

LEAGUE OF NATIONS

# ARBITRATION AND SECURITY

SYSTEMATIC SURVEY OF THE ARBITRATION  
CONVENTIONS AND TREATIES OF MUTUAL SECURITY  
DEPOSITED WITH THE LEAGUE OF NATIONS

*(See the Secretary-General's Memorandum, Document C. 32. 1926. V.)*

C. 34. 1926. V.

[Communicated to the  
Members of the Council.]

L-82

LEAGUE OF NATIONS

ARBITRATION AND SECURITY

SYSTEMATIC SURVEY OF THE ARBITRATION  
CONVENTIONS AND TREATIES OF MUTUAL SECURITY  
DEPOSITED WITH THE LEAGUE OF NATIONS

Prepared by the Legal Section of the Secretariat of the League of Nations  
in pursuance of the Council's Resolution of December 12th, 1925.

*(See the Secretary-General's Memorandum, Document C. 32. 1926. V.)*

# LEAGUE OF NATIONS

---

## ARBITRATION AND SECURITY

---

### SYSTEMATIC SURVEY OF THE ARBITRATION CONVENTIONS AND TREATIES OF MUTUAL SECURITY DEPOSITED WITH THE LEAGUE OF NATIONS

Prepared by the Legal Section of the Secretariat of the League of Nations  
in pursuance of the Council's Resolution of December 12th, 1925.<sup>1</sup>

*(See the Secretary-General's Memorandum, Document C. 32. 1926. V.)*

---

#### INTRODUCTION.

At its meeting of December 12th, 1925, the Council requested the Secretary-General to undertake a systematic survey of the Arbitration Conventions and Treaties of Mutual Security deposited with the League of Nations.

The present memorandum has been prepared with a view to giving effect to this decision ; it covers all the arbitration and conciliation treaties and the treaties of mutual security which have been deposited with the Secretariat for registration since the League of Nations was first founded, or which — in the absence of ratification — have been deposited without being registered.

It has not been possible in this memorandum to deal with conventions on the subjects which have neither been registered nor deposited with the Secretariat. It may, however, be assumed that such instruments are very few in number.

---

1 "

" The Council :

" Taking into consideration the resolutions adopted by the Assembly on September 25th, 1925, concerning arbitration, security and the reduction of armaments (A. 133. 1925. IX, and A. 136. 1925. V) and the report adopted by the Council on September 26th, 1925 (C. 573 (1). 1925. IX) :

" Invites the Secretary-General to prepare in due time before the next ordinary meeting of the Council : (1)  
(2) a systematic survey of the arbitration conventions and the treaties of mutual security which have been deposited with the League of Nations in order to enable the Council to prepare a report for submission to the Seventh Assembly on the progress which has been achieved and can be made in these matters. "

The Memorandum has been arranged in the following chapters :

- I. Treaties of arbitration, pure and simple.
- II. Treaties of conciliation.
- III. Treaties both of arbitration and conciliation.
- IV. Treaties of guarantee and mutual security.
- V. The Locarno Treaties.

---

## CHAPTER I. — ARBITRATION TREATIES.

The first group to which we shall refer consists of the arbitration treaties which had been concluded before the War and have been prolonged, since the year 1920, in virtue of fresh agreements between the parties. Foremost in this category is the series of arbitration treaties which were negotiated as a result of the Second Hague Conference of 1907. We attach the texts of the treaties in this group which have been prolonged under agreements registered with the Secretariat since the year 1920. The treaties in question are the following :

Convention between the United Kingdom of Great Britain and Ireland and the Netherlands renewing for a further period of five years the Arbitration Convention of February 15th 1905, signed at London, July 1st, 1920 (No. 24<sup>1</sup>).

Agreement between the United States of America and Portugal, extending the Arbitration Convention of April 6th, 1908, signed at Lisbon, September 14th, 1920 (No. 191).

Convention between the United Kingdom of Great Britain and Ireland and Denmark, renewing for a period of five years, dating from May 4th, 1921, the Arbitration Convention signed at London on October 25th, 1905, and renewed by the Conventions of March 3rd, 1911, and May 3rd, 1916, signed at London, May 1st, 1922 (No. 301).

Convention between the United Kingdom of Great Britain and Ireland and Iceland, renewing for a period of five years, dating from May 4th, 1921, the Arbitration Convention signed at London on October 25th, 1905, and renewed by the Conventions of March 3rd, 1911, and May 3rd, 1916, signed at London, May 1st, 1922 (No. 302).

Exchange of Notes between the British and French Governments, renewing for a period of five years the Arbitration Agreement of October 14th, 1903. Paris, August 29th, 1923 (No. 516).

Exchange of Notes between the British and Italian Governments, further renewing the Anglo-Italian Arbitration Agreement of February 1st, 1904. London, August 14th, 1923 (No. 534).

Agreement between the United States of America and the United Kingdom, for the renewal of the Arbitration Convention between the two countries of April 4th, 1908, together with Exchange of Notes relating thereto. Washington, June 23rd, 1923 (No. 579).

Agreement between the United States of America and Norway, renewing for a further period of five years, from June 24th, 1923, the Arbitration Convention concluded between the two States on April 4th, 1908, signed at Washington, November 26th, 1923, together with an Exchange of Notes relating thereto. Washington, November 26th, 1923 (No. 592).

---

<sup>1</sup> The numbers given after the title of each treaty are the serial numbers under which the treaties are registered.

Exchange of Notes between Spain and the United Kingdom renewing for a further period of five years the Arbitration Agreement of February 27th, 1904. London, February 9th, 1924 (No. 602).

Convention between the United States of America and the Netherlands prolonging the term of validity of the Arbitration Treaty concluded between the two countries on May 2nd, 1908, and previously prolonged by the Conventions of May 9th, 1914, and March 8th, 1919, signed at Washington, February 13th, 1924 (No. 616).

Agreement extending for another period of five years the Arbitration Convention of February 10th, 1908, between the United States of America and France, signed at Washington, July 19th, 1923 (No. 630).

Exchange of Notes between the Spanish and French Governments constituting a renewal for a further period of five years of the Arbitration Convention concluded on February 26th, 1904, between Spain and France. Paris, February 11th and 16th, 1924 (No. 631).

Agreement extending the duration of the Arbitration Convention of May 5th, 1908, between the United States of America and Japan, signed at Washington, August 23rd, 1923, and Exchange of Notes of the same date relating thereto (No. 770).

Exchange of Notes between the British and Norwegian Governments, further renewing the Arbitration Convention of August 11th, 1904. London, May 13th, 1925 (No. 940).

Exchange of Notes between the British and Swedish Governments, further renewing the Arbitration Convention of August 11th, 1904. London, November 9th, 1924 (No. 886).

Exchange of Notes between the British and the Netherlands Governments, providing for the prolongation of the Arbitration Convention of February 15th, 1905, between the two countries. London, July 12th, 1925 (No. 977).

Exchange of Notes between the Norwegian and Swedish Governments, concerning the prolongation and interpretation of the Arbitration Convention of October 26th, 1905. Stockholm, October 23rd, 1925 (No. 1000).<sup>1</sup>

As is generally known, the characteristic feature of these treaties is that the disputes in respect of which the contracting parties must resort to arbitration are limited, in the sense that only disputes of a *legal character* are to be submitted to compulsory arbitration, while those which affect the vital interests, the independence or honour of the contracting States or which concern third Powers are expressly excluded. It follows that disputes which are not of a legal character, and legal disputes which do affect the vital interests, etc., of the contracting parties, are excluded from the purview of these treaties.

Some treaties of this kind were negotiated for the first time after the year 1918, e.g., the Arbitration Convention between the United States of America and Sweden, which was signed at Washington on June 24th, 1924 (No. 851).

Apart from these arbitration treaties with a restricted scope, we note another category of treaties which provide for compulsory arbitration between the contracting parties over a wide field. These treaties do not stipulate all the exceptions and restrictions enumerated above; they extend to disputes which are not of a legal nature and they employ wider terms, such as: "The High Contracting Powers undertake to submit to arbitration all disputes of whatever nature which", etc.

The above clause appears in the Treaty of Compulsory Arbitration between the Republic of Peru and the Republic of Uruguay which was signed at Lima on July 18th, 1917 (No. 384).

---

<sup>1</sup> Certain treaties which provide for conciliation as well as arbitration, and which are consequently dealt with in Chapter III of this paper, also contain very widely drawn provisions concerning arbitration.

The following treaties may be cited as belonging to this category of arbitration treaties of a wider scope :

Agreement concerning Arbitration between Austria and Hungary, signed at Budapest, April 10th, 1923. (No. 457).

General Treaty of Arbitration between the Argentine Republic and the Republic of the United States of Venezuela, signed at Caracas, July 22nd, 1911 (No. 715).

Treaty between the United States, Brazil and Switzerland, relating to the Judicial Settlement of Disputes which may arise between the two Contracting Parties, signed at Rio de Janeiro, June 23rd, 1924 (No. 861).

Arbitration Convention between the Austrian and Polish Republics, signed at Warsaw, November 13th, 1923 (No. 888).

General Compulsory Arbitration Treaty between the Republic of Uruguay and the United States of Venezuela, signed at Montevideo, February 28th, 1923 (No. 942).

Some of these treaties will be found to contain certain restrictions, such as the exclusion of disputes which originated before the conclusion of the agreement and had already been the subject of a final settlement between the two parties (Nos. 384 and 942). Others, again, lay down that arbitration shall not extend to questions relating to the constitutional provisions in force in either State (Nos. 715 and 861). In some cases an exception is made, unless there should be a "refusal of justice", as regards cases where the courts of a State possess the necessary legal powers to try the case (No. 942). Other treaties contain clauses of a special character (No. 888).

Some treaties — for instance, the treaty between Austria and Hungary (No. 457) — do not allow any exception, even in regard to disputes arising out of events prior to the conclusion of the agreement ; the same formula appears in the treaty between the Austrian and the Polish Republics (No. 888).

Apart from these more general treaties, mention should be made — without, however, examining them in detail — of special arbitration conventions dealing with particular questions, (*e.g.*, the Arbitration Convention (No. 68) signed at Riga on September 28th, 1920, between Latvia and Lithuania) and of agreements making special provision for arbitration in specific questions ; the latter category includes the agreements negotiated between :

Peru and Chile : Arbitration Protocol, together with supplementary Act, signed at Washington July 20th, 1922.

The United Kingdom of Great Britain and Ireland and Peru : Agreement regarding the settlement of the disputes arising in regard to the mining estate "La Brèa i Parinas", signed at Lima, March 7th, 1922.

Great Britain and Costa Rica : Convention with a view to the submission to arbitration of certain claims made against the Government of Costa Rica, signed at San José de Costa Rica, January 12th, 1922.

The United States of America and the Netherlands : Agreement regarding the sovereignty over the Island of Palmas (or Miangas), signed at Washington January 23rd, 1925.

It would be superfluous to refer in this paper to the Protocol of the Statute of the Court of Justice or to the Peace Treaties of Versailles, St. Germain, Trianon and Neuilly or to the Treaty of Lausanne, all of which contain clauses providing for recourse to arbitration.

Some mention must, however, be made of the numerous arbitration clauses which occur in special provisions of a great number of conventions dealing with different subjects, and under which the contracting parties have accepted compulsory arbitration in respect of disputes arising out of the conventions. A list of such clauses has been annexed to this paper (see pages 19-63 of the annex).

The treaties drawn up at Locarno also contain compulsory arbitration agreements. However, before proceeding to examine these agreements — which combine, in what might be termed the latest form, all the various methods of pacific settlement of disputes — we must allude to another group of treaties which approach the subject by a different path : we refer to the treaties of conciliation.

---

## CHAPTER II. — TREATIES OF CONCILIATION.

In principle, a treaty of conciliation establishes, as between the parties, an obligation to submit disputes which may arise between them to a Conciliation Commission or Commissioner. The essential difference between treaties of conciliation and arbitration treaties is that under the former the parties are obliged, in the first instance, to have recourse to the procedure for conciliation, but they are not necessarily obliged to abide by its result. The proposals of a conciliation commission must be, from their nature, optional; whereas the decisions of arbiters are binding.

The following are instances of treaties of conciliation :

Convention between Sweden and Chile concerning the establishment of a permanent Enquiry and Conciliation Commission, signed at Stockholm on March 26th, 1920 (No. 111).

Treaty between the United Kingdom of Great Britain and Ireland and Brazil, providing for the establishment of a Peace Commission, signed at Rio de Janeiro, April 4th, 1919 (No. 116).

Convention between Norway and Sweden concerning the establishment of a Conciliation Commission, signed at Stockholm, June 27th, 1924 (No. 717).

Convention between Finland and Sweden concerning the establishment of a Conciliation Commission, signed at Stockholm, June 27th (No. 731).

Convention between Finland and Norway concerning the establishment of a Conciliation Commission, signed at Stockholm, June 27th, 1924 (No. 751).

Treaty to avoid or prevent conflicts between the American States, signed at Santiago, Chile, May 3rd, 1923 (No. 831).

Convention between Denmark and Finland concerning the establishment of a Conciliation Commission, signed at Stockholm, June 27th, 1924 (No. 839).

Convention between Denmark and Sweden concerning the establishment of a Conciliation Commission, signed at Stockholm, June 27th, 1924 (No. 840).

Convention between Denmark and Norway concerning the establishment of a Conciliation Commission, signed at Stockholm, June 27th, 1924 (No. 842).

Conciliation Treaty between Sweden and Switzerland, signed at Stockholm, June 2nd, 1924 (No. 844).

Treaty of Conciliation between Austria and Switzerland, signed at Vienna, October 11th, 1924 (No. 862).

Treaty of Conciliation between Denmark and Switzerland, signed at Copenhagen, June 6th, 1924 (No. 873).

The texts of these treaties are annexed to the memorandum (see pages 69-102). There seems to be no occasion, in an introductory statement of this kind, to go into all the points of detail which may arise in connection with conciliation agreements, as, for instance, the methods in which the conciliation commissions are constituted (permanent commissions or *ad hoc* commissions; procedure before the commissions, etc.). It will suffice to refer to certain general features.

A considerable number of the conciliation treaties were negotiated after the adoption by the Third Assembly of the League of Nations on September 22nd, 1922, of the recommendation in favour of treaties of conciliation.

The first treaty of this type was that concluded between Switzerland and Sweden on June 2nd, 1924 (No. 844). It was followed, very shortly, by further treaties between Sweden and other countries, and also between various other countries (see Nos. 717, 731, 751, 839, 840 and 842), all of which bear the same date : June 27th, 1924.

These treaties provide for the setting up of permanent commissions of conciliation.

Further, these treaties contemplate the procedure of conciliation as a parallel method to that of compulsory arbitration. Disputes capable of judicial settlement are not necessarily to be submitted to the preliminary procedure of conciliation — although the parties may agree that this should be done.

The above remarks also apply to the first treaty of conciliation which was registered by the League of Nations, — a treaty which was concluded between Sweden and Chile (No. 111) even before the adoption of the recommendation of September 1922 by the Assembly of the League of Nations ; and to the treaty concluded in 1919 between Brazil and Great Britain (No. 116).

It should be added that, in many cases, the Contracting Parties to these treaties have not only undertaken to agree to the conciliation procedure but have also bound themselves to compulsory arbitration by virtue of their acceptance of Article 36 of the Statute of the Permanent Court of International Justice.

The Treaty for the Pacific Settlement of Disputes between the American States, which was signed at Santiago, Chile, on May 3rd, 1923 (No. 831), also provides for recourse to conciliation in respect of any dispute which it has been impossible to settle through diplomatic channels, or to arbitration in accordance with existing treaties. This treaty provides that, where nations have no general treaties of arbitration, the obligatory recourse to conciliation (the " enquiry ") shall not extend to questions affecting constitutional provisions or to questions already settled by other treaties.

\* \* \*

There is yet one more category of these treaties which recognises the procedure of conciliation, not only as applicable to cases unsuitable for arbitration but also as a preliminary stage of any arbitration procedure.

Such recourse to conciliation, as a possible preliminary procedure, in all cases adapted for settlement by a judicial or arbitral award, is already contemplated in the treaty between Sweden and Switzerland (No. 844) to which we have just referred.

It is also to be found in the treaties between Austria and Switzerland (No. 862) and between Denmark and Switzerland (No. 873).

Agreements of this kind have paved the way for the conclusion of treaties which expressly combine arbitration and the judicial settlement of disputes with the procedure for conciliation ; we shall examine this group of treaties in the following chapter.

It only remains to mention in the present chapter that these treaties of conciliation, in so far as a connection exists between their mechanism and that of the League, leave the organs of the League (the Council and the Assembly) free to exercise the mediatory functions which are conferred upon them by the Covenant.

