

MINORITIES TREATY BETWEEN THE PRINCIPAL ALLIED AND ASSOCIATED POWERS (THE BRITISH EMPIRE, FRANCE, ITALY, JAPAN AND THE UNITED STATES) AND ROUMANIA (DECEMBER 9, 1919)

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

The principal Allied and Associated Powers,

on the one hand;

And ROUMANIA,

on the other hand;

Whereas under Treaties to which the Principal Allied and Associated Powers are parties large accessions of territory are being and will be made to the Kingdom of Roumania, and

Whereas Roumania desires of her own free will to give full guarantees of liberty and justice to all inhabitants both of the old Kingdom of Roumania and of the territory added thereto, to whatever race, language or religion they may belong,

Have, after examining the question together, agreed to conclude the present Treaty, and for this purpose have appointed as their Plenipotentiaries the following, reserving the right of substituting others to sign the Treaty:

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;

Sir Eyre CROWE, K.C.B., K.C.M.G., Minister Plenipotentiary, Assistant Under-Secretary of State for Foreign Affairs;

And for the DOMINION of CANADA:

The Honourable Sir George Halsey PERLEY, K.C.M.G., High Commissioner for Canada in the United Kingdom;

for the COMMONWEALTH of AUSTRALIA:

The Right Honourable Andrew FISHER, High Commissioner for Australia in the United Kingdom;

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 the UNION of SOUTH AFRICA:

Mr. Reginald Andrew BLANKENBERG, O.B.E., Acting High Commissioner for the Union of South Africa in the United Kingdom;

for INDIA:

Sir Eyre CROWE, K.C.B., K.C.M.G.;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Mr. Georges CLEMENCEAU, President of the Council, Minister of War;

Mr. Stephen PICHON, Minister for Foreign Affairs;

Mr. Louis-Lucien KLOTZ, Minister of Finance;

Mr. André TARDIEU, Minister for the liberated regions;

Mr. Jules CAMBON, Ambassador of France;

HIS MAJESTY THE KING OF ITALY:

Sir Giacomo de MARTINO, Envoy Extraordinary and Minister Plenipotentiary;

HIS MAJESTY THE EMPEROR OF JAPAN:

Mr. K. MATSUI, Ambassador Extraordinary and Plenipotentiary of H. M. the Emperor of Japan at Paris;

HIS MAJESTY THE KING OF ROUMANIA:

General Constantin COANDA, Corps Commander, A.D.C. to the King, formerly President of the Council of Ministers;

WHO HAVE AGREED AS FOLLOWS:

CHAPTER I.

ARTICLE 1.

Roumania 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.

ARTICLE 2.

Roumania undertakes to assure full and complete protection of life and liberty to all inhabitants of Roumania without distinction of birth, nationality, language, race or religion.

All inhabitants of Roumania 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 and public morals.

ARTICLE 3.

Subject to the special provisions of the Treaties mentioned below, Roumania admits and declares to be Roumanian nationals ipso facto and without the requirement of any formality all persons habitually resident at the date of the coming into force of the present Treaty within the whole territory of Roumania, including the extensions made by the Treaties of Peace with Austria and Hungary, or any other extensions which may hereafter be made, if such persons are not at that date nationals of a foreign state other than Austria or Hungary.

Nevertheless, Austrian and Hungarian nationals 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 Roumanian 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.

Roumania admits and declares to be Roumanian nationals ipso facto and without the requirement of any formality persons of Austrian or Hungarian nationality who were born in the territory transferred to Roumania by the Treaties of Peace with Austria and Hungary or subsequently transferred to her, of parents habitually resident there, even if at the date of the coming into force of the present Treaty they are not themselves habitually resident there.

Nevertheless, within two years after the coming into force of the present Treaty, these persons may make a declaration before the competent Roumanian authorities in the country in which they are resident, stating that they abandon Roumanian nationality, and they will then cease to be considered as Roumanian 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.

Roumania 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 Austria or Hungary, to choose whether or not they will acquire Roumanian nationality.

ARTICLE 6.

All persons born in Roumanian territory who are not born nationals of another State shall ipso facto become Roumanian nationals.

ARTICLE 7.

Roumania undertakes to recognise as Roumanian nationals ipso facto and without the requirement of any formality Jews inhabiting any Roumanian territory, who do not possess another nationality.

ARTICLE 8.

