

TREATY SERIES. 1919.

No. 20.

TREATY

BETWEEN THE

PRINCIPAL ALLIED AND ASSOCIATED
POWERS

AND

CZECHO-SLOVAKIA,

Signed at Saint-Germain-en-Laye, September 10,
1919.

Presented to Parliament by Command of His Majesty.



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1919.

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TREATY BETWEEN THE PRINCIPAL ALLIED
AND ASSOCIATED POWERS AND CZECHO-
SLOVAKIA.

Signed September 10, 1919.

THE UNITED STATES OF AMERICA, THE BRITISH
EMPIRE, FRANCE, ITALY, AND JAPAN,

the Principal Allied and Associated Powers,

on the one hand

And CZECHO-SLOVAKIA,

on the other hand ;

Whereas the union which formerly existed between the old Kingdom of Bohemia, the Markgraviate of Moravia and the Duchy of Silesia on the one hand and the other territories of the former Austro-Hungarian Monarchy on the other has definitely ceased to exist, and

Whereas the peoples of Bohemia, of Moravia and of part of Silesia, as well as the peoples of Slovakia, have decided of their own free will to unite, and have in fact united, in a permanent union for the purpose of forming a single sovereign independent State under the title of the Czecho-Slovak Republic, and

Whereas the Ruthene peoples to the south of the Carpathians have adhered to this union, and

Whereas the Czecho-Slovak Republic in fact exercises sovereignty over the aforesaid territories and has already been recognised as a sovereign independent State by the other High Contracting Parties,

The United States of America, the British Empire, France, Italy and Japan on the one hand, confirming their recognition of the Czecho-Slovak State as a sovereign and independent member of the Family of Nations within the boundaries which have been or may be determined in accordance with the terms of the Treaty of Peace with Austria of even date ;

Czecho-Slovakia on the other hand, desiring to conform her institutions to the principles of liberty and justice, and to give a sure guarantee to all the inhabitants of the territories over which she has assumed sovereignty ;

The High Contracting Parties, anxious to assure the execution of Article 57 of the said Treaty of Peace with Austria,

Have for this purpose named as their Plenipotentiaries, that is to say:

THE PRESIDENT OF THE UNITED STATES OF AMERICA :

The Honourable Frank Lyon POLK, Under-Secretary of State ;

The Honourable Henry WHITE, formerly Ambassador Extraordinary and Plenipotentiary of the United States at Rome and Paris ;

General Tasker H. BLISS, Military Representative of the United States on the Supreme War Council ;

HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND OF THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA :

The Right Honourable Arthur James BALFOUR, O.M., M.P., His Secretary of State for Foreign Affairs ;

The Right Honourable Andrew BONAR LAW, M.P., His Lord Privy Seal ;

The Right Honourable Viscount MILNER, G.C.B., G.C.M.G., His Secretary of State for the Colonies ;

The Right Honourable George Nicoll BARNES, M.P., Minister without portfolio ;

• And

for the DOMINION of CANADA :

The Honourable Sir Albert Edward KEMP, K.C.M.G., Minister of the Overseas Forces ;

for the COMMONWEALTH of AUSTRALIA :

The Honourable George Foster PEARCE, Minister of Defence ;

for the UNION of SOUTH AFRICA :

The Right Honourable Viscount Milner, G.C.B., G.C.M.G. ;

for the DOMINION of NEW ZEALAND :

The Honourable Sir Thomas MACKENZIE, K.C.M.G., High Commissioner for New Zealand in the United Kingdom ;

for INDIA :

The Right Honourable Baron Sinha, K.C., Under-Secretary of State for India ;

THE PRESIDENT OF THE FRENCH REPUBLIC :

- Mr. Georges CLEMENCEAU, President of the Council,
of War ;
- Mr. Stephen PICHOX, Minister for Foreign Affairs ;
- Mr. Louis-Lucien KLOTZ, Minister of Finance ;
- Mr. André TARDIEU, Commissary General for Franco-American
Military Affairs ;
- Mr. Jules CAMBON, Ambassador of France ;

HIS MAJESTY THE KING OF ITALY :