This chapter would be incomplete if it did not mention that several general conventions concluded under the auspices of the League have attributed powers of conciliation with regard to their execution to the technical organisations of the League or the International Labour Office.



### CHAPTER III. — ARBITRATION AND CONCILIATION TREATIES.

In the previous chapters some account has been given of arbitration treaties, and also of treaties establishing a conciliation procedure.

As has already been stated, provision is made in a number of conciliation treaties for resort to a procedure of conciliation in the case of disputes to which compulsory arbitration will afterwards be applicable.

The treaties with which we shall now deal provide in one and the same instrument for arbitration (or judicial procedure), and also for conciliation.

The following treaties are of this type :

Treaty of Arbitration and Conciliation between the Swiss Confederation and the German Reich, signed at Berne, December 3rd, 1921 (No. 320).

Treaty of Conciliation and Judicial Settlement between Italy and Switzerland, signed at Rome, September 20th, 1924 (No. 834).

Treaty of Conciliation and Arbitration between Hungary and Switzerland, signed at Budapest, June 18th, 1924 (No. 887).

Conciliation and Arbitration Convention between Esthonia, Finland, Latvia and Poland, signed at Helsingfors, January 17th, 1925 (No. 991).

Convention of Arbitration and Conciliation between Germany and Sweden, with Final Protocol and Exchange of Notes relating thereto, signed at Berlin, August 29th, 1924 (No. 1036).

The text of these treaties is appended to this memorandum with a view to facilitating the study of the details and the various methods to be found in the treaties in which this system has been adopted (see pages 107-126).

The first treaty of this kind is that concluded between the Swiss Confederation and the German Reich (No. 320), making it obligatory to resort either to the procedure of arbitration or to conciliation. In this treaty will be found a list of the cases in which disputes must be submitted to arbitration. Generally speaking, these cases are limited — in the manner indicated in Chapter I — to disputes of a legal nature and to those covered by the formula contained in Article 13 of the Covenant, which is quoted in the treaty. The exceptions already referred to regarding " vital interests ", etc., are also made, as well as exceptions relating to questions coming within the province of the judicial authorities.

Whenever a dispute is not subject to arbitration, the conciliation procedure is obligatory ; but, in addition, the Parties have reserved the right to refer disputes which can be settled by arbitration to conciliation procedure, either without appeal or subject to appeal to the arbitration tribunal.

The treaty concluded between Germany and Sweden (No. 1036) contains the same general features as the treaty between Germany and Switzerland. It may be stated that the Final Protocol, which declares that " all the provisions of the convention shall, in case of doubt, be interpreted in favour of the principle of the settlement of disputes by arbitration ", stipulates that the convention is applicable even to disputes arising from events prior to the conclusion of the agreement. Nevertheless, disputes directly connected with the events in the world-war are not, on account of their general political importance, included within the scope of the convention. The fact that third States are parties to the dispute does not prevent the convention being applied.

The treaty between Hungary and Switzerland (No. 887) provides for conciliation in the case of all disputes, this procedure to be followed by compulsory arbitration in cases of legal disputes in the sense indicated above.

The treaty between Italy and Switzerland of September 20th, 1924 (No. 834), and the later treaty between Esthonia, Finland and Poland of January 17th, 1925 (No. 991), have gone still further in this direction. They establish compulsory arbitration for all disputes of whatever nature.

Under these treaties conciliation procedure will therefore be resorted to in all cases, and arbitration whenever the conciliation proposals are not accepted.

The Italo-Swiss treaty lays down in particular that, in all cases where disputes are not of a legal character, the arbitrators shall decide *ex æquo et bono*.

The only exceptions to this compulsory procedure met with in these treaties refer to cases in which the subject-matter of the dispute comes within the competence of the courts of the country in question.

Disputes for the settlement of which a special procedure is prescribed in conventions in force between contracting parties are of course invariably excepted from the operation of these treaties.

In No. 991, disputes regarding the territorial status of the high contracting parties are also excluded.

---

## CHAPTER IV. — TREATIES OF GUARANTEE.

Before proceeding with the discussion of the provisions relating to the peaceful settlement of disputes, mention should be made of the treaties of mutual guarantee which have been registered or deposited with the Secretariat of the League of Nations. These treaties are usually of greater political than legal interest. A systematic analysis of them cannot be attempted here; it will suffice to enumerate them. They do not establish any procedure for the settlement of disputes, but most of them contain a statement in one form or another of the principle that the guarantee between States is designed, within the framework of the League of Nations, to strengthen respect for peace by adding to the sanctions which would be imposed in the event of peace being broken. One may often see in them an application of the principle of regional understandings which is mentioned in Article 21 of the Covenant.

These treaties naturally contain provisions of the most varied character. The present chapter deals with treaties definitely described as "treaties of guarantee", as well as treaties of alliance and other political agreements, the object in all cases being to establish more firmly security and peace.

Several of them contain an explicit stipulation to the effect that they will be communicated to the League of Nations.

Certain treaties previously registered must perhaps be regarded as being modified by agreements subsequently concluded between the same parties and registered or deposited with the League of Nations. This aspect of the question cannot, however, be dealt with in this investigation. All treaties and agreements registered and deposited have been dealt with. The question whether the contracting parties intended them to continue valid has not been considered.

An attempt has been made in the following list to establish certain groups.

Some of the treaties concluded at Locarno clearly find a place at the end of the series given in this chapter. These instruments will be mentioned separately in the next chapter.

### 1.

Exchange of Letters of September 10th and 15th, 1920, between the Belgian and French Governments, concerning the approval of the Franco-Belgian Military Understanding of September 7th, 1920 (No. 56).

Treaty of Alliance and Friendship between France and Czechoslovakia, signed at Paris, January 25th, 1924 (No. 588).

Political Agreement between France and Poland, signed at Paris, February 19th, 1921 (No. 449).

### 2.

Treaty between the United States of America, the British Empire, France and Japan relating to their insular Possessions and insular Dominions in the Pacific Ocean, signed at Washington, December 13th, 1921 (No. 607).

Treaty between the United States of America, Belgium, the British Empire, China, France, etc., relating to the principles and policies to be followed in matters concerning China, signed at Washington, February 6th, 1906 (No. 982).

3.

Convention of Alliance between the Kingdom of the Serbs, Croats and Slovenes and the Czechoslovak Republic, signed at Belgrade, August 14th, 1920 (No. 154).

Convention of Defensive Alliance between the Kingdom of Roumania and the Czechoslovak Republic, signed at Bucharest, April 23rd, 1921 (No. 155).

Treaty of Alliance between the Kingdom of the Serbs, Croats and Slovenes and the Czechoslovak Republic, signed at Mariánské Lázně, August 31st, 1922 (No. 354).

Protocol concerning the prolongation of the Convention of Defensive Alliance concluded at Bucharest, April 23rd, 1921, between the Czechoslovak Republic and the Kingdom of Roumania, signed at Prague, May 7th, 1923 (No. 445).

Convention for a Defensive Alliance between the Republic of Poland and the Kingdom of Roumania, signed at Bucharest, March 3rd, 1921 (No. 175).

4.

Agreements between the Kingdom of Italy and the Kingdom of the Serbs, Croats and Slovenes, signed at Rome, January 27th, 1924 (No. 596).

Pact of Cordial Collaboration between the Kingdom of Italy and the Czechoslovak Republic, signed at Rome, July 5th, 1924 (No. 637).

5.

Restoration of Austria, Protocol No. I (Declaration), signed at Geneva, October 4th, 1922, by Great Britain, France, Italy, Czechoslovakia and Austria (No. 334).

6.

Protocol No. I with regard to the Financial Reconstruction of Hungary, signed on March 14th, 1924, by Great Britain, France, Italy, Roumania, the Kingdom of the Serbs, Croats and Slovenes, Czechoslovakia and Hungary (No. 633).

7.

Political Agreement between the Federal Republic of Austria and the Czechoslovak Republic, signed at Prague, December 16th, 1921 (No. 257).

8.

Political Agreement between Esthonia, Finland, Latvia and Poland, signed at Warsaw, March 17th, 1922 (No. 296).

Treaty of Defensive Alliance between Esthonia and Latvia, signed at Tallinn, November 1st, 1923 (No. 578).

Some of these treaties also contain arbitration clauses, in particular Nos. 257, 296 and 588.

---

## CHAPTER V. — THE "LOCARNO TREATIES".

The treaties which were initialled on October 16th, 1925, at Locarno, and signed on December 1st in London, form at the present time what may be called the keystone and final development of the various classes of treaties which we have considered. After treaties of arbitration pure and simple, restricted largely to legal disputes, after treaties of conciliation and mixed treaties of arbitration (including judicial settlement) and conciliation on the one hand, and treaties of guarantee on the other, we find in the "Locarno Treaties" a combination of these various elements. These elements are indeed already united in the Covenant of the League of Nations. The same statement may be made regarding the Protocol known as the "Geneva Protocol". As this document was not adopted, it is not discussed in the present memorandum.

The "Locarno Treaties" give concrete expression to the same class of ideas.

This group includes in the first place a treaty known as "Treaty of Mutual Guarantee" between Germany, Belgium, France, Great Britain and Italy.

In accordance with this Treaty, the Contracting Parties declare that they are animated with the sincere desire of giving to all the signatory Powers concerned supplementary guarantees within the framework of the Covenant of the League of Nations and the treaties in force between them. The Contracting Parties collectively and severally guarantee, in the manner provided in Articles 1 to 7, the maintenance of the territorial *status quo* between Germany and Belgium and Germany and France and also the observance of the stipulations of Articles 42 and 43 of the Treaty of Versailles concerning the demilitarised zone. The operation of this guarantee is regulated in detail, and Germany and Belgium, and also Germany and France, mutually undertake that they will in no case attack or invade each other or resort to war against each other. The cases in which this stipulation shall not apply are then enumerated (exercise of the right of legitimate defence; action in pursuance of Article 16 of the Covenant; action as the result of a decision taken by the organisations of the League of Nations, or in pursuance of Article 15, paragraph 7, of the Covenant; see provisions of Article 2 of the Treaty). It is expressly stated that the treaty is designed to ensure the maintenance of peace and is in conformity with the Covenant of the League of Nations and that it shall not be interpreted as restricting the duty of the League to take whatever action may be deemed wise and effectual to safeguard the peace of the world. It should also be mentioned that, in dealing with the operation of the sanctions, Articles 4 and 5 recognise that the Council of the League may intervene specially.

The treaty provides for the compulsory settlement by peaceful means of all questions of every kind which may arise between Germany and Belgium, or Germany and France, and which it may not be possible to settle by the normal methods of diplomacy.

It is proposed that these disputes should be settled in the following manner :

Any question "with regard to which the Parties are in conflict as to their respective rights" shall be submitted to judicial decision, and the Parties undertake to comply with such decision ;

All other questions shall be submitted to a Conciliation Commission. If the proposals of this Commission are not accepted by the two Parties, the question shall be brought before the Council of the League of Nations, which shall deal with it in accordance with Article 15 of the Covenant of the League.

There is therefore, on the one hand, settlement by judicial procedure or arbitration of disputes regarding a "right", and, on the other hand, conciliation procedure in the case of all other questions. As regards the latter, the Council of the League is the final authority, in accordance with the Covenant.

As will be shown later, the conciliation procedure may also be applied by agreement between the Parties, as a prior procedure in cases subject to arbitral or judicial settlement.

Apart from this Treaty of Mutual Guarantee between the above-mentioned States, there have been concluded :

- (a) An arbitration convention between Germany and Belgium ;
- (b) An arbitration convention between Germany and France ;
- (c) An arbitration treaty between Germany and Poland ;
- (d) An arbitration treaty between Germany and Czechoslovakia.

The system instituted by these four arbitration treaties would appear to be identical in all cases. It corresponds to the system established (see above) between Germany and France and Germany and Belgium by the Treaty of Mutual Guarantee, namely :

Procedure before an arbitral tribunal or before the Permanent Court of International Justice in the case of all disputes of every kind between the two Contracting Parties with regard to which the parties are in conflict as to their respective rights ;

All other questions on which the Governments shall differ without being able to reach an amicable solution by means of the normal methods of diplomacy and the settlement of which cannot be attained by means of a judicial decision shall be submitted to a permanent Conciliation Commission, whose duty it shall be to propose to the Parties an acceptable solution ; if this conciliation procedure does not lead to any agreement the question shall, at the request of either Party, be brought before the Council of the League of Nations ;

Conciliation procedure before the Conciliation Commission may also, by agreement between the Parties, be applied as a preliminary procedure in cases subject to arbitral or judicial settlement.

These treaties regulate the details of the procedure before the Conciliation Commissions ; it is provided that these commissions should be permanent.

As regards the judicial settlement, it is stated in the treaties that, if the Parties cannot agree on the terms of the special agreement, one or other of them may bring the dispute direct before the Permanent Court of International Justice.

It is understood that all disputes for the settlement of which a special procedure is laid down in other conventions in force between the contracting parties shall be excluded from the above-mentioned procedure and shall be settled in conformity with the provisions of these conventions. In addition, there is a further exception to the effect that the provision for the settlement by judicial decision or by arbitration of disputes in regard to which the Parties are in conflict as to their respective rights shall not apply to disputes arising out of events prior to the convention in question and belonging to the past. Further, in the case of a dispute the occasion of which falls within the competence of the national courts of one of the Parties, the matter in dispute shall not be submitted to judicial or arbitration procedure until a judgment with final effect has been pronounced by the competent national judicial authority.

\* \* \*

Apart from the Treaties of Mutual Guarantee and the four arbitration treaties, agreements have been concluded between France and Poland and between France and Czechoslovakia in accordance with which these Contracting Parties undertake to lend each other immediately aid and assistance in the event of Poland or France, or Czechoslovakia or France, suffering from a failure to observe the undertakings arrived at (at Locarno) between them and Germany with a view to the maintenance of general peace, if such a failure is accompanied by an unprovoked recourse to arms.

Action in virtue of these treaties may be taken in application of Article 16 of the Covenant of the League of Nations, and it is stated that nothing in the treaties shall affect the rights and obligations of the High Contracting Parties as Members of the League of Nations.

\* \* \*

The Final Act of the Locarno Conference, a collective instrument, refers to the Treaty of Mutual Guarantee and also to the arbitration treaties already mentioned. In this instrument, the French Minister for Foreign Affairs also makes known the mutual agreements drawn up between France and Poland and France and Czechoslovakia.

In this Final Act the representatives of all the Governments represented declare " their firm conviction that the entry into force of these treaties and conventions will contribute greatly to bring about a moral relaxation of the tension between nations, that it will help powerfully towards the solution of many political or economic problems in accordance with the interests and sentiments of peoples, and that, in strengthening peace and security in Europe, it will hasten on effectively the disarmament provided for in Article 8 of the Covenant of the League of Nations ".

The " Locarno Treaties " had not been ratified when this memorandum was completed.

GENEVA, *February 1st, 1926.*

(Signed) VAN HAMEL,  
*Director of the Legal Section.*

---

Various treaties which were presented to the Secretariat for registration after the present memorandum had been completed are inserted after Chapter V in the order of their registration. For the reason mentioned, it has not been possible to include them in the various categories of treaty referred to above.

---

# ANNEX

# Chapter I.

## ARBITRATION TREATIES

---

	Page
No. 24. THE NETHERLANDS AND UNITED KINGDOM . . . . .	19
No. 191. UNITED STATES OF AMERICA AND PORTUGAL . . . . .	20
No. 301. DENMARK AND UNITED KINGDOM . . . . .	22
No. 302. ICELAND AND UNITED KINGDOM . . . . .	23
No. 516. GREAT BRITAIN AND FRANCE . . . . .	24
No. 534. GREAT BRITAIN AND ITALY. . . . .	26
No. 579. UNITED STATES OF AMERICA AND UNITED KINGDOM . . . . .	28
No. 592. UNITED STATES OF AMERICA AND NORWAY . . . . .	31
No. 602. SPAIN AND UNITED KINGDOM . . . . .	33
No. 616. UNITED STATES OF AMERICA AND THE NETHERLANDS . . . . .	35
No. 630. UNITED STATES OF AMERICA AND FRANCE . . . . .	37
No. 631. SPAIN AND FRANCE . . . . .	39
No. 770. UNITED STATES OF AMERICA AND JAPAN . . . . .	41
No. 940. NORWAY AND UNITED KINGDOM . . . . .	43
No. 886. GREAT BRITAIN AND SWEDEN . . . . .	44
No. 977. THE NETHERLANDS AND UNITED KINGDOM. . . . .	46
No. 1000. NORWAY AND SWEDEN . . . . .	48
No. 851. UNITED STATES OF AMERICA AND SWEDEN. . . . .	51
No. 384. PERU AND URUGUAY. . . . .	52
No. 457. AUSTRIA AND HUNGARY . . . . .	54
No. 715. ARGENTINE REPUBLIC AND VENEZUELA . . . . .	55
No. 861. BRAZIL AND SWITZERLAND . . . . .	57
No. 888. AUSTRIA AND POLAND . . . . .	59
No. 942. URUGUAY AND VENEZUELA . . . . .	60
No. 68. LATVIA AND LITHUANIA . . . . .	62
LIST OF TREATIES CONTAINING ARBITRATION CLAUSES . . . . .	63

---



No. 24. — CONVENTION BETWEEN THE UNITED KINGDOM AND THE NETHERLANDS RENEWING FOR A FURTHER PERIOD OF FIVE YEARS THE ARBITRATION CONVENTION OF FEBRUARY 15, 1905, SIGNED AT LONDON, JULY 1, 1920.

