Ciechowa (Tickhowa) to White Ruthenia and the village of Jodczyce (Iodtchitsi) to Poland

thence it shall run south of the Morocz river (Morotch near Choropol (Kboropol), leaving the villages of Stare Mokrany (Starve Mokrany), Zadworse (Zadvorié), Mokrany and Choropol to White Ruthenia, and the villages of Ciecierowiec, Ostaszki, Lozowicze (Lozovitchi) and Nowe Mokrany (Novye Mokrany) to Poland.

thence it shall follow the Morocz river as far as its confluence with the river Slucz (Slutch) of Minsk;

thence it shall follow the river Slucz as far as its confluence with the Prypec (Pripet)

thence it shall continue towards the village of Berezce (Bierestsé) leaving the villages of Lubowicze (Lubovitchi), Chilczyce (Khilchitsi) and Berezce to White Ruthenia, and the villages of North-Lutki and South-Lutki to Poland ;

thence it shall follow the road in the direction of the village of Buckza (Bouktcha), leaving the road and the village of Buckza to White Ruthenia and the village of Korma (Korma) to Poland ;

thence it shall continue as far as the Sarny-Olewska railway, which it shall, cross between the stations of Ostki and Snowidowicze (Snovidovitchi), leaving to the Ukraine the villages of Wojtkowicze (Voitkovitchi), Sobiczyn (Sobitchine), Michalowka (Mikhailcvka) and Budki Snowidowieckie (Boudki-Snovidovitskié) and to Poland the villages of Radziwilcwiec (Radzivilovitchi), Raczkow (Ratchov), Bialowiska (Bielovichskaia), Bialowiez (Biélovija) and Snowidowicze (Snovidovitchi)

thence the frontier shall continue towards the village of Myszakowka (Michakovka), leaving to the Ukraine the villages of Majdan Holyszewski (Maidan Golichevski), Zaderewie (Zadiérevié), Marjampol, Zolny, Klonowa (Klénovaia) and Rudnia Klenowska (Rudnia Klénovskaia) and to Poland the villages of Derc (Diert), Netreba (Niétreva), Woniacze, Perelysianka (Perelysianka) Nowa Huta (Novaia Gouta) and Myszakowka (Michakovka);

thence it shall continue as far as the mouth of the river Korczyk (Kortchik), leaving the village of Mlynek (Milnok) to the Ukraine;

thence it shall run up the river Korczyk, leaving the town of Korzec (Koriets-Novoié-Miesto) to Poland;

thence it shall continue as far as the village of Milatyn (Milatin) leaving to the Ukraine the villages of Poddubce (Poddoubtsi), Kilikijow (Kilikijow), Dolski, Parajowka (Parajevka), Ulaszanowka (Oulasianovka) and Marjanowka (Marianovka), and the villages of Bohdanowka (Bogdanowka), Czernica (Tchernitsa), Krvlow (Krilow), Majkow (Maikovo), Dolha (Dolga), Friederland, Porseba, Kuraska (Kurachsku Poroub) and Milatyn to Poland

thence it shall follow the road leading from the village of Milatyn to the town of Ostrop, leaving the villages of Moszczanowka (Mochtchanovka), Krzywín (Krivine) and Solowie to the Ukraine,

and the villages of Moszczanica (Mochanitsa), Bodowka (Bodovka), Wilbowno, the town of Ostrog and the road to Poland ;

thence it shall run up the river Wilja (Wilia) as far as the village of Chodaki, which remain,, to Poland :

thence it shall continue as far as the town of Bialozorka (Bielozorka), leaving to the Ukraine the - villages of Wielka Borowica (Viélikaia Borovitsa), Stepanowka (Stiépanovka), North-Bajmaki and South-Bajmaki, Liski, Siwki, Woloski, the town of Jampol, the villages of Didkowce (Didkédkovtsi), Wiasczowiec (Viazoviets) and Krzywczyki (Krivtchiki), and to Poland the villages of Bolozowka (Bologevka), Sadki, Obory, Szkrogotowka (Chkrobotovka), Pankowce (Pankovtsi), Grzybowa (Gribova), Lysohorka (Lysogorka), Molodzkow (Molodkov) and the town of Bialozorka (Bielozorka);

thence it shall continue as far as the river Zbrucz, leaving the road and the village of Szczesnowka (Chtchasnovka) to Poland

thence it shall follow the river Zbrucz, as far as its confluence with the Dniester.

The frontiers described above are marked in red in a map, Russian edition, scale one English inch to 10 versts, which is annexed to the present Treaty³. In case of difference between the text and the map, the text shall prevail.

The alteration by artificial means of the water-level of the frontier-rivers and lakes resulting in a modification of their courses in such parts of them as constitute the frontier line, and likewise the alteration of the average water-level in the territory of the other Party, is forbidden. The two Contracting Parties shall enjoy the right of free navigation and free rafting on those parts of the rivers which form the frontier.

A Mixed Delimitation Commission, to be set up in accordance with Article 1 of the Peace preliminaries of October 12, 1920, and in conformity with the supplementary Protocol concerning the execution of the above-mentioned Article, signed at Riga on February 24, 1921, shall be entrusted with the duty of determining the details of the above frontier line and of tracing it on the spot, as well as of fixing the frontier marks.

In marking out the frontiers, the Mixed Delimitation Commission shall conform to the following principles;

(a) When the frontier follows a river, the line drawn along the middle of the main channel shall be understood in the case of navigable rivers; and in the case of non-navigable rivers the line drawn along the middle of their main channel.

(b) When the frontier has been defined by lines which are not strictly determined and when precise information is lacking, attention shall be paid, during the actual marking of the frontier, to the economic requirements of the locality and to ethnographical considerations. Should these latter be the subject of a dispute, they will be decided in accordance with the decision of the Delimitation Sub-Committees, after an enquiry has been carried out among the population. Land

³ This map is not included in the present collection of Treaties.

held by private owners shall be regarded as forming a single economic unit with the land of the nearest village.

(c) When the frontier is defined by the statement : “leaving the village ... to...” the village in question shall remain on that side of the frontier with all the land which belonged to it up to the date of the occupation of the territory in question by Poland, in order that the partition of estates may be avoided

(d) When the frontier is formed by a road, the road itself shall remain the property of the country in which are the two villages directly connected by that road ;

(e) When the frontier is defined by the statement : “leaving the railway station”, the frontier shall be marked out on the spot according to topographical conditions, at a distance of from 1 1/2. to 3 kilometres from the departure signal (or if no signal exists, from the departure switch points), due regard being paid to the preservation of estates bordering on the railway line as economic units.

Each of the Contracting Parties undertakes to withdraw within a period not exceeding 14 days from the date of the signature of the present Treaty, its troops and administrative authorities from districts which have been recognised as belonging to the other Party, in accordance with the frontier line described above. In districts situated on the frontier line itself in so far as the present Treaty does not stipulate that they shall not belong to one or the other Party, the administrative and frontier authorities already existing shall remain on the spot until such time as the frontier shall have been actually marked out, and these districts shall have been definitely allotted by the Mixed Delimitation Commission, after which the said authorities shall be recalled to their own territory in accordance with the principles laid down in paragraph 9 of the Armistice Convention of October 13 , 1920. The question of the archives relating to Polish territory shall be settled in accordance with Article II of the present Treaty.

Article 3.

Russia and the Ukraine abandon all rights and claims to the territories situated to the west of the frontier laid down by Article 2 of the present Treaty. Poland, on the other hand, abandons in favour of the Ukraine and of White Ruthenia all rights and claims to the territory situated to the east of this frontier. The two Contracting Parties agree that, in so far as the territory situated to the west of the frontier fixed in Article 2 of the present Treaty, includes districts which form the subject of a dispute between Poland and Lithuania, the question of the attribution of these districts to one of those two States is a matter which exclusively concerns Poland and Lithuania.

Article 4.

Poland shall not, in view of the fact that a part of the territories of the Polish Republic formerly belonged to the Russian Empire be held to have incurred any debt or obligation towards Russia, except as provided in the present treaty.

