

N° 1283.

LETTONIE ET
UNION DES RÉPUBLIQUES
SOVIÉTISTES SOCIALISTES

Accord concernant le règlement des
conflits pouvant surgir à la fron-
tière des deux pays. Signé à Riga,
le 19 juillet 1926.

LATVIA
AND UNION OF SOCIALIST
SOVIET REPUBLICS

Agreement concerning the Settle-
ment of Disputes which may arise
on the Frontier between the two
Countries. Signed at Riga, July
19, 1926.

¹ TRANSLATION.

No. 1283. — AGREEMENT BETWEEN LATVIA AND THE UNION OF SOCIALIST SOVIET REPUBLICS CONCERNING THE SETTLEMENT OF DISPUTES WHICH MAY ARISE ON THE FRONTIER BETWEEN THE TWO COUNTRIES. SIGNED AT RIGA, JULY 19, 1926.

With a view to establishing a simplified procedure applicable to disputes and incidents of minor importance which may arise on the frontier, THE LATVIAN GOVERNMENT, of the one part, and THE SOVIET OF PEOPLE'S COMMISSARS OF THE UNION OF SOCIALIST SOVIET REPUBLICS, of the other part, have decided to conclude an agreement on this subject, and have appointed for this purpose as their Plenipotentiaries :

1. THE GOVERNMENT OF THE LATVIAN DEMOCRATIC REPUBLIC :

M. Charles ULMANIS, Latvian Minister for Foreign Affairs ;

2. THE SOVIET OF PEOPLE'S COMMISSARS OF THE UNION OF SOCIALIST SOVIET REPUBLICS :

M. Alexis TCHERNIKH, Representative Plenipotentiary of the Union of Socialist Soviet Republics in Latvia ;

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

Article 1.

Any incidents or disputes which may have arisen on the frontier before the coming into force of the present Agreement shall be settled by diplomacy. Such incidents and disputes may, however, be dealt with by the simplified procedure applicable to incidents of minor importance, as hereinafter set forth, if the Latvian Ministry of Foreign Affairs and the Soviet of People's Commissar of the Union of Socialist Soviet Republics have agreed in advance to employ that method.

Any incidents and disputes of minor importance (Article 2) which may arise on the frontier after the coming into force of the present Agreement, shall be settled on the spot, in conformity with Articles 3 to 10 of this Agreement.

Article 2.

For the purposes of the present Agreement, the following shall be regarded as frontier incidents and disputes of minor importance :

(a) Single shots fired in the frontier zone at posts, sentinels or private persons, without causing death, wounds or material damage ;

(b) The crossing of the frontier by local inhabitants, Customs employees or frontier guards, if the crossing took place by mistake and without malicious intent ;

¹ Translated by the Secretariat of the League of Nations.

- (c) The impounding of domestic animals which have crossed the frontier, and questions concerning their restoration to the persons who claim them ;
- (d) Thefts of live-stock or other property situated on the other side of the frontier and their restoration to the owners, or the payment of compensation if it is impossible to restore the stolen objects themselves ;
- (e) Other incidents or misunderstandings which may arise on the frontier and which do not involve any question of principle.

Article 3.

The representatives of the local frontier administrative authorities, whose duty it will be to settle frontier incidents and disputes of minor importance (Article 2) shall be : for Latvia : The Head Officer of the district ; and for the Union of Socialist Soviet Republics : the Head of the Frontier Detachment of the State Central Political Administration, or his authorised representatives.

The areas in which the above-mentioned officials shall act, together with their permanent stations, shall be laid down in the Protocol annexed to the present Agreement.

Article 4.

Decisions regarding questions to be settled under the present Agreement, by the officials mentioned in Article 3, shall be arrived at by consent between the officials concerned. The decisions shall be as brief as possible ; they shall be signed and drawn up in two copies, one, for Latvia, in Latvian, and the other, for the Union of Socialist Soviet Republics, in Russian, or White Russian.

Should no agreement be reached, the question shall be submitted to the Governments of the two Parties to be settled by them. In such cases, the above-mentioned frontier authorities shall only carry out an enquiry and shall transmit the resulting information to the Latvian Ministry of Foreign Affairs and the People's Commissariat of Foreign Affairs of the Union of Socialist Soviet Republics.