---

*The registration of this Convention took place on September 7, 1920. Ratifications exchanged at London, July 11, 1920.*

---

*Article 1.*

The High Contracting Parties hereby renew for a further period of five years, dating from the 12th July next, the Convention signed at London on the 15th February, 1905, for the settlement by arbitration of certain classes of questions which may arise between the two Governments.

*Article 2.*

The present Convention shall be ratified and the ratifications shall be exchanged at London as soon as possible.

GREAT BRITAIN AND THE NETHERLANDS.

ARBITRATION TREATY SIGNED AT LONDON, FEBRUARY 15, 1905.

*The exchange of ratifications took place at London, July 12, 1905.*

*Article 1.*

Differences which may arise of a legal nature, or relating to the interpretation of Treaties existing between the High Contracting Parties and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honour of the two Contracting States, and do not concern the interests of third Parties.

*Article 2.*

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure.

*Article 3.*

The present Convention, which shall be ratified, is concluded for a period of five years, dating from the exchange of the ratifications, which shall take place at London as soon as possible.

No. 191. — AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND PORTUGAL, EXTENDING THE ARBITRATION CONVENTION OF APRIL 6, 1908, SIGNED AT LISBON, SEPTEMBER 14, 1920.

---

*The registration of this Agreement took place December 12, 1921. Ratifications exchanged at Lisbon, September 29, 1921.*

---

*Article 1.*

The Convention of Arbitration of April 6, 1908, between the Government of Portugal and the Government of the United States of America, the duration of which, by Article 3 thereof, was fixed at a period of five years from the date of the exchange of ratifications of the said Convention on November 14, 1908, which period, by the Agreement of June 28, 1913, between the two Governments, was extended for five years from November 14, 1913, is hereby renewed and continued in force for a further period of five years from November 14, 1918.

*Article 2.*

The present Agreement shall be ratified by the President of the Portuguese Republic, in accordance with the constitutional laws of the Republic, and by the President of the United States of America, by and with the advice and consent of the Senate thereof, and it shall become effective upon the date of the exchange of ratifications, which shall take place at Lisbon as soon as possible.

UNITED STATES OF AMERICA AND PORTUGAL.  
ARBITRATION CONVENTION SIGNED AT WASHINGTON, APRIL 6, 1908.

*The exchange of ratifications took place at Washington, November 14, 1908.*

*Article 1.*

Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honour of either of the two Contracting States, and do not concern the interests of third Parties.

*Article 2.*

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope

of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that on the part of the United States, such special agreements will be made by the President of the United States by and with the advice and consent of the Senate thereof.

*Article 3.*

The present Convention is concluded for a period of five years, dating from the day of the exchange of its ratifications.

*Article 4.*

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by His Majesty the King of Portugal in accordance with the constitutional laws of the Kingdom.

The ratifications of this Convention shall be exchanged at Washington as soon as possible, and it shall take effect on the date of the exchange of its ratifications.

---

No. 301. — CONVENTION BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND DENMARK, RENEWING FOR A PERIOD OF FIVE YEARS, DATING FROM MAY 4, 1921, THE ARBITRATION CONVENTION SIGNED AT LONDON ON OCTOBER 25, 1905, AND RENEWED BY THE CONVENTIONS OF MARCH 3, 1911, AND MAY 3, 1916, SIGNED AT LONDON, MAY 1, 1922.

---

*The registration of this Convention took place on August 10, 1922. Ratifications exchanged at London, July 28, 1922.*

---

*Article 1.*

The High Contracting Parties renew, for a further period of five years, dating from the 4th May, 1921, the Convention signed at London on the 25th October, 1905, for the settlement by arbitration of certain classes of questions which may arise between the two Governments.

*Article 2.*

The present Convention shall be ratified, and the ratifications exchanged at London, as soon as possible.

---

No. 302. — CONVENTION BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND ICELAND, RENEWING FOR A PERIOD OF FIVE YEARS, DATING FROM MAY 4, 1921, THE ARBITRATION CONVENTION SIGNED AT LONDON ON OCTOBER 25, 1905, AND RENEWED BY THE CONVENTIONS OF MARCH 3, 1911, AND MAY 3, 1916, SIGNED AT LONDON, MAY 1, 1922.

---

*The registration of this Convention took place August 10, 1922. The exchange of ratifications took place at London, July 28, 1922.*

---

*Article 1.*

The High Contracting Parties renew as far as Iceland is concerned, for a further period of five years, dating from the 4th May 1921, the Convention signed at London on the 25th October, 1905, for the settlement by arbitration of certain classes of questions which may arise between the two Governments.

*Article 2.*

The present Convention shall be ratified, and the ratifications exchanged at London as soon as possible.

GREAT BRITAIN AND DENMARK.  
ARBITRATION TREATY SIGNED AT LONDON, OCTOBER 25, 1905.

*The exchange of ratifications took place at London, May 4, 1906.*

*Article 1.*

Differences which may arise of a legal nature, or relating to the interpretation of Treaties existing between the High Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at the Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honour of the two Contracting States, and do not concern the interests of third Parties.

*Article 2.*

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure.

*Article 3.*

The present Convention, which shall be ratified, is concluded for a years,period of five dating from the exchange of the ratifications, which shall take place at London as soon as possible.

No. 516. — EXCHANGE OF NOTES BETWEEN THE BRITISH AND FRENCH GOVERNMENTS, RENEWING, FOR A PERIOD OF FIVE YEARS, THE ARBITRATION AGREEMENT OF OCTOBER 14, 1903. PARIS, AUGUST 29, 1923.

---

*The registration of this exchange of Notes took place November 8, 1923. This exchange of Notes does not entail an exchange of ratifications.*

---

No. I.

MR. PHIPPS TO M. POINCARÉ.

BRITISH EMBASSY.

PARIS, August 29, 1923.

MONSIEUR LE PRÉSIDENT DU CONSEIL,

By his note of the 6th June last, His Excellency the Marquess of Crewe, His Britannic Majesty's Ambassador, informed Your Excellency that His Britannic Majesty's Government were prepared to renew for a period of five years from the date of its expiration the Arbitration Agreement concluded between our Governments on the 14th October 1903, and renewed on three occasions since that date.

By your Note of the 12th July, Your Excellency was good enough to inform Lord Crewe that the French Government were, on their part, equally prepared to accept the renewal of this Agreement on the conditions indicated by His Majesty's Government.

Should your Excellency agree, it will be understood that the present Note and Your Excellency's reply will serve to place on record the understanding arrived at between our two Governments.

I have, etc.

*[Translation.]*

No. II.

M. POINCARÉ TO MR. PHIPPS.

MINISTRY  
FOR  
FOREIGN AFFAIRS.

PARIS, August 29, 1923.

MONSIEUR LE MINISTRE,

I have the honour to acknowledge the receipt of your Note of to-day, in which you have been so good as to inform me that His Britannic Majesty's Government were prepared to renew, for a period of five years from the date of its expiration, the Arbitration Agreement concluded between our Governments on the 14th October 1903, it being understood that the French Government were equally ready to consent to such a renewal.

I have the honour to accept, on behalf of the French Government, the proposal that the aforesaid Arbitration Agreement be again renewed for a period of five years from the 14th October next. The exchange of the present Notes between the British Embassy and the Ministry for Foreign Affairs will serve to place on record the understanding arrived at between our two Governments to this effect.

Accept, etc.

GREAT BRITAIN AND FRANCE.  
CONVENTION CONCERNING THE PACIFIC SETTLEMENT OF  
INTERNATIONAL DISPUTES, SIGNED AT LONDON, OCTOBER 14, 1903.

*The exchange of ratifications took place at London, February 25, 1904.*

*[Translation.]*

*Article 1.*

Differences which may arise of a legal nature, or relating to the interpretation of Treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at the Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honour of the two Contracting States, and do not concern the interests of third Parties.

*Article 2.*

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure.

*Article 3.*

The present Agreement is concluded for a period of five years, dating from the day of signature.

---

No. 534. — EXCHANGE OF NOTES BETWEEN THE BRITISH AND ITALIAN GOVERNMENTS, FURTHER RENEWING THE ANGLO-ITALIAN ARBITRATION AGREEMENT OF FEBRUARY 1, 1904. LONDON, AUGUST 14, 1923.

---

*The registration of this exchange of Notes took place December 5, 1923.*

---

[*Translation.*]

No. I.

THE ITALIAN AMBASSADOR TO THE MARQUESS CURZON OF KEDLESTON.

LONDON, *August 14, 1923.*

MY LORD,

The British Embassy at Rome have proposed to the Italian Government the renewal, for another period of five years, of the Arbitration Convention concluded between the British and Italian Governments on February 1, 1904, and successively renewed by exchange of Notes between this Embassy and the British Secretary of State for Foreign Affairs.

In this connection, I have the honour to inform your Lordship that the Italian Government also are ready to renew for five years from the date of expiry the above-mentioned Arbitration Convention by means of the same procedure formerly followed, *i.e.*, an exchange of Notes between your Lordship and myself.

In the event of this mode of procedure being agreeable to your Lordship, it will be understood that this Note and your reply will serve to record the agreement arrived at in this matter between our two Governments.

I have, etc.

No. II.

THE MARQUESS CURZON OF KEDLESTON TO THE ITALIAN AMBASSADOR.

FOREIGN OFFICE.

*August 14, 1923.*

YOUR EXCELLENCY,

I have the honour to acknowledge the receipt of your Note of this day's date informing me that the Italian Government are prepared to renew, for a further period of five years, from the 1st February 1924, the Arbitration Agreement concluded between the United Kingdom and Italy on the 1st February 1904, and successively renewed by exchange of Notes between His Majesty's Government and the Italian Ambassador at this capital.

(2) I have the honour, on behalf of His Majesty's Government, to accept this proposal, and the present exchange of Notes between Your Excellency and myself is accordingly regarded by them as placing upon record the understanding arrived at between our respective Governments in the matter.

I have etc.



GREAT BRITAIN AND ITALY.

CONVENTION CONCERNING THE PACIFIC SETTLEMENT OF  
INTERNATIONAL DISPUTES, SIGNED AT ROME, FEBRUARY 1, 1904.

*Article 1.*

Differences which may arise of a legal nature, or relating to the interpretation of Treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honour of the two Contracting States, and do not concern the interests of third Parties.

*Article 2.*

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure.

*Article 3.*

The present Agreement is concluded for a period of five years, dating from the day of signature.

---

No. 579.—AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED KINGDOM FOR THE RENEWAL OF THE ARBITRATION CONVENTION BETWEEN THE TWO COUNTRIES OF APRIL 4, 1908, TOGETHER WITH EXCHANGE OF NOTES RELATING THERETO. WASHINGTON, JUNE 23, 1923.

---

*The registration of this Agreement took place March 5, 1924. Ratifications exchanged at Washington, December 29, 1923.*

---

*Article 1.*

The Convention of Arbitration of the 4th April, 1908, between the Government of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British<sup>r</sup> Dominions beyond the Seas, Emperor of India, and the Government of the United States of America, the duration of which by Article 4 thereof was fixed at a period of five years from the date of the exchange of ratifications of the said Convention on the 4th June, 1908, which period, by the Agreement of the 31st May, 1913, between the two Governments, was extended for five years from the 4th June, 1913, and was extended by the agreement between them of the 3rd June, 1918, for the further period of five years from the 4th June, 1918, is hereby extended and continued in force for the further period of five years from the 4th June, 1923.

*Article 2.*

The present Agreement shall be ratified by His Britannic Majesty and by the President of the United States of America, by and with the advice and consent of the Senate thereof, and it shall become effective upon the date of the exchange of ratifications, which shall take place at Washington as soon as possible.

BRITISH EMBASSY.

WASHINGTON, D.C., June 23, 1923.

SIR,

I have the honour to acknowledge the receipt of your note of to-day's date in which you were so good as to inform me, in connection with the renewal of the Arbitration Convention of the 4th April, 1908, between Great Britain and the United States, that the President of the United States had proposed to the Senate the adherence of the United States, under certain conditions, to the protocol of the 16th December, 1920, creating the Permanent Court of International Justice at The Hague, and that, if the Senate assents to this proposal, you understand that His Britannic Majesty's Government would be prepared to consider the conclusion of an agreement providing for the reference to the Permanent Court of International Justice of disputes mentioned in the convention.

Under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to confirm your understanding of His Majesty's Government's attitude on this point and to state that if the Senate approve the President's proposal, His Majesty's Government will

be prepared to consider with the United States Government the conclusion of an agreement for the reference to the Permanent Court of International Justice of disputes mentioned in the Arbitration Convention.

I have, etc.

A. GEDDES.

The Honourable Charles E. HUGHES,  
Secretary of State of the United States,  
Washington, D.C.

DEPARTMENT OF STATE,

WASHINGTON, *June 23, 1923.*

EXCELLENCY,

In connection with the signing to-day of an agreement for the renewal of the Convention of Arbitration concluded between the United States and Great Britain, the 4th April, 1908, and renewed from time to time, I have the honour, in pursuance of our informal conversations, to state the following understanding which I shall be glad to have you confirm on behalf of your Government:

On the 24th February last the President proposed to the Senate that it consent under certain stated conditions to the adhesion by the United States to the protocol of the 16th December 1920, under which the Permanent Court of International Justice has been created at The Hague. As the Senate does not convene in its regular session until December next, action upon this proposal will necessarily be delayed. In the event that the Senate gives its assent to the proposal, I understand that the British Government will not be averse to considering a modification of the Convention of Arbitration which we are renewing, or the making of a separate agreement, providing for the reference of disputes mentioned in the convention to the Permanent Court of International Justice.

Accept, etc.

CHARLES E. HUGHES.

The Right Honourable  
Sir Auckland GEDDES, G.C.M.G., K.C.B.,  
Ambassador of Great Britain.

## UNITED STATES OF AMERICA AND GREAT BRITAIN.

### ARBITRATION CONVENTION SIGNED AT WASHINGTON, APRIL 4, 1908.

*The exchange of ratifications took place at Washington, June 4, 1908.*

#### *Article 1.*

Differences which may arise of a legal nature or relating to the interpretation of treaties existing between the two Contracting Parties and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th of July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honour of the two Contracting States, and do not concern the interests of third Parties.

#### *Article 2.*

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the

Arbitral Tribunal and the several stages of the procedure. It is understood that such special agreements on the part of the United States will be made by the President of the United States, by and with the advice and consent of the Senate thereof ; His Majesty's Government reserving the right, before concluding a special agreement in any matter affecting the interests of a self-governing Dominion of the British Empire, to obtain the concurrence therein of the Government of that Dominion.

Such Agreements shall be binding only when confirmed by the two Governments by an Exchange of Notes.

*Article 3.*

The present Convention shall be ratified by His Britannic Majesty, and by the President of the United States of America by and with the advice and consent of the Senate thereof. The ratifications shall be exchanged at Washington as soon as possible, and the Convention shall take effect on the date of the exchange of its ratifications.

*Article 4.*

The present Convention is concluded for a period of five years, dating from the day of the exchange of its ratifications.

---

No. 592.—AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND NORWAY RENEWING FOR A FURTHER PERIOD OF FIVE YEARS, FROM JUNE 24, 1923, THE ARBITRATION CONVENTION CONCLUDED BETWEEN THE TWO STATES ON APRIL 4, 1908, SIGNED AT WASHINGTON, NOVEMBER 26, 1923, TOGETHER WITH AN EXCHANGE OF NOTES RELATING THERETO. WASHINGTON, NOVEMBER 26, 1923.

---

*The registration of this Agreement took place March 25, 1924. Ratifications exchanged at Washington, March 8, 1924.*

---

*Article 1.*

The Convention of Arbitration of April 4, 1908, between the Government of the Kingdom of Norway and the Government of the United States of America, the duration of which by Article IV thereof was fixed at a period of five years from the date of the exchange of ratifications, which period, by the Agreement of June 16, 1913, between the two Governments, was extended for five years from June 24, 1913, and was extended by the Agreement between them of March 30, 1918, for the further period of five years from June 24, 1918, is hereby extended and continued in force for the further period of five years from June 24, 1923.