Similarly, no debt or obligation shall be regarded as incurred by Poland towards White Ruthenia or the Ukraine and vice versa except as provided in the present Treaty, owing to the fact that these countries formerly belonged to the Russian Empire.

Article 5.

Each of the Contracting Parties mutually undertakes to respect in every way the political sovereignty of the other Party, to abstain from interference in its internal affairs, and particularly to refrain from all agitation, propaganda or interference of any kind, and not to encourage any such movement.

Each of the contracting Parties undertakes not to create or protect organisations which are formed with the object of encourage armed conflict against the other Contracting Party or of undermining its territorial integrity, or of subverting by force its political or social institutions, nor yet such organisations as claim to be the Government of the other Party or of a part of the territories of the other Party. The Contracting Parties therefore, undertake to prevent such organisations, their official representatives and other persons connected therewith, from establishing themselves on their territory, and to prohibit military recruiting and the entry into their territory and transport across it, of armed forces, arms, munitions and war material of any kind destined for such organisations.

Article 6.

(1) All persons above the age of 18 who, at the date of the ratification of the present Treaty are within the territory of Poland and on August 1st, 1914, were nationals of the Russian Empire and are, or have the right to be, included in the registers of the permanent population of the ancient kingdom of Poland, or have been included in the registers of an urban or rural commune, or of one of the class organisations in the territories of the former Russian Empire, which formed part of Poland, shall have the right of opting for Russian or Ukrainian nationality. A similar declaration by nationals of the former Russian Empire of all other categories who are within Polish territory at the date of the ratification of the Present Treaty shall not be necessary.

(2) Nationals of the former Russian Empire above the age of 18, who at the date of the ratification of the present Treaty are within the territory of Russia and of the Ukraine and are, or have the right to be, included in the register of the permanent population of the ancient Kingdom Poland, or have been included in the registers of an urban or rural commune, or of one of the class organisations in the territories of the former Russian Empire, which formed part of Poland, shall be considered as Polish citizens, if they express such desire in accordance with the system of opting laid down in this article. Persons above the age of 18 who are within the territory of Russia and of the Ukraine shall also be considered as Polish citizens if they express such a desire, in accordance with the system of opting laid down in this Article, and if they provide proofs that they are descendants of those who took part in the Polish struggle for independence between 1830 and 1865, or that they are descendants of persons who have for at least three generations

been continuously established in the territory of the ancient Polish Republic, or if they show that they have their actions, by the habitual use of the Polish language and by their method of educating their children, given effective proof of their attachment to Polish nationality.

(3) The regulations concerning opting also apply to persons who conform to the conditions laid down in paragraphs 1 and 2 of the present Article, in so far as such persons are not resident outside the frontiers of Poland, Russia and the Ukraine, and are not nationals of the State in which they reside.

(4) The choice made by the husband shall bind also his wife and such children as are under the age of 18, in so far as husband and wife have not agreed to the contrary. If they cannot agree, the wife shall have the right of free option, in this case the choice of the wife shall involve such of the children as she is bringing up. In the case of orphans, the choice shall be postponed until they have reached the age of 18, and the periods provided for in this Article shall commence to run from that date. In the case of other persons who are not persons in law, the choice shall be made by their guardian.

(5) The declarations of option shall be made to the Consul or other official representative of the State for which the person wishes to opt, within the period of one year from the date of ratification of the present Treaty ; in the case of persons residing in the Caucasus and in Russian Asia, this period is prolonged to fifteen months. These declarations shall be submitted to the authorities of the State in which such persons may be.

The two Contracting Parties undertake, within one month from the date of the signature of the present Treaty, to publish and communicate to each other the provisions with regard to the authorities who will be called upon to receive the declarations of option, The Parties also undertake to communicate to each other, through diplomatic channels, within a period of three months, the lists of persons who have made declarations of option and to state which declarations are recognised as valid and which are not.

(6) Persons who have made their declaration of option shall not, in virtue of that declaration acquire the nationality which they have chosen. When the person making the declaration conforms to the conditions laid down in paragraphs 1, and 2 of this Article, the Consul or other official representative of the State in favour of which the option is exercised, shall give his opinion on the matter and shall forward to the Ministry (People Commissariat) of Foreign Affairs, a certificate relating thereto, together with the documents of the person opting. Within the period of one month from the date upon which these certificates are communicated, the Ministry (Peoples Commissariat) of Foreign Affairs shall either inform the above mentioned representative that his decision is contested, in which case the question shall be settled by diplomatic means, or shall confirm the representative's decision and shall forward him certificate establishing the loss of the former nationality by the person opting, accompanied by copies of all documents belonging to the person opting, except the document concerning the right of residence.

If , on the expiration of one month the Ministry (Peoples Commissariat)of Foreign Affairs has communicated no observations to the representative, it shall be considered that the latter's decision has been accepted.

Should the person opting conform to all the conditions laid down in paragraph 1 and 2, the State in favour of which his choice is made shall not have the right to refuse to grant him its nationality, and the State in which the person opting resides shall not have the right to refuse to release him from his former nationality.

The decisions of the Consul and of any other official representative of the State in favour of which the option is exercised, shall be submitted within a period of not more than two months from the date upon which the declaration of option is made; in the case of persons residing in the Caucasus or in Russian Asia, this period is extended for a further three months. The declaration of option shall be free from all stamp and passport duties, from all other charges and from duties in respect of publication.

(7) Persons whose declaration of option has been considered valid may proceed freely to the State in favour of which they have opted. The Government of the State in which these persons reside may, however, compel them to make use of the right of departure which is granted to them; in this case their departure shall take place within a period of six months from the date upon which the notice regarding this matter is served. The persons opting shall have the right to retain or to sell the moveable and immovable property, which they lawfully possess; in case of departure they may take such property with them in accordance with the regulations laid down in Annex 2 of the present Treaty. Property which exceeds the quantity which may be exported, and which is left on the spot, may be transported later when transport conditions have improved. The export of property shall be free from all customs duties and taxes.

(8) Until such time as their option has been declared valid, the persons opting shall be subject to all the laws in force in the State in which they are resident; from the date upon which they make their declaration of option they shall be considered as foreigners.

(9) If a person, whose declaration of option has been recognized as valid, is the dependent in any legal prosecution or enquiry, or is undergoing punishment, such person shall be sent under escort with all the relevant documents, to the state for which he has opted, if that State requests his extradition.

(10) Persons whose declaration of option has been pronounced valid shall be fully recognised as citizens of the State, of their choice; persons opting shall enjoy to an equal extent and without exception, all rights and privileges granted to citizens of that State, in virtue either of the present Treaty or of subsequent Conventions, if at the date of the ratification of the present Treaty they were already nationals of the State for which they opt.

Article 7.

(1) Russia and the Ukraine undertake that persons of Polish nationality in Russia, the Ukraine and White Ruthenia, shall, in conformity with the principles of the equality of peoples, enjoy full guarantees of free intellectual development, the use of their national language and the exercise of

their religion. Poland Undertakes to recognise the same rights in the case of persons of Russian, Ukrainian and White Ruthenian nationality in Poland.

Persons of Polish nationality in Russia, the Ukraine and White Ruthenia shall so far as is in conformity with the domestic legislation of these countries have the right to make full use of their own language, to organize and maintain their own system of education, to develop their intellectual activities and to establish associations and societies for this purpose; persons of Russian, Ukrainian and White Ruthenian nationality in Poland shall enjoy the same rights so far as is in conformity with the domestic legislation of Poland.

(2) The two Contracting Parties mutually undertake not to interfere directly or indirectly in questions concerning the organisation and work of the church and of the religious associations within the territory of the other Party.

(3) The Churches and religious associations in Russia, the Ukraine, and White Ruthenia, of which Polish nationals are members, shall, so far as is in conformity with the domestic legislation of these countries have the right of independent self-administration in domestic matters.

The churches and religions associations above mentioned shall so far as is in conformity with domestic legislation, enjoy the right of employing and acquiring the moveable and real property necessary for the practice of their religion and for the support of the clergy and the upkeep of ecclesiastical institutions.

