

Treaty of Peace
between Finland and Germany.

Signed in Berlin on the 7th of March, 1918, and ratified in Helsinki on the 11th of June, 1918. Instruments of ratification exchanged on the 25th of June, 1918.

Whereas Finland declared herself independent which independence has been recognized by Germany, the Government of Finland and the Imperial Government of Germany, actuated by desire to establish a permanent state of peace and amity between both countries, have resolved to conclude a Peace Treaty and have appointed as their plenipotentiaries:

The Government of Finland:

Doctor of Philosophy, Honorary Councillor of State, Mr. Edvard Immanuel *Hjelt*, Deputy Chancellor of University of Helsinki, and Doctor of Law, Mr. Rafael Waldemar *Erich*, Professor of constitutional and international law at University of Helsinki.

Imperial German Government:

Chancellor of the German Empire, Dr., Count von *Hertling*,

who, after examining their full powers, which were found in good and due form, have agreed upon the following provisions:

CHAPTER ONE.

Confirmation of amity between Finland and Germany and securing the independence of Finland.

Article 1.

The Contracting Parties declare that no state of war exists between Finland and Germany and that they are resolved to live henceforth in peace and amity with one another.

Germany will devote herself to seeking recognition to the independence and sovereignty of Finland from all Powers. Reciprocally Finland will not hand over any of her possessions to a foreign Power or, grant any servitude within areas under her sovereignty to such a Power, without first agreeing on it with Germany.

Article 2.

Diplomatic and consular relations between the Contracting Parties will be resumed immediately upon the ratification of the Peace Treaty. As regards the reciprocal admission of consuls, separate agreements are reserved.

Article 3.

Each Party will compensate, in its territory, all the damage the actions conducted by local state organs or population, in consequence of war but in violation of the international law, have caused other Party's consular officials to their lives, freedom, health or property or the other Party's consular buildings or office equipments.

CHAPTER II.

The reparations.

Article 4.

The Contracting Parties mutually renounce demands for compensation of war expenses, i.e. of the public expenditures for the conduct of the war, as well as compensation for war losses, i.e. such losses as were caused them and their nationals within the war zones by military measures, inclusive of all requisitions effected in enemy country.

CHAPTER III.

Re-establishment of state contracts.

Article 5.

The contracts expired as a result of the war between Germany and Russia shall be replaced as soon as possible by new contracts which correspond to altered outlook and conditions in relations between the Contracting Parties. In particular, both Parties will immediately proceed to negotiations to conclude a treaty on commerce and merchant shipping.

In the meantime the communications between the two countries will be arranged by a commercial and shipping agreement to be signed simultaneously with the Peace Treaty.

Article 6.

The contracts, which involve third Powers, in addition to Germany and Russia, and into which Finland enters beside Russia or replacing her, come into force between the Contracting Parties at the ratification of the Peace Treaty or, if entering takes place later, from that time point.

As regards collective treaties of a political nature in which other belligerent powers also take part, the two Parties reserve unto themselves their attitude till after the conclusion of the general peace.

CHAPTER IV.

Re-establishment of private rights. Compensation for civil losses.

Article 7.

All provisions in force within the territory of a Contracting Party, by which, because of the state of war, the nationals of the other Party are subject to special regulations (war laws) with regard to their private rights, go out of force upon the ratification of the present treaty.

Juridical persons and societies which have their seat within the territory of a Contracting Party are also regarded as nationals of that Contracting Party. And, furthermore, juridical persons and societies which have not their seat within the territory of a Contracting Party are to be regarded as on a par with the nationals of this Party. In so far as within the territory of the other Party they are subjected to the regulations applying to the nationals of the latter Party.

Article 8.

Concerning private legal debt relations which have been affected by the laws of war, the following has been agreed upon:

Debt relations will be re-established, provided it is not otherwise specified in the provisions of Articles 8 to 12.

2 §.

The provision of § 1 does not prevent the question as to what influence the circumstances created by the war, especially the impossibility of fulfilment brought about by hindrances in transportation or commercial prohibitions, exert upon debt relations, from being decided within the territory of each Contracting Party according to the laws applicable to all the inhabitants of the country.

In these circumstances, the nationals of the other Party who have been restricted through measures of this Party may not be treated less favorably than the nationals of the respective state who were restricted through measures of that Party. Even the one whom the war prevented from fulfilling an obligation in due time shall not be obligated to make compensation for the losses occasioned thereby.

3 §.

Pecuniary obligations whose payment could be refused in the course of the war by virtue of war laws, need not to be paid before expiration of three months from the time of the ratification of the Peace Treaty. Regardless of moratoriums, they are payable unless the supplementary agreement (Article 32 Clause 2) will stipulate otherwise, with interest of 5% per annum, from the original date when payment was due, for the duration of the war and additional three months; in any case, the stipulated interest up to the time on which payment was due, is to be paid.

Bills of exchange and cheques cannot be required for payment, nor a protest entered in a case of default, before expiration of three months from the time of the ratification of the Peace Treaty

4 §.