*Article 2.*

The present Agreement shall be ratified by His Majesty the King of Norway and by the President of the United States of America, by and with the advice and consent of the Senate thereof, and it shall become effective upon the date of the exchange of ratifications, which shall take place at Washington as soon as possible.

DEPARTMENT OF STATE.

WASHINGTON, *November 26, 1923.*

SIR,

In connection with the signing to-day of an Agreement for the renewal of the Convention of Arbitration concluded between the United States and the Government of Norway, April 4, 1908, and renewed from time to time, I have the honour, in pursuance of our informal conversations, to state the following understanding which I shall be glad to have you confirm on behalf of your Government.

On February 24 last the President proposed to the Senate that it consent under certain conditions to the adhesion by the United States to the Protocol of December 16, 1920, under which the Permanent Court of International Justice has been created at The Hague. As the Senate does not convene in its regular session until December next, action upon this proposal will necessarily be delayed. In the event that the Senate gives its assent to the proposal, I understand that the Government of Norway will not be averse to considering a modification of the Convention of Arbitration which we are renewing, or the making of a separate Agreement providing for the reference of disputes mentioned in the Convention to the Permanent Court of International Justice.

Accept, etc.

(Signed) CHARLES E. HUGHES.

M. H. H. BRYN,  
Minister of Norway.

LÉGATION DE NORVÈGE  
AUX ETATS-UNIS.

WASHINGTON, D.C., *November 26, 1923.*

SIR,

With reference to the note which Your Excellency has been good enough to address me to-day in connection with the signing of an Agreement for the renewal of the Convention of Arbitration concluded between Norway and the United States, April 4, 1908, and renewed from time to time, I have the honour to state that I have been authorised to confirm, and I hereby do confirm, that, in the event that the Senate gives its assent to the proposal made to it by the President of the United States that it consent under certain stated conditions to the adhesion by the United States to the Protocol of December 16, 1920, under which the Permanent Court of International Justice has been created at The Hague, the Government of Norway will not be averse to considering a modification of the Convention of Arbitration which we are renewing, or the making of a separate Agreement providing for the reference of disputes mentioned in the Convention to the Permanent Court of International Justice.

Accept, etc.

(Signed) HELMER H. BRYN.

His Excellency  
Honorable Charles E. HUGHES,  
Secretary of State, etc. etc. etc.

UNITED STATES OF AMERICA AND NORWAY.  
ARBITRATION CONVENTION SIGNED AT WASHINGTON, APRIL 4, 1908

*The exchange of ratifications took place at Washington, June 24, 1908.*

*Article 1.*

Differences which may arise of a legal nature or relating to the interpretation of treaties existing between the two Contracting Parties and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of July 29, 1899, provided, nevertheless, that they do not affect the vital interests, the independence or the honour of the two Contracting States, and do not concern the interests of third Parties.

*Article 2.*

In each individual case the High Contracting Parties, before appealing to the permanent Court of Arbitration, shall conclude a special agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that on the part of the United States such special agreements will be made by the President of the United States by and with the advice and consent of the Senate thereof.

*Article 3.*

The present Convention shall be ratified by the President of the United States of America by and with the advice and consent of the Senate thereof ; and by His Majesty the King of Norway. The ratifications shall be exchanged at Washington as soon as possible, and the Convention shall take effect on the date of the exchange of its ratifications.

*Article 4.*

The present Convention is concluded for a period of five years, dating from the day of the exchange of its ratifications.

No. 602. — EXCHANGE OF NOTES BETWEEN SPAIN AND THE UNITED KINGDOM RENEWING FOR A FURTHER PERIOD OF FIVE YEARS THE ARBITRATION AGREEMENT OF FEBRUARY 27, 1904. LONDON, FEBRUARY 9, 1924.

---

*The registration of this exchange of Notes took place April 7, 1924. This Agreement does not entail ratification.*

---

No. I.

THE SPANISH AMBASSADOR TO MR. MACDONALD.

[*Translation.*]

SPANISH EMBASSY.

LONDON, *February 9, 1924.*

YOUR EXCELLENCY,

The Government of His Majesty the King of Spain, my August Sovereign, being desirous that the effects of the Arbitration Agreement between Spain and Great Britain of February 27, 1904, already prolonged on February 27, 1909, February 27, 1914, and February 27, 1919, be maintained, and, being aware of the same desire on the part of His Britannic Majesty's Government, considers the said Arbitration Treaty prolonged for a fresh term of five years, counting from the 26th day of the present month.

I avail, etc.

No. II.

MR. MACDONALD TO THE SPANISH AMBASSADOR.

FOREIGN OFFICE.

*February 9, 1924.*

YOUR EXCELLENCY,

I have the honour to acknowledge the receipt of your note of this day's date, expressing the desire of the Spanish Government to maintain in force for a further period of five years the Arbitration Agreement between the United Kingdom and Spain, signed at London on the 27th February, 1904, and successively prolonged for similar periods commencing on the 27th February, 1909, the 27th February, 1914, and the 27th February, 1919, respectively.

(2) His Majesty's Government, animated by the same desire, note that the Spanish Government consider the said Agreement prolonged for a further period of five years dating from the 26th instant. His Majesty's Government, on their part, equally consider the Agreement prolonged for the same period, and the present exchange of Notes between your Excellency and myself is accordingly regarded as placing on record the understanding arrived at between our respective Governments in the matter.

I have, etc.

GREAT BRITAIN AND SPAIN.

CONVENTION CONCERNING THE PACIFIC SETTLEMENT OF  
INTERNATIONAL DISPUTES, SIGNED AT LONDON, FEBRUARY 27, 1904.

*Article 1.*

Differences which may arise of a legal nature, or relating to the interpretation of Treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration, established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honour of the two Contracting States, and do not concern the interest of third Parties.

*Article 2.*

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure.

*Article 3.*

The present Agreement is concluded for a period of five years, dating from the day of signature.

---



No. 616.— CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE NETHERLANDS PROLONGING THE TERM OF VALIDITY OF THE ARBITRATION TREATY CONCLUDED BETWEEN THE TWO COUNTRIES, MAY 2, 1908, AND PREVIOUSLY PROLONGED BY THE CONVENTIONS OF MAY 9, 1914, AND MARCH 8, 1919, SIGNED AT WASHINGTON, FEBRUARY 13, 1924.

---

*The registration of this Convention took place May 24, 1924. Ratifications exchanged at Washington, April 5, 1924.*

---

*Article 1.*

The Convention of Arbitration of May 2, 1908, between the Government of the United States of America and Her Majesty the Queen of the Netherlands, the duration of which by Article 3 thereof was fixed at a period of five years from the date of the exchange of ratifications, which period, by the Agreement of May 9, 1914, between the two Governments, was extended for five years from March 25, 1914, and was extended by the Agreement between them of March 8, 1919, for the further period of five years from March 25, 1919, is hereby extended and continued in force for the further period of five years from March 25, 1924.

*Article 2.*

The present Agreement shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by Her Majesty the Queen of the Netherlands, and it shall become effective upon the date of the exchange of ratifications, which shall take place at Washington as soon as possible.

WASHINGTON, D.C., *February 13, 1924.*

SIR,

In connection with the signing to-day of an Agreement for the renewal of the Convention of Arbitration concluded between the United States and the Government of the Netherlands, May 2, 1908, and renewed from time to time, I have the honour, in pursuance of our informal conversations, to state the following understanding, which I shall be glad to have you confirm on behalf of your Government.

On February 24, 1923, the late President proposed to the Senate that it consent under certain stated conditions to the adhesion by the United States to the Protocol of December 16, 1920, under which the Permanent Court of International Justice has been created at The Hague. In the event that the Senate gives its assent to the proposal, I understand that the Government of the Netherlands will not be averse to considering a modification of the Convention of Arbitration which we are renewing, or the making of a separate agreement, providing for the reference of disputes mentioned in the Convention to the Permanent Court of International Justice.

Accept, etc.

(Signed) CHARLES E. HUGHES.

Jonkheer Dr. A. C. D. DE GRAEFF,  
Minister of the Netherlands.

WASHINGTON, D.C., *February 13, 1924.*

SIR,

With reference to your note of to-day, I have the honour to state that the Royal Government has instructed me to inform you that, in the event of the adhesion by the United States to the Protocol of December 16, 1920, under which the Permanent Court of International Justice has been created at The Hague, the Government of the Netherlands will be willing to consider a modification of the Convention of Arbitration between the Government of the Netherlands and the United States, which we have renewed to-day, or to make a separate agreement, providing for the reference of disputes mentioned in the Convention to the Permanent Court of International Justice. Accept, etc.

DE GRAEFF.

The Honourable  
Charles Evans HUGHES,  
Secretary of State,  
Washington, D. C.

UNITED STATES OF AMERICA AND THE NETHERLANDS.  
ARBITRATION CONVENTION SIGNED AT WASHINGTON, MAY 2, 1908.

*The exchange of ratifications took place at Washington, March 25, 1909.*

*Article 1.*

Differences which may arise of a legal nature or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honour of the two Contracting States, and do not concern the interests of third Parties.

*Article 2.*

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that on the part of the United States such special agreements will be made by the President of the United States, by and with the advice and consent of the Senate, and on the part of the Netherlands they will be subject to the procedure required by the constitutional laws of the Netherlands.

*Article 3.*

This Convention is concluded for a period of five years, counting from the date of the exchange of ratifications, which shall take place as soon as possible.

---

No. 630. — AGREEMENT EXTENDING FOR ANOTHER PERIOD OF FIVE YEARS THE ARBITRATION CONVENTION OF FEBRUARY 10, 1908, BETWEEN THE UNITED STATES OF AMERICA AND FRANCE, SIGNED AT WASHINGTON, JULY 19, 1923.

---

*The registration of this Agreement took place June 17, 1924. Ratifications exchanged at Washington, March 3, 1924.*

---

*Article 1.*

The Convention of Arbitration of February 10, 1908, between the Government of the United States of America and the Government of the French Republic, the duration of which by Article III thereof was fixed at a period of five years from the date of ratification, which period, by the Agreement of February 13, 1913, between the two Governments was extended for five years from February 27, 1913, and was further extended by the Agreement of February 27, 1918; between the two Governments for a period of five years from February 27, 1918, is hereby extended and continued in force for the further period of five years from February 27, 1923.

*Article 2.*

The present Agreement shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by the President of the French Republic, in accordance with the constitutional laws of France, and it shall become effective upon the date of the exchange of ratifications, which shall take place at Washington, as soon as possible

UNITED STATES OF AMERICA AND FRANCE.  
ARBITRATION CONVENTION SIGNED AT WASHINGTON,  
FEBRUARY 10, 1908.

*Ratifications exchanged at Washington, March 12, 1908.*

*Article 1.*

Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third Parties.

*Article 2.*

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute,

the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that on the part of the United States such special agreements will be made by the President of the United States, by and with the advice and consent of the Senate, and on the part of France they will be subject to the procedure required by the constitutional laws of France.

*Article 3.*

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; it shall become effective on the day of such ratification, and shall remain in force for a period of five years thereafter.

---

No. 631. — EXCHANGE OF NOTES BETWEEN THE SPANISH AND FRENCH GOVERNMENTS, CONSTITUTING THE RENEWAL, FOR A FURTHER PERIOD OF FIVE YEARS, OF THE ARBITRATION CONVENTION CONCLUDED ON FEBRUARY 26, 1904, BETWEEN SPAIN AND FRANCE. PARIS, FEBRUARY 11 AND 16, 1924.

---

*The registration of this exchange of Notes took place June 17, 1924.*

---

[Translation.]

SPANISH EMBASSY AT PARIS.

PARIS, *February 11, 1924.*

MONSIEUR LE PRÉSIDENT,

I have the honour to inform you that my Government is prepared to renew for five years as from February 26, the date on which it expires, the Arbitration Convention concluded between our two Governments on February 26, 1904, and previously renewed in 1909, 1914 and 1919.

If the Government of the French Republic is equally prepared to accept the renewal of that Agreement under the conditions proposed by His Majesty's Government, the present Note and Your Excellency's reply thereto should take the place of a formal agreement between our two Governments.

I have, etc.

(Signed) QUIÑONES DE LEÓN.

His Excellency  
M. Raymond POINCARÉ,  
President of the Council,  
Minister for Foreign Affairs.

MINISTRY FOR FOREIGN  
AFFAIRS.

PARIS, *February 16, 1924.*

YOUR EXCELLENCY,

In your letter of the 11th instant you were good enough to inform me that the Spanish Government is prepared to renew for five years, as from February 26, the date on which it expires, the Arbitration Convention concluded between our two Governments on February 26, 1904, and previously renewed in 1909, 1914 and 1919.

I have the honour to advise you that the Government of the Republic is prepared to renew the agreement referred to in conformity with the proposal of His Majesty's Government.

It is accordingly understood that your Excellency's letter of February 11, 1924, and the present reply thereto will take the place of a formal agreement between the French and the Spanish Governments in regard to the renewal of the Arbitration Convention.

I am, etc.

(Signed) POINCARÉ.

His Excellency  
M. QUIÑONES DE LEÓN,  
Spanish Ambassador at Paris.

SPAIN AND FRANCE.

ARBITRATION CONVENTION SIGNED AT PARIS, FEBRUARY 26, 1904.

*Ratifications exchanged at Paris, April 20, 1904.*

[*Translation.*]

*Article 1.*

Differences which may arise of a legal nature or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honour of the two Contracting States, and do not concern the interests of third Powers.

*Article 2.*

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure.

*Article 3.*

This Convention is concluded for a period of five years, counting from the date of signature <sup>1</sup>.

---

<sup>1</sup> This Convention, which was renewed for the first time in 1909, has been maintained in force for a period of five years from February 26, 1914, by an exchange of letters between M. Gaston Doumergue, Prime Minister, Minister for Foreign Affairs, and the Marquess of Villa-Urrutia, Spanish Ambassador at Paris (Official Journal, February 28, 1914). It was further renewed for five years dating from February 26, 1919, by letters exchanged at Paris, January 30 and February 8, 1919.

No. 770. — AGREEMENT EXTENDING THE DURATION OF THE ARBITRATION CONVENTION OF MAY 5, 1908, BETWEEN THE UNITED STATES OF AMERICA AND JAPAN, SIGNED AT WASHINGTON, AUGUST 23, 1923, AND EXCHANGE OF NOTES OF THE SAME DATE RELATING THERETO.

---

*The registration of this Agreement took place November 10, 1924. Ratifications exchanged at Washington, April 26, 1924.*

---

*Article 1.*

The Convention of Arbitration of May 5, 1908, between the Government of His Majesty the Emperor of Japan and the Government of the United States of America, the duration of which by Article 3 thereof was fixed at a period of five years from the date of the exchange of ratifications, which period, by the Agreement of June 28, 1913, between the two Governments was extended for five years from August 24, 1913, and was extended by the Agreement between them of August 23, 1918, for the further period of five years from August 24, 1918, is hereby extended and continued in force for the further period of five years from August 24, 1923.

*Article 2.*

The present Agreement shall be ratified by His Majesty the Emperor of Japan and by the President of the United States of America, by and with the advice and consent of the Senate thereof, and it shall become effective upon the date of the exchange of ratifications, which shall take place at Washington as soon as possible.

FROM THE SECRETARY OF STATE TO MR. HANIHARA.

DEPARTMENT OF STATE.

WASHINGTON, *August 23, 1923.*

EXCELLENCY,

In connection with the signing to-day of an agreement for the renewal of the Convention of Arbitration concluded between the United States and the Government of His Majesty the Emperor of Japan, May 5, 1908, and renewed from time to time, I have the honour, in pursuance of our informal conversations, to state the following understanding, which I shall be glad to have you confirm on behalf of your Government.

On February 24 last the President proposed to the Senate that it consent under certain stated conditions to the adhesion by the United States to the Protocol of December 16, 1920, under which the Permanent Court of International Justice has been created at The Hague. As the Senate does not convene its regular session until December next, action upon this proposal will necessarily be delayed. In the event that the Senate gives its assent to the proposal, I understand that the Government of His Majesty the Emperor of Japan will not be averse to considering a modification of the Convention of Arbitration which we are renewing, or the making of a separate agreement, providing for the reference of disputes mentioned in the Convention to the Permanent Court of International Justice.

Accept, etc.

FROM MR. HANIHARA TO THE SECRETARY OF STATE.

JAPANESE EMBASSY,

WASHINGTON, August 23, 1923.

SIR,

I have the honour to acknowledge the receipt of your note of to-day's date communicating to me your understanding reached in our informal conversations in connection with the renewal of the Convention of Arbitration concluded between Japan and the United States, May 5, 1908, and extended in its operation until August 24 of this year.

