

LETTONIE ET LITUANIE

Convention au sujet du tracé sur le terrain de la frontière entre les deux Etats, des droits des citoyens de la zone limitrophe et sur la situation des propriétés immobilières partagées par la ligne frontière. Instruction à la Commission mixte relative au tracé sur le terrain de la frontière entre la Lettonie et la Lituanie, signées à Riga le 14 mai 1921.

LATVIA AND LITHUANIA

Convention regarding the delimitation on the spot of the frontier between the two States and also regarding the rights of the citizens in the frontier zone and the status of immovable property intersected by the frontier line. Instructions to the Mixed Commission regarding the delimitation on the spot of the frontier between Latvia and Lithuania, signed at Riga, May 14, 1921.

¹ TRADUCTION.

No. 438. — CONVENTION ENTRE LA LETTONIE ET LA LITUANIE AU SUJET DU TRACÉ SUR LE TERRAIN DE LA FRONTIÈRE ENTRE LES DEUX ÉTATS, DES DROITS DES CITOYENS DE LA ZONE LIMITROPHE ET SUR LA SITUATION DES PROPRIÉTÉS IMMOBILIÈRES PARTAGÉES PAR LA LIGNE FRONTIÈRE, SIGNÉE A RIGA LE 14 MAI 1921.

La LETTONIE d'une part et la LITUANIE d'autre part ont jugé nécessaire de conclure la Convention dont la teneur suit et ont autorisé à ces fins :

Le GOUVERNEMENT DE LETTONIE :

Zigfrid A. MEIEROVICS, Ministre des Affaires étrangères de Lettonie ;

Le GOUVERNEMENT DE LITUANIE :

Dr. Juosas PURYZKIS, Ministre des Affaires étrangères de Lituanie.

Les plénipotentiaires susnommés, s'étant réunis à Riga et ayant échangé leurs pleins-pouvoirs, trouvés en bonne et due forme, sont convenus de ce qui suit :

Article 1.

La frontière letto-lituanienne, établie par le jugement du Professeur Simpson, président du tribunal arbitral, est tracée sur le terrain entre la Lettonie et la Lituanie par une commission mixte spéciale, composée de trois membres de chaque partie. Les travaux de la Commission mixte s'effectuent conformément à l'instruction ci-jointe ; sur la base de cette dernière, la commission susmentionnée est tenue de régler toutes les questions pouvant surgir lors du tracement de la frontière sur le terrain.

Remarque. Les frais du tracement de la frontière sur le terrain, établis par la commission mixte et confirmés par les deux Gouvernements, incombent aux deux Etats en parties égales.

Annexe. Instruction à la commission mixte pour le tracement sur le terrain de la frontière entre la Lettonie et la Lituanie.

Article 2.

La frontière doit être marquée sur le terrain par des signes visibles. Outre cela, les deux parties communément ont, d'après un accord mutuel, ou, si un tel accord n'a pas eu lieu, chaque partie séparément a le droit d'élever des barrières le long de toute la frontière d'Etat ou de la partie où ce sera, pour des raisons quelconques, jugé utile.

¹ Communiquée par le Ministère des Affaires étrangères de Lettonie.

¹ Communicated by the Ministry for Foreign Affairs of Latvia.

¹ TRANSLATION.

No. 438. — CONVENTION BETWEEN LATVIA AND LITHUANIA REGARDING THE DELIMITATION ON THE SPOT OF THE FRONTIER BETWEEN THE TWO STATES, AND ALSO REGARDING THE RIGHTS OF THE CITIZENS IN THE FRONTIER ZONE, AND THE STATUS OF IMMOVABLE PROPERTY INTERSECTED BY THE FRONTIER LINE, SIGNED AT RIGA, MAY 14, 1921.

LATVIA, of the one Part, and LITHUANIA, of the other Part, have deemed it necessary to conclude a Convention the text of which follows, and to this end have appointed as their Plenipotentiaries:

THE GOVERNMENT OF LATVIA :

Zigfrid A. MEIEROVICS, Latvian Minister for Foreign Affairs ;

THE GOVERNMENT OF LITHUANIA :

Dr. JUOSAS PURYZKIS, Lithuanian Minister for Foreign Affairs.

The above-mentioned Plenipotentiaries, having met at Riga and communicated their full powers, found to be in good and due form, have agreed to the following provisions :

Article 1.

The Latvian-Lithuanian frontier, as established by the decision of Professor Simpson, President of the Arbitral Tribunal, shall be delimited on the ground between Latvia and Lithuania by a special Mixed Commission consisting of three members of each Party. The work of the Mixed Commission shall be carried out in conformity with the instructions annexed hereto ; on the basis of these instructions, the above-mentioned Commission shall settle all questions which may arise in connection with the demarcation of the frontier on the ground.

Note. — The expenses occasioned by the demarcation of the frontier on the ground, as calculated by the Mixed Commission and approved by the two Governments, shall be divided equally between the two States.