In accordance with the same principle they shall have the right of using the churches and institutions which are necessary for the practice of their religion. Russian, Ukrainian and White Ruthenian nationals shall enjoy similar rights in Poland.

Article 8.

The two Contracting Parties mutually abandon all claims to the repayment of war expenses, that is to say all the expenses incurred the State during the war, and of the indemnities for damages caused by the war, that is to say, for damages caused to them or to their nationals in the theatre of war as a result of the war or of military measures taken during the Polish-Russian-Ukrainian War.

Article 9.

(1) The agreement concerning repatriation concluded between Poland on the one hand, and Russia and the Ukraine on the other, in pursuance of Article 7 of the peace preliminaries of October 12, 1920, signed at Riga on February 24, 1921, shall remain in force.

(2) The settlement of accounts and the repayment of the actual cost of maintenance of prisoners of war shall be effected within a period of three months. The method of calculating and fixing the amount of these expenses shall be determined by the Mixed Repatriation Commission established in virtue of the aforementioned agreement.

(3) The two Contracting Parties undertake to respect and maintain in good order the graves of prisoners of war who have died in captivity, and of soldiers, officers and other military personnel who fell on the field of battle and were buried within their territory. The Parties undertake to allow the erection of monuments over these graves in the future, subject to the approval of the local authorities, and likewise the exhumation and transport of the bodies of the dead to their native country at deduced rates, subject to the provisions of the national legislation and the exigencies of public health.

The above –mentioned provisions shall also apply to tombs and graves of hostages, civilian prisoners, interned civilians, exiles, fugitives and emigrants.

(4) Each of the two Contracting Parties undertakes to supply the other with the death certificates of the above-mentioned persons, together with complete information as to the number and the sites of the graves of all persons buried without being identified.

Article 10.

(1) Each of the Contracting Parties guarantees to the subjects of the other Party a full amnesty for political crimes and offences. All acts directed against the system of government and the security of the State, as well as all act committed in the interest of the other Party, shall be regarded as political crimes and offences within the meaning of this article.

(2) The amnesty shall also apply to acts which have been made the subject of administrative proceedings or proceedings other than before a court of law and to contraventions of provisions in force as regards prisoners of war and interned civilians and, generally, as regards subjects of the other Party.

(3) The putting into effect of the amnesty under points 1 and 2 of this Article entails the obligation to institute no new judicial investigations, to discontinue proceedings which have already been instituted and to suspend execution of sentences which have already been passed.

(4) The suspension of the execution of a sentence does not necessarily imply that the prisoner shall be set at liberty, but in such an event he must be immediately handed over, with all the papers referring to his case, to the authorities of the State of which he is a national. Nevertheless, if such person states that he desires not to be repatriated, or if the authorities of the country of which he is a national refuse to admit him, such person may be again placed in custody.

(5) Persons against whom legal proceedings have been taken, or a preliminary judicial investigation has been instituted, or who have been summoned to appear before a court of justice for any breach of the law, or who have been sentenced for such an offence, shall forthwith be handed over, on application being made by the State of which they are nationals, together with all the papers relating to their case.

(6) The amnesty referred to in this Article shall also apply to all the above-mentioned offences that have been committed up to the time when this Treaty is ratified.

Sentence of death passed upon persons found guilty of one of the offences referred to above shall be suspended as from the date of the signature of this Treaty.

Article 11

§1

Russia and the Ukraine shall restore to Poland the following objects which were removed from the territory of the Polish Republic to Russia and the Ukraine subsequent to January 1, 1772.

(a) all war trophies (*e. g.*, flags, colours, military insignia of all kinds, cannons, weapons regimental and other insignia), together with the trophies taken from the Polish nation after 1792 during the struggle for independence which was maintained by Poland against Czarist Russia. Nevertheless, trophies of the Polish-Russo-Ukrainian war of 1918-1921 shall not be restored.

(b) libraries, archaeological collections and archives, collections of works of art, collections of any nature and objects of historical, national, artistic, archaeological, scientific and general educational value.

The collections of objects included under letters (a) and (b) of this paragraph shall be restored irrespective of the conditions under which, and the pretexts upon which they were carried off and irrespective of the authorities responsible for such removal and without regard to the person whether physical or legal to whom they belonged prior to, or subsequent to their removal.

§ 2.

The obligation to make restitution shall not apply to :

(a) objects carried off from the territories situated on the east of the frontiers of Poland, as determined by the present Treaty, in so far as it shall be proved that such objects are a product of White- Ruthenian or Ukrainian civilisation, and that they were subsequently removed to Poland otherwise than as the result of a voluntary transaction or of succession :

(b) objects which passed from the possession of their legal owner into Russian or Ukrainian territory as the result of a voluntary transaction or of succession, or were removed to territories of Russia and the Ukraine by their legal owner.

§ 3.

If there exists in Poland any collections or objects falling within the class specified in letters (a) and (b) of §1 of this Article, which have been removed from Russia or the Ukraine during the same period, such collections and objects shall be restored to Russia and the Ukraine under the conditions laid down in § 1 and 2 of this Article.

§ 4.

Russia and the Ukraine shall restore to Poland objects carried off from the territory of the Polish Republic subsequent to January 1, 1772, which relate to the territory of the Polish Republic, such as archives, registers, extracts from archives, deeds, documents, map, plans, sketches, together with plate and discs, seals, etc., of all State institutions and self-governing, private and ecclesiastical institutions.

Nevertheless, such of the above-mentioned objects as although not exclusively connected with the territory of the present Polish Republic, cannot be divided up, shall be restored in their entirety to Poland.

§ 5.

Russia and the Ukraine shall hand over the archives, registers, extracts from archives, deeds, documents, maps, plans and sketches belonging to legislative institutions and central, provincial and local organisations of all ministries, services, administrations, autonomous bodies and private and public institutions, which date from the period between January 1, 1772, and November 9, 1918 - the period during which Russia administered the territory of the Polish Republic - in so far as such objects relate to the territory of the present Polish Republic and are actually within the territories of Russia and the Ukraine.

If objects referred to in the same paragraph which are of special interest to territories remaining part of Russia or the Ukraine exist in Poland, the latter country undertakes to restore such objects to Russia and the Ukraine, under the same conditions.

§ 6

The provisions of § 5 of this Article shall not apply to:

- (a) archives, registers, etc., relating to operations, subsequent to 1876 which were carried on by the former Czarist authorities against the revolutionary movements in Poland, until such time as a special convention shall be concluded between the two Parties as to the restitution of such objects to Poland ;
- (b) object of a secret military nature relating to the period subsequent to 1870.

§ 7.

The two Contracting Parties fully recognise that the value of systematic, scientifically prepared and complete collections, such as form a fundamental part of collections of world-wide scientific importance, ought in no way to be impaired and accordingly agree to the following provisions : should the handing over of a certain object, which is to be restored to Poland, under § 1 (b) of this article, prove likely to impair the completeness of such a collection, such object shall, save where it is closely bound up with the history and culture of Poland, remain on the spot, subject to the approval of both Parties represented on the Mixed Commission referred to in

§ 15 of the present article ; it shall in that case be exchanged for an object of the same artistic or scientific value.

§ 8

The two Contracting Parties declare themselves ready to conclude special Conventions concerning the restitution, purchase, or exchange of objects included in the categories defined in § 1 (b) of this Article, if these objects shall have been transferred from the territory of one Party of the other as the result of a voluntary transaction, or of succession, in so far as such objects the product of the scientific, artistic, etc., activities of the Party concerned.

§ 9.

Russia and the Ukraine agree to make restitution to Poland of such of the following objects as belong to the State or to National institutions, autonomous bodies, private or public institutions, and in general to all legal and physical persons, and were taken with or without consent into Russia and the Ukraine from the territory of the Polish Republic after August 1st, 1914, that is to say, in the period from the outbreak of the great war until October 1, 1915;

(a) archives, acts, documents, registers, account books and mercantile books, journals and correspondence, geodesic and land-surveying instruments, photographic plates and negatives, seals, maps, plans and drawings with corresponding sketches and scales, with the exception of objects referring to military matters of a secret nature which belong to military institutions.

