

**DATA ON GERMAN PEACE TREATY.
DATA PRESENTED TO THE COMMITTEE
ON FOREIGN RELATIONS, UNITED
STATES SENATE, RELATING TO THE
TREATY OF PEACE WITH GERMANY**

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J. REUBEN CLARK

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DATA ON GERMAN PEACE TREATY

DATA

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COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

SIXTY-SIXTH CONGRESS
FIRST SESSION

RELATING TO

THE TREATY OF PEACE WITH GERMANY

PREPARED BY

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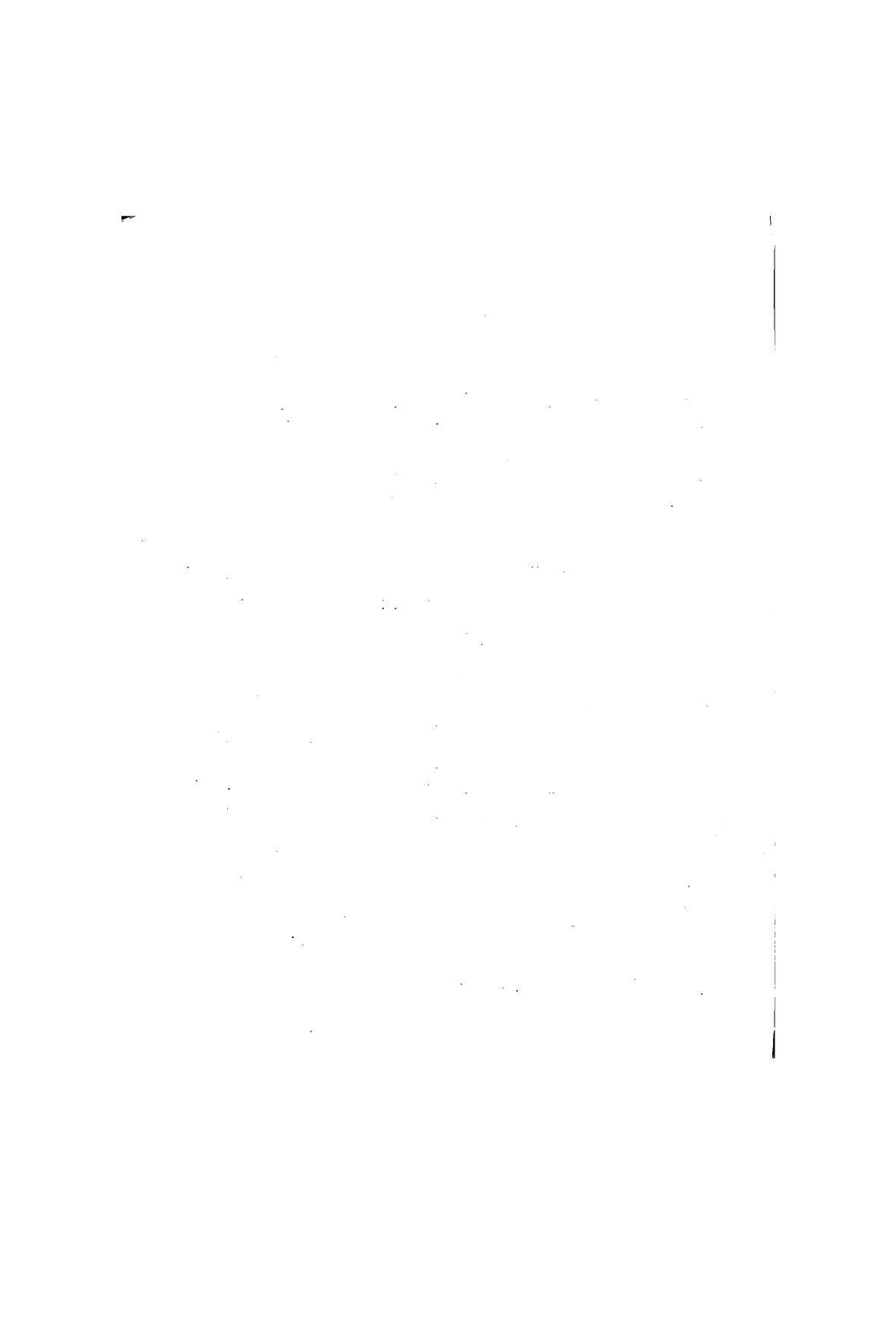
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DATA ON GERMAN PEACE TREATY.

