

N° 2721.

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## LETTONIE ET LITHUANIE

Convention relative à la corroboration et à la liquidation des biens immeubles partagés par la ligne frontière. Signée à Riga, le 25 janvier 1931.

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## LATVIA AND LITHUANIA

Convention relating to the Verification and Liquidation of Immovable Properties divided by the Frontier Line. Signed at Riga, January 25, 1931.

## TEXTE LETTON. — LATVIAN TEXT.

N<sup>o</sup> 2721. — KONVENCĪJA <sup>1</sup> STARP LATVIJU UN LIETUVU PAR VALSTS ROBEŽAS PĀRDALĪTO ZEMES VIENĪBU KORROBORĀCIJU UN LIKVIDĀCIJU.

*Textes officiels letton et lithuanien communiqués par les ministres des Affaires étrangères de Lettonie et de Lithuanie. L'enregistrement de cette convention a eu lieu le 5 juin 1931.*

LATVIJAS REPUBLIKAS PREZIDENTS, no vienas puses, un LIETUVAS REPUBLIKAS PREZIDENTS, no otras puses, vēlēdamies atvieglot abu valstu pilsoniem valsts robežas pārdalītās nekustamās mantas korroborāciju un likvidāciju saskaņā <sup>2</sup> ar 1921. gada 14. maija Konvenciju starp Latviju un Lietuvu par robežas novilkšanu dabā starp minētām valstīm, par pierobežas iedzīvotāju tiesībām un caur robežas līniju pārdalīto nekustamo īpašumu stāvokli, nolēma šajā lietā noslēgt speciālu konvenciju un iecēla par saviem pilnvarotiem :

LATVIJAS REPUBLIKAS PRESIDENTS :

Viņa Ekselenci Hugo CELMIŅA kungu, Ministru prezidentu, Ārlietu ministri.

LIETUVAS REPUBLIKAS PREZIDENTS :

Viņa Ekselenci Juozu TŪBEĻA kungu, Ministru prezidentu, Finanču ministri, Ārlietu ministra v. i.,

kuŗi, viens otram uzrādījuši savas attiecīgās pilnvaras, kas atrastas labā un pienācīgā kārtībā vienojās par sekojošiem noteikumiem :

1. pants.

Divu gadu laikā no šās konvencijas spēkā stāšanās nekustamās mantas atgriezumī, kas radušies novelkot valsts robežu un pārsniedz 10 hektarus, ievedami zemes grāmatās un likvidējami saskaņā ar tās valsts likumiem, kur atgriezumī atrodas, bet atgriezumī, kas mazāki par 10 hektariem — zemāk minētā vienkāršotā kārtībā.

*Piezīme.* To atgriezumū īpašnieki, kuŗi nepārsniedz 10 hektarus, var lūgt attiecīgās iestādes šos atgriezumus ievest zemes grāmatās arī parastā kārtībā. Par šādu lūgumu saņemšanu šīs iestādes paziņo savas valsts zemkopības ministrijai.

2. pants.

Robežas pārdalītai nekustamai mantai plānus izgatavo abu Līdzēju pusu zemkopības ministrijas un tos kopīgi apliecina viņu pilnvarotie pārstāvji. Bez tam zemkopības ministrijas ievāc visas nepieciešamās ziņas tiklab par pārdalīto nekustamo mantu, kā arī par tās īpašnieku un faktisko valdītāju.

<sup>1</sup> L'échange des ratifications a eu lieu à Kaunas, le 1<sup>er</sup> mai 1931.  
Entrée en vigueur le 16 mai 1931.

<sup>2</sup> Vol. XVII, page 211, de ce recueil.

## TEXTE LITHUANIEN. — LITHUANIAN TEXT.

N<sup>o</sup> 2721. — LATVIJOS IR LIETUVOS KONVENCIJA<sup>1</sup> VALSTYBĖS SIENOS PERKIRSTIEMS ŽEMĖS SKLYPAMS KOROBORUOTI IR LIKVIDUOTI.