(b) libraries, collections of books, collections of archives and objects d'art -and their inventories, catalogues and bibliographical material, works of art, antiquities, all collections and objects of historical, national, artistic or scientific interest, bells and objects belonging to any religious denomination;

(c) scientific and scholastic laboratories, collections of all kinds, scholastic and scientific accessories, instruments and apparatus and all auxiliary and experimental material.

It shall be permissible to make restitution of the individual objects referred to under the heading (c) of this paragraph or to replace them by an equivalent object to be decided upon by agreement between the two Parties represented on the mixed Committee provided for in § 15 of this article. Objects, however, which date from a period prior to 1870 or which have been offered by the Poles may only be replaced by a suitable equivalent after agreement between the two Parties represented on the afore-mentioned mixed Committee

§ 10.

The two Contracting Parties undertake reciprocally to make restitution in a similar manner of collections and objects specified in § 9 of this article, taken with or without consent from the territory of the other Party after October 1, 1915.

§ 11

Restitution shall be made of objects specified in § 9 and 10 of this article which are not the property of the State institutions upon the request of the Governments, made in accordance with the declarations of the owners, in order that such objects may be restored to the owners.

§ 12.

Restitution shall be made of the objects specified in § 9 and 10 of this article in so far as they are or may be actually in the possession of State institutions or private institutions belonging to the State which makes restitution. The obligation to prove that the object has been lost or destroyed shall rest with the State making restitution.

If the objects enumerated in § 9 and 10 of this article are in the possession of third persons, legal or physical, these persons shall be obliged to deliver them up with a view to their restriction. Upon the request of the owner, such of the objects enumerated in § 9 and 10 of this article, as may be already in his possession, shall also be restored.

§ 13.

The State making restitution shall pay the expenses incurred in connection with the return and the restitution of the objects within the limits of its own territory as far as the frontier.

The return and the restitution of objects shall be made notwithstanding prohibitions or restrictions on export, and such object shall not be liable to any duty or any tax.

§ 14.

Each of the Contracting Parties agrees to return to the other Party property of an educational or artistic value given or bequeathed before November 7, 1917 (New Style) to their own State or to the private, scientific and artistic institutions within that State by individuals or public bodies of the other Party in so far as such gifts or bequests have been made in conformity with the laws of the said State.

The two Contracting Parties reserve the right of concluding special Conventions with regard to the aforementioned gifts and bequests made after November 7, 1917.

§ 15.

For the purpose of putting into force the provisions of this article, a special mixed parity Commission shall be established within a period of six months at the latest of the ratifications of this Treaty, and shall sit at Moscow; this Commission shall be composed of three representatives of each Party and such experts as may be required.

In the exercise of its duties the Commission shall conform to the instructions contained in Annex No. 3 of this Treaty.

Article 12.

The two contracting Parties agree that State property of whatever nature which is within the territory of one of the Contracting Parties or which is to be restored to that Party by virtue of the present Treaty, shall be its property indisputably. The following shall be regarded as State Property: all property of whatever nature and all rights of possession belonging to State itself, and all property of all State institutions, property and rights of possession belonging to appanages, property of the Imperial Cabinet and the Palaces, property of all kinds and the rights of possession belonging to the former Emperor of Russia and the members of the Imperial House, and the property of all kinds and rights of ownership granted by former Emperors of Russia.

The two contracting Parties mutually renounce the right to any form of compensation which might involve the partition of State Property, subject to any contrary provisions contained in the present Treaty.

All rights and titles of the Russian Treasury to property of any nature which is within the limits of Polish territory and all claims against physical or legal persons, in so far as such rights, titles and claims apply to property in Polish territory, shall be placed to the credit of the Polish Government, as regards any surplus which may remain due over and above the reciprocal claims of the debtors, based on § 2 of article 17; the value of such claims must be deducted.

The Russian Government shall transmit to the Polish Government all acts and documents confirming the rights specified in this Article, in so far as they are at present in its possession. If this should prove impossible within a period of one year from the ratification of the present Treaty, the acts and documents in question shall be considered as lost.

Article 13.

Russia and the Ukraine agree to pay to Poland within the period of one year at the latest after the ratification of the present Treaty the sum of 30 million roubles gold in species and in bars, on the ground of the active participation of the territory of the Polish Republic in the economic life of the former Russian Empire; this participation was recognised in the Peace Preliminaries October 12, 1920.

Article 14

The restitution to Poland of the State-owned rolling stock in Russia and the Ukraine shall be made in conformity with the following principles:

(a) Restitution in kind must be made to Poland of the rolling stock on the lines with a normal European gauge; the amount to be restored and the conditions of restitution are provided for in Annex 4 of this Treaty.

(b) The rolling stock on the broad-gauge lines and that on the normal gauge lines, transformed in Russia and the Ukraine to broad gauge before the date of the signature of the Treaty of Peace, shall remain in Russia and in the Ukraine; up to such an amount and under such conditions as are provided for in Annex 4 of the present Treaty.

(c) As regards all other railway material with the exception of rolling stock, a part of this shall be restored to Poland in kind and Part shall remain in Russia and the Ukraine; the quantity and conditions of transfer are provided for in Annex 4 of this Treaty.

The Parties agree to fix the sum of twenty-nine millions (29,000,000) gold roubles as the value of the railway material referred to in §(a), (b) and (c) of this Article.

(2) The two Contracting Parties agree reciprocally to make restitution, in accordance with the general conditions laid down in Article 15 of this Treaty, of the State river navigation material (boats, mechanical apparatus, technical appliances on the banks and all material for river transport), together with the material for the upkeep of bridges and roads, in so far as such material is, or shall be, in the possession of State or private institutions belonging to the State which makes restitution. The putting into force of the provisions of this paragraph and the settlement of all questions connected with it shall be entrusted to the Mixed Restitution Commission provided for in Article 15 of this Treaty.

Article 15.

(1) Russia and the Ukraine agree that, upon the request of the Polish Government, supported by the declarations of the owners, restitution shall be made to Poland for the purpose of restoration to their owners of all property belonging to self-governing and municipal administrations, institutions, and legal and physical persons, which was carried off with or without consent from the territory of the Polish Republic into Russia and the Ukraine during the period beginning August 1(New Style) 1914, that is to say, from the outbreak of the world war until October 1(New Style) 1915.

(2) Each of the two Contracting Parties agrees that, upon the request of the Government of the other Party, supported by the declarations of the owners, restitution shall be made of all the property of autonomous bodies, institutions, and legal and physical persons, which was carried off with or without consent into the territory of the other Party after October 1(New Style) 1915.

(3) Restitution shall be made of the property specified in §§ 1 and 2 Of this Article, in so far as this is now or may be in the possession of Government or private institutions in the State making restitution. The obligation to furnish Proof that the object has been destroyed or lost shall rest upon the State restitution.

If the property referred to in §§ 1and 2 of this Article constitutes a means of production, and If it was formerly in the possession of State or private institutions in the State making restitution, and if it was subsequently destroyed or lost by reason of *force majeure(vis major)*, the Government of the State making restitution shall be obligated to provide suitable compensation for such objects.

If the property referred to in §§ 1 and 2 of this Article shall be in the possession of third persons, legal or physical, they shall be obligated to make restitution of it.

Similarly, upon the request of the owners, restitution shall be made of the property referred to in §§ 1 and 2 of this Article, which may be already in their possession.

(4) The property to be restored in virtue of §§ 1, 2, and 3 of the present Article may, by agreement between the two Parties, be restored in the shape of a suitable equivalent and not in specie.

(5) A complete and reciprocal statement of accounts shall be made between the owners of the property restored and the Government of the State making restitution ; this statement shall refer to the rights attaching to the property restored and must be made within a period of eighteen months from the ratification of the present Treaty.