TABLE OF CESSIONS, RENOUNCEMENTS, GRANTS, DELIVERIES, RELEASES, WAIVERS, RECOGNITIONS, OBLIGATIONS, AND UNDERTAKINGS BY GERMANY, AND OF COMPENSATION FOR AND CREDITS AGAINST THE SAME, UNDER THE TREATY OF VERSAILLES.

NOTES.

NOTE 1. The "Principal Allied and Associated Powers" are the United States, France, Great Britain, Italy, and Japan. The "Allied and Associated Powers" are the foregoing powers and all others signatory of the Treaty, except Germany. The "High Contracting Parties" are all signatories of the Treaty. It is not clear who are designated as "Allies."

NOTE 2. The page references first given are to the two-language text (Senate Doc. 51, 66th Cong., 1st sess.). The *italic* page references are to the English text (Senate Doc. 49, 66th Cong., 1st sess.).

NOTE 3. The table below is designed to show side by side the property or rights given up by Germany, whether it be territory ceded or renounced, obligations assumed or acknowledged, rights renounced or abrogated, rights recognized, or property rights surrendered (placed in the left-hand column), and the credit, if any allowed, for such property on the general reparation account (placed in the right-hand column). As to items as to which it is expressly provided that credit shall be given, it is so stated in the right-hand column opposite the item. If it is expressly provided in the Treaty that no credit shall be given, this also is stated in that column. When the matter is doubtful, a question mark is placed in that column, after the entry. If no entry at all is made in the credit column, it means nothing has been found in the Treaty to indicate that any credit at all shall be given.

NOTE 4. Speaking broadly and generally the theory of the Treaty, in the matter of the making up by Germany of damages and losses, appears to be this: Restitution shall be made of all Allied and Associated property taken by or coming into the possession of Germany since the war began, if the property is now in existence. In addition to this, reparation shall be made for property lost or destroyed and for civilian personal injuries caused by the war. The Reparation Commission is to make the adjustment for this, securing by making one bill against Germany covering everything and by then giving on this account credit for the assets turned over by Germany for which credit is to be allowed. No credit is allowed for the proportion of public debt assumed by cessionaries of territory.

NOTE 5. The Treaty also provides for the liquidation of all German property in Allied and Associated countries, and of the property of all nationals of such Powers in Germany, including the private securities held in Germany of companies of Allied and Associated Powers. All cash assets of such liquidation held by an Allied or Associated Power go to the payment of claims (in respect of property, rights, and interests) against Germany by the Power's nationals, the balance, if retained by the Power, is to be paid to the Reparation Commission and credited on the reparation account.

I. ELEMENTS AND PRINCIPLES OF GERMAN RESPONSIBILITIES AND LIABILITIES.

Property and rights given up and duties and obligations undertaken by Germany.	Credit allowed for same.
<p style="text-align: center;">DAMAGES.</p> <p>Germany accepts the responsibilities of <i>Germany and her allies</i> for causing all the loss and damage to which the Allied and Associated Governments and their nationals have been subjected as a consequence of the war imposed upon them by the aggression of Germany and her Allies. (Art. 231, p. 249; p. 91.)</p> <p>Germany undertakes that she will make compensation for all damage done to the civilian population of the Allied and Associated Powers and to their property during the period of the belligerency of each as an Allied or Associated Power against Germany by such aggression by land, by sea, and from the air. (Art. 232, p. 249; p. 91.) The amount of such damage for which compensation shall be made is to be determined by the Reparation Commission and notified to Germany. (Art. 233, p. 251; p. 92.)</p> <p>Compensation may be claimed from Germany for damages under following heads (Art. 234, Annex I, p. 259; p. 95):</p> <p>(1) Damage to injured persons and to surviving dependents by personal injury to or death of civilians caused by acts of war, including bombardments or other attacks on land, on sea, or from the air, and all the direct consequences thereof, and of all operations of war by the two groups of belligerents wherever arising.</p>	<p>"The following shall be reckoned as credits to Germany in respect of her reparation obligations:</p> <p>"(a) Any final balance in favor of Germany under Section V (Alsace-Lorraine) of Part III (Political Clauses for Europe) and Sections III and IV of Part X (Economic Clauses) of the present treaty;</p> <p>"(b) Amounts due to Germany in respect of transfers under Section IV (Saar Basin) of Part III (political clauses for Europe), Part IX (financial clauses) and Part XII (ports, waterways, and railways);</p> <p>"(c) Amounts which in the judgment of the Reparation Commission should be credited to Germany on account of any other transfers under the present Treaty of prop-</p>