- The Honourable Tommaso TITTONI, Senator of the Kingdom
Minister for Foreign Affairs ;
- The Honourable Vittorio SCIALOJA, Senator of the Kingdom ;
- The Honourable Maggiorino FERRARIS, Senator of the
Kingdom ;
- The Honourable Guglielmo MARCONI, Senator of the Kingdom ;
- The Honourable Silvio CRESPI, Deputy ;

HIS MAJESTY THE EMPEROR OF JAPAN :

- Viscount CHINDA, Ambassador Extraordinary and Plenipo-
tentiary of H.M. the Emperor of Japan at London ;
- Mr. K. MATSUI, Ambassador Extraordinary and Plenipotentiary
of H.M. the Emperor of Japan at Paris ;
- Mr. H. IJUIN, Ambassador Extraordinary and Plenipotentiary
of H.M. the Emperor of Japan at Rome ;

THE PRESIDENT OF THE CZECHO-SLOVAK RE-
PUBLIC, by :

- Mr. Karel KRAMÁŘ, President of the Council of Ministers ;
- Mr. Edward BENEŠ, Minister for Foreign Affairs ;

Who, after having exchanged their full powers, found in good and
due form, have agreed as follows :

CHAPTER I.

ARTICLE 1.

Czecho-Slovakia undertakes that the stipulations contained in
Articles 2 to 8 of this Chapter shall be recognised as fundamental
laws and that no law, regulation or official action shall conflict or
interfere with these stipulations, nor shall any law, regulation or
official action prevail over them.

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ARTICLE 2.

Czecho-Slovakia undertakes to assure full and complete protection of life and liberty to all inhabitants of Czecho-Slovakia without distinction of birth, nationality, language, race or religion. All inhabitants of Czecho-Slovakia shall be entitled to the free exercise, whether public or private, of any creed, religion or belief, whose practices are not inconsistent with public order or public morals.

ARTICLE 3.

Subject to the special provisions of the Treaties mentioned below Czecho-Slovakia admits and declares to be Czecho-Slovak nationals *ipso facto* and without the requirement of any formality German, Austrian or Hungarian nationals habitually resident or possessing rights of citizenship (*pertinenza-Heimatsrecht*) as the case may be at the date of the coming into force of the present Treaty in territory which is or may be recognised as forming part of Czecho-Slovakia under the Treaties with Germany, Austria or Hungary respectively, or under any Treaties which may be concluded for the purpose of completing the present settlement.

Nevertheless, the persons referred to above who are over eighteen years of age will be entitled under the conditions contained in the said Treaties to opt for any other nationality which may be open to them. Option by a husband will cover his wife, and option by parents will cover their children under eighteen years of age.

Persons who have exercised the above right to opt must within the succeeding twelve months transfer their place of residence to the State for which they have opted. They will be entitled to retain their immovable property in Czecho-Slovak territory. They may carry with them their movable property of every description. No export duties may be imposed upon them in connection with the removal of such property.

ARTICLE 4.

Czecho-Slovakia admits and declares to be Czecho-Slovak nationals *ipso facto* and without the requirement of any formality persons of German, Austrian or Hungarian nationality who were born in the territory referred to above of parents habitually resident or possessing rights of citizenship (*pertinenza-Heimatsrecht*) as the case may be there, even if at the date of the coming into force of the present Treaty they are not themselves habitually resident or did not possess rights of citizenship there.

Nevertheless, within two years after the coming into force of the present Treaty, these persons may make a declaration before the competent Czecho-Slovak authorities in the country in which they are resident, stating that they abandon Czecho-Slovak nationality, and they will then cease to be considered as Czecho-Slovak nationals. In this connection a declaration by a husband will cover his wife, and a declaration by parents will cover their children under eighteen years of age.

ARTICLE 5

Czecho-Slovakia undertakes to put no hindrance in the way of the exercise of the right which the persons concerned have under the Treaties concluded or to be concluded by the Allied and Associated Powers with Germany, Austria or Hungary to choose whether or not they will acquire Czecho-Slovak nationality.

ARTICLE 6.

All persons born in Czecho-Slovak territory who are not born nationals of another State shall *ipso facto* become Czecho-Slovak nationals.

ARTICLE 7.