Annex. — Instructions to the Mixed Commission for the demarcation on the ground of the frontier between Latvia and Lithuania.

Article 2.

The frontier shall be delimited on the ground by means of easily visible signs. In addition, the two Parties jointly, by common agreement, or in the absence of such agreement, each Party separately, shall be entitled to erect barriers along the whole of the State frontier, or along any part thereof, if for any reason it is deemed advisable.

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

Article 3.

Customs and frontier posts shall be established to control the crossing of the frontier. These stations shall be determined by the Mixed Commission mentioned in Article 1.

As the development of relations between the two States may necessitate an increase in the number of such stations, the two Parties reserve the right to establish new Customs stations, in which case the other Party shall be informed of the fact one month before the new station is opened. Additional frontier posts can only be established by common agreement.

If, on account of epidemics or for other important reasons, it becomes necessary to close a Customs or frontier post, the other Party must be notified at least three days in advance, the reasons for the closure being given.

Article 4.

The crossing of the frontier at places other than those where stations are established is prohibited. Temporary exceptions to this provision are laid down in the following Article.

Article 5.

The owners or farmers of immovable property which is divided by the frontier line, the members of their families, and their labourers shall be allowed to cross the State frontier within the limits of their property with their agricultural implements and livestock, and to transport to their residence materials for the use of their household and the seed and produce of their land during the harvest, until such part of their goods as has remained within the territory of the other State is liquidated. The above-mentioned persons must at all times be in possession of the identity cards issued in the proper form.

Article 6.

Owners or farmers of immovable property which is divided by the frontier line, who have been sentenced by a Court of law for smuggling or for having been accessory to smuggling, or for having concealed contraband, shall lose the rights conferred by Article 5 and must, within a time limit of three months from the date of their sentence, liquidate that part of their immovable property which is situated in the territory of the other State, according to the place of their permanent residence.

Article 7.

The owners of immovable property which is divided by the frontier line must liquidate, within a period of two years from the day on which the frontier, as established, is approved by the two Governments, such part of their immovable property as is situated on the other side of the frontier line so as to ensure that all their property shall be situated on the same side of the frontier. If such land is not liquidated within the prescribed period it shall be expropriated by the State in whose territory it is situated in return for equitable compensation.

Article 8.

The Commission established for the demarcation of the frontier on the ground (Article 1) may decide that certain rural estates, the value of which would be considerably impaired by a division, should retain their previous economic unity. In regard to such estates the provisions of Article 5 would acquire a permanent character. On the same conditions the Mixed Commission

may confer on the holders of certain rural estates the right to exploit the forests and meadows belonging to them in the territory of the other Party.

Such tracts of divided property shall be entered separately in the land registers of both States. The debts chargeable to such estates shall be borne jointly by both parts of the estate.

Article 9.

All the plans and deeds and the archives and documents of all kinds relating to State property, private property or the property of companies, which are at present in the institutions or archives of either State, shall be handed over to the State on whose territory is situated the property to which the documents in question refer.

If such a document is of importance to both States, it shall be retained by the Party in whose possession it is, and a certified true copy of the document shall be handed over to the other State.

Article 10.

The two Parties agree in principle that the inhabitants of the districts detached from one of the States and incorporated in the other by the decision of the Arbitral Tribunal shall be considered as citizens of the State to which these districts belong. The provisions of the Latvian-Lithuanian Agreement in regard to option shall nevertheless be applicable to such persons.

Article 11.

In conformity with the provisions of Article 10, the inhabitants of the districts mentioned in that Article must be immediately demobilised.

Article 12.

In order to enable the inhabitants of the frontier zone to transfer their residence to the State from which they derive their origin, the two States undertake to facilitate the reciprocal exchange of property between the Latvians living in Lithuania on the one hand, and the Lithuanians living in Latvia on the other. The two States undertake, for a period of two years from the date of ratification of the present Convention, to remit the fees chargeable for the transfer of property at the Land Registration Offices.

Article 13.

The present Convention shall be ratified as soon as possible, and the instruments of ratification shall be exchanged at Riga.

Article 14.

The present Agreement has been drafted in Latvian and Lithuanian. Both texts shall be authentic.

RIGA, *May 14, 1921.*

(Signed) Z. A. MEIEROVICS.

(Signed) DR. J. PURYZKIS.

INSTRUCTIONS

TO THE MIXED COMMISSION FOR THE DEMARCATION ON THE GROUND OF THE FRONTIER
BETWEEN LATVIA AND LITHUANIA.

(Annex to Article I of the Convention.)

(1) The Mixed Delimitation Commission shall be constituted on the basis of the Convention concluded in May 1921 between Latvia and Lithuania.