I am happy to be able to confirm to you, under instructions from my Government, your understanding as set forth in the following terms :

“ On February 24 last, the President proposed to the Senate that it consent under certain stated conditions to the adhesion by the United States to the Protocol of December 16, 1920, under which the Permanent Court of International Justice has been created at The Hague. As the Senate does not convene its regular session until December next, action upon this proposal will necessarily be delayed. In the event that the Senate gives its assent to the proposal, I understand that the Government of His Majesty the Emperor of Japan will not be averse to considering a modification of the Convention of Arbitration which we are renewing, or the making of a separate agreement, providing for the reference of disputes mentioned in the Convention to the Permanent Court of International Justice. ”

Accept, etc.

## UNITED STATES OF AMERICA AND JAPAN.

### ARBITRATION CONVENTION SIGNED AT WASHINGTON, MAY 5, 1908.

*The exchange of ratifications took place at Washington, August 24, 1908.*

#### *Article 1.*

Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third Parties.

#### *Article 2.*

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that such special agreements will be made on the part of the United States by the President of the United States by and with the advice and consent of the Senate thereof.

Such agreements shall be binding only when confirmed by the two Governments by an Exchange of Notes.

#### *Article 3.*

The present Convention shall remain in force for the period of five years from the date of the exchange of the ratifications.

#### *Article 4.*

The present Convention shall be ratified by the High Contracting Parties, and the ratifications thereof shall be exchanged at Washington, as soon as possible.



No. 940. — EXCHANGE OF NOTES BETWEEN THE BRITISH AND NORWEGIAN GOVERNMENTS, FURTHER RENEWING THE ARBITRATION CONVENTION OF AUGUST 11, 1904. LONDON, MAY 13, 1925.

*The registration of this exchange of Notes took place August 3, 1925.*

No. 1.

MR. AUSTEN CHAMBERLAIN TO THE NORWEGIAN MINISTER.

FOREIGN OFFICE.

*May 13, 1925.*

SIR,

I have the honour to state that His Britannic Majesty's Government are prepared to renew for a further period of five years, to date from the 9th November, 1924, the Arbitration Convention signed at London on the 11th August, 1904, which was successively renewed by the Conventions signed at London on the 9th November, 1909, the 9th November, 1914, and the 9th November, 1919, respectively, in so far as the provisions of the aforesaid Convention apply to the Kingdom of Norway.

2. It will be understood, however, that in place of reference to the Permanent Court of Arbitration, as provided for in Articles 1 and 2 of the aforesaid Convention of the 11th August, 1904, the reference shall in any case arising be made to the Permanent Court of International Justice, in accordance with the procedure laid down in the Statute of that Court and in the Rules of Court adopted thereunder.

3. If this proposal is agreeable to the Norwegian Government, the present note, and your reply in similar terms, will be regarded as giving legal validity to and as placing on record the understanding between the respective Governments in the matter.

I have, etc.

No. 2.

THE NORWEGIAN MINISTER TO MR. AUSTEN CHAMBERLAIN.

NORWEGIAN LEGATION, LONDON.

*May 13, 1925.*

SIR,

With reference to your note of to-day's date, I have the honour to state that the Norwegian Government agree to renew for a further period of five years, to date from the 9th November, 1924, the Arbitration Convention signed in London on the 11th August, 1904, which was successively renewed by the Conventions signed in London on the 9th November, 1909, the 9th November, 1914, and the 9th November, 1919, respectively, in so far as the provisions of the aforesaid Convention apply to the Kingdom of Norway.

It will be understood, however, that in place of reference to the Permanent Court of Arbitration, as provided for in Articles 1 and 2 of the aforesaid Convention of the 11th August, 1904, the reference shall in any case arising be made to the Permanent Court of International Justice in accordance with the procedure laid down in the Statute of that Court and in the Rules of Court adopted thereunder.

I have the honour to confirm that your note of to-day's date and the present note will be regarded as giving legal validity to and as placing on record the understanding between the two Governments in the matter.

I have, etc.

No. 886. — EXCHANGE OF NOTES BETWEEN THE BRITISH AND SWEDISH GOVERNMENTS, FURTHER RENEWING THE ARBITRATION CONVENTION OF AUGUST 11, 1904. LONDON, NOVEMBER 9, 1924.

*The registration of this exchange of Notes took place May 28, 1925.*

FOREIGN OFFICE, S.W. 1.

No. T. 2626/950/381.

*November 9th, 1924.*

SIR,

I have the honour to state that His Britannic Majesty's Government are prepared to renew for a further period of five years from the present date the Arbitration Convention signed at London on the 11th August, 1904, which was successively renewed by the Convention signed at London on the 9th November, 1909, the 9th November, 1914, and the 9th November, 1919, respectively, in so far as the provisions of the aforesaid Convention apply to the Kingdom of Sweden.

2. It will be understood, however, that in place of reference to the Permanent Court of Arbitration, as provided for in Articles 1 and 2 of the aforesaid Convention of August 11th, 1904, the reference shall in any case arising be made to the Permanent Court of International Justice in accordance with the procedure laid down in the Statute of that Court and in the Rules of Court adopted thereunder.

3. If this proposal is agreeable to the Swedish Government, the present note and your reply in similar terms will be regarded as giving legal validity to and as placing on record the understanding between the respective Governments in the matter.

I have the honour, etc.

Baron E. K. PALMSTIERNA, G. C. V. O.  
etc., etc., etc.

(Signed) AUSTEN CHAMBERLAIN.

No. 146.

*LONDON, 9th November, 1924.*

SIR,

In reply to your note of this day, I have the honour to state that the Swedish Government are prepared to renew for a further period of five years from the present date the Arbitration Convention signed at London on the 11th August, 1904, which was successively renewed by the Convention signed at London on the 9th November, 1909, the 9th November, 1914, and the 9th November 1919, respectively, in so far as the provisions of the aforesaid Convention apply to the Kingdom of Sweden.

2. It will be understood, however, that in place of reference to the Permanent Court of Arbitration, as provided for in Articles 1 and 2 of the aforesaid Convention of August 11th, 1904, the reference shall in any case arising be made to the Permanent Court of International Justice in accordance with the procedure laid down in the Statute of that Court and in the Rules of Court adopted thereunder.

3. It is further agreed that your note and this reply will be regarded as giving legal validity to and as placing on record the understanding between the respective Governments in the matter.

I have the honour, etc.

The Right Honourable  
AUSTEN CHAMBERLAIN, M. P.  
etc., etc., etc.

(Signed) PALMSTIERNA.

GREAT BRITAIN AND NORWAY AND SWEDEN.  
CONVENTION CONCERNING THE PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES, SIGNED AT LONDON, AUGUST 11, 1904.

*[Translation.]*

*Article I.*

Differences which may arise of a legal nature, or relating to the interpretation of Treaties existing between the High Contracting Parties and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899; provided, nevertheless, that they do not affect the vital interests, the independence, or the honour of the Contracting States, and do not concern the interests of third Parties.

*Article II.*

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the period to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure.

*Article III.*

The present Convention, which shall be ratified, is concluded for a period of five years, dating from the exchange of the ratifications, which shall take place as soon as possible.

---

No. 977. — EXCHANGE OF NOTES<sup>1</sup> BETWEEN THE BRITISH AND THE NETHERLANDS GOVERNMENTS, PROVIDING FOR THE PROLONGATION OF THE ARBITRATION CONVENTION OF FEBRUARY 15, 1905, BETWEEN THE TWO COUNTRIES, LONDON, JULY 12, 1925.

---

*The registration of this exchange of Notes took place on October 19, 1925.*

---

No. 1.

MR. AUSTEN CHAMBERLAIN TO THE NETHERLANDS MINISTER IN LONDON.

FOREIGN OFFICE.

*July 12, 1925.*

SIR,

I have the honour to state that His Britannic Majesty's Government are prepared to renew for a further period of five years from the present date the Arbitration Convention signed at London on the 15th February, 1905, and successively renewed by Conventions signed at London on the 16th December, 1909, the 25th March, 1915, and the 1st June, 1920.

(2) It is understood, however, that in place of reference to the Permanent Court of Arbitration as provided for in Articles 1 and 2 of the aforesaid Convention of the 15th February, 1905, the reference shall, in any case arising, be made to the Permanent Court of International Justice, in accordance with the procedure laid down in the Statute of that Court and the Rules of Court adopted thereunder.

(3) If this proposal is agreeable to the Netherlands Government, the present Note and the reply in similar terms will be regarded as giving legal validity and as placing on record the understanding between the respective Governments in the matter.

I have, etc.

*[Translation.]*

No. 2.

THE NETHERLANDS MINISTER IN LONDON TO MR. AUSTEN CHAMBERLAIN.

NETHERLANDS LEGATION.

*LONDON, July 12, 1925.*

M. LE SECRÉTAIRE D'ÉTAT,

In reply to your Excellency's Note of to-day's date, I have the honour to inform you that the Netherlands Government are prepared to renew for a period of five years from the 12th July, 1925, the Arbitration Convention signed at London on the 15th February, 1905, and successively

---

<sup>1</sup> See No. 24 above.

renewed by the Conventions signed at London on the 16th December, 1909, the 25th March, 1915, and the 1st June, 1920.

(2) It is understood, however, that in place of reference to the Permanent Court of Arbitration as provided for in Articles 1 and 2 of the aforesaid Convention of the 15th February, 1905, the reference shall, in any case arising, be made to the Permanent Court of International Justice, in accordance with the procedure laid down in the Statute of that Court and the Rules of Court adopted thereunder.

(3) It is understood that your Excellency's Note and the present reply will be regarded as establishing and confirming the understanding between the respective Governments in the matter.

Accept, etc.

---

No. 1000. — EXCHANGE OF NOTES BETWEEN THE NORWEGIAN AND SWEDISH GOVERNMENTS, CONCERNING THE PROLONGATION AND THE INTERPRETATION OF THE ARBITRATION CONVENTION OF OCTOBER 26, 1905. STOCKHOLM, OCTOBER 23, 1925.

---

*The registration of this exchange of Notes took place November 23, 1925.*

---

[Translation.]

SUBJECT.

*Prolongation of the Arbitration  
Convention of 1905 between  
Sweden and Norway.*

STOCKHOLM, October 23, 1925.

No. 155.  
H. P. 25.

YOUR EXCELLENCY,

I. As you are aware, Article 8 of the Convention concluded between Sweden and Norway on October 26, 1905, regarding the submission of disputes to arbitration, provides that the Convention shall remain in force for ten years reckoned from the date of signature, and shall be prolonged for a like period if it is not denounced by either Party at least two years before the expiration of the ten-year period.

The Royal Government considers that this provision should be understood as meaning that in accordance with the above-mentioned article the Convention shall, failing denunciation, continue in force for a further period of ten years after the expiration of the ten-year period now current, and thereafter in like manner, on the same condition, for ten years at a time.

I should be grateful if you would inform me whether the Royal Norwegian Government accepts this interpretation.

II. In view of the fact that both Sweden and Norway have made a declaration, as provided in Article 36, paragraph 2, of the Statutes of the Permanent Court of International Justice, recognising the said Court as competent in certain categories of disputes, regard must be had to the possibility of doubt arising as to whether a dispute occurring between the two countries is to be submitted to arbitration under the Convention of 1905 or to the Permanent Court of International Justice. The Royal Government accordingly desires to propose to the Royal Norwegian Government that, should any dispute falling within the categories specified in the above-mentioned Article 36, paragraph 2, of the Statutes of the Permanent Court of International Justice arise between the two countries, such dispute shall be referred to the said Court in accordance with the provisions of the paragraph in question, and not to arbitration under the Convention of 1905, but that this procedure shall not apply to disputes which are to be submitted to arbitration under special agreements in force between the two Parties.

I would venture to request you to be good enough to inform me whether the Royal Norwegian Government is in agreement with the Royal Swedish Government that the provisions of the Convention in question should be applied in the manner described above.

III. Lastly, I have the honour to inform you that the Royal Government for its part is prepared to enter forthwith into negotiations with a view to the conclusion of a new general arbitration Convention between the two countries.

I have the honour to be, etc.

(Signed) UNDÉN.

To M. WOLLEBAEK,  
Envoy Extraordinary and Minister  
Plenipotentiary of His Majesty the  
King of Norway, etc.

NORWEGIAN LEGATION.

STOCKHOLM, *October 23, 1925.*

YOUR EXCELLENCY,

With reference to your letter of to-day's date, I have the honour to inform you that :

I. The Royal Norwegian Government shares the view of the Royal Swedish Government that Article 8 of the Convention concluded between Norway and Sweden on October 26th, 1905, regarding the settlement of disputes by arbitration should be understood as meaning that, failing denunciation, the Convention shall, in accordance with the above-mentioned Article, continue in force for a further period of ten years after the expiration of the ten-year period now current, and thereafter in like manner, on the same condition, for ten years at a time.

II. The Royal Norwegian Government is also in agreement with the Royal Swedish Government that, should any dispute falling within the categories specified in Article 36, paragraph 2, of the Statutes of the Permanent Court of International Justice arise between the two countries, such dispute shall be submitted to the said Court in accordance with the provisions of the paragraph in question and not to arbitration under the Convention of 1905, but that this procedure shall not apply to disputes which are to be submitted to arbitration under special agreements in force between the two Parties.

III. The Royal Norwegian Government for its part is also prepared to enter forthwith into negotiations with a view to the conclusion of a new general arbitration Convention between the two countries.

I have the honour, etc.

(Signed) J. W. WOLLEBAEK.

To His Excellency M. UNDÉN,  
Minister for Foreign Affairs, etc.

## NORWAY AND SWEDEN.

### CONVENTION CONCERNING THE SETTLEMENT OF DISPUTES BY ARBITRATION, SIGNED AT STOCKHOLM, OCTOBER 26, 1905.

[*Translation.*]

#### *Article 1.*

The two States undertake to submit to the Permanent Court of Arbitration established at the Hague by the Convention of July 29, 1899, any disputes which may arise between them and which it may not have been possible to settle by direct diplomatic negotiation, provided always that they do not affect the independence, the territorial integrity or the vital interests of either of the Contracting States.

*Article 2.*

In the event of a difference of opinion arising as to whether any dispute which may have arisen affects the vital interests of either of the two States and is therefore to be regarded as one which is excepted from compulsory arbitration in virtue of the preceding article, such difference of opinion shall be submitted to the above-named Court of Arbitration.

*Article 3.*

The present Convention shall apply even if disputes which may arise shall have originated in events prior to its conclusion, but it shall not apply to disputes relating to the interpretation or application of conventions containing a special arbitration clause, and consequently not to disputes relating to the interpretation or application of the Conventions concluded on the occasion of the dissolution of the Union between the two States.

*Article 4.*

When there is occasion for arbitration between them, the two States shall, in the absence of any arbitration clause to the contrary, observe, in all matters connected with the appointment of arbitrators and the arbitral procedure, the regulations laid down by the Convention of July 29, 1899, except in respect of the points specified below.

*Article 5.*

None of the arbitrators shall be a subject of either of the two States or domiciled in its territory. They must have no interest in the questions submitted to arbitration.

*Article 6.*

The *compromis* provided for in Article 31 of the Convention of July 29, 1899, shall specify a time-limit for the exchange between the two States of memoranda and documents relating to the subject of the dispute. This exchange shall in all cases be completed before the Court of Arbitration begins to sit.

These provisions shall in no way invalidate the stipulations of the Hague Convention of July 29, 1899, concerning the second stage of the arbitration procedure (Article 39), and in particular the provisions of Articles 43 and 49.

*Article 7.*

The arbitral award shall specify, where necessary, the time-limits for its execution.

*Article 8.*

The present Convention shall remain in force for ten years from the date of signature, and shall be prolonged for a like period unless it is denounced by either of the two States at least two years before the expiration of the ten-year period aforesaid.

---



No. 851. — ARBITRATION CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND SWEDEN, SIGNED AT WASHINGTON, JUNE 24, 1924.

---

*The registration of this Convention took place March 27, 1925. Ratifications exchanged at Washington, March 18, 1925.*

---

*Article 1.*

Differences which may arise of a legal nature or relating to the interpretation of treaties existing between the Contracting Parties and which it may not have been possible to settle by diplomacy shall be referred to the Permanent Court of Arbitration established at The Hague by the Conventions of July 29, 1899, and October 18, 1907, provided, nevertheless, that they do not affect the vital interests, the independence, or the honour of the two Contracting States, and do not concern the interests of third Parties.

*Article 2.*

In each individual case the Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that on the part of Sweden such special Agreements will be made by the King in such forms and conditions as he may find requisite or appropriate, and on the part of the United States by the President of the United States, by and with the advice and consent of the Senate thereof.

*Article 3.*

The present Convention shall be ratified by the Contracting Parties. The ratifications shall be exchanged at Washington as soon as possible, and the Convention shall take effect on the date of the exchange of ratifications.