On the one side these statements shall show all subsidies, loans and credits granted in connection with the restitution, excluding credits guaranteed by securities. On the other side, they shall include costs incurred by the evacuation, the amount due for raw material, semi-manufactured products, merchandise and capital confiscated by the State making restitution. Similarly, the statements of accounts shall also include compensation for the partial or complete appropriation to any productive enterprise of the property which is to be restored. The Governments of the Contracting Parties shall guarantee the payment of the sums due in accordance with the statements of account rendered in the manner afore-mentioned. The rendering of the accounts in question shall be no cause for suspending the process of restitution.

(6) Restitution shall be made at the cost of the State making restitution within the limits of its territory as far as the frontier.

The restitution of property shall be carried out in spite of any prohibitions or restrictions on export which may exist, and without the imposition of any duty or tax.

(7) Within six weeks, at most, dating from the ratification of this Treaty, a Mixed Paritary Restitution Commission composed of five representatives of each Party and the necessary experts, shall be created for the purpose of putting into force the provisions of this article and shall sit at Moscow. This Commission shall be instructed to fix the equivalents in the case specified in §§ 3 and 4 Of this article, to draw up the rules for the rendering of accounts between the owners and the Governments of opposing parties, and to see that the settlements are duly carried out ; to give decisions in case of doubt as regards the nationality of physical and legal persons and, in case of necessity, to assist the Government services concerned in finding the property which is to be restored.

Not only the orders for evacuation, but any other documents and papers certified by witness shall be admitted as proof of the carrying out of the evacuation.

The two Contracting Parties agree to co-operate fully and completely with the aforementioned Mixed Commission in the accomplishment of its duties. Restitution shall not be made of property belonging to physical and legal persons of the other Contracting Party.

Joint Stock Companies and all other Companies, the majority of whose stocks and shares belonged, at the last general meeting of the shareholders, before the removal from Poland into

Russia or into the Ukraine, to Russian, Ukrainian or White Ruthenian nationals, shall be recognised as Russian, Ukrainian and White Ruthenian respectively.

Joint Stock Companies and all other Companies, the majority of whose stocks and shares belonged to Polish citizens at the last general meeting of shareholders before the removal from Russia and the Ukraine into Poland, shall be recognised as Polish.

The nationality of the shareholders shall be determined in accordance with the present Treaty.

Poland assumes responsibility for all the claims of other States against Russia and the Ukraine which may be formulated by reason of the restitution made to Poland of property belonging to citizens or legal and physical persons of such other States. At the same time Russia and the Ukraine reserve the right to make any claims against Poland in this connection.

(8) All requests for the restitution of property should be addressed to the Mixed Commission within one year from the ratification of this Treaty; after the expiration of this period no request shall be recognised by the State making restitution.

The decision of the Mixed Commission concerning restitution shall be given within a period of three months from the date upon which the corresponding request shall have been addressed to it. Restitution of the property shall be made within a period of six months from the date of the decision of the Mixed Restitution Commission; the fact that the limits of time provided for the decision and for the restitution have not been respected shall in no case exempt the State making the restitution from the obligation to restore the property which may have been claimed within the period provided for.

Article 16

(1) Russia and the Ukraine agree to settle with Poland the accounts which relate to funds or capital bequeathed or given to physical and legal persons of Polish nationality, which in virtue of the regulations in force were deposited or placed on account in the State banks or the Credit institutions of the former Russian Empire.

(2) Russia and the Ukraine agree to settle with Poland accounts which relate to sums belonging to the public institutions of Poland and which, by virtue of existing provisions, were on deposit or were placed on account in the State banks or in the credit institutions of the former Russian Empire.

(3) Russia and the Ukraine agree to settle with Poland accounts concerning property and capital of Polish origin administered by the Russian Government, which have been liquidated or paid into Treasury funds and which formerly belonged to scientific, religious or charitable institutions or societies, together with accounts concerning property and capital to be applied to the maintenance of the churches and the clergy.

(4) Russia and the Ukraine agree to settle with Poland the accounts concerning special funds and capital together with the accounts of public moneys destined for poor law relief which were administered by private institutions and which by reason of their origin and purpose were either partly, or wholly, connected with the territories of the Polish Republic or the citizens of that Republic.

(5) The two Contracting Parties have agreed to accept January 1 (Old Style), 1916, as the fixed date for the settlement of accounts referred to in §§ 1, 2, 3 and 4 of this Article.

(6) As soon as the settlement of accounts relating to capital held on account by the State Treasury is completed, a preliminary liquidation of these accounts shall be effected ; sums assigned by the State Treasury for the increase of this capital shall not be regarded as a debt payable to the Treasury out of such capital.

As soon as the settlement of accounts referred to in § I, 2, 3 and 4 of this Article shall be terminated, Russia and the Ukraine agree to return respectively to Poland the property capital and cash balances involved.

(7) In the settlement of accounts relating to funds and capital which were deposited with the Treasury or in State institutions or in the private institutions of the former Russian Empire, Russia and the Ukraine agree to take into consideration in favour of Poland, the loss of a part of the purchasing power of the Russian monetary unit (paper money) from October 1, 1915, until the date when the settlement of accounts shall be terminated. In the settlement of accounts concerning special funds and capital which were in the possession of special services or which had been paid into the funds of the Treasury of the former Russian Empire, no account shall be taken of the alteration in the purchasing power of the monetary unit.

(8) In the final settlement of accounts relating to special capital, funds and property, all moveable property which may be in the possession of the Governments of Russia and the Ukraine shall be restored to Poland, if it shall be shown that this property has been disposed of by the Governments; restitution shall be made of the equivalent value; this latter stipulation does not concern Russian securities.

All these settlements of accounts shall be effected by the Mixed Commission for Settlement of Accounts referred to in article 18 of the present Treaty.

Article 17.

(1) Russia and the Ukraine undertake to effect with Poland a settlement of accounts in respect of deposits and securities paid by Polish individuals and legal persons into Russian and Ukrainian State Banks which have been nationalised or liquidated, as well as into State institutions and Savings Banks.

In paying the sums due on these accounts, Russia and the Ukraine shall respect such rights of Polish individuals and legal persons as have, at any time, been recognised as appertaining to Russian and Ukrainian individuals and legal persons.

As regards individuals, Russia and the Ukraine in settling the above accounts shall, in the interests of such persons, take into consideration the partial loss of the purchasing power of the Russian Currency which has occurred between October 1, 1915, and the day when such settlements of accounts shall be completed.

(2) The Mixed Commission on the liquidation of accounts provided for in Article 18 of the present Treaty shall be entrusted with the settlement of questions, whether of a private or legal nature, arising out of the relations between individuals and legal persons of the Contracting States, and of legal claims submitted by individuals and legal persons to the Government and to Government Institutions of the opposing Party, and vice versa, in so far as such questions are not settled by the present Treaty.

The present paragraph refers to the position of affairs as existing in law before the signature of the present Treaty.

Article 18.

(1) In order to proceed to the settlement of accounts provided for in articles 14, 15, 16 and 17 of the present Treaty and to draw up rules governing these settlements in cases which are not provided for in the present Treaty, and in order to fix the amount, method and dates of the payments to be made in settlement of the above-mentioned accounts, a Mixed Commission for the Settlement of Accounts shall be established within six weeks from the ratification of the present Treaty. This Commission shall be composed of five representatives of each Party and the requisite number of experts, and shall have its seat at Warsaw.

(2) Unless otherwise provided by the present Treaty, October 1 (New Style), 1915, shall be fixed as the fixed date from which all accounts shall be made up.

(3) All settlements of accounts in respect of real estate shall be effected in Russian gold roubles ; in all other cases the settlement of accounts shall be effected in accordance with the principles laid down in articles 16, and 17 of the present Treaty.

Article 19.

I:- Russia and the Ukraine hereby discharge Poland from all responsibility in respect of debts and obligations of whatever nature incurred by the former Russian Empire, in particular in respect of obligations arising out of the issue of paper money, treasury bonds, debentures, series (sic) and certificates of the Russian Treasury, in respect of the foreign or domestic debts of the former Russian Empire, of guarantees granted to institutions and undertakings of whatever nature, as well as of guaranteed debts of such institutions and undertakings, with the exception of guarantees granted to institutions and undertakings on Polish territory.