I. ELEMENTS AND PRINCIPLES OF GERMAN RESPONSIBILITIES AND LIABILITIES—Continued.

Property and rights given up and duties and obligations undertaken by Germany.	Credit allowed for same.
DAMAGES—continued.	
(2) Damage by <i>Germany or her Allies</i> caused to civilian victims by acts of cruelty, violence, or maltreatment. (including injuries to life or health as a consequence of imprisonment, deportation, internment, or evacuation, of exposure at sea or of being forced to labor), wherever arising, and to the surviving dependents of such victims.	erty, rights, concessions, or other interests.
(3) Damage caused by <i>Germany or her Allies</i> , in their own territory or in occupied or invaded territory to civilian victims of all acts injurious to health or capacity to work or to honor, as well as to surviving dependents of such victims.	"In no case, however, shall credit be given for property restored in accordance with Article 238 of the present part." (Art. 243, p. 257; p. 84.)
(4) Damage caused by any kind of maltreatment of prisoners of war.	Article 238 relates to the restitution of cash or the identical property taken from the Allied or Associated Powers.
(5) As damages caused to the peoples of the Allied and Associated Powers, all pensions and compensations in the nature of pensions to naval and military victims of war (including members of the air force), whether mutilated, wounded, sick, or invalided, and to the dependents of such victims, the amount due to the Allied and Associated Governments being calculated for each of them as being the capitalized cost of such pensions and compensation at the date of the coming into force of the present treaty on the basis of the scale in force in France at such date.	And see Article 250, p. 307, p. 112.
(6) The cost of assistance by the Governments of the Allied and Associated Powers to prisoners of war and to their families and dependents.	
(7) Allowances by the Governments of the Allied and Associated Powers to the families and dependents of mobilized persons or persons serving with the forces, the amount due to them for each calendar year in which hostilities occurred being calculated for each Government on the basis of the average scale for such payments in force in France during that year.	
(8) Damage caused to civilians by being forced by <i>Germany or her allies</i> to labor without just remuneration.	
(9) Damage in respect of all property wherever situated belonging to any of the Allied or Associated States or their nationals, with the exception of naval and military works or materials, which have been carried off, seized, injured, or destroyed by the acts of <i>Germany or her allies</i> on land, on sea, or from the air, or damage directly in consequence of hostilities or of any operations of war.	Germany shall be given credit on the Reparation Account for the value as assessed by the Reparation Commission of material handed over under Article VII of the Armistice of November 11, 1918, and Article III of the Armistice Agreement of January 16, 1919, and for any other material handed over in accordance with the Armistice of November 11, 1918, and all subsequent Armistice Agreements, for which, as having nonmilitary value credit should, in the judgment of the Reparation Commission, be allowed to the German Government. (Article 250, p. 307; p. 112.)
(10) Damage in the form of levies, fines, and other similar exactions imposed by <i>Germany or her Allies</i> upon the civilian population.	
<p>"The measures which the Allied and Associated Powers shall have the right to take, in case of voluntary default by Germany, and which Germany agrees not to regard as acts of war, may include economic and financial prohibitions and reprisals and in general such other measures as the respective Governments may determine to be necessary in the circumstances." (Art. 244, Annex II, par. 18, p. 275; p. 101.)</p>	
<p>Damage for repairing, reconstructing, and rebuilding property in the invaded and devastated districts, including reinstallation of furniture, machinery, and other equipment, will be calculated according to the cost at the dates when the work is done. (Art. 244, Annex II, par. 12 (e), p. 269; p. 99.)</p>	
<p>Interest shall be debited to Germany as from May 1, 1921, in respect of her debt as determined by the Commission, after allowing for sums already covered by cash payments or their equivalent, or by bonds issued to the Commission, or under Article 243. The rate of interest shall be 5 per cent unless the Commission shall determine at some future time that circumstances justify a variation of this rate.</p>	
<p>The Commission, in fixing on May 1, 1921, the total amount of the debt of Germany, may take account of interest due on sums arising out of the reparation of material damage as from November 11, 1918, up to May 1, 1921. (Art. 244, Annex II, par. 16, p. 273; p. 100.)</p>	