For the liquidation of outstanding debts and other private legal obligations, the national recognized associations for the protection of creditors are to be recognized and admitted as reciprocally empowered agents for the prosecution of the claims of natural and juridical persons connected to them.

Article 9.

Each Contracting Party will immediately upon the ratification of the Peace Treaty, resume payment of her obligations, especially payment of public obligations, to the nationals of the other Party. Obligations that have become due before the ratification will be paid within three months following the ratification.

*) The Finnish text says six months.

Article 10.

Copyright and industrial patents, concessions and privileges, as well as similar claims and which have prejudiced based upon public law and which have been prejudiced by war laws will be re-established unless Article 12 does not state otherwise.

Each Contracting Party will extend to the citizens of the other Party a term not less than one year from the ratification of the Peace Treaty, in order to allow them to take necessary action, provided this does not violate the legally appropriate rights of third parties, to

establish or to maintain an industrial patent in case legal term given for such action has been allowed to elapse owing to the war. Industrial patents of the nationals of one Party shall not be forfeited within the territory on account of their non-exploitation before the expiration of four years after the ratification.

When in the territory of the Contracting Party an industrial patent that could not, by reasons of war laws, become registered by a person, who had during the war legally registered it in the territory of the other Party, is left for registration within six months after the ratification of the Peace Treaty with the demand for a priority in the registration, it will overtake all subsequent claims but, however, not violating the rights of a third party, unless accomplished facts have rendered it inapplicable.

Article 11.

The dates for the expiration of rights shall, within the territory of each Contracting Party and in respect to the nationals of the other Party, not expire earlier than one year after the ratification of the Peace Treaty, provided that they had not expired at the outbreak of the war.

The same applies to the dates for the presentation of interest certificates in profit sharing as well as to securities redeemed or else become due.

Article 12.

The activity of the institutions which in virtue of war laws have been entrusted with the supervision safeguarding, administration or liquidation of properties, or with the acceptance of payments, shall without prejudice to the provision of Article 13 be settled in accordance with the following rules:

1 §.

The supervised, safeguarded or administered properties, upon the demand of the person entitled thereto, to be released immediately; until the transfer to the person entitled thereto has been effected, the safeguarding of his interests is to be cared for.

2 §.

The provisions of § 1 shall not affect properly acquired rights of third parties. Payments and other obligations of a debtor which have been accepted by the institution mentioned in the beginning of this Article or upon their solicitation, shall, within the territories of the Contracting Parties, have the same effect as if the creditor himself had received them.

Private legal measures which have been resorted to by the specified institution, or upon their solicitation or with regard to them, are to remain effective for both Parties.

3 §.

Concerning the activity of the institutions mentioned in the beginning of this Article, especially concerning receipts and expenditures, information is to be afforded immediately upon the demand of those entitled to it.

Claims for damages on account of the activity of these institutions or on account of actions taken upon their solicitation can validly be presented only in accordance with the provisions of Article 14.

Article 13.

Parcels of land or rights to a parcel of land, mining privileges as well as rights to the use or exploitation of parcels of land, enterprises or participation in an enterprise, especially shares which in consequence of war laws have been alienated or forcibly taken from the person entitled thereto, must be returned to the former owner upon a claim to that end within one year after the ratification of the Peace Treaty by deducting any profit that may have accrued to him as a result of the said alienation or subtraction, exempt from all rights established in the interval by third parties.

CHAPTER FIVE.

Compensation for civil losses.

Article 14.

The national of a Contracting Party who within the territory of the other Party, in virtue of war laws, has suffered loss through temporary or permanent subtraction of concessions, privileges or similar claims, or through supervision, safeguarding, administration or alienation of properties, is to be compensated in adequate manner, in so far as the loss cannot be made good by restoration to the former condition. This applies also to share holders who in their quality of enemy aliens have been excluded from the right of preemption.

Article 15.

Each Contracting Party will compensate the civilian nationals of the other Party for the losses which have been occasioned to them, in body, health or property, within its territory during the war by the local public organs or by the population through acts of violence contrary to international law.

Article 16.

Each Contracting Party will immediately pay for the articles requisitioned within its territory from the nationals of the other Party, in so far as this has not already been done.

Article 17.

In order to determine the losses to be compensated for in accordance with Articles 14 to 15, a commission shall meet in Berlin, immediately after the ratification of the Peace Treaty, which will be composed of one third each of representatives of the two Parties and of neutral members; the President of the Swiss Federal Council will be requested to designate neutral members, and among these, the chairman.

The commission establishes the principles authoritative for its decision; it also adopts the necessary business order for the settlement of its tasks and the rules of procedure which it is to observe. Its decisions are reached in subcommissions, each of which will be composed of a representative of the two Parties and a neutral umpire. The amounts established by the subcommission are payable within one month after the determination thereof.

CHAPTER SIX.

Exchange of prisoners of war and interned civilians.

Article 18.