*Article 4.*

The present Convention is concluded for a term of five years, dating from the exchange of ratifications. In case neither Contracting Party should give notice six months before the expiration of that period of its intention to terminate the Convention, it will continue binding until the expiration of six months from the day when either Contracting Party shall have denounced it.

---

No. 384. — TREATY OF COMPULSORY ARBITRATION BETWEEN  
THE REPUBLIC OF PERU AND THE REPUBLIC OF URUGUAY,  
SIGNED AT LIMA, JULY 18, 1917.

---

*The registration of this Treaty took place February 20, 1923. Ratifications exchanged at Lima, February 15, 1922.*

---

[*Translation.*]

*Article 1.*

The High Contracting Parties undertake to submit to arbitration all disputes of whatever nature which, for any cause whatsoever, may arise between them and which it may have proved impossible to settle amicably by direct diplomatic negotiations.

*Article 2.*

The present Treaty shall also apply to disputes originating in acts which took place before its conclusion ; nevertheless, questions which have already been settled by definite Agreements between the two Parties shall not be re-opened, and arbitration in respect of such questions shall be exclusively confined to any differences of opinion which may arise regarding the validity, the interpretation or the execution of such Agreements.

*Article 3.*

For the settlement of questions submitted to arbitration in accordance with the present Treaty, the duties of Arbitrator shall be entrusted to the Head of a State, or to the President of a Court of Justice or of an officially recognised institution, or to a person of admitted competence in the matter of the dispute.

*Article 4.*

Should it prove impossible to agree as to the Arbitrator referred to in the previous article, the High Contracting Parties shall refer the matter to the Permanent Court of Arbitration established at The Hague by the Convention of July 29, 1899, for the peaceful settlement of international disputes, and maintained by the Hague Convention of October 18, 1907.

*Article 5.*

In each individual case the High Contracting Parties shall conclude a special Agreement specifying the Arbitrator appointed, the extent of his powers, the subject of the dispute, the procedure, time-limits and costs allowed, and the language in which the final award shall be drawn up.

*Article 6.*

Except in the case of a denial of justice, Article 1 of the present Treaty shall not apply to disputes which may arise between a subject of one of the High Contracting Parties and the other State, if the Judges and Courts of the latter are competent, under the laws of that State, to deal with the disputes in question.

*Article 7.*

The present Treaty, which cancels the Treaty signed at Lima on December 4, 1915, for the maintenance of peace and friendly relations between the High Contracting Parties, shall remain in force for a period of five years ; unless denounced by one of the Contracting Parties at least one month before the expiry of the period, it shall be deemed to be renewed for a further period of five years, and so on.

Should the Treaty be denounced within the period laid down, it shall remain in force for one year as from the date on which one of the High Contracting Parties shall have notified the other of its intention to denounce the Treaty.

*Article 8.*

The present Treaty shall be submitted for the approval of the Congresses of both countries, and the instruments of ratification shall be exchanged at Lima or Montevideo as soon as possible.

---

**No. 457. — AGREEMENT CONCERNING ARBITRATION BETWEEN  
AUSTRIA AND HUNGARY, SIGNED AT BUDAPEST, APRIL 10, 1923.**

---

*The registration of this Agreement took place July 23, 1923. Ratifications exchanged at Budapest, July 14, 1923.*

---

*[Translation.]*

*Article 1.*

The High Contracting Parties undertake that, in the event of any dispute arising between them in future, they will first of all endeavour to reach an agreement by means of a friendly understanding.

If, however, it should prove impossible in this way to settle the dispute, no matter what its nature may be, it shall be submitted, after an agreement has been reached by the two Parties, to an arbitrator or arbitrators specially appointed for the purpose.

As a rule, any arbitration courts which may be set up from time to time shall sit alternately in Vienna and Budapest.

The two Governments may, if they consider it expedient, refer the dispute to the Permanent Court of International Justice.

The High Contracting Parties shall not apply to a court of arbitration until they have drawn up a special agreement in which the facts of the dispute and the points to be decided are accurately stated.

*Article 2.*

The foregoing provisions shall also apply to disputes arising out of circumstances which occurred before the conclusion of this Agreement.

*Article 3.*

The present Agreement shall be ratified and the instruments of ratification shall be exchanged as soon as possible at Budapest. The Agreement shall enter into force on the fifteenth day after the exchange of the ratifications.

The text of the Agreement shall be communicated to the Secretariat of the League of Nations.

*Article 4.*

Should one of the High Contracting Parties denounce this Agreement, the denunciation shall not come into force until one year after it has been communicated in writing to the other Contracting Party.

---

No. 715. — GENERAL TREATY OF ARBITRATION BETWEEN THE ARGENTINE REPUBLIC AND THE REPUBLIC OF THE UNITED STATES OF VENEZUELA, SIGNED AT CARACAS, JULY 22, 1911.

---

*The registration of this Treaty took place September 8, 1924. Ratifications exchanged at Caracas, May 24, 1924.*

---

[*Translation.*]

*Article 1.*

The High Contracting Parties shall submit to arbitration all disputes of any kind whatsoever which may arise between them, and which it has not been possible to settle through the diplomatic channel, excluding, however, such disputes as may relate to constitutional provisions in force in either State, and such as, according to the laws of the country, should be settled by the judges and courts appointed under those laws.

The following questions shall be submitted to arbitration :

- (1) Disputes relating to the interpretation or application of Conventions which have been, or may be, concluded between the Contracting Parties.
- (2) Disputes regarding the interpretation or application of a principle of international law.

*Article 2.*

In each case the High Contracting Parties shall sign a special agreement defining the subject under dispute, and, if necessary, the place where the court is to sit, the language which the court will use and the languages authorised to be used before it, the sum that each Party shall deposit in advance to cover the costs, the forms to be observed and the time-limits to be fixed for the composition of the court and for the exchange of memoranda and documents, and, in general, all the conditions to be agreed upon.

In the absence of a special agreement of this nature, the arbitrators appointed in accordance with the provisions of Articles 3 and 4 of the present Treaty shall decide (on the above points), basing their decision on the claims submitted.

Furthermore, unless otherwise specially agreed, the provisions of the Convention for the Peaceful Settlement of International Disputes, signed at The Hague on July 29, 1899, shall be applied without prejudice to the additions and modifications contained in the following articles.

*Article 3.*

Unless otherwise provided, the court shall consist of three members. Each Party shall appoint an arbitrator, who should be chosen, by preference, from the list of members of the Hague Court ; these arbitrators shall then agree upon the nomination of the third arbitrator. If an agreement is not reached on this point, the Parties shall request a third Power to make this appointment. Should the Parties be still unable to reach an agreement on this point, a petition shall be addressed to Her Majesty the Queen of the Netherlands, or her successors, requesting her to make the appointment.

The third arbitrator shall be chosen from the list of the aforesaid Permanent Court. He shall not be a national of either of the Contracting States nor be domiciled or resident in their territories. The same person cannot act as third arbitrator on two consecutive cases.

*Article 4.*

Should the Parties fail to agree on the composition of the court, arbitral powers shall be conferred on a single arbitrator, who, unless otherwise stipulated, shall be nominated in accordance with the provisions of the preceding articles for the appointment of the third arbitrator.

*Article 5.*

Arbitral awards shall be rendered by a majority of votes, and the dissent of one of the arbitrators shall not be announced. The awards shall be signed by the president and the clerk of the court, or by the sole arbitrator.

*Article 6.*

The arbitral award shall decide the dispute definitely and without appeal. Nevertheless, the court or arbitrator making the award may, at any time before its execution, admit an appeal in the following cases :

- (1) If the judgment given has been based on spurious or incorrect documents.
- (2) If the award is vitiated, wholly or in part, by an error of fact arising in or from the proceedings or documents relating to the case.

*Article 7.*

The present Treaty shall be ratified in accordance with the laws of the High Contracting Parties, and the instruments of ratification shall be exchanged as early as possible.

The Convention shall be valid for five years as from the date of the exchange of ratifications, and must be denounced six months before its expiration. Should it not be so denounced, it shall be considered as having been renewed for another year, and so on successively.

---

No. 861. — TREATY BETWEEN THE UNITED STATES OF BRAZIL AND SWITZERLAND, RELATING TO THE JUDICIAL SETTLEMENT OF DISPUTES WHICH MAY ARISE BETWEEN THE TWO CONTRACTING PARTIES, SIGNED AT RIO DE JANEIRO, JUNE 23, 1924.

---

*The registration of this Treaty took place May 16, 1925. Ratifications exchanged at Rio de Janeiro, April 7, 1925.*

---

[Translation].

*Article 1.*

The High Contracting Parties undertake to submit to the Permanent Court of International Justice any disputes that may arise between them and which it may not have been possible to settle through the diplomatic channel or by any other method of conciliation, subject, however, to the condition that these disputes shall not refer to questions affecting the constitutional principles of one or other of the Contracting States.

*Article 2.*

• Questions which have already been the subject of definite agreements between the two Parties shall not be referred to the Permanent Court of International Justice unless the dispute bears upon the interpretation or execution of these agreements.

*Article 3.*

In each particular case the High Contracting Parties shall sign a special agreement (*compromis*) specifying clearly the subject of the dispute, the particular competence that might devolve upon the Court, and any other conditions fixed between themselves.

The agreement shall be constituted by an exchange of notes between the Governments of the High Contracting Parties.

All points contained therein shall be interpreted by the Permanent Court of International Justice.

If, within six months of the notification by one of the Parties of a draft, the High Contracting Parties do not agree upon the steps to be taken, either Party may, by a simple application, refer the matter to the Court of International Justice, in conformity with Article 40 of the Statute of the Court.

*Article 4.*

The High Contracting Parties undertake to observe and act loyally upon the judgment of the Permanent Court of International Justice.

During the judicial procedure they shall abstain from all measures which might prejudicially affect the execution of the judgment given by the Court of Justice.

*Article 5.*

Any difficulties which may arise as to the execution of the judgment shall be settled by the Permanent Court of International Justice.

In this case either Party may refer the dispute to the Court of Justice by a simple application.

*Article 6.*

Each Party shall bear its own costs of procedure.

*Article 7.*

The present Treaty shall be ratified. The instruments of ratification shall be exchanged at Rio de Janeiro as soon as possible.

The Treaty is concluded for a period of ten years from the date of the exchange of ratifications. Unless denounced six months before the expiration of this period, it shall remain in force for a further period of ten years, and similarly thereafter.

---



No. 888. — ARBITRATION CONVENTION BETWEEN THE AUSTRIAN AND POLISH REPUBLICS, SIGNED AT WARSAW, NOVEMBER 13, 1923.

---

*The registration of this Convention took place June 5, 1925. Ratifications exchanged at Warsaw, February 26, 1925.*

---

[*Translation.*]

*Article 1.*

The High Contracting Parties undertake, in the event of any litigious questions arising between them in future, to endeavour to reach a settlement by friendly agreement.

If, however, such agreement cannot be reached, the High Contracting Parties undertake to submit to arbitration all disputes concerning the following questions :

(1) Disputes regarding the application or interpretation of any convention which has been or may be concluded between them.

(2) Disputes concerning pecuniary claims for compensation submitted by one of the High Contracting Parties, when both Parties are agreed in the principle of compensation.

The provisions of the present article shall take effect even if the disputes arising have their origin in facts which occurred before the conclusion of the present Convention.

The provisions of the present article shall not apply to conventions to which third Powers may be Parties or to which they may have adhered.

*Article 2.*

The stipulations concerning arbitration contained in conventions already concluded between the two States, or in conventions to which they are signatories, shall remain in force independently of the present Convention.

*Article 3.*

Should the necessity for arbitration proceedings arise between them, the High Contracting Parties undertake to conclude, within three months at the latest, a special agreement concerning the subject of the dispute and the method of procedure. Unless there are any arbitration clauses to the contrary, they shall, as regards everything connected with the appointment of arbitrators and arbitral procedure, conform to the Convention signed at The Hague on October 18, 1907, for the pacific settlement of international disputes.

*Article 4.*

The present Convention is concluded for a term of three years. It shall come into force on the fifteenth day after the exchange of ratifications. In case neither Contracting Party should give notice six months before the expiration of that period of its intention to terminate the Convention, it will continue binding until the expiration of one year from the day when either Contracting Party shall have denounced it.

*Article 5.*

The present Convention shall be ratified and the ratifications shall be exchanged at Warsaw.

---

No. 942. — GENERAL COMPULSORY ARBITRATION TREATY BETWEEN  
THE REPUBLIC OF URUGUAY AND THE UNITED STATES OF  
VENEZUELA, SIGNED AT MONTEVIDEO, FEBRUARY 28, 1923.

---

*The registration of this Treaty took place August 7, 1925. Ratifications exchanged at Montevideo,  
June 15, 1925.*

---

*[Translation.]*

*Article I.*

The High Contracting Parties undertake to submit to arbitration all disputes of whatever nature which may arise between them from whatever cause, including disputes concerning the interpretation or execution of the present Treaty, if such disputes cannot be settled by direct negotiation.

*Article II.*

Questions which have been dealt with by definitive agreements between the two High Contracting Parties may not be reopened in virtue of this Treaty. In such cases arbitration shall only be applied to questions which may arise as to the validity, interpretation or execution of the said agreements.

*Article III.*

For the settlement of questions to be submitted to arbitration under this Treaty, the duties of arbitrator shall be entrusted to the Head of the State of one of the Spanish-American Republics or to the President of a Spanish-American Tribunal or Court of Law, or, failing either of the above, to a tribunal composed of Uruguayan, Venezuelan or other Spanish-American judges and experts. Should the High Contracting Parties be unable to agree upon the choice of the arbitrator or arbitrators, the dispute shall be laid before the Permanent Court of International Justice.

*Article IV.*

In each individual case the High Contracting Parties shall sign a special agreement stating the name of the arbitrator selected, the scope of his powers, the subject of the dispute, and the time-limits, costs, and procedure to be fixed.

*Article V.*

Article I of this Treaty shall apply to all questions, except cases of denial of justice, which may arise between a national of one of the High Contracting Parties and the other State, when the judges or courts of law of the latter are competent under its legislation to deal with the question at issue. Nevertheless, the question whether a case of denial of justice has occurred may be made the subject of arbitration.

*Article VI.*

The present Treaty shall remain in force for ten years from the date of the exchange of ratifications. If, twelve months before the end of this period, neither of the High Contracting Parties has announced its intention of ceasing to observe the present Treaty, the latter shall remain binding until one year after its denunciation by either of the High Contracting Parties.

*Article VII.*

The present Treaty shall be ratified by the High Contracting Parties in accordance with their respective laws, and the ratifications shall be exchanged at Montevideo or Caracas as soon as possible.

---

No. 68. — ARBITRATION CONVENTION BETWEEN LATVIA AND LITHUANIA, SIGNED AT RIGA, SEPTEMBER 28, 1920.

---

*The registration of this Convention took place on December 16, 1920.*

---

[*Translation.*]

CONVENTION CONCLUDED BETWEEN THE GOVERNMENTS OF LATVIA  
AND LITHUANIA

IN RESPECT OF ARBITRATION ON QUESTIONS CONCERNING THE FRONTIERS, WHICH WAS RATIFIED ON OCTOBER 12, 1920, BY THE CONSTITUENT ASSEMBLY OF LATVIA, AND ON OCTOBER 8, 1920, BY THE CONSTITUENT ASSEMBLY OF LITHUANIA.

(1) The two Governments concerned have agreed to entrust the final decision respecting the disputed portions of the frontier-line between their respective territories, as well as the settlement of all questions arising from this decision, to a Mixed Commission consisting of two members, appointed by each of the two Governments, and of a President. The latter shall be the British Commissioner, or if he is unable to act, a British subject approved of by both Parties.

(2) As far as possible, all matters which, in conformity with the terms of the aforementioned Convention, are to be decided by this Commission shall be settled by mutual agreement between the representatives of the two countries. But if an agreement cannot be reached on any point, it shall be decided by the President, whose decision shall be loyally accepted by the two Governments concerned.

(3) In determining questions, the Commission shall take into consideration ethnological and historical principles, the political and State interests of each country (such as military, strategic, economic and transit interests), as well as the interests of the local population. The Commission is empowered to take such steps as may be considered necessary to obtain the evidence required to enable it to pronounce judgment on any point. A condition to be observed is that, in any district in which it has been decided to hold a plebiscite, steps shall be taken, on lines to be approved of by the Commission, to neutralise the local administration in such a way as to prevent any illegal pressure from being brought to bear by the authorities of either of the Contracting Parties on the population taking part in the plebiscite.

(4) The expenditure incurred by the Commission will be shared equally between the two Governments.

(5) This Agreement shall be ratified by the two Governments concerned within 15 days after the date of signature.

