

N° 2041.

ALLEMAGNE ET
UNION DES RÉPUBLIQUES
SOVIÉTISTES SOCIALISTES

Convention de conciliation. Signée
à Moscou, le 25 janvier 1929.

GERMANY
AND UNION OF SOVIET
SOCIALIST REPUBLICS

Conciliation Convention. Signed at
Moscow, January 25, 1929.

TEXTE ALLEMAND. — GERMAN TEXT.

N^o 2041. — DEUTSCH-RUSSISCHES SCHLICHTUNGSABKOMMEN¹,
GEZEICHNET IN MOSKAU AM 25. JANUAR 1929.

Textes officiels allemand et russe communiqués par le consul général d'Allemagne à Genève. L'enregistrement de cette convention a eu lieu le 3 juin 1929.

DER DEUTSCHE REICHSPRÄSIDENT UND DAS ZENTRAL-EXEKUTIV-KOMITEE DER UNION DER SOZIALISTISCHEN SOWJETREPUBLIKEN haben, in dem Wunsche die Entwicklung der zwischen beiden Ländern bestehenden freundschaftlichen Beziehungen zu fördern, beschlossen, in Ausführung der in dem Notenwechsel² vom 24. April 1926 getroffenen Abrede ein Abkommen über ein Schlichtungsverfahren abzuschliessen und zu diesem Zweck zu ihren Bevollmächtigten ernannt :

DER DEUTSCHE REICHSPRÄSIDENT :

den Deutschen Botschafter in Moskau, Dr. Herbert von DIRKSEN ; und

DAS ZENTRAL-EXEKUTIV-KOMITEE DER UNION DER SOZIALISTISCHEN SOWJETREPUBLIKEN :

Herrn Maxim LITVINOFF, Mitglied des Zentral-Exekutiv-Komitees der Union der Sozialistischen Sowjetrepubliken, Volkskommissar *ad interim* für Auswärtige Angelegenheiten,

die nach gegenseitiger Mitteilung ihrer in guter und gehöriger Form befundenen Vollmachten über folgende Bestimmungen übereinkommen sind :

Artikel 1.

Streitigkeiten jeder Art, insbesondere Meinungsverschiedenheiten, die bei der Auslegung der zwischen den beiden vertragschliessenden Teilen bestehenden zweiseitigen Verträge und der zu ihrer Erläuterung und Ausführung ergangenen oder ergehenden Vereinbarungen entstehen, sollen, falls ihre Regelung auf diplomatischen Wege auf Schwierigkeiten stösst, gemäss den nachstehenden Bestimmungen einem Schlichtungsverfahren unterworfen werden.

Artikel 2.

Das Schlichtungsverfahren findet vor einer Schlichtungskommission statt.

Die Schlichtungskommission ist keine ständige, sondern wird für jede Tagung besonders gebildet. Sie versammelt sich einmal jährlich um die Mitte des Jahres zur ordentlichen Tagung

¹ L'échange des ratifications a eu lieu à Berlin, le 12 avril 1929.

² Vol. LIII, page 387, de ce recueil.

ТЕХТЕ РУССЕ. — RUSSIAN TEXT.

№ 2041. — КОНВЕНЦИЯ¹ О СОГЛАСИТЕЛЬНОЙ ПРОЦЕДУРЕ МЕЖДУ СОЮЗОМ СОВЕТСКИХ СОЦИАЛИСТИЧЕСКИХ РЕСПУБЛИК И ГЕРМАНИЕЙ, ПОДПИСАННАЯ В МОСКВЕ 3-го ИЮНЯ 1929 Г.

German and Russian official texts communicated by the German Consul-General at Geneva. The registration of this Convention took place June 3, 1929.

Президент Германского Государства и Центральный Исполнительный Комитет Союза Советских Социалистических Республик желая содействовать развитию существующих между обеими Странами дружественных отношений, решили во исполнение обусловленного между ними в обмене нотами² от 24 апреля 1926 года заключить Конвенцию о согласительной процедуре и назначили для этой цели своими Уполномоченными, а именно :

Президент Германского Государства :

Д-ра Герберта фон Дирксена, Германского Посла в Москве и

Центральный Исполнительный Комитет Союза Советских Социалистических Республик :

Максима Максимовича Литвинова, Члена Центрального Исполнительного Комитета Союза Советских Социалистических Республик, временно исполняющего обязанности Народного Комиссара по Иностранным Делаам,

каковые после взаимного пред'явления своих полномочий, найденных в должной и надлежащей форме, согласились о нижеследующих постановлениях :

Статья 1.

Споры всякого рода, в особенности разногласия, возникающие при толковании двухсторонних договоров, существующих между обеими Договаривающимися Сторонами, и заключенных или заключаемых для их истолкования и исполнения соглашений, должны быть в том случае, если их урегулирование дипломатическим путем натолкнется на трудности, подвергнуты согласительной процедуре соответственно нижеследующих постановлений.

