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International Law Documents: The Treaty of Peace with Germany, June 28, 1919

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administrative or other documents which the Commission may consider necessary to ensure the complete execution of the air clauses, and in particular a list of the personnel belonging to all the German Air Services, and of the existing material, as well as of that in process of manufacture or on order, and a list of all establishments working for aviation, of their positions, and of all sheds and landing grounds.

## SECTION V.

### GENERAL ARTICLES.

#### ARTICLE 211.

After the expiration of a period of three months from the coming into force of the present Treaty, the German laws must have been modified and shall be maintained by the German Government in conformity with this Part of the present Treaty.

Within the same period all the administrative or other measures relating to the execution of this Part of the Treaty must have been taken.

#### ARTICLE 212.

The following portions of the Armistice of November 11, 1918: Article VI, the first two and the sixth and seventh paragraphs of Article VII; Article IX; Clauses I, II and V of Annex n° 2, and the Protocol, dated April 4, 1919, supplementing the Armistice of November 11, 1918, remain in force so far as they are not inconsistent with the above stipulations.

#### ARTICLE 213.

So long as the present Treaty remains in force, Germany undertakes to give every facility for any investigation which the Council of the League of Nations, acting if need be by a majority vote, may consider necessary.

## PART VI.

### PRISONERS OF WAR AND GRAVES.

#### SECTION I.

### PRISONERS OF WAR.

#### ARTICLE 214.

The repatriation of prisoners of war and interned civilians shall take place as soon as possible after the coming into force of the present Treaty and shall be carried out with the greatest rapidity.

## ARTICLE 215.

The repatriation of German prisoners of war and interned civilians shall, in accordance with Article 214, be carried out by a Commission composed of representatives of the Allied and Associated Powers on the one part and of the German Government on the other part.

For each of the Allied and Associated Powers a Sub-Commission, composed exclusively of Representatives of the interested Power and of Delegates of the German Government, shall regulate the details of carrying into effect the repatriation of the prisoners of war.

## ARTICLE 216.

From the time of their delivery into the hands of the German authorities the prisoners of war and interned civilians are to be returned without delay to their homes by the said authorities.

Those amongst them who before the war were habitually resident in territory occupied by the troops of the Allied and Associated Powers are likewise to be sent to their homes, subject to the consent and control of the military authorities of the Allied and Associated armies of occupation.

## ARTICLE 217.

The whole cost of repatriation from the moment of starting shall be borne by the German Government who shall also provide the land and sea transport and staff considered necessary by the Commission referred to in Article 215.

## ARTICLE 218.

Prisoners of war and interned civilians awaiting disposal or undergoing sentence for offences against discipline shall be repatriated irrespective of the completion of their sentence or of the proceedings pending against them.

This stipulation shall not apply to prisoners of war and interned civilians punished for offences committed subsequent to May 1, 1919.

During the period pending their repatriation all prisoners of war and interned civilians shall remain subject to the existing regulations, more especially as regards work and discipline.

## ARTICLE 219.

Prisoners of war and interned civilians who are awaiting disposal or undergoing sentence for offences other than those against discipline may be detained.

## ARTICLE 220.

The German Government undertakes to admit to its territory without distinction all persons liable to repatriation.

Prisoners of war or other German nationals who do not desire to be repatriated may be excluded from repatriation; but the Allied and Associated Governments reserve to themselves the right either

to repatriate them or to take them to a neutral country or to allow them to reside in their own territories.

The German Government undertakes not to institute any exceptional proceedings against these persons or their families nor to take any repressive or vexatious measures of any kind whatsoever against them on this account.

#### ARTICLE 221.

The Allied and Associated Governments reserve the right to make the repatriation of German prisoners of war or German nationals in their hands conditional upon the immediate notification and release by the German Government of any prisoners of war who are nationals of the Allied and Associated Powers and may still be in Germany.

#### ARTICLE 222.

Germany undertakes:

(1) To give every facility to Commissions to enquire into the cases of those who cannot be traced; to furnish such Commissions with all necessary means of transport; to allow them access to camps, prisons, hospitals and all other places; and to place at their disposal all documents, whether public or private, which would facilitate their enquiries;

(2) To impose penalties upon any German officials or private persons who have concealed the presence of any nationals of any of the Allied and Associated Powers or have neglected to reveal the presence of any such after it had come to their knowledge.

#### ARTICLE 223.

Germany undertakes to restore without delay from the date of the coming into force of the present Treaty all articles, money, securities and documents which have belonged to nationals of the Allied and Associated Powers and which have been retained by the German authorities.

#### ARTICLE 224.

The High Contracting Parties waive reciprocally all repayment of sums due for the maintenance of prisoners of war in their respective territories.

### SECTION II.

## GRAVES.

#### ARTICLE 225.

The Allied and Associated Governments and the German Government will cause to be respected and maintained the graves of the soldiers and sailors buried in their respective territories.

They agree to recognise any Commission appointed by an Allied or Associated Government for the purpose of identifying, registering,

caring for or erecting suitable memorials over the said graves and to facilitate the discharge of its duties.

Furthermore they agree to afford, so far as the provisions of their laws and the requirements of public health allow, every facility for giving effect to requests that the bodies of their soldiers and sailors may be transferred to their own country.

#### ARTICLE 226.

The graves of prisoners of war and interned civilians who are nationals of the different belligerent States and have died in captivity shall be properly maintained in accordance with Article 225 of the present Treaty.

The Allied and Associated Governments on the one part and the German Government on the other part reciprocally undertake also to furnish to each other:

(1) A complete list of those who have died, together with all information useful for identification;

(2) All information as to the number and position of the graves of all those who have been buried without identification.

### PART VII.

### PENALTIES.

#### ARTICLE 227.

The Allied and Associated Powers publicly arraign William II of Hohenzollern, formerly German Emperor, for a supreme offence against international morality and the sanctity of treaties.

A special tribunal will be constituted to try the accused, thereby assuring him the guarantees essential to the right of defence. It will be composed of five judges, one appointed by each of the following Powers: namely, the United States of America, Great Britain, France, Italy and Japan.

In its decision the tribunal will be guided by the highest motives of international policy, with a view to vindicating the solemn obligations of international undertakings and the validity of international morality. It will be its duty to fix the punishment which it considers should be imposed.

The Allied and Associated Powers will address a request to the Government of the Netherlands for the surrender to them of the ex-Emperor in order that he may be put on trial.

#### ARTICLE 228.

The German Government recognizes the right of the Allied and Associated Powers to bring before military tribunals persons accused of having committed acts in violation of the laws and customs of war. Such persons shall, if found guilty, be sentenced to punishments laid down by law. This provision will apply notwithstanding any proceedings or prosecution before a tribunal in Germany or in the territory of her allies.