All Czecho-Slovak nationals shall be equal before the law and shall enjoy the same civil and political rights without distinction as to race, language or religion.

Differences of religion, creed or confession shall not prejudice any Czecho-Slovak national in matters relating to the enjoyment of civil or political rights, as for instance admission to public employments, functions and honours, or the exercise of professions and industries.

No restriction shall be imposed on the free use by any Czecho-Slovak national of any language in private intercourse, in commerce, in religion, in the press or publications of any kind, or at public meetings.

Notwithstanding any establishment by the Czecho-Slovak Government of an official language, adequate facilities shall be given to Czecho-Slovak nationals of non-Czech speech for the use of their language, either orally or in writing, before the courts.

ARTICLE 8.

Czecho-Slovak nationals who belong to racial, religious or linguistic minorities shall enjoy the same treatment and security in law and in fact as the other Czecho-Slovak nationals. In particular they shall have an equal right to establish, manage and control at their own expense charitable, religious and social institutions, schools and other educational establishments, with the right to use their own language and to exercise their religion freely therein.

ARTICLE 9.

Czecho-Slovakia will provide in the public educational system in towns and districts in which a considerable proportion of Czecho-Slovak nationals of other than Czech speech are residents adequate facilities for ensuring that the instruction shall be given to the children of such Czecho-Slovak nationals through the medium of their own language. This provision shall not prevent the Czecho-Slovak Government from making the teaching of the Czech language obligatory.

In towns and districts where there is a considerable proportion of Czecho-Slovak nationals belonging to racial, religious or linguistic minorities, these minorities shall be assured an equitable share in the enjoyment and application of the sums which may be provided out of public funds under the State, municipal or other budget, for educational, religious or charitable purposes.

CHAPTER II.

11;
12;

ARTICLE 10.

Czecho-Slovakia undertakes to constitute the Ruthene territory south of the Carpathians within frontiers delimited by the Principal Allied and Associated Powers as an autonomous unit within the Czecho-Slovak State, and to accord to it the fullest degree of self-government compatible with the unity of the Czecho-Slovak State.

ARTICLE 11.

The Ruthene territory south of the Carpathians shall possess a special Diet. This Diet shall have powers of legislation in all linguistic, scholastic and religious questions, in matters of local administration, and in other questions which the laws of the Czecho-Slovak State may assign to it. The Governor of the Ruthene territory shall be appointed by the President of the Czecho-Slovak Republic and shall be responsible to the Ruthene Diet.

ARTICLE 12.

Czecho-Slovakia agrees that officials in the Ruthene territory will be chosen as far as possible from the inhabitants of this territory.

ARTICLE 13.

Czecho-Slovakia guarantees to the Ruthene territory equitable representation in the legislative assembly of the Czecho-Slovak Republic, to which Assembly it will send deputies elected according to the constitution of the Czecho-Slovak Republic. These deputies will not, however, have the right of voting in the Czecho-Slovak Diet upon legislative questions of the same kind as those assigned to the Ruthene Diet.

ARTICLE 14.

Czecho-Slovakia agrees that the stipulations of Chapters I and II so far as they affect persons belonging to racial, religious or linguistic minorities constitute obligations of international concern and shall be placed under the guarantee of the League of Nations. They shall not be modified without the assent of a majority of the Council of the League of Nations. The United States, the British Empire, France, Italy and Japan hereby agree not to withhold their assent from any modification in these Articles which is in due form assented to by a majority of the Council of the League of Nations.

Czecho-Slovakia agrees that any Member of the Council of the League of Nations shall have the right to bring to the attention of the Council any infraction, or any danger of infraction, of any of these obligations, and that the Council may thereupon take such action and give such direction as it may deem proper and effective in the circumstances.

Czecho-Slovakia further agrees that any difference of opinion as to questions of law or fact arising out of these Articles between the Czecho-Slovak Government and any one of the Principal Allied and Associated Powers, or any other Power a Member of the Council of the League of Nations, shall be held to be a dispute of an international character under Article 14 of the Covenant of the League of Nations. The Czecho-Slovak Government hereby consents that any such dispute shall, if the other party hereto demands, be referred to the Permanent Court of International Justice. The decision of the Permanent Court shall be final and shall have the same force and effect as an award under Article 13 of the Covenant.