*Latvian and Lithuanian official texts communicated by the Latvian and Lithuanian Ministers for Foreign Affairs. The registration of this Convention took place June 5 1931.*

LATVIJOS RESPUBLIKOS PREZIDENTAS iš vienos pusės, ir LIETUVOS RESPUBLIKOS PREZIDENTAS iš antros pusės, norėdami palengvinti valstybės sienos perkirsto nekilnojamo turto koroboravimą ir likvidavimą<sup>2</sup> 1921 m. gegužės mėn. 14 d. « Konvencija nustatyti sienoms tarp Latvijos ir Lietuvos vietose ir sutvarkyti pasienio gyventojų teisėms ir sienos perkirstojo nejudinamo turto padėčiai », nutarė sudaryti šiam reikalui tam tikrą konvenciją ir paskyrė savo įgaliotiniais :

LATVIJOS RESPUBLIKOS PREZIDENTAS :

Jo Ekscelenciją Poną Hugo CELMIŅŠ, Latvijos Ministerių Pirmininką, Užsienių Reikalų Ministerių,

LIETUVOS RESPUBLIKOS PREZIDENTAS :

Jo Ekscelenciją Poną Juožą TUBELĮ, Lietuvos Ministerių Pirmininką, Finansų Ministerių, Užsienių Reikalų Ministerių a. i.,

Kurie, pasikeitę įgaliojimais, rastais geros ir reikiamos formos, susitarė dėl šių nuostatų :

1 *straipsnis.*

Per dvejus metus nuo šios konvencijos įsigaliojimo dienos valstybės sienos perkirstų ūkių sklypai, didesni kaip 10 ha., įrašomi į žemės knygas ir likviduojami įstatymais tos valstybės, kur yra sklypas, o sklypai, mažesni kaip 10 ha., žemiau nurodytu suprastintu būdu.

*Pastaba.* Savininkai sklypu, nedidesnių kaip 10 ha., gali prašyti atitinkamas įstaigas įrašyti šiuos sklypus į žemės knygas ir paprastu būdu. Apie tokių prašymų gavimą šios įstaigos praneša savo krašto žemės ūkio ministerijai.

2 *straipsnis.*

Reikalingus sienos perkirstų ūkių planus gamina Susitariančiųjų Šalių žemės ūkio ministerijos ir drauge tvirtina jų įgaliotiniai. Be to, žemės ūkio ministerijos renka visas reikiamas žinias tiek apie perkirstą ūkį, tiek apie jo savininką bei faktišką valdytoją.

<sup>1</sup> The exchange of ratifications took place at Kaunas, May 1, 1931.

Came into force May 16, 1931.

<sup>2</sup> Vol. XVII, page 211, of this Series.

<sup>1</sup> TRADUCTION. — TRANSLATION.

N<sup>o</sup> 2721. — CONVENTION ENTRE LA LETTONIE ET LA LITHUANIE  
RELATIVE A LA CORROBORATION ET A LA LIQUIDATION DES  
BIENS IMMEUBLES PARTAGÉS PAR LA LIGNE FRONTIÈRE.  
SIGNÉE A RIGA, LE 25 JANVIER 1931.

LE PRÉSIDENT DE LA RÉPUBLIQUE DE LETTONIE, d'une part, et LE PRÉSIDENT DE LA RÉPUBLIQUE DE LITHUANIE, d'autre part, désireux de faciliter aux citoyens des deux Etats la corroboration et la liquidation des biens immeubles divisés par la ligne frontière, conformément à la Convention du 14 mai 1921 entre la Lettonie et la Lithuanie au sujet du tracé, sur le terrain, de la frontière entre les Etats mentionnés, des droits des citoyens de la zone limitrophe et sur la situation des propriétés immobilières divisées par la ligne frontière, ont décidé de conclure une convention spéciale à cet effet et ont nommé pour leurs plénipotentiaires :

LE PRÉSIDENT DE LA RÉPUBLIQUE DE LETTONIE :

Son Excellence M. Hugo CELMIŅŠ, président du Conseil, ministre des Affaires étrangères;

LE PRÉSIDENT DE LA RÉPUBLIQUE DE LITHUANIE :

Son Excellence M. Juozas TŪBELIS, président du Conseil, ministre des Finances, ministre des Affaires étrangères *ad interim* ;

Lesquels, après s'être communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des articles suivants :

*Article premier.*

Devront être inscrites aux livres fonciers et liquidées conformément aux lois de l'Etat dont elles font partie, dans un délai de deux ans à partir de l'entrée en vigueur de la présente convention, les parcelles détachées des biens immeubles à la suite du tracement de la frontière d'Etat et dont la superficie dépasse 10 hectares, tandis qu'une procédure simplifiée précisée ci-dessous est applicable aux parcelles dont la superficie est inférieure à 10 ha.

*Note.* Les propriétaires des parcelles dont la superficie ne dépasse pas 10 hectares pourront demander aux autorités compétentes que ces parcelles soient inscrites aux livres fonciers selon la procédure ordinaire. Lesdites autorités notifieront aux Ministères de l'Agriculture de leurs Etats la réception d'une telle demande.