German prisoners of war in Finland and Finnish prisoners of war in Germany shall be exchanged as soon as possible, within definite periods of time agreed upon by the Finnish-German commission and including reimbursement for expenses used on them unless they, with the consent of the capturing state, desire to remain within the latter's territory or betake themselves into another country.

Details for exchange are settled by the commission. It will also supervise the execution of this.

Article 19.

The interned and deported civilian nationals of both Parties will be conveyed home as soon as possible and without expense, in so far as they do not desire, with the consent of the state in which they sojourn, to remain within the latter's territory or to betake themselves into another country. The commission mentioned in Article 18 shall settle all the details and supervise the execution of the agreement.

The Government of Finland shall do all it can to make the Russian Government to set free those Germans who are captured in the Finnish territory and are at this moment sojourning in the Russian territory.

Article 20.

The nationals of a Party who at the outbreak of the war had their domicile or an industrial or commercial occupation within the territory of the other Party, and who did not reside within such territory, may return thither, as soon as the other Party no longer is in a state of war. Such return may be refused only for reasons of the internal or external security of the state.

Sufficient proof of this will be a passport, issued by the authorities of the home state, showing that the holder thereof belongs to the persons specified in paragraph 1 preceding; the passport does not require a visa.

Article 21.

Each Contracting Party obligates itself to respect and care for, within its territory, the graves of those belonging to the army as well as of other nationals of the other Party who died during their internment or deportation; persons authorized by this Party may also, in agreement with the national authorities, tend to care and proper adornment of the graves. The settlement of particular questions connected with the care of the graves is reserved for subsequent agreements.

CHAPTER SEVEN.

Amnesty.

Article 22.

Each Party grants complete immunity from penalty to the war prisoners belonging to the other Party for all criminal acts committed by them, and similarly to the interned or deported civilians of the other Party for acts, committed during their internment or deportation, and finally to all nationals of the other Party for acts committed in favor of this Party and for infractions against the exceptional laws decreed to the detriment of enemy aliens. The immunity does not extend to acts committed after the ratification of the Peace Treaty.

Article 23.

Both Parties grant their own nationals complete impunity from penalty with regard to work which they performed as prisoners of war, and as interned or deported civilians in the territory of the other Party.

Article 24.

The Contracting Parties reserve unto themselves the right to adopt further agreements, in which each Party grants immunity from penalties and other prejudices for acts committed to its disadvantage.

CHAPTER EIGHT.

Handling of enemy held commercial ships and their cargoes.

Article 25.

Commercial ships of a Contracting Party, which at the outbreak of war were in ports of the other Party, are to be returned with their cargoes, or, if not possible, restituted in money. If the ships thus embargoed were used during the war, the usual daily time charter charge should be compensated.

Article 26.

German merchant ships and their cargoes that, in other cases than those of Article 25, are at the time of signing of this treaty in the sphere of Finnish sovereignty or will arrive there later, shall be returned, if they at the outbreak of war have laid in an enemy harbour or captured by enemy troops in neutral waters.

Article 27.

Merchant vessels of a Party captured as prizes within areas under the sovereignty of the other Contracting Party shall be considered definitively captured if they have been condemned by a valid decision of a prize court and do not fall into the category mentioned in Articles 25 to 26; otherwise such ships must be returned, or if they no longer exist, restitution therefore must be made in money.

The provisions in Paragraph 1 are valid also for cargoes of the nationals of a Contracting Party captured as prizes. Goods belonging to nationals of one Party, which came into power of the other Party on vessels of hostile nationality, shall in all cases be returned to the rightful claimants, and in so far as this is not possible, restitution therefor shall be made in money.

Article 28.

The execution of provisions in Articles 25 to 27, particularly the amount for damages, rests with a joint commission comprising of one representative for each Contracting Party with a neutral umpire, and which convenes in Stettin within three months after the ratification of the Peace Treaty; the President of the Swiss Federal Council will be requested to designate the umpire.

Article 29.

The Contracting Parties will do everything what lies within their powers, so that the merchant ships and their cargoes to be returned as stated in Articles 25 to 27 can freely return to their native countries.

Both Parties will also give each other all kinds of support to restore secure navigational routes for commercial trading, which now are disturbed by the war.

CHAPTER NINE.

Arrangements concerning the Aaland Islands.

Article 30.

The Contracting Parties agree that the fortifications built on the Aaland Islands are to be removed as soon as possible; a permanent non-fortification of these islands as well as their further treatment in respect to military and technical navigation matters are to be later regulated by a special agreement between Germany, Finland, Russia and Sweden; still other countries bordering upon the Baltic Sea are invited to this upon Germany's desire.

CHAPTER TEN.

Final regulations.

Article 31.

This Peace Treaty should be ratified. Ratification documents shall be exchanged in Berlin as soon as possible.

Article 32.

The Peace Treaty will become effective upon its ratification unless something else is stipulated in it.

To complement the treaty the representatives of the Contracting Parties will convene in Berlin within four months after the ratification.

In confidence thereof the plenipotentiaries of both Contracting Parties have signed the present treaty and affixed their seals thereto.

Dr. Hjelt. Count von Hertling.
Dr. Erich.