All Roumanian 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 Roumanian 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 Roumanian national of any language in private intercourse, in commerce, in religion, in the press or in publications of any kind, or at public meetings.

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

ARTICLE 9.

Roumanian nationals who belong to racial, religious or linguistic minorities shall enjoy the same treatment and security in law and in fact as the other Roumanian 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 10.

Roumania will provide in the public educational system in towns and districts in which a considerable proportion of Roumanian nationals of other than Roumanian speech are resident adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such Roumanian nationals through the medium of their own language. This provision shall not prevent the Roumanian Government from making the teaching of the Roumanian language obligatory in the said schools.

In towns and districts where there is a considerable proportion of Roumanian 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.

ARTICLE 11.

Roumania agrees to accord to the communities of the Saxons and Czecklers in Transylvania local autonomy in regard to scholastic and religious matters, subject to the control of the Roumanian State.

ARTICLE 12.

Roumania agrees that the stipulations in the foregoing Articles, 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.

Roumania 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.

Roumania further agrees that any difference of opinion as to questions of law or fact arising out of these Articles between the Roumanian 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. Roumania hereby consents that any such dispute shall, if the other party thereto 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 II.

ARTICLE 13.

Roumania undertakes to make no treaty, convention or arrangement and to take no other action which will prevent her from joining in any general convention 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.

Roumania also undertakes to extend to all the Allied and Associated Powers any favours or privileges in Customs matters which she may grant during the same period of five years to any State with which since August, 1914, the Allied and Associated Powers have been at war, or to any State which in virtue of Article 222 of the Treaty with Austria has special Customs arrangements with such States.

ARTICLE 14.

Pending the conclusion of the general convention referred to above, Roumania 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 Powers which accord similar treatment to Roumanian vessels. As an exception from this provision, the right of Roumania or of any other Allied or Associated Power to confine her maritime coasting trade to national vessels is expressly reserved.

ARTICLE 15.

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, Roumania undertakes to accord freedom of transit to persons, goods, vessels, carriages, wagons and mails in transit to or from any Allied or Associated State over Roumanian territory, including territorial waters, and to treat them at least as favourably as the persons, goods, vessels, carriages, wagons and mails respectively of Roumanian or of any other more favoured nationality, origin, importation or ownership, as regards facilities, charges, restrictions and all other matters.

All charges imposed in Roumania 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 across Roumania and tariffs between Roumania and any Allied or Associated Power involving through tickets or waybills shall be established at the request of the Allied or Associated Power concerned.

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 this Treaty no general convention as aforesaid shall have been concluded under the auspices of the League of Nations, Roumania 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 16.

Pending the conclusion of a general convention on the inter-national régime of waterways, Roumania undertakes to apply to such portions of the river system of the Pruth as may lie within, or form the boundary of, her territory, the régime set out in the first paragraph of Article 332 and in Articles 333 to 338 of the Treaty of Peace with Germany.

ARTICLE 17.

All rights and privileges accorded by the foregoing Articles to the Allied and Associated Powers 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 in case of divergence the French text shall prevail, 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 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 signatory Powers a certified copy of the procès-verbal of the deposit of ratifications.

DONE at Paris, the ninth day of December, one thousand nine hundred and nineteen, in a single copy which will remain deposited in the archives of the Government of the French Republic, and of which authenticated copies will be transmitted to each of the Signatory Powers.

Plenipotentiaries who in consequence of their temporary absence from Paris have not signed the present Treaty may do so up to December 20, 1919.

IN FAITH WHEREOF the hereinafter-named Plenipotentiaries, whose powers have been found in good and due form, have signed the present Treaty.

(L.S.) FRANK L. POLK.
(L.S.) HENRY WHITE.
(L.S.) TASKER H. BLISS.
(L.S.) EYRE A. CROWE.
(L.S.) GEORGE H. PERLEY.
(L.S.) ANDREW FISHER.
(L.S.) THOMAS MACKENZIE.
(L.S.) R. A. BLANKENBERG.
(L.S.) G. CLEMENCEAU.
(L.S.) S. PICHON.
(L.S.) L. L. KLOTZ.
(L.S.) ANDRÉ TARDIEU.
(L.S.) JULES CAMBON.
(L.S.) G. DE MARTINO.
(L.S.) K. MATSUI.
(L.S.) GL. C. COANDA.

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