I. ELEMENTS AND PRINCIPLES OF GERMAN RESPONSIBILITIES AND LIABILITIES—Continued.

Property and rights given up and duties and obligations undertaken by Germany.	Credit allowed for same.
<p style="text-align: center;">RESTITUTION.</p> <p>Restitution in cash of cash taken away, seized, or sequestered; and restitution of animals, objects of every nature and securities taken away, seized, or sequestered, in the cases in which it proves possible to identify them in territory belonging to Germany or her allies. (Art. 238, p. 255; p. 93.)</p> <p>Germany undertakes to devote her economic resources directly to the physical restoration of the invaded areas of the Allied and Associated Powers to the extent that these Powers may determine (art. 244, Annex IV, par. 1, p. 283; p. 104) and to make direct application of Germany's economic resources to reparation as specified in Annexes III, IV, V, and VI (Part VIII, sec. 1) relating, respectively, to merchant shipping, to physical restoration, to coal and derivatives of coal, and to dyestuffs and other chemical products. (Art. 236, p. 253; p. 85.)</p> <p>Whatever part of the full amount of the proved claims is not paid in gold, or in ships, securities and commodities or otherwise, Germany shall be required, under such conditions as the Commission may determine, to cover by way of guarantee by an equivalent issue of bonds, obligations or otherwise, in order to constitute an acknowledgment of the said part of the debt. (Art. 244, Annex II, par. 12 (a), p. 267; p. 93.)</p>	<p>No credit on compensation account. (Art. 243, p. 257; p. 94; Art. 250, p. 307; p. 112.)</p> <p>"The value of the property transferred and any services rendered by her under these Annexes (Part VIII) assessed in the manner there-in prescribed, shall be credited to her (Germany) towards liquidation of her obligations under the above articles." (Art. 236, p. 253; p. 85.)</p>
<p style="text-align: center;">APPLICATION OF GERMAN ASSETS.</p> <p style="text-align: center;">PRIORITIES.</p> <p>"Subject to such exceptions as the Reparation Commission may approve, the first charge upon all the assets and revenues of the German Empire and its constituent states shall be the cost of reparation and all other costs arising under the present Treaty, or any treaties or agreements supplementary thereto or under arrangements concluded between Germany and the Allied and Associated Powers during the Armistice or its extensions.</p> <p>"Up to May 1, 1921, the German Government shall not export or dispose of, and shall forbid the export or disposal of, gold without the previous approval of the Allied and Associated Powers acting through the Reparation Commission." (Art. 248, p. 305; p. 111.)</p> <p>"The priority of charges established by Article 248 shall, subject to the qualifications made below, be as follows:</p> <p>"(a) The cost of the armies of occupation as defined under Article 249 during the Armistice and its extensions.</p> <p>"(b) The cost of any armies of occupation as defined under Article 249 after the coming into force of the present treaty.</p> <p>"(c) The cost of reparation arising out of the present treaty or any treaties or conventions supplementary thereto.</p> <p>"(d) The cost of all other obligations incumbent on Germany under the Armistice Conventions or under this Treaty or any treaties or conventions supplementary thereto.</p> <p>"The payment for such supplies of food and raw material for Germany and such other payments as may be judged by the Allied and Associated Powers to be essential to enable Germany to meet her obligations in respect of reparation will have priority to the extent and upon the conditions which have been or may be determined by the Governments of the said Powers." (Art. 251, pp. 307-309; p. 112.)</p> <p>The foregoing provisions do not affect the rights of the Allied and Associated Powers to dispose of enemy assets and property within their respective jurisdictions. (Art. 252, p. 309; p. 113.)</p> <p>"Nothing in the foregoing provisions shall prejudice in any manner charges or mortgages lawfully effected in favor of the Allied or Associated Powers or their nationals respectively, before the date at which a state of war existed between Germany and the Allied or Associated Power concerned, by the German Empire or its constituent states, or by</p>	