*Article 2.*

Les plans des biens immeubles divisés par la frontière seront établis par les Ministères de l'Agriculture des deux Parties contractantes et attestés de commun accord par leurs représentants

<sup>1</sup> Traduction du Gouvernement letton.

<sup>1</sup> Translation of the Latvian Government.

<sup>1</sup> TRADUCTION. — TRANSLATION.

No. 2721. — CONVENTION BETWEEN LATVIA AND LITHUANIA  
RELATING TO THE VERIFICATION AND LIQUIDATION OF  
IMMOVABLE PROPERTY DIVIDED BY THE FRONTIER LINE.  
SIGNED AT RIGA, JANUARY 25, 1931.

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THE PRESIDENT OF THE REPUBLIC OF LATVIA, of the one part, and THE PRESIDENT OF THE REPUBLIC OF LITHUANIA, of the other part, being desirous of affording the citizens of the two States facilities for the verification and liquidation of immovable property divided by the frontier line, in accordance with the Convention of May 14, 1921, between Latvia and Lithuania regarding the delimitation on the ground of the frontier between the said States, and also regarding the rights of the citizens in the frontier zone and the status of immovable property intersected by the frontier line, have decided to conclude a special Convention for this purpose and have appointed as their Plenipotentiaries :

THE PRESIDENT OF THE REPUBLIC OF LATVIA :

His Excellency Monsieur Hugo CELMIŅŠ, President of the Council, Minister for Foreign Affairs ;

THE PRESIDENT OF THE REPUBLIC OF LITHUANIA :

His Excellency Monsieur Juozas TŪBELIS, President of the Council, Minister of Finance, Acting Minister for Foreign Affairs ;

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

*Article 1.*

Parcels of land detached from immovable property in consequence of the delimitation of the State frontier shall, within a period of two years from the coming into force of the present Convention, be entered in the land registers and be liquidated in accordance with the laws of the State of which they form part, provided that the area of such parcels is in excess of ten hectares ; for parcels of an area less than ten hectares a simplified procedure, as specified below, shall apply.

*Note.* Owners of parcels of an area not exceeding ten hectares may apply to the competent authorities for the registration of such parcels in the land registers in accordance with the ordinary procedure. Such applications shall be notified by the authorities aforesaid to their respective Ministries of Agriculture.

*Article 2.*

The plans of immovable property divided by the frontier shall be drawn up by the Ministries of Agriculture of the two Contracting Parties and shall be certified by common agreement by their

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<sup>1</sup> Traduit par le Secrétariat de la Société des Nations, à titre d'information.

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

authorised representatives. The Ministries of Agriculture shall further collect all necessary information concerning the property divided, the owners and the actual holders.

*Article 3.*

In cases where immovable property divided by the frontier is entered in the land register offices, the office in question shall, on the demand of the Ministry of Agriculture of the country in which it is situated, enter in the appropriate section of the register (*jolia*) the area of the portion of the immovable property which has passed to the other State.

*Article 4.*

If the Ministry of Agriculture ascertains that the actual holders are entered in the land register as owners, the right of ownership over such parcels of the immovable property entered in the land registry offices as have been allocated to the other State shall be proved by means of extracts from the land registers and the relative plans annexed thereto.

*Article 5.*

In the case of parcels of immovable property which are not entered in the land registers and whose legitimate *de facto* holders are other than the owners inscribed in the land registers, ownership shall be determined by the local Land Organisation Committees, (district committees, divisional committees) of the State in which the parcel is situated.

In such cases, the question of determining the ownership of the parcels shall be raised by the Ministry of Agriculture of the State in which the parcel is situated. The Ministry of Agriculture shall at the same time transmit, to the Land Organisation Committees, all information it may have obtained on the subject. The dates of the meetings of the Land Organisation Committees shall be notified, through the autonomous communal authorities, to such persons concerned as are resident in the territory of the other Contracting Party. Persons summoned and members of the Land Organisation Committees shall enjoy free and unhindered rights of passage across the frontier.

The meetings of the Land Organisation Committees shall be held in accordance with the laws of the State to which they belong. The decisions of the Committees shall be final, but the persons concerned shall have the right, within two months from the date of the decision, to institute proceedings in the courts of the country in which the parcel is situated regarding the ownership thereof, notice of such action being given within the same period to the Land Organisation Committee. In such cases, the liquidation of the parcel in question shall be suspended pending a final judgment in the civil action.

