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The Treaties of Peace with Austria and with Hungary and Protocols and Declarations Annexed  
There to

U.S. Naval War College (Editor)

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## TREATIES OF PEACE WITH AUSTRIA AND WITH HUNGARY.

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### PRELIMINARY NOTE.

Austria-Hungary declared war against Serbia July 28, 1914. Other European States were soon involved and Japan declared war against Germany on August 23, 1914. The United States remained neutral till April 6, 1917, when war was declared against Germany, and on December 7, 1917, war was declared against Austria-Hungary.<sup>1</sup>

The United States on May 31, 1918, expressed sympathy with the Czecho-Slovaks and the Jugo-Slavs in their struggle against Austria-Hungary, and on September 3, 1918, recognized "the Czecho-Slovak National Council as a de facto belligerent Government, clothed with proper authority to direct the military and political affairs of the Czecho-Slovaks." Recognition had previously been granted by France and by Great Britain.<sup>2</sup>

The United States on October 18, 1918, made recognition by Austria-Hungary of the right of the Czecho-Slovaks and of the Jugo-Slavs to determine their own destiny, a condition prior to negotiation of an armistice.<sup>2</sup> Austria-Hungary concluded an armistice with the Allied and Associated Powers on November 3, 1918. On November 13, 1918, Emperor Charles recognized the separation of Austria and Hungary and on the same date a military convention was signed providing for the application of the armistice in Hungary.<sup>3</sup>

On September 10, 1919, a treaty was signed at Saint-Germain-en-Laye between the Allied and Associated Powers and Austria.

On June 4, 1920, a treaty was signed at Trianon between the Allied and Associated Powers and Hungary.

Both the treaty with Austria and the treaty with Hungary recognized the Serb-Croat-Slovene State and Czecho-Slovakia as parties to the treaties.

The United States' representatives signed the treaties with Germany, with Austria, and with Hungary, but the United States has not ratified any of these treaties. These treaties have been ratified by and are binding upon many of the States with which the United States has relations.

Since the above preliminary note was written, the United States has, however, ratified the following treaties with Germany, Austria, and Hungary. Under these treaties the United States is entitled to certain rights and privileges which it would have enjoyed as a party

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<sup>1</sup> See Naval War College, *International Law Documents*, 1917, p. 230.

<sup>2</sup> See Naval War College, *International Law Documents*, 1918, p. 209.

<sup>3</sup> *Idem*, pp. 14-34.

to the general treaties of Versailles with Germany, of St. Germain-en-Laye with Austria, and of Trianon with Hungary, to which many other States are parties, but which the United States has not ratified.

## TREATY BETWEEN THE UNITED STATES AND GERMANY.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION

WHEREAS, by a Joint Resolution of Congress, approved March 3, 1921, it was declared that certain Acts of Congress, joint resolutions and proclamations should be construed as if the war between the United States of America and the Imperial German Government had ended, but certain acts of Congress and proclamations issued in pursuance thereof were excepted from the operation of the said resolution;

WHEREAS, by a Joint Resolution of Congress approved July 2, 1921, the state of war which was declared by the Joint Resolution of Congress approved April 6, 1917, to exist between the United States of America and the Imperial German Government was declared at an end;

WHEREAS, a treaty between the United States and Germany was signed at Berlin on August 25, 1921, to restore the friendly relations existing between the two nations prior to the outbreak of war, which treaty is word for word as follows:

The United States of America

and

Germany:

Considering that the United States, acting in conjunction with its co-belligerents, entered into an Armistice with Germany on November 11, 1918, in order that a Treaty of Peace might be concluded;

Considering that the Treaty of Versailles was signed on June 28, 1919, and came into force according to the terms of its Article 440, but has not been ratified by the United States;<sup>5</sup>

Considering that the Congress of the United States passed a Joint Resolution, approved by the President July 2, 1921, which reads in part as follows:

“RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED, That the state of war declared to exist between the Imperial German Government and the United States of America by the joint resolution of Congress approved April 6, 1917, is hereby declared at an end.

“Sec. 2. That in making this declaration, and as a part of it, there are expressly reserved to the United States of America and its nationals any and all rights, privileges, indemnities, reparations, or advantages, together with the right to enforce the same, to which it or they have become entitled under the terms of the armistice signed November 11, 1918, or any extensions or modifications thereof; or which were acquired by or are in the possession of the United States of America by reason of its participation in the war or to which its nationals have thereby become rightfully entitled; or which, under the treaty of Versailles, have been stipulated for its or their benefit; or to which it is entitled as one of the principal allied and associated powers; or to which it is entitled by virtue of any Act or Acts of Congress; or otherwise.

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“Sec. 5. All property of the Imperial German Government, or its successor or successors, and of all German nationals, which was, on April 6, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or of any of its officers, agents, or employees, from any source or by any agency whatsoever, and all property of the Imperial and Royal Austro-Hungarian Government, or its successor or successors, and of all Austro-Hungarian nationals which was on De-

<sup>5</sup> The treaty of Versailles is printed as Naval War College, International Law Documents, 1919.