CHAPTER III.

ARTICLE 15.

Each of the Principal Allied and Associated Powers on the one part and Czecho-Slovakia on the other shall be at liberty to appoint diplomatic representatives to reside in their respective capitals, as well as Consuls-General, Consuls, Vice-Consuls and Consular agents to reside in the towns and ports of their respective territories.

Consuls-General, Consuls, Vice-Consuls and Consular agents, however, shall not enter upon their duties until they have been admitted in the usual manner by the Government in the territory of which they are stationed.

Consuls-General, Consuls, Vice-Consuls and Consular agents shall enjoy all the facilities, privileges, exemptions and immunities of every kind which are or shall be granted to consular officers of the most favoured nation.

ARTICLE 16.

Pending the establishment of an import tariff by the Czecho-Slovak Government, goods originating in the Allied or Associated States shall not be subject to any higher duties on importation into Czecho-Slovakia than the most favourable rates of duty applicable to goods of the same kind under the Austro-Hungarian Customs Tariff on July 1, 1914.

ARTICLE 17.

Czecho-Slovakia undertakes to make no treaty, convention or arrangement and to take no other action which will prevent her from joining in any general agreement for the equitable treatment of the commerce of other States that may be concluded under the auspices of the League of Nations within five years from the coming into force of the present Treaty.

Czecho-Slovakia also undertakes to extend to all the Allied and Associated States any favours or privileges in customs matters which it may grant during the same period of five years to any State with which since August, 1914, the Allied and Associated States have been at war, other than favours or privileges which may be granted under the special customs arrangements provided for in Article 222 of the Treaty of Peace of even date with Austria.

ARTICLE 18.

Pending the conclusion of the general agreement referred to above, Czecho-Slovakia undertakes to treat on the same footing as national vessels or vessels of the most favoured nation the vessels of all the Allied and Associated States which accord similar treatment to Czecho-Slovak vessels.

ARTICLE 19.

Pending the conclusion under the auspices of the League of Nations of a general convention to secure and maintain freedom of communications and of transit, Czecho-Slovakia undertakes to accord freedom of transit to persons, goods, vessels, carriages, waggons and mails in transit to or from any Allied or Associated State over Czecho-Slovak territory, and to treat them at least as favourably as the persons, goods, vessels, carriages, waggons and mails respectively of Czecho-Slovak or of any other more favoured nationality, origin, importation or ownership as regards facilities, charges, restrictions, and all other matters.

All charges imposed in Czecho-Slovakia on such traffic in transit shall be reasonable having regard to the conditions of the traffic. Goods in transit shall be exempt from all customs or other duties.

Tariffs for transit traffic across Czecho-Slovakia and tariffs between Czecho-Slovakia and any Allied or Associated Power involving through tickets or waybills shall be established at the request of that Allied or Associated Power.

Freedom of transit will extend to postal, telegraphic and telephonic services.

Provided that no Allied or Associated Power can claim the benefit of these provisions on behalf of any part of its territory in which reciprocal treatment is not accorded in respect of the same subject-matter.

If within a period of five years from the coming into force of the present Treaty no general convention as aforesaid shall have been concluded under the auspices of the League of Nations, Czecho-Slovakia shall be at liberty at any time thereafter to give twelve months' notice to the Secretary-General of the League of Nations to terminate the obligations of the present Article.

ARTICLE 20.

Czecho-Slovakia undertakes to adhere within twelve months of the coming into force of the present Treaty to the International Conventions specified in Annex I.

Czecho-Slovakia undertakes to adhere to any new Convention, concluded with the approval of the Council of the League of Nations within five years of the coming into force of the present Treaty, to replace any of the international instruments specified in Annex I.

The Czecho-Slovak Government undertakes within twelve months to notify the Secretary-General of the League of Nations whether or not Czecho-Slovakia desires to adhere to either or both of the International Conventions specified in Annex II.

Until Czecho-Slovakia has adhered to the two Conventions last specified in Annex I, she agrees, on condition of reciprocity, to protect by effective measures the industrial, literary and artistic property of nationals of the Allied and Associated States. In the case of any Allied or Associated State not adhering to the said Conventions Czecho-Slovakia agrees to continue to afford such effective protection on the same conditions until the conclusion of a special bilateral treaty or agreement for that purpose with such Allied or Associated State.