Article 5.

Decisions given by the persons mentioned in Article 3 shall be binding on the two Parties when they refer to the questions set out in (a), (b), (c), and (e), of Article 2. Decisions regarding the restitution of property, or the compensation to be paid by a guilty party, when restitution in kind is impossible, or indemnification of injured parties for their losses, shall not have effect until they have been approved by the Latvian Ministry for Foreign Affairs and by the People's Commissariat for foreign Affairs of the Socialist Soviet Republics.

Article 6.

The Head Officer of the District for Latvia and the Head of the Frontier Detachment of the State Central Political Administration for the Union of Socialist Soviet Republics shall, acting by common consent and in conformity with the Protocol referred to in Article 3, establish at points along the frontier special posts for the supervision and crossing of the frontier. These posts shall serve for the transmission of statements or documents regarding frontier questions, for enquiries conducted in respect of these matters (Articles 2 and 3), for the execution of the decisions given, the conveyance across the frontier of any persons who have been detained on the other side of it by one of the Contracting Parties, and for the passage of animals or the restitution of property.

The Head Officer of the District for Latvia, and the Head of the Frontier Detachment of the State Central Political Administration for the Union of Socialist Soviet Republics, and the latter's agents, shall be entitled to cross the frontier for the purpose of settling frontier incidents and disputes, if they are provided with documents establishing their official status. Whenever the frontier is crossed these documents must be *visés*, at the examining posts referred to above, by the representatives of the other Contracting Party.

The officials referred to in the present Article shall be entitled to summon the injured parties, witnesses and experts to the examining posts to hear their statements and, may, if circumstances require it, in order to facilitate the solution of disputes and misunderstandings, allow them to cross the frontier on a single occasion, for a period not exceeding twelve hours. These permits must be *visés* at the examining posts by the representatives of the other Contracting Party.

The visas referred to in the present Article shall be in writing.

Witnesses, injured parties and experts of one of the Parties who are summoned to the examining posts shall enter the territory of the other Party without steel weapons or firearms. This restriction shall not apply to officials, who shall be entitled to carry arms in the exercise of their duties.

Article 7.

The meetings between the officials mentioned in Article 3, with a view to settling frontier incidents and disputes, shall take place at the examining posts or at other places agreed upon beforehand, upon the invitation of one of the Contracting Parties. The Party invited shall, within two days at latest after the receipt of the invitation, notify the other party that it consents to appear at the place selected.

Article 8.

Officials referred to in Article 3 of the present Agreement who have occasion in connection with the settlement of frontier incidents or disputes, to cross into the territory of the other Party, shall enjoy immunity and shall be entitled to wear their regulation uniforms.

The above-mentioned officials shall be entitled to take with them, free of Customs duty, their provisions and also such articles as are essential for the exercise of their duties (stationery, etc.). The weight of such baggage — which shall be subject to Customs inspection — may not exceed 30 kilogrammes per person.

Persons who have crossed the frontier in conformity with the third paragraph of Article 6 of the present Agreement, shall be under the protection of the laws in force in the country in which they happen to be. These persons shall be allowed to take one day's supply of food with them, free of Customs duty, but subject to Customs inspection.

Article 9.

The subsistence and travelling expenses of the officials carrying out the duties referred to in the provisions of the present Agreement shall be borne by the Party of which they are nationals. Each Party shall, however, be entitled to the assistance of the other Party, as regards the provision of transport and lodging, the furnishing of documents necessary for the enquiry, and the despatch across the frontier, of persons whose presence is indispensable (Article 6). Witnesses and injured parties may not be interrogated by the representatives of one Party on the territory of the other Party, except in the presence of the representatives of the Party on whose territory the examination takes place.

Article 10.

The first meeting of the officials referred to in Article 3 of the present Agreement for the purpose of organising the work in their respective sectors shall take place one month after the coming into force of the present Agreement.

Article 11.

The present Agreement shall come into force one month after the date of its signature, provided that it has been approved by the Governments of both Contracting Parties. The Parties shall notify each other as soon as possible when they have received the approval of their respective Governments.

Article 12.

The present Agreement shall remain in force for three months after the date on which either Contracting Party shall have notified the other Party of its intention to terminate it.

Article 13.