---

## LIST OF ARBITRATION CLAUSES OCCURRING IN VARIOUS CONVENTIONS.

---

- No. 153. Convention between Poland and the Free City of Danzig, signed at Paris, November 9, 1920. (Art. 39.)
- No. 171. Convention and Statute on Freedom of Transit. Barcelona, April 20, 1921. (Art. 13 of the Statute.)
- No. 172. Convention and Statute on the Regime of Navigable Waterways of International Concern. Barcelona, April 20, 1921. (Art. 22 of the Statute.)
- No. 200. Convention for the Control of the Trade in Arms and Ammunition and Protocol, signed at St. Germain-en-Laye, September 10, 1919. (Art. 24.)
- No. 201. Convention relating to the Liquor Traffic in Africa and Protocol, signed at St. Germain-en-Laye, September 10, 1919. (Art. 8.)
- No. 202. Convention revising the General Act of Berlin, of February 26, 1885, and the General Act and the Declaration of Brussels, July 2, 1890, signed at St. Germain-en-Laye, September 10, 1919. (Art. 12.)
- No. 241. Convention between Denmark and Norway relating to Air Navigation, signed at Copenhagen, July 27, 1921. (Art. 40.)
- No. 256. Convention between Belgium and Luxemburg for the Establishment of an Economic Union between the two Countries, signed at Brussels, July 25, 1921. (Art. 28.)
- No. 297. Convention relating to the Regulation of Aerial Navigation, signed at Paris, October 13, 1919, with Additional Protocol, signed at Paris, May 1, 1920. (Art. 37.)
- No. 308. Convention between Germany and Poland and the Free City of Danzig, concerning Freedom of Transit between East Prussia and the rest of Germany, signed at Paris, April 21, 1921. (Art. 11.)
- No. 322. Commercial Convention between Poland and Switzerland, signed at Warsaw, June 26, 1922. (Paragraph 2 of Final Protocol.)
- No. 333. Declaration by the Governments of the British Empire, France, Italy and Japan, in regard to Albania, signed at Paris, November 9, 1921. (No. 3.)
- No. 348. Treaty of Commerce and Navigation between Esthonia and Finland, signed at Helsingfors, October 29, 1921. (Art. 19.)
- No. 370. Convention between Denmark and Sweden relating to Air Navigation, signed at Stockholm, November 7, 1922. (Art. 40.)
- No. 402. Commercial Convention between Austria and Hungary, signed at Budapest, February 8, 1922. (Art. 13.)
- No. 458. Sanitary Convention between Poland and Roumania, signed at Warsaw, December 20, 1922. (Art. 28.)
- No. 462. Convention between Norway and Sweden relating to Air Navigation, signed at Stockholm, May, 26, 1923. (Art. 40.)

- No. 477. Treaty between Italy and the Kingdom of the Serbs, Croats and Slovenes, signed at Rapallo, November 12, 1920. (Art. 5.)
- No. 528. Treaty of Commerce between Latvia and Czechoslovakia, signed at Prague, October 7, 1922. (Art. 24.)
- No. 542. Commercial Treaty with Final Protocol between Belgium, the Grand Duchy of Luxemburg and Poland, signed at Brussels, December 30, 1922. (Final Protocol I.)
- No. 569. Declaration concerning the Protection of Minorities in Lithuania, signed at Geneva, May 12, 1922. (Art. 9, paragraph 3.)
- No. 593. Agreement between the Republic of Austria, the Kingdom of Hungary, the Kingdom of Italy, the Kingdom of the Serbs, Croats and Slovenes and the Southern Railway Company (Südbahn), drawn up with the concurrence of the Committee representing the Holders of Bonds issued by the above Company, with a view to the Administrative and Technical Re-organisation of the Southern Railway Company's System, signed at Rome, March 29, 1923. (Art. 50.)
- No. 594. Convention between Austria, Hungary, Italy and the Kingdom of the Serbs, Croats and Slovenes for the Regulation of Transit and Communications on the System of the Danube-Save-Adriatic Railway Company (formerly the Southern Railway Company), signed at Rome, March 29, 1923. (Art. 69.)
- No. 603. Treaty of Commerce between Italy and Switzerland, signed at Zurich, January 27, 1923. (Art. 23 and Ad Art. 23.)
- No. 635. Convention between Greece and the Kingdom of the Serbs, Croats and Slovenes for the Regulation of Transit via Salonica, signed at Belgrade, May, 10, 1923. (Art. 12.)
- No. 639. Convention between the United States of America and Norway respecting the Regulation of the Liquor Traffic, signed at Washington, May 24, 1924. (Art. 4.)
- No. 681. Convention between the United States of America and the United Kingdom respecting the Regulation of the Liquor Traffic, signed at Washington, January 23, 1924. (Art. 4.)
- No. 685. International Convention for the Suppression of the Circulation of and Traffic in Obscene Publications. Geneva, September 12, 1923. (Art. 15.)
- No. 697. Convention between the United States of America and Denmark respecting the Regulation of Liquor Traffic, signed at Washington, May 29, 1924. (Art. 4.)
- No. 701. Treaty of Peace, signed at Lausanne, July 24, 1923. (Art. 3.)
- No. 707. Protocol relating to certain Concessions granted in the Ottoman Empire, signed at Lausanne, July 24, 1923. (Art. 5.)
- No. 710. Treaty concerning Thrace, signed at Sèvres, August 10, 1920. (Art. 15 and 16.)
- No. 711. Treaty concerning the Protection of Minorities in Greece, signed at Sèvres, August 10, 1920. (Art. 16.)
- No. 712. Convention regarding Compensation payable by Greece to Allied Nationals, signed at Paris, November 23, 1923. (Single Article, paragraph 2.)
- No. 729. Convention between Spain, France and the United Kingdom regarding the Organisation of the Tangier Zone, with Protocol relating to Two Dahirs concerning the Administration of the Tangier Zone and the Organisation of International Jurisdiction at Tangier, signed at Paris, December 18, 1923. (Art. 54.)
- No. 732. Commercial Treaty between Austria and the Belgo-Luxemburg Economic Union, signed at Vienna, December 14, 1923. (Art. 26.)

- No. 736. Convention between the British Empire, France, Italy, Japan and Lithuania, concerning the Territory of Memel, signed at Paris, May 8, 1924. (Art. 17.)
- No. 752. Convention between the United States of America and Sweden, respecting the Regulation of the Liquor Traffic, signed at Washington, May 22, 1924. (Art. 4.)
- No. 759. Agreement between the Allied Governments and the German Government concerning the Agreement of August 9, 1924, between the German Government and the Reparation Commission, signed at London, August 30, 1924. (Clause 4.)
- No. 760. Agreement between the Allied Governments and the German Government to carry out the Experts' Plan of April 9, 1924, signed at London, August 30, 1924. (Art. 10.)
- No. 761. Inter-Allied Agreement to carry out the Experts' Plan of April 9, 1924, signed at London, August 30, 1924. (Art. 4.)
- No. 774. Commercial Treaty between Esthonia and Hungary, and Final Protocol signed at Reval, October 19, 1922. (Art. 21.)
- No. 775. International Convention relating to the Simplification of Customs Formalities. Geneva, November 3, 1923. (Art. 22.)
- No. 786. Commercial Convention between Czechoslovakia and the Netherlands, signed at The Hague, January 20, 1923, and Exchange of Notes relating to this Convention, Prague, October 17, 1924. (Art. 7.)
- No. 814. Treaty of Commerce and Navigation between Finland and Italy, signed at Rome, October 22, 1924. (Art. 30.)
- No. 815. Treaty of Commerce and Navigation between Italy and Czechoslovakia, signed at Rome, March 23, 1921. (Art. 37.)
- No. 816. Convention between Italy and Czechoslovakia regarding Concessions and Facilities to be granted to Czechoslovak Traffic in the Port of Triest, signed at Rome, March 23, 1921. (Art. 15.)
- No. 817. Juridical-Financial Convention between Italy and Czechoslovakia, signed at Rome, March 23, 1921. (Art. 12.)
- No. 860. Treaty of Commerce and Navigation between Denmark and Latvia, signed at Riga, November 3, 1924. (Art. 34.)
- No. 863. Convention between the United States of America and the Netherlands respecting the Regulation of the Liquor Traffic, signed at Washington, August 21, 1924, and Exchange of Notes relating thereto of the same date. (Art. 4.)
- No. 865. Treaty of Commerce and Navigation between the Netherlands and Poland, signed at Warsaw, May 30, 1924. (Final Protocol, I.)
- No. 885. Exchange of Notes between the Lithuanian and Netherlands Governments, constituting a Provisional Arrangement with regard to Commerce and Navigation. Kovno (Kaunas), June 10, 1924. (No. 9.)
- No. 889. Commercial Convention between Latvia and Switzerland, signed at Berlin, December 4, 1924. (Art. 15.)
- No. 890. Treaty of Alliance between Great Britain and Iraq, signed at Baghdad, October 10, 1922, and April 30, 1923. (Art. 17.)
- No. 905. Convention relating to the Development of Hydraulic Power affecting more than one State. Geneva, December 9, 1923. (Art. 12.)

- No. 924. Treaty of Commerce and Navigation between Latvia and Norway, signed at Christiania, August 14, 1924. (Art. 24.)
- No. 951. Treaty of Commerce between Latvia and the Netherlands, signed at Riga, July 2, 1924. (Art. 8.)
- No. 959. Treaty of Commerce and Navigation between Hungary and Latvia, signed at Riga, November 19, 1923. (Art. 25.)
- No. 1020. Convention between Germany and the United States of America, respecting the Regulation of the Liquor Traffic, signed at Washington, May 19, 1924. (Art. 4.)
- No. 1024. Final Protocol, Agreement on "The Experts' Plan" and Protocol concerning the Contributions to be made from the German Budget and the Institution of Control over certain Revenues and Taxes, concluded between Germany and the Reparation Commission, signed at London, August 9 and 16, 1924. (Annex I, paragraph III, and Sub-Annex to Annex I, Chapter III, No. 14.)
-



## Chapter II.

# TREATIES OF CONCILIATION

---

	Page
No. 111. CHILE AND SWEDEN . . . . .	69
No. 116. BRAZIL AND UNITED KINGDOM . . . . .	72
No. 717. NORWAY AND SWEDEN . . . . .	74
No. 731. FINLAND AND SWEDEN . . . . .	77
No. 751. FINLAND AND NORWAY . . . . .	80
No. 831. AMERICAN STATES . . . . .	83
No. 839. DENMARK AND FINLAND . . . . .	87
No. 840. DENMARK AND SWEDEN . . . . .	90
No. 842. DENMARK AND NORWAY . . . . .	93
No. 844. SWEDEN AND SWITZERLAND . . . . .	96
No. 862. AUSTRIA AND SWITZERLAND . . . . .	99
No. 873. DENMARK AND SWITZERLAND . . . . .	102

---

No. III. — CONVENTION BETWEEN CHILE AND SWEDEN, CONCERNING THE ESTABLISHMENT OF A PERMANENT ENQUIRY AND CONCILIATION COMMISSION, SIGNED AT STOCKHOLM, MARCH 26, 1920.

---

*The registration of this Convention took place May 10, 1921. Ratifications exchanged at Stockholm, May 3, 1921.*

---

[*Translation.*]

*Article 1.*

Any dispute of any description which may henceforward arise between the Government of H. M. the King of Sweden and the Government of the Republic of Chile, and which it may not have been possible to settle through diplomatic channels, or which shall not have been submitted for judicial decision either to a court of arbitration or to the Permanent Court of International Justice to be established by the League of Nations, shall be submitted for investigation by a Permanent Commission to be established in accordance with the following article. Before having carried out the above-mentioned provisions neither of the Parties may, in accordance with Article 15 of the Covenant of the League of Nations, submit the dispute to the Council of the League.

*Article 2.*

The Commission shall be composed of five members. Each State shall appoint two members, one from amongst its own nationals, the other from amongst the nationals of a third State. The fifth member, who shall act as President, shall belong to a third State not otherwise represented on the Commission. He will be appointed by agreement between the High Contracting Parties.

In the event of their not being able to agree, he will be appointed, at the request of one of the Parties, by the Permanent Court of Justice of the League of Nations, and until the latter shall have entered upon its duties, by the President of the Swiss Federal Council.

In addition, the provisions contained in Article 45 of the Hague Convention of 1907 relating to the peaceful settlement of international disputes, and which provide for cases where it has not been possible to arrive at an agreement, either between the Parties or between the judges appointed by them, with regard to the choice of a supreme arbitrator, will be applied.

The Commission shall be established not later than six months after the exchange of ratifications of the present Convention.

*Article 3.*

The members of the Commission are appointed for three years. In the absence of any Convention to the contrary between the two Governments, they shall be irremovable during their term of office. In the event of the death or the retirement of a member, the vacancy must be filled within the next two months for the remainder of his term of office, and in any case this must be done as soon as any dispute has been submitted to the Commission.

*Article 4.*

If at the end of his term of office, a member of the Commission has not been replaced, his term of office shall be considered as renewed for a period of three years.

A member whose mandate expires during the course of the proceedings in connection with a dispute shall remain in office until the close of the proceedings, in spite of the fact that his successor has been nominated.

On the request of one of the High Contracting Parties the President of the Commission shall cease to hold office at the end of his appointed term, but not, however, in the course of any proceedings.

*Article 5.*

When one of the two Contracting States desires that a dispute which has arisen between them shall be submitted to the Commission, it shall notify both the opposing Party and the President of the Commission. The latter shall convene the Commission as soon as possible.

*Article 6.*

The Commission shall also be able on its own initiative to offer its services with a view to the opening of proceedings of enquiry. Its decision on the matter is valid only if unanimous. It shall be communicated to the two Parties. It shall be void if neither of the Parties submits the dispute to the Commission as a result of such decision.

*Article 7.*

The Commission shall meet at the place fixed by its President. Nevertheless should it think it necessary, in view either of a visit to the spot or of other considerations likely to assist the enquiry, it may transfer part of its work to a place other than that at which it has met. It shall likewise be allowed to instruct its President or certain of its members to carry out part of the enquiry elsewhere. Should these instructions be given to members other than the President, the number of those chosen from among the Commissioners designated by one of the two Governments shall be equal to that of the Commissioners nominated by the other.

*Article 8.*

The High Contracting Parties undertake to supply the Commission with all information which may be of value to it, in connection with the enquiry and the drawing-up of its report, and to facilitate the accomplishment of its task in every way.

*Article 9.*

The Parties shall have the right to send representatives to the Commission.

*Article 10.*

The President of the Commission shall be able to question the Parties. Should one Party refuse to reply, it shall be placed on record.

*Article 11.*

Proceedings before the Commission shall only be public if the Parties agree thereto and if the Commission consents.

*Article 12.*

The Commission shall render a report on each dispute which has been submitted to it. It shall likewise submit, if necessary, a scheme for the settlement of the dispute.

*Article 13.*

The High Contracting Parties reserve full liberty of action as far as concerns the dispute submitted to the Commission for enquiry, once its report has been presented, but the provisions of the Covenant of the League of Nations shall always be adhered to.

*Article 14.*

Save as provided in Article 6, the decisions of the Commission shall be taken by majority. Every member shall have one vote, the President having a casting vote in case of a tie. The opinion of the minority of the members, with their reasons, shall be put on record in the report.

*Article 15.*

The reports of the Commission shall be signed by the President, and shall be communicated without delay to the Parties and to the permanent Secretariat of the League of Nations.

*Article 16.*

In the absence of any Convention between the Parties extending this period, the Commission shall complete its task within four months dating from the day when the President shall have received the notice provided for in Article 5.

*Article 17.*

Before the settlement of a dispute, the report of the Commission shall only be published by one of the Parties provided that the opposing Party consents thereto. In the case of special circumstances, however, even if there should be no Convention whatever between the Parties, the Commission shall be free to order the immediate publication of its report.

*Article 18.*

Each of the Parties shall pay the salaries of the members of the Commission appointed by them and provide half the President's salary.

The Parties shall endeavour to come to an understanding in order that the salaries of the members of the Commission on both sides shall be fixed at the same figure. Furthermore, each Party shall pay their own costs of proceedings and half of those that the Commission shall declare to be joint charges.

*Article 19.*

The present Convention shall be ratified and the ratifications shall be exchanged at Stockholm as soon as possible. It shall enter into force immediately after the exchange of ratifications. It shall have a duration of five years, dating from the exchange of ratifications. If it has not been denounced at least six months before the end of this period, it shall remain in force during a new period of five years and shall thus be considered as renewed each time for five years unless it is denounced at least six months before the end of the preceding period of five years.

---

No. 116. — TREATY BETWEEN BRAZIL AND THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND PROVIDING FOR THE ESTABLISHMENT OF A PEACE COMMISSION, SIGNED AT RIO DE JANEIRO, APRIL 4, 1919.