(2) The Delimitation Commission shall consist of three members of each Party. The two Parties alternately shall appoint the Chairman at plenary meetings. The Commission may co-opt experts, among whom must be an engineer officer having at his disposal the number of men required for the demarcation of the frontier and the necessary constructions; also detachments of surveyors with the personnel (topographers, experts in triangulating and map-drawing) necessary for drawing up the map of the frontier.

(3) The Commission shall fix the frontier on the ground, in conformity with the arbitrator's decision, and, with the consent of both Parties, it shall make slight modifications of a local character with a view to straightening the frontier, establishing a natural frontier, maintaining the unity of rural estates divided by the arbitrator's decision, and utilising means of communication in the most rational manner.

(4) The territorial concessions consequent on the modifications in the frontier specified in Article 3 shall be granted subject to compensation. In the event of an agreement not being reached, the frontier fixed by the arbitrators shall be adhered to.

Note. — Private estates situated in the immediate vicinity of the frontier may, at the request of the owner and subject to reciprocity, be incorporated in the other State unless this should be contrary to the provisions contained in Article 3 of the present Instructions.

(5) The Commission should aim at setting up a frontier which is distinct, clearly visible and not subject to modifications. To this end it is desirable that the frontier should be as straight as possible, and that its points of deflection should be defined by triangulation, partly by direct triangulation and partly by the polygon method, the angles being measured with a theodolite and the distances with a tape-measure.

(6) The frontier thus demarcated must be final. All doubtful points and inaccuracies shall be settled by the Mixed Commission when it makes its final tour of the frontier.

(7) On its tour of inspection along the frontier, the Mixed Commission shall mark provisionally the principal points of deflection of the new frontier. These points should be so chosen as to make the straight lines as long as possible. The Commission shall draw up a description of the principal points of deflection which it fixes on the provisional frontier. These points shall be finally fixed by the detachments of surveyors.

(8) All the principal angular points, that is to say, the points of deflection of the frontier, shall be marked on the spot by means of boundary cairns one sazhan in diameter and two ells in height. In the soil beneath the cairn, one-and-a-half ells below the surface, a foundation of durable material set in masonry shall be constructed: above this foundation shall be fixed an iron post in the centre of the cairn constructed of cemented stone and covered with earth. The cairn shall be surrounded by a small ditch. The coat-of-arms of the State shall be fixed at the top of the post, with the number of the boundary post beneath. The frontier shall be demarcated in a straight line from cairn to cairn.

Between the cairns the frontier shall be marked by means of a zone two ells in width. Similar iron posts set up on cairns shall be erected beside the main roads and rivers at the places where frontier transit is to be organised. At intervals of one kilometre along the frontier line cairns with wooden posts on a basis of cemented stone shall be erected; banks of earth surrounded

by ditches shall be constructed round the posts. In the middle of the rivers the frontier shall be determined in accordance with the perpendiculars of the base-lines of the polygons along the two banks of the river. The spaces between the posts shall, where possible, be marked by means of a rampart with ditches on either side. In wooded areas clearings six sazhan wide shall be effected along the frontier. The plans of the new frontier zone shall be drawn up on the basis of the trigonometrical network and its perpendiculars shall be calculated from the co-ordinates. With a view to establishing the map of the frontier in advance, a "plan de mensule" shall be drawn up on the scale of half a verst to an inch, on which shall be marked with full details the points on the frontier which have been fixed and its deviations, and a zone 250 sazhan in width on either side of the frontier.

(9) The new maps of the frontier shall be made on a scale of half a verst to an inch on the basis of the co-ordinates calculated from the polygonal points of the special mensuration and of the "plans de mensule." To the map shall be annexed a descriptive table of the signs agreed upon and a detailed description of the neighbourhood together with a description of the angles. With the exception of the headings and the signs agreed upon, the text of the maps shall be in the Latvian and Lithuanian languages. Maps of the frontier in duplicate, and furnished with the signatures of the members of the Mixed Commission, shall be drawn up on paper of the best quality for each of the States.

(10) When the demarcation of the frontier has been completed and the plans of the frontier zone have been drafted and marked on the map, the Mixed Commission shall make a tour of the frontier and shall signify its acceptance thereof. The plans of the frontier shall be compared with the ground, and any doubtful points shall be cleared up on the spot. After this inspection the final protocol shall be drawn up.

(11) The cost of carrying out the necessary constructions on the frontier and of drawing up the plans shall be shared equally by the two States.

(12) Until the Convention confirming the maps of the new frontier has been ratified, the new signs of demarcation shall be protected against damage by the frontier guards in accordance with the instructions of the Mixed Commission which shall appoint them. The cost of protecting the signs of demarcation shall be equally shared by the two States.

(13) The Mixed Commission shall be entrusted with the execution of Article 8 of the Latvian-Lithuanian Delimitation Agreement.

RIGA, May 14, 1921.

(Signed) Z. A. MEIEROVICS.

(Signed) DR. J. PURYZKIS.