Статья 2.

Согласительная процедура имеет место в Согласительной Комиссии. Согласительная Комиссия не является постоянной, но образуется особо на каждую сессию. Она собирается ежегодно, один раз, примерно в середине года, на очередную

¹ The exchange of ratifications took place at Berlin, April 12, 1929.

² Vol. LIII, page 387, of this Series.

¹ TRANSLATION.

No. 2041. — CONCILIATION CONVENTION BETWEEN GERMANY
AND THE UNION OF SOVIET SOCIALIST REPUBLICS. SIGNED
AT MOSCOW, JANUARY 25, 1929.

THE PRESIDENT OF THE GERMAN REICH and THE CENTRAL EXECUTIVE COMMITTEE OF THE UNION OF SOVIET SOCIALIST REPUBLICS, being desirous of promoting the development of the friendly relations existing between the two countries, have resolved, in execution of the agreement embodied in the exchange of notes dated April 24, 1926, to conclude a Convention regarding conciliation procedure, and have for this purpose appointed as their Plenipotentiaries :

THE PRESIDENT OF THE GERMAN REICH :

Dr. Herbert VON DIRKSEN, German Ambassador at Moscow ; and

THE CENTRAL EXECUTIVE COMMITTEE OF THE UNION OF SOVIET SOCIALIST REPUBLICS :

M. Maxim LITVINOFF, Member of the Central Executive Committee of the Union of Soviet Socialist Republics, Acting People's Commissary for Foreign Affairs ;

Who, having communicated their full powers, found in good and due form, agreed on the following provisions :

Article 1.

Disputes of every kind, more particularly differences of opinion arising out of the interpretation of bilateral treaties existing between the two Contracting Parties or of agreements concluded or to be concluded for the interpretation and execution of the said treaties shall, if difficulties are encountered in settling them through the diplomatic channel, be submitted to a procedure of conciliation in accordance with the following provisions.

Article 2.

The procedure of conciliation shall take place before a Conciliation Commission.

The Conciliation Commission shall not be permanent, but shall be specially constituted for each session. It shall meet once annually towards the middle of the year, in ordinary session ; the exact date of the session shall be fixed in each case by agreement between the two Governments.

Extraordinary sessions shall be held if, in the opinion of either Government, this is justified by a special urgent case.

All the sessions of the Conciliation Commission shall be held alternately at Berlin and Moscow. The meeting place of the first session shall be decided by lot.

As a general rule a session shall not last longer than fourteen days.

Article 3.

For each session each of the two Governments shall appoint two members of the Conciliation Commission.

¹ Translated by the Secretariat of the League of Nations, for information.

The chair shall be taken at each session by one of the members of the country in whose territory the meeting is held.

Each Party shall be entitled to send experts in particular cases for the discussion of one or other question on the agenda ; these experts shall have the right to speak at the meeting of the Conciliation Commission.

Article 4.

Not later than fourteen days before the date of the opening of the ordinary session of the Conciliation Commission, each Party shall communicate to the other, through the diplomatic channel, the list of questions which it desires should be dealt with at that session.

Should application be made for the convening of an extraordinary session, the Government making such application shall inform the other Government of the special urgent case justifying such application. The Commission shall meet not later than one month after the receipt of such application.

Article 5.

The task of the Conciliation Commission shall be to propose to the two Governments an equitable and mutually satisfactory solution of the questions submitted to it, more particularly with a view to obviating any future differences of opinion between the two Parties on the said questions.

Should the Conciliation Commission during one of its sessions be unable to arrive at a common proposal regarding any question on the agenda, such question may be submitted anew to an extraordinary session of the Conciliation Commission, which shall however meet not later than four months after the first session.

Failing this, the question shall be dealt with through the diplomatic channel.

The results of each session of the Conciliation Commission shall be submitted for confirmation to both Governments in the form of a report.

Such report or parts thereof shall only be published with the consent of both Governments.

Article 6.

The Conciliation Commission itself shall settle the further details of the procedure in so far as may be necessary.

Article 7.

Both Parties undertake to furnish the Commission with all the necessary data, and to give it every assistance in accomplishing its task.

Article 8.

Both Parties undertake to refrain from any measure which might prejudicially affect the deliberations of the Conciliation Commission on any particular question. They declare their readiness more especially to take into consideration precautionary measures for this purpose.

Article 9.

This Convention shall be ratified. The exchange of the instruments of ratification shall take place at Berlin.

The Convention shall come into force on the day on which the instruments of ratification are exchanged. It shall remain in force for three years.

Article 10.

This Convention is drawn up in German and in Russian, both texts being authentic.

In faith whereof the Plenipotentiaries have signed this Convention and have thereto affixed their seals.

Done in duplicate at Moscow, January 25, 1929.

(L. S.) VON DIRKSEN.

(L. S.) M. LITVINOFF.