---

*The registration of this Treaty took place June 1, 1921. The Ratifications exchanged at Rio de Janeiro, March 11, 1921.*

---

*Article 1.*

The two High Contracting Parties agree to submit to the investigation of a permanent Commission, which will give its report thereon, all difficulties of an international character which may arise between them and cannot be directly resolved by diplomatic means, and which do not fall within the terms of the Arbitration Convention in force between the two countries; and they further agree not to declare war the one against the other, nor to commence hostilities, until the result of such investigation shall be submitted.

*Article 2.*

The above-mentioned Commission shall be composed of five members, each of them nominated for five years, in the following manner: Each Government shall select two members, only one of them being a national of the country nominating him. The fifth shall be chosen by mutual agreement between the two Governments, it being understood that he shall not belong to any of the nationalities already represented on the Commission.

This fifth member shall exercise the function of President.

In the event of its appearing to His Majesty's Government that the British interests affected by the dispute to be investigated are not mainly those of the United Kingdom, but are mainly those of some one or more of the self-governing Dominions, namely, the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, and Newfoundland, His Majesty's Government shall be at liberty to substitute as the member chosen by them to serve on the international Commission for such investigation and report, another person selected from a list of persons to be named, one for each of the self-governing Dominions, but only one shall act, namely, that one who represents the Dominion immediately interested.

The expenses of the Commission shall be paid by the two Governments in equal proportions.

The Commission shall be constituted and shall be prepared to operate within six months after the exchange of ratifications of the present Treaty.

At the end of each period of five years the members shall be reappointed or others substituted. Vacancies shall be filled according to the manner of the original appointment.

The Commission shall formulate its own rules of procedure.

*Article 3.*

In case the High Contracting Parties shall have failed to adjust any such question of an international nature by diplomatic methods, they shall refer it to the said Commission for investigation and report.

The Commission may be convened by either of the High Contracting Parties, and will operate preferably in the country which offers the greater facilities for examination of the question, for which purpose the High Contracting Parties shall furnish all assistance.

The report of the Commission shall be presented within one year after the date on which the Commission shall declare its investigation to have begun, unless a prorogation is agreed to by both Parties.

This report, which is of a purely consultative nature and does not bind the High Contracting Parties on the subject in question, shall be prepared in triplicate, each of the Governments receiving one copy and the third being preserved in the archives of the Commission.

*Article 4.*

After presentation of the report to both Governments they shall have six months in which to negotiate an agreement in accordance with the Commission's report, and if, at the end of this further period, they do not succeed in coming to an understanding, they shall submit the dispute to arbitration in conformity with the terms of the Convention <sup>1</sup> concluded between the two High Contracting Parties on 18th June, 1909.

*Article 5.*

The present Treaty shall be ratified by the two High Contracting Parties in the manner prescribed by their national constitutions, and the ratifications shall be exchanged as soon as possible. The Treaty shall take effect immediately after the exchange of ratifications and shall continue in force for a period of five years, and it shall thereafter remain in force until twelve months after one of the High Contracting Parties has given notice to the other of an intention to terminate it.

The strict and loyal fulfilment of the preceding clauses is confided to the honour of the signatory nations.

---

No. 717. — CONVENTION BETWEEN NORWAY AND SWEDEN,  
CONCERNING THE ESTABLISHMENT OF A CONCILIATION  
COMMISSION, SIGNED AT STOCKHOLM, JUNE 27, 1924.

---

*The registration of this Convention took place September 8, 1924. Ratifications exchanged at Christiania, August 30, 1924.*

---

*Article 1.*

The Contracting Parties undertake to refer to a Permanent Commission, to be appointed in the manner set forth below, for investigation and settlement by conciliation, all disputes of any nature whatever which it has not been possible to settle within reasonable time through diplomatic channels, and which should not, under the terms of the Statute of the Permanent Court of International Justice or of any other agreement between the Parties, be submitted either to the Permanent Court or to a court of arbitration.

*Article 2.*

When a dispute which has been referred to the Commission by one of the Parties has been brought before the Permanent Court or a court of arbitration by the other Party under the terms of Article 1, the Commission shall postpone its investigation of the dispute until the Permanent Court or the court of arbitration shall have determined the question of competence in the case.

*Article 3.*

The Commission shall be composed of five members. Each Party shall appoint two members, one of which may be a national of the appointing State. The fifth member, who shall act as chairman of the Commission, shall be a national of a State not otherwise represented on the Commission. He shall be appointed jointly by the Parties. Should the Parties be unable to agree, the chairman shall, at the request of one of the Parties, be appointed by the President of the Permanent Court of International Justice, or, should the latter be a national of one of the Contracting States, by the Vice-President of the Court.

The Commission shall be appointed within six months after the ratifications of the present Convention have been exchanged.

*Article 4.*

The members of the Commission shall be appointed for three years. They shall be irremovable during their period of office unless the Parties agree otherwise. In the event of the death or retirement of a member, the vacancy must be filled for the remainder of his term of office within the next two months if possible, but, in any case, as soon as a dispute has been submitted to the Commission.

*Article 5.*

Either of the Parties may, within fourteen days after one of them has submitted a dispute to the Commission, replace one of the members whom it has appointed by a person specially qualified

to deal with the particular case before the Commission, subject, however, to the rules laid down in Article 3 with regard to the nationality of members.

If one Party desires to avail himself of this right, it shall at once inform the other Party, which may take a similar step within fourteen days of receiving such notification.

*Article 6.*

If, at the end of his term of office, a member of the Commission has not been replaced, his term shall be considered as renewed for a period of three years. The chairman, however, shall, at the request of one of the Parties, cease to hold office at the end of his appointed term.

If a member's term of office expires in the course of proceedings in connection with a dispute, he shall continue to take part in such proceedings until the dispute has been settled, even if his successor has been appointed.

*Article 7.*

When one of the Parties desires to submit a dispute to the Commission, it shall notify the president. The other Party shall also be informed at once of such notification. The president shall convene the Commission as soon as possible.

The Party which has submitted the dispute to the Commission shall notify the Secretary-General of the League of Nations.

*Article 8.*

The Commission shall meet at the seat of the League of Nations unless, in special cases, the Parties decide otherwise.

*Article 9.*

The Parties shall supply the Commission with all the information which may be useful and shall in every respect assist it in the accomplishment of its task.

The Commission may apply to the Secretary-General of the League of Nations for the assistance of the Secretariat if it appears that such assistance is necessary to facilitate its task.

*Article 10.*

The Parties shall be entitled to appoint special representatives on the Commission. These representatives shall also act as intermediaries between the Parties and the Commission.

*Article 11.*

Proceedings before the Commission shall not be public unless the Commission so decides and the Parties agree.

*Article 12.*

In proceedings before the Commission both Parties shall be heard.

The Commission shall draw up rules to govern its procedure, subject to the proviso that the regulations laid down in Chapter III of The Hague Convention of October 18, 1907, for the pacific settlement of international disputes shall be applied unless the Commission unanimously agrees to depart from these regulations.



*Article 13.*

The Commission shall take its decisions by a majority vote of its members except where otherwise laid down in the present Convention. Each member shall have one vote, and in case of a tie the president shall have a casting vote.

A quorum shall be constituted if all the members have been duly summoned and if the president and not less than two other members are present.

*Article 14.*

The Commission shall make a report on each dispute submitted to it. The report shall include a proposal for the settlement of the dispute if a settlement is possible and if at least three members agree to the proposals.

The reasoned opinion of the members who are in the minority shall be recorded in the report.

*Article 15.*

The Commission shall complete its task within six months from the day when the dispute is submitted to it, unless the Parties agree to an extension of this period.

The above period shall not include any time during which the Commission's work is interrupted for reasons arising out of the provisions of Article 2.

*Article 16.*

The Commission's report shall be signed by the president, who shall immediately bring it to the knowledge of the Parties and of the Secretary-General of the League.

The Parties undertake to inform each other within reasonable time as to how far they approve the findings of the report and accept the settlement proposed therein.

The Parties shall decide, in agreement with one another, whether the Commission's report shall be published immediately after it has been issued; in special circumstances, however, the Commission may decide that the report shall be published at once, even in the absence of any such agreement.

*Article 17.*

Each Party shall pay the allowances of the members of the Commission which it has appointed, and shall also pay half of the allowances of the chairman.

The Parties shall endeavour to arrange that the allowances of the members of the Commission on both sides shall be fixed at the same figure.

Each Party shall bear the costs of procedure which it has incurred, and half of those which the Commission may declare to be joint costs.

*Article 18.*

The present Convention shall be ratified and the ratifications shall be exchanged at Christiania as soon as possible. It shall come into force as soon as the instruments of ratification have been exchanged, and shall remain in force for five years from that date. Unless denounced within six months before the expiration of this period, it shall remain in force for a further period of five years and shall thereafter be regarded as renewed for successive periods of five years unless denounced within six months before the expiration of the preceding period of five years.

No. 731. — CONVENTION BETWEEN FINLAND AND SWEDEN,  
CONCERNING THE ESTABLISHMENT OF A CONCILIATION  
COMMISSION, SIGNED AT STOCKHOLM, JUNE 27, 1924.

---

*The registration of this Convention took place September 18, 1924. Ratifications exchanged at Helsingfors, September 13, 1924.*

---

[*Translation.*]

*Article 1.*

The Contracting Parties undertake to refer to a Permanent Commission, to be appointed in the manner set forth below, for investigation and settlement by conciliation, all disputes of any nature whatever which it has not been possible to settle within reasonable time through diplomatic channels and which should not, under the terms of the Statute of the Permanent Court of International Justice or of any other agreement between the Parties, be submitted either to the Permanent Court or to a Court of Arbitration.

*Article 2.*

When a dispute which has been referred to the Commission by one of the Parties has been brought before the Permanent Court or a Court of Arbitration by the other Party under the terms of Article 1, the Commission shall postpone its investigation of the dispute until the Permanent Court or the Court of Arbitration shall have determined the question of competence in the case.

*Article 3.*

The Commission shall be composed of five members. Each Party shall appoint two members, one of which may be a national of the appointing State. The fifth member, who shall act as Chairman of the Commission, shall be a national of a State not otherwise represented on the Commission. He shall be appointed jointly by the Parties. Should the Parties be unable to agree, the Chairman shall, at the request of one of the Parties, be appointed by the President of the Permanent Court of International Justice or, should the latter be a national of one of the Contracting States, by the Vice-President of the Court.

The Commission shall be appointed within six months after the ratifications of the present Convention have been exchanged.

*Article 4.*

The members of the Commission shall be appointed for three years. They shall be irremovable during their term of office unless the Parties agree otherwise. In the event of the death or retirement of a member, the vacancy must be filled for the remainder of his term of office, within, if possible, the next two months, but in any case as soon as a dispute has been submitted to the Commission.

*Article 5.*

Either of the Parties may, within fifteen days after one of them has submitted a dispute to the Commission, replace one of the members whom it has appointed by a person specially qualified

to deal with the particular case before the Commission, subject, however, to the rules laid down in Article 3 with regard to the nationality of members.

If one Party desires to avail itself of this right, it shall at once inform the other Party, which may take a similar step within fifteen days of receiving such notification.

*Article 6.*

If, at the end of his term of office, a member of the Commission has not been replaced, his term of office shall be considered as renewed for a period of three years. The Chairman, however, shall, at the request of one of the Parties, cease to hold office at the end of his appointed term.

If a member's term of office expires in the course of proceedings in connection with a dispute, he shall continue to take part in such proceedings until the dispute has been settled, even if his successor has been appointed.

*Article 7.*

When one of the Parties desires to submit a dispute to the Commission, it shall notify the President. The other Party shall also be informed at once of such notification. The President shall convene the Commission as soon as possible.

The Party which has submitted the dispute to the Commission shall notify the Secretary-General of the League of Nations.

*Article 8.*

The Commission shall meet at the seat of the League of Nations unless, in special cases, the Parties decide otherwise.

*Article 9.*

The Parties shall supply the Commission with all the information which may be useful and shall in every respect assist it in the accomplishment of its task.

The Commission may apply to the Secretary-General of the League of Nations for the assistance of the Secretariat if it appears that such assistance is necessary to facilitate its task.

*Article 10.*

The Parties shall be entitled to appoint special representatives on the Commission. These representatives shall also act as intermediaries between the Parties and the Commission.

*Article 11.*

Proceedings before the Commission shall not be public unless the Commission so decides and the Parties agree.

*Article 12.*

In proceedings before the Commission both Parties shall be heard.

The Commission shall draw up rules to govern its procedure, subject to the proviso that the regulations laid down in Chapter III of the Hague Convention of October 18, 1907, for the Pacific Settlement of International Disputes shall be applied, unless the Commission unanimously agrees to depart from these regulations.

*Article 13.*

The Commission shall take its decisions by a majority vote of its members except where otherwise laid down on the present Convention.

Each member shall have one vote, and in case of a tie the President shall have a casting vote.

A quorum shall be constituted if all the members have been duly summoned and if the President and not less than two other members are present.

*Article 14.*

The Commission shall make a report on each dispute submitted to it. The report shall include a proposal for the settlement of the dispute, if a settlement is possible, and if at least three members agree to the proposals. The reasoned opinion of the members who are in the minority shall be recorded in the report.

*Article 15.*

The Commission shall complete its task within six months from the day when the dispute is submitted to it, unless the Parties agree to an extension of this period.

The above period shall not include any time during which the Commission's work is interrupted for reasons arising out of the provisions of Article 2.

*Article 16.*

The Commission's report shall be signed by the President, who shall immediately bring it to the knowledge of the Parties and of the Secretary-General of the League.

The Parties undertake to inform each other, within reasonable time, as to how far they approve the findings of the report and accept the settlement proposed therein.

The Parties shall decide, in agreement with one another, whether the Commission's report shall be published immediately after it has been issued; in special circumstances, however, the Commission may decide that the report shall be published at once, even in the absence of any such agreement.

*Article 17.*

Each Party shall pay the allowances of the members of the Commission which it has appointed and shall also pay half the allowances of the Chairman.

The Parties shall endeavour to arrange that the allowances of the members of the Commission on both sides shall be fixed at the same figure.

Each Party shall bear the costs of procedure which it has incurred and half of those which the Commission may declare to be joint costs.

*Article 18.*

The present Convention is drafted in Swedish, Finnish and French. In any questions concerning its interpretation the French text shall be authoritative.

The present Convention shall be ratified and the ratifications exchanged at Helsingfors as soon as possible. It shall come into force as soon as the instruments of ratification have been exchanged and shall remain in force for five years from that date. Unless denounced within six months before the expiration of this period, it shall remain in force for a further period of five years and shall thereafter be regarded as renewed for successive periods of five years, unless denounced within six months before the expiration of the preceding period of five years.

No. 751. — CONVENTION BETWEEN FINLAND AND NORWAY  
CONCERNING THE ESTABLISHMENT OF A CONCILIATION  
COMMISSION, SIGNED AT STOCKHOLM, JUNE 27, 1924.

---

*The registration of this Convention took place October 13, 1924. Ratifications exchanged at Hel-  
singfors, August 4, 1924.*

---

[*Translation.*]

*Article 1.*

The Contracting Parties undertake to refer to a Permanent Commission, to be appointed in the manner set forth below, for investigation and settlement by conciliation, all disputes of any nature whatever which it has not been possible to settle within reasonable time through diplomatic channels and which should, under the terms of the Statute of the Permanent Court of International Justice or of any other agreement between the Parties, be submitted either to the Permanent Court or to a Court of Arbitration.

*Article 2.*

When a dispute which has been referred to the Commission by one of the Parties has been brought before the Permanent Court or a Court of Arbitration by the other Party under the terms of Article 1, the Commission shall postpone its investigation of the dispute until the Permanent Court or the Court of Arbitration shall have determined the question of competence in the case.

*Article 3.*

The Commission shall be composed of five members. Each Party shall appoint two members, one of which may be a national of the appointing State. The fifth member, who shall act as Chairman of the Commission, shall be a national of a third State not otherwise represented on the Commission. He shall be appointed jointly by the Parties. Should the Parties be unable to agree, the Chairman shall, at the request of one of the Parties, be appointed by the President of the Permanent Court of International Justice or, should the latter be a national of one of the Contracting States, by the Vice-President of the Court.

The Commission shall be appointed within six months after ratifications of the present Conventions have been exchanged.

*Article 4.*

The members of the Commission shall be appointed for three years. They shall be irremovable during their term of office unless the Parties agree otherwise. In the event of the death or retirement of a member, the vacancy must be filled for the remainder of his term of office within, if possible, the next two months, but in any case as soon as a dispute has been submitted to the Commission.

*Article 5.*

Either of the Parties may, within fifteen days after one of them has submitted a dispute to the Commission, replace one of the members whom it has appointed by a person specially qualified

to deal with the particular case before the Commission, subject, however, to the rules laid