Article 20.

In accordance with the principle of the most favoured nation clause, Russia and the Ukraine recognise, *ipso facto* and without a special convention, the claims of Poland, and Polish nationals and legal persons to all such rights, privileges and similar benefits, with regard to the restitution of property and compensation for damages incurred during the revolution and the Civil War in Russia and in the Ukraine, as the latter States may have recognised or may recognise, directly or indirectly, as due to any third State, or to nationals and legal persons of that State.

In the cases referred to in § 1 of the present article, Russia and the Ukraine shall recognise the validity, not only of the original documents confirming the rights of possession of Polish individuals and legal persons, but also of such documents as may be issued by the Mixed Commissions provided for under articles 15 and 18 of the present Treaty.

Article 21.

The two Contracting Parties undertake to enter into negotiations concerning a commercial convention and a Convention regarding exchange of goods by barter within a period not

exceeding six weeks from date of ratification of the present Treaty. They further undertake to commence negotiations as soon as possible with a view to concluding consular, postal, telegraphic, railway, health and veterinary conventions, and likewise a convention for the improvement of the conditions of navigable waterways of the Dnieper-Vistula and the Dniiper-Dzwina.

Article 22.

Until such time as commercial and railway conventions have been concluded, the two Contracting Parties undertake to permit the forwarding of goods in transit subject to the following conditions :

The principles laid down in the present article shall serve as a basis for the future convention on transit.

(2) The two Contracting Parties mutually agree to the free transit of goods by all railways and waterways open to transit.

The transport of goods in transit shall be affected in accordance with the regulations laid down by each Contracting State in relation to traffic on railways and waterways, regard being had to the transport capacity of such rail- and water-ways, and to the requirements of home traffic.

(3) The two Contracting Parties intend the term "free transit of goods " to imply that goods transported from Russia and the Ukraine, or to Russia and the Ukraine, through Poland - as well as from or to Poland through Russia and the Ukraine - shall be exempt from customs or transit duties of every kind, and from other charges on transit, whether such goods pass directly through the territory of one of the Contracting Parties, or whether they are unloaded, provisionally stored in warehouses, or re-loaded for forwarding to a more distant destination, provided that such goods are handled in warehouses under supervision of the Customs authorities of the country through which they pass in transit.

Poland retains the right to lay down the conditions under which goods of German or Austrian origin imported from Germany or Austria into Russia or the Ukraine may be transported through Poland.

(4) The through-transport of goods intended for armaments or for military equipment, and of all military stores shall be prohibited.

This restriction shall not apply to articles which, although they are military stores, are not destined for military purposes.

A declaration from the Government concerned that such articles will not be used as war material shall be required for the through-transport of such articles.

Exceptions may also be made with regard to goods to which special prohibitions have been applied in the interests of public health and for the prevention of diseases of animals and plants.

(5) Goods from another State which are in transit through the territory of one of the Contracting Parties shall not on their entry into the territory of the other Party be subjected to a different or

higher rate of duty than would be levied on similar goods if they were sent directly from their country of origin.

(6) Dues, taxes and other charges payable on the transport of goods in transit, shall not be higher than those levied on the local transport of similar goods by the same route and in the same direction.

In so far as no dues, taxes or other charges are payable on the transport of local goods in Russia and the Ukraine, the charges on the transport of goods in transit from or to Poland, through Russia and the Ukraine, shall not be higher than those fixed for the through-transport of goods of the most favoured nation.

In view of the need of suitable frontier stations at points where railways of the two Contracting Parties meet, the following shall provisionally be regarded as forwarding stations for transit from Russia and the Ukraine across Poland, and from Poland across Russia and the Ukraine: in the Baranowiczi-Minsk and Rowno-Szepietowkain sectors, *i. e.*, in the territory of White Ruthenia and the Ukraine, for the receipt of goods coming from the West, Minsk station (until Niegoreloje station shall be equipped for this purpose) and Szopietowaka station (until Krywin station shall be so equipped) ; and in the territory of Poland, for goods coming from the East, Stolbce and Zdobunowo stations.

The rules and regulations for transit traffic shall be determined by the railway convention which is to be concluded between the two Contracting Parties, after the ratification for the present Treaty.

At the same time, the Contracting Parties shall take the necessary measures to organize the other lines as soon as possible for transit traffic; the points of junction of the railways shall, however, be determined by special agreements.

All frontier stations which are or may be open to international communication shall serve as forwarding points for the transit of goods to the frontiers of the two Parties which border on other States.

For reloading goods in transit sent by river, Pinsk or Prypet Junction shall be the reloading stations, and for this purpose a railway line shall be constructed from this point to the port, in order to bring up wagons for the purpose of reloading.

Article 23.

Russia and the Ukraine declare that all undertakings entered into by them with regard to Poland and all rights acquired by them in virtue of the present Treaty, shall apply to all territory situated East of the frontier of the State specified in article 11 of the Treaty, which formed part of the former Russian Empire and was represented by Russia and the Ukraine when this Treaty was concluded.

All the afore-mentioned rights and undertakings shall apply expressly to White Ruthenia and its citizens.

Article 24.

Immediately after the ratification of the present Treaty, diplomatic relations between the two Contracting Parties shall be resumed.

Article 25.

The present Treaty shall be drawn up in Polish, Russian and Ukrainian, in three original copies. The three texts shall be considered as authentic for the interpretation of the Treaty.

Article 26.

The present Treaty shall be ratified and shall come into force from the time of the exchange of the protocols of ratification, unless otherwise provided in the Treaty, or annexes. The ratification of the present Treaty shall take place within thirty days from the date of its signature; the exchange of the protocols of ratification shall take place at Minsk within 45 days from the date of the signature of the present Treaty.

Whenever in the present Treaty or its Annexes, the time of ratification of the Treaty is mentioned, this shall be understood to refer to the time of the exchange of the protocols of ratification.

In testimony whereof the plenipotentiaries of the two Contracting Parties have themselves signed the present Treaty and have thereto affixed their seals.

Done and signed at Riga, the eighteenth day of March one thousand nine hundred and twenty one.

(L. S.) JEAN DABSKI.

(L. S.) STANISLAS KAUIK.

(L. S.) EDOUARD LECHOWICZ.

(L. S.) HENRI STRASBURGER

(L. S.) LEON WASILEWSKI

(L. S.) A. JOFFE.

(L. S.) GANETSKI

(L. S.) E. KVIRING.

(L. S.) G. KOTCHOUBINSKI.

(L. S.) OBOLENSKI.

Annex No.2⁴

To the Treaty of Peace.

With a view to facilitating the carrying out of §7 of Article 6 of the Treaty of Peace, the two Contracting Parties have agreed to apply the following regulations to the property which persons who have exercised the right of options, are entitled to take with them:

⁴ Annex No.1, map, not reproduced in this Series.

The weight of the luggage, exclusive of hand –luggage, shall not exceed 10 pounds per person:
As regards articles, the export of which is prohibited, the persons opting shall be permitted to take with them;

(1) From Russia and the Ukraine, a maximum sum of 100,000 roubles in paper-money of whatever issue, and from Poland, 200,000 Polish marks per person opting. A special authorisation will be required for the exportation of a sum exceeding these amounts.

(2) Articles of gold or platinum, not exceeding a weight of 25 zolotniks per article ; manufactured articles containing gold or platinum, the total weight of which does not exceed 25 zolotniks, and manufactured articles containing silver, the weight of which does not exceed 5 pounds for each person.

Silver and gold watches and chains, wedding-rings and ladies' silver purses, of which each adult person has the right to export one, shall not be included in the maximum weight laid down in the present paragraph.

(3) Precious stones (diamonds, brilliants, sapphires, emeralds and rubies) the total weight of does not exceed one carat. The same regulations shall apply to pearls.