Pending her adhesion to the other Conventions specified in Annex I, Czecho-Slovakia will secure to the nationals of the Allied and Associated Powers the advantages to which they would be entitled under the said Conventions.

Czecho-Slovakia further agrees, on condition of reciprocity, to recognise and protect all rights in any industrial, literary or artistic property belonging to the nationals of the Allied and Associated States in force, or which but for the war would have been in force, in any part of her territory. For such purpose she will accord the extensions of time agreed to in Articles 259 and 260 of the Treaty of Peace with Austria.

ANNEX I.

POSTAL CONVENTIONS.

Conventions and agreements of the Universal Postal Union signed at Vienna, July 4, 1891.

Conventions and agreements of the Postal Union signed at Washington, June 15, 1897.

Conventions and agreements of the Postal Union signed at Rome, May 26, 1906.

TELEGRAPHIC AND RADIO-TELEGRAPHIC CONVENTIONS.

International Telegraphic Convention signed at St. Petersburg, July 10/22, 1875.

Regulations and Tariffs drawn up by the International Telegraph Conference of Lisbon, June 11, 1908.

International Radio-Telegraphic Convention, July 5, 1912.

RAILWAY CONVENTIONS.

Convention and arrangements signed at Berne on October 14, 1890, September 20, 1893, July 16, 1895, June 16, 1898, and September 19, 1906, and the current supplementary provisions made under those Conventions.

Agreement of May 15, 1886, regarding the sealing of railway trucks subject to customs inspection, and Protocol of May 15, 1907.

Agreement of May 15, 1886, regarding the technical standardisation of railways, as modified on May 18, 1907.

SANITARY CONVENTIONS.

Conventions of Paris and Vienna of April 3, 1894, March 19, 1897, and December 3, 1903.

OTHER CONVENTIONS.

Convention of September 26, 1906, for the suppression of night work for women.

Convention of September 26, 1906, for the suppression of the use of white phosphorus in the manufacture of matches.

Conventions of May 18, 1904, and May 4, 1910, regarding the suppression of the White Slave Traffic.

Convention of May 4, 1910, regarding the suppression of obscene publications.

International Convention of Paris of March 20, 1883, as revised at Washington in 1911, for the protection of industrial property.

International Convention of Berne of September 9, 1886, revised at Berlin on November 13, 1908, and completed by the Additional Protocol signed at Berne on March 20, 1914, for the protection of literary and artistic works.

ANNEX II.

Agreement of Madrid of April 14, 1891, for the prevention of false indications of origin on goods, revised at Washington in 1911.

Agreement of Madrid of April 14, 1891, for the international registration of trade-marks, revised at Washington in 1911.

ARTICLE 21.

All rights and privileges accorded by the foregoing Articles to the Allied and Associated States shall be accorded equally to all States Members of the League of Nations.

THE PRESENT TREATY, in French, in English and in Italian, of which the French text shall prevail in case of divergence, shall be ratified. It shall come into force at the same time as the Treaty of Peace with Austria.

The deposit of ratifications shall be made at Paris.

Powers of which the seat of the Government is outside Europe will be entitled merely to inform the Government of the French Republic through their diplomatic representative at Paris that their ratification has been given; in that case they must transmit the instrument of ratification as soon as possible.

A procès-verbal of the deposit of ratifications will be drawn up.

The French Government will transmit to all the Signatory Powers a certified copy of the procès-verbal of the deposit of ratifications.

In faith whereof the above-named Plenipotentiaries have signed the present Treaty.

Done at Saint-Germain-en-Laye, the tenth day of September, one thousand nine hundred and nineteen, in a single copy which will

remain deposited in the archives of the French Republic, and of which authenticated copies will be transmitted to each of the Signatory Powers.

(L.S.) FRANK L. POLK.
(L.S.) HENRY WHITE.
(L.S.) TASKER H. BLISS.
(L.S.) ARTHUR JAMES BALFOUR.
(L.S.)
(L.S.) MILNER.
(L.S.) GEO. N. BARNES.
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