The present Agreement has been drawn up in duplicate in Russian and Latvian. In matters of interpretation the two texts shall be equally authentic.

In faith whereof the Plenipotentiaries of the two Contracting Parties have signed the present Agreement and have thereto affixed their seals.

Done at Riga, July the nineteenth, nineteen hundred and twenty-six.

(L. S.) Ch. ULMANIS.

(L. S.) A. TCHERNIKH.

PROTOCOL.

When proceeding to sign the Agreement regarding the settlement of disputes which may arise on the frontier between Latvia and the Union of Socialist Soviet Republics, the Undersigned Charles ULMANIS, Latvian Minister for Foreign Affairs, on behalf of the Republic of Latvia, and Alexis TCHERNIKH, Plenipotentiary Representative in Latvia, of the Union of Socialist Soviet Republics on behalf of the Soviet of People's Commissars of the Union of Socialist Soviet Republics, have signed the present Protocol :

(1) With a view to clearly defining the provisions contained in paragraph (b) of Article 2 of the Agreement, the Contracting Parties agree that the procedure established in the Agreement regarding the settlement of disputes which may arise on the frontier between Latvia and the Union of Socialist Soviet Republics shall not apply to the crossing of the frontier in the following cases :

(a) When the person who has crossed the frontier without authorisation has advanced in the territory of the other Party to a distance of over two kilometres from the frontier between the two countries ;

(b) When the person who has crossed the frontier without authorisation has already been guilty of the same act in the same sector, unless it is shown that the offence

was committed without malicious intent. A "sector" shall be taken to mean a portion of the frontier ten kilometres in length ;

(c) If the frontier has been violated by more than three persons, at the same time and at the same spot.

(2) The Latvian Government declares that it is in entire agreement with the *note verbale* of the Ministry of Foreign Affairs dated September 23, 1925, No. 920/24/43025, concerning transit hutments.

The Government of the Union of Socialist Soviet Republics has taken note of this declaration.

(3) With a view to settling disputes and misunderstandings which may arise on the frontier between Latvia and the Union of Socialist Soviet Republics the two Contracting Parties will divide the frontier into three sectors :

Ist Sector : from the point where the frontiers of Latvia, the Union of Socialist Soviet Republics and Estonia meet, up to the village of Kaluženka, including that village ;

IIInd Sector : on the Latvian side, from the village of Kaluženka to the village of Pališčino (commune of Skaunas, district of Ludzas), the village of Pališčino not being included ; and on the Union of Socialist Soviet Republics side, from the village of Kaluženka up to the *folwark* of Stolmach, excluding the latter place ;

IIIrd Sector : on the Latvian side from the village of Pališčino, which is included in this sector, up to the point where the frontiers of Latvia and the Union of Socialist Soviet Republics and Poland meet ; on the Union of Socialist Soviet Republics side from the *folwark* of Stolmach up to the point at which the frontiers of Latvia and the Union of Socialist Soviet Republics and Poland meet.

On the Latvian side the sectors will be administered as follows : Ist Sector, by the official agent in permanent residence at Jaunlatgale ; IIInd Sector, by the official agent in permanent residence at Ludzas ; IIIrd sector, by the official agent in permanent residence at Daugavpili.

On the Union of Socialist Soviet Republics side, the sectors shall be administered : Ist sector, by the official agent in permanent residence at Ostrov ; IIInd Sector, by the official agent in permanent residence at Sebež ; IIIrd Sector, by the official agent in permanent residence at Bigosovo.

The following points shall be used by the representatives of the frontier authorities of the two States, for meetings and for crossing the frontier with a view to conferring regarding disputes which may have arisen :

In Sector I : Ritupe-Ostrov, at the junction of the Latvian and the Union of Socialist Soviet Republic's railway lines ;

In Sector II : Zilupe-Sebež, at the junction of the Latvian and the Union of Socialist Soviet Republic's railway lines ;

In Sector III : Indra-Bigosovo, at the junction of the Latvian and the Union of Socialist Soviet Republic's railway lines.

The present Protocol shall form an integral part of the Agreement between Latvia and the Union of Socialist Soviet Republics concerning the settlement of frontier disputes.

RIGA, July 19, 1926.

(L. S.) Ch. ULMANIS.

(L. S.) A. TCHERNIKH.