(4) Articles which are indispensable to workmen, artisans, agricultural labourers, doctors, artists, scientists, etc., in the exercise of their trade or profession and the total weight of which exceeds the maximum weight laid down above, must in each case be accompanied by a special declaration.

One sewing-machine per family.

(5) Complete articles of furniture, carriages, waggons and sledges, live-stock, machines, parts of machinery, instruments, scientific instruments, chirurgical instruments, heavy musical instruments, if the person opting returns to his country by road. As a provisional measure, railways, and boats shall not accept for transport any of the articles mentioned, except in the cases referred to in §4 of the present Annex.

(6) Individual articles of artistic value, or antiques which do not form part of a collection, if they are family mementos.

(7) Foodstuffs (a maximum of 20 pounds per person) : i. e. a maximum of 8 pounds of flour or of bread, 5 pounds of meat, 3 pounds of milk produce, and 4 pounds of other foodstuffs, including sugar, not exceeding 1 pound, and tea, not exceeding 1 4 pound.

(8) Tobacco : a maximum of 500 cigarettes, or ½ pound of tobacco per person above 18 years of age.

(9) 1 cake of toilet soap per person and one pound of plain soap per family.

(10) Printed matter, records, documents, photographs and papers of every kind, if they are accompanied by a certificate, to the effect that they have been examined by the competent authorities.

(11) Fabrics, articles made of skin or leather, hardware and other articles for personal use and not for trade-purposes.

(12) Foreign shares if a special authorisation is obtained.

(13) Russian securities, dividend-warrants, and bonds, including shares issued by joint stock companies and other companies established in Russia and the Ukraine, if a special authorisation is obtained. This also applies to way-bills, invoices and warrants.

(14) Pictures and other collections, if a special authorisation is obtained.

ANNEX NO. 3.

To THE TREATY OF PEACE:.

INSTRUCTIONS FOR THE APPLICATION OF ARTICLE 11 OF THE TREATY OF PEACE.

(1) The Special Mixed Commission provided for in § 15 of Article II of the Treaty of Peace shall be entitled to establish an office at Warsaw for the duties it will have to discharge in Poland.

(2) All applications for the restitution of archives and articles of artistic, literary or scientific value, shall be submitted to the Commission within one year from the date of constitution of the Commission.

The restitution of archives and national treasures shall be effected within two years from the date of the constitution of the Commission. The Commission shall formulate its decision within six months from the date on which the application was presented, and the articles in question shall be handed over within six months from the day on which the decision was arrived at. The expiration of the two time limits provided for above shall not release the Government from the obligation of restoring such articles, provided that the application for restitution was presented within the specified period.

Should articles subsequently be discovered, the existence of which was not known at the specified time, owing to negligence on the part of the authorities in the execution of the decisions of the Commission, the Government concerned shall be entitled to demand restitution of such articles, even when the time-limit has expired.

(3) In order to effect the restitution of such articles to the Government which is entitled to them, the Commission shall ascertain through the competent public authorities the place where

these articles are to be found, their number and their condition, making use of all the documents which might be of assistance, such as : receipts, catalogues, inventories, lists, registers, files, etc.

The Commission may, if necessary, send to the various institutions its representatives who, in conjunction with the representatives of the institution, and on the evidence of the documents mentioned above, shall identify these articles and note the place where they are to be found.

Until the restitution has been effected, the articles which are to be restored shall remain at the place where they are deposited, and shall not be transported elsewhere except in the case of absolute necessity; the Party concerned shall in each case be notified of the transfer.

(4) The restitution of the archives referred to in § 5 of Article 11 of the Treaty of Peace shall be effected according to the following regulations :

The Archives, files and documents of the central institutions established in Russia for the districts belonging to the former kingdom of Poland, shall be handed over without exception to Poland, with all the catalogues, inventories, registers, etc., relevant thereto.

Documents which refer to former administrative districts now part of the Polish State, or to parts of these districts attributed to Poland by the Treaty of Peace, and which are deposited among the archives and files belonging to other central, district or local institutions., shall be handed over to Poland. The files and documents which form part of the Central State Archives and which constitute historical collections shall not be handed over ; the Party concerned may, however, demand that authentic copies of documents which may be of interest to it shall be supplied at the expense of the State which is in possession of these documents.

In cases where, as a result of the Treaty of Peace, former noble, judicial and ecclesiastical administrative units are separated, their archives shall be divided according to the following principles : the archives shall remain where they are ; files referring to sub-divisions or units shall be handed over to the Party to whom this unit belongs ; for instance, should a province or an administrative sub-division be divided, the archives of the province or of the sub-division shall remain where they are and only such files shall be extracted as refer to the administrative sub-division, that is to say, the districts, communes and other administrative units, and shall be handed over to the Party in whose territory the administrative unit concerned is situated.

Individual documents belonging to files or archives, for instance books, manuscripts, or individual bundles of papers, may not be separated or torn in order to divide them.

Such documents as may not be divided shall be handed over to the Party most immediately concerned, and if the other Party is also interested it shall have the right to a certified copy furnished at its own expense. Such books, manuscripts and bundles of papers may only be destroyed or removed when the other Party has been notified.

(5) All articles which have been restored , under Article 11 of the Treaty of Peace, shall be packed and despatched to the frontier stations in accordance with the instructions of the Commission. The restitution to the other Party shall be effected at the place at which the articles are packed and minutes recording the restitution and the receipt shall be drawn up in two copies. The Commission shall take necessary measures to ensure that the articles referred to arrive undamaged at the frontier stations.

At the frontiers the packages shall be inspected ; if the packages (seals, etc.) are intact, minutes shall be drawn up recording this fact. If, however, the packages are damaged or if the seals are broken, contents may be verified. Once the articles to be transported have been deposited at a frontier station, the State which has received them shall be responsible for these articles.

(6) Further details regarding the application of Article 11 of the Treaty of Peace and of the present instructions shall be laid down by the Commission.

ANNEX No.4 TO THE TREATY OF PEACE

PART 1.

(1) In accordance with § 1 of Article I 4 of the Treaty of Peace, Russia and the Ukraine will hand over to Poland 300 locomotives, 260 passenger carriages, 8,100 goods waggon or an equivalent in lieu thereof, in addition to such rolling stock for broad gauge lines belonging to the Russo-Ukrainian systems as is at present in Poland, that is 255 locomotives, 435 passenger carriages and 8,859 goods waggon.

The total value of the rolling stock to be restored to Poland shall be fixed at the sum of 13,149,000 gold roubles.

The total value of any railway material other than rolling stock which is to be restored to Poland in kind or in the form of an equivalent shall be fixed at the sum of 5,096,000 gold roubles.

(2) Russia and the Ukraine undertake to restore to Poland the following railway material

(a) The rolling stock for European standard gauge lines which is at present on the Russo-Ukrainian systems and has not been adapted to broad gauge lines, with the exception of rolling stock already deleted from the inventory or in such bad condition as to be beyond repair.

(b) Any railway material other than rolling stock, specified by the Mixed Restitution Commission, in accordance with information supplied by the Polish Ministry for Railways and the particulars given by the Russian National Commission for Communications, provided Poland submits a claim for such material and Russia and the Ukraine are in a position to restore it.

(c) Archives, plans and models of railways belonging to Poland. if such have been preserved and are not essential to Russia and the Ukraine. Should it prove impossible to hand over the original document, Poland will be entitled to demand a copy at her own expense.

(3) The value of the rolling stock restored in kind, to be deducted from the sum mentioned in the second paragraph of Article 1 of the 1st Part of the present Annex, will be estimated in accordance with the following rules :

(a) The assessment of the price of the rolling stock to be restored in kind will be made independently in the case of each group of the same class and regardless of the number of

items contained therein, in accordance with rules drawn up for estimating the general value of rolling stock of the same class (Article 1 of Part II of this Annex).

(b) The amount of rolling stock requiring repairs must not, in comparison with the total amount of rolling stock restored, exceed 50%, in the case of locomotives, 35 % for passenger carriages and 20 % for goods waggons.