The Ministry of Agriculture of one of the Contracting Parties shall forward to the owner of the parcels, through the Ministry of Agriculture of the other Party, the texts of executory decisions taken by the Land Organisation Committees, together with plans of the parcels.

*Article 6.*

Records of friendly agreements for liquidation shall be drawn up in a prescribed form, and shall be certified by the autonomous authorities of the communes in which the parcels are situated.

Records of liquidation of parcels, certified by the autonomous communal authorities shall be sent for confirmation, through the Ministries of Agriculture, to the competent land registry offices.

Article 7.

Extracts from land registers and from executory decisions of Land Organisation Committees, together with the attached plans of the parcels and records for the liquidation of parcels drawn up in virtue of the said documents, shall be sufficient authority for the entering of such parcels in the land registers. Registration may be demanded by any person owning or acquiring such parcels, and by the Ministry of Agriculture of the country in which the parcel is situated.

Article 8.

As regards the verification and liquidation of parcels, the laws in force in the contracting States concerning the maximum and minimum extents of landed property shall not apply.

Article 9.

The institutions responsible for keeping the land registers of one of the Contracting Parties shall, on the direct application of the corresponding institutions of the other Contracting Party, forward to the latter a complete extract from the register of immovable property divided by the frontier, and also copies of documents connected with the land registers, with the records of restrictions and with land records regarding immovable property which forms the subject of valid entries in the registers. On the other hand, so far as concerns immovable property allocated in its entirety to the territory of the other State, the constitutions referred to shall transmit the complete extract from the register and the entire record in the land book, *i. e.*, all papers concerning the verification of the immovable property in question and the notes and entries relating thereto.

Article 10.

Before preparing the extract from the registers for transmission to the other State, the land registry offices shall make in the corresponding sections of the register (*foliae*) and entry regarding the closing of the sections (*foliae*), so far as concerns immovable property allocated in its entirety to the other State ; moreover, an entry regarding the parcel detached shall be made in the sections (*foliae*) reserved for divided immovable property.

Article 11.

If the parcel does not exceed one quarter of the total area of the immovable property, all debts in respect of the immovable property divided by the State frontier, provided they are entered in the land registers, shall continue to be borne by the larger portion. If the parcel is greater than a quarter of the total area of the immovable property, the debts shall be shared in proportion to the areas. The parcels shall not be held liable for any other charges on the immovable property.

If the parcel remains liable for a portion of the debts, copies of the relevant documents shall be attached to the extract from the register.

Article 12.

When immovable property is liquidated, there shall be no obligation to enter separately in the land registers any alteration in the area of a landed property unless such alteration exceed 7 % of the total area, or one hectare.

In such cases plans shall be prepared showing the altered boundaries, and after the insertion of entries referring to changes made in agreement with the owner, shall be transmitted by the Ministry of Agriculture to the land register offices concerned with the property in question, in order that they may be included among the proper papers.

*Article 13.*

During a period of two years from the coming into force of the present Convention no tax or duty of any kind shall be levied in respect of records of verification and liquidation concerning parcels of immovable property divided by the frontier, or in respect of any transactions or entries in connection therewith, and no consular legalisation of the documents concerned shall be required.

*Article 14.*

Parcels of immovable property divided by the frontier which have not been liquidated within two years from the entry into force of the present Convention shall be expropriated, and compensation shall be paid according to a rate agreed upon between the two Governments.

*Article 15.*

Detached parcels of State lands shall be regarded as belonging to that Contracting Party on whose territory they are situated.

Detached parcels of private land which have been expropriated in accordance with the agrarian laws of the Contracting Party on whose territory the principal portion is situated shall not be regarded as expropriated in favour of the Land Fund of that Party, but shall remain subject to the agrarian laws of the Contracting Party to whose territory the parcel has been allocated.

*Article 16.*

Friendly agreements regarding the liquidation of parcels which are not in due legal form and were made before the coming into force of the present Convention must be regularised either in accordance with the usual forms and procedure, or in accordance with the provisions of the present Convention, account being taken of the area of the parcels.

*Article 17.*

The present Convention shall be ratified. The instruments of ratification shall be exchanged at Kaunas as soon as possible.

It shall come into force fifteen days after the exchange of the instruments of ratification.

Done at Riga, the twenty-fifth day of January one thousand nine hundred and thirty-one, in duplicate, in Latvian and Lithuanian, both texts being authentic.

In faith whereof the Plenipotentiaries have signed the Convention and have thereto affixed their seals.

(L.S.) (Signed) H. CELMIŅŠ.

(L.S.) (Signed) J. TŪBELIS.