Should the amount of rolling stock requiring repairs exceed the afore-mentioned percentage, Russia and the Ukraine may at their own expense repair such material within the period laid down in Article 3 of Part II of the present Annex.

(c) Payment for rolling stock in a bad state of repair included in the material to be actually restored, in excess of the percentage fixed in § (b) of the present article, will be made by Russia and the Ukraine to Poland in accordance with the rules laid down in article 4 of Part II of this Annex.

Should the proportion of rolling stock in good condition to be restored to Poland prove, as a result of repairs carried out in Russia and the Ukraine, to be greater than that laid down in § (b) of this article, Poland shall pay to Russia and the Ukraine the cost of such repairs in accordance with the same rules.

(4) The value of any other railway material, with the exception of rolling stock, to be restored to Poland will be fixed by the Mixed Restitution Commission on the basis of the pre-war listed prices. The sum thus obtained will be deducted from the sum referred to in the third paragraph of Article 1 of 1st Part of the present Annex,

PART II

(I) The value of the rolling stock- to be restored will be calculated in the following manner

(a) Locomotives, according to the formula :

$$X = m/A (A-B) + n$$

X= the required value of the locomotive

A = the average life of the locomotives, to be estimated at 39.5 years in the case of those which are not included in the inventory

B = average age of locomotive on January 1, 1921,

m = cost of locomotive as given in the inventory

n = cost of locomotive parts after dismantling, fixed at 15 % of the price in the inventory

(b) Passenger carriages- 65% of their listed price.

(c) Goods waggons- 70% of their listed price.

(2) The proportion of the different kinds of repairs required in the case of the deteriorated portion of the rolling stock to be restored will not exceed

(a) Locomotives :

requiring extensive repairs	30%
requiring repairs which involve lifting operations	30%
requiring running repairs	40%

(b) Passenger carriages :

requiring extensive repairs	35%
requiring average repairs	35%
requiring running repairs	30%

(c) Goods waggons:

requiring complete over-hauling for running repairs or extensive repairs	60%
requiring running repairs	40 %

Rolling stock requiring casual repairs will be included in one of the above categories according to the importance of the damage sustained.

(3) The periods within which the Russian and Ukrainian workshops must complete the repairs to the rolling stock which is to be restored shall be fixed as follows, reckoning from the date on which the report of the inspection of the rolling stock is signed :

(a)	Locomotives requiring extensive repairs	10	months.
	Locomotives requiring repairs which involve lifting operations		3months.
	Locomotives requiring running repairs	10	days.

(b)	Passenger carriages requiring extensive repairs	8	months.
	Passenger carriages requiring average repairs	4	months.
	Passenger carriages requiring running repairs	10	days.

(c)	Goods waggons requiring complete over -hauling for running repairs or extensive repairs	3 months.
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	requiring running repairs	10 days.
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The cost of the repairs will be determined in the following manner :

- a) Locomotives
 - requiring extensive repairs 24% of the price in the inventory
 - requiring repairs which involve lifting operations 3 % of the price in the inventory
 - requiring running repairs 20 gold roubles.
- b) Passenger carriages:
 - requiring extensive repairs 24% of the price in the inventory
 - requiring average repairs 14% of the price in the inventory
 - requiring running repairs 10 gold roubles
- c) Goods waggon
 - requiring complete overhauling for running repairs or extensive repairs 7.5 % of the price in the inventory
 - requiring running repairs 6 gold roubles

Rolling stock requiring casual repairs will be placed in one of the above categories or will be estimated separately in accordance with the 1914 prices.

- (5) Should it be ascertained that in the locomotives restored to Poland the essential parts of the engine are lacking (framework, boilers, etc.) and that subsidiary portions (instruments, fittings, etc.) are wholly or partially lacking, Russia and the Ukraine will pay to Poland the price of these parts after deducting 5 % for the costs incurred in connection with the repair of all the locomotives to be restored.
- (6) The wear and tear of the rolling stock for broad gauge lines which is to be made good to Poland in the form of money amounts to 120,000 gold roubles, which will be deducted from the sum referred to in the second paragraph of article 1 of the 1st Part of the Present Annex.

PART III.

- (1) In view of the fall in the purchasing power of gold, sums in gold roubles arrived at in accordance with the stipulations in the previous articles will be increased by 60%.
- (2) The rolling stock which belongs to any district and is to be restored will be collected in groups at certain points, where it will be examined by representatives of the Mixed Restitution Commission in any manner which they deem necessary, without, however, imposing too heavy a burden on the local workshops. The Commission will then classify the rolling stock in the various categories mentioned above. will estimate, should it think it desirable, the cost of repairs in accordance with the 1914 price and will draw up a protocol of receipt in which it

will indicate the class, the cost of repairs and the price of the parts, the absence of which has been ascertained.

On the completion of this duty, it will dispatch the rolling stock thus selected to the frontier stations, where it will be handed over to Poland. At these stations no new certificate shall be drawn up the state and amount of the rolling stock shall merely be examined to see if it corresponds to the information given in the certificate of receipt.

(3) In principle, rolling stock restored to Poland must be dispatched to frontier stations, with all the parts necessary to enable it to be placed on the rails. If the Russo-Ukrainien members of the Mixed Restitution Commission should, however, ascertain, after the local railway administration has examined the information given by the Polish members of the Mixed Restitution Commission with regard to the place where these parts are to be found, that the parts in question are missing, the rolling stock will be handed over without these parts.

(4) All accounts arising from the condition of the rolling stock restored will be brought together under one head and not drawn up separately for each group handed over.

PART IV.

Rolling stocks and other railways material belonging to private companies and rolling stock belonging to private corporations and individuals in Poland which has been removed from the territory of Poland into Russia or the Ukraine will be restored in accordance with the provisions of article 15 of the Treaty of Peace, as the provisions of article 14 of the Treaty of Peace and the present Annex do not apply to this material.

ANNEX No 5 OF THE TREATY OF PEACE.

SUPPLEMENTARY PROTOCOL TO ARTICLE 2 OF THE TREATY OF PEACE BETWEEN POLAND, RUSSIA AND THE UKRAINE.

In order to extend and complete the provisions of Article 2 of the Treaty of Peace, the two Contracting Parties have agreed as follows:

- (1) The obligation undertaken by the two Parties, namely to grant each other the right of free navigation and free rafting, with the use of towpaths, on that part of the Dwina which forms the frontier, shall come into force from the date of the signature of the Treaty of Peace.
- (2) Poland shall grant the same privileges to Russia, the Ukraine and White Russia on that part of the Dwina which forms the frontier between Poland and Latvia.
- (3) Without the special consent of the other Party, it shall not be lawful for either Contracting Party to undertake works on the banks or in the neighbourhood of the river, or to set up hydraulic plant as a result of which the waterways in the territory of the other Contracting Party might be deteriorated. The same rule shall apply to any construction which might raise the level of the water beyond the frontier of that State.
- (4) Should natural obstacles preventing navigation, rafting or the free flow of the current be formed in the bed of rivers constituting the frontier or used in common as waterways, each of the two Parties undertakes to remove such obstacles at the request of the other Party. The cost of dredging shall be fixed and divided between the Parties concerned in accordance with an agreement to be concluded beforehand.
- (5) The question of damming rivers forming the frontier shall be settled by an agreement between the two States.
- (6) The construction of drainage canals connected with a river forming the frontier shall be permitted in so far as such works do not injure the other Party.

This present Protocol shall form an integral part of the Treaty of Peace ; it is binding in the same Manner as the Treaty and shall come into force with the signature of the Treaty of Peace.

In faith whereof the plenipotentiaries of the Contracting Parties have signed this present Protocol.

Riga, March, 1921.

(L. S.) JEAN, DABSKI.

(L. S.) STANISLAS KAUIK.

(L. S.) EDOUARD LECHOWICZ.

(L. S.) HENRI STRASBURGER.

(L. S.) LÉON WASILWSKI.

(L. S.) A. JOFFE.

(L. S.) GANETSKI.

(L. S.) E. KVIRING.

(L. S.) G. KOTCHOUBINSKI,

(L, S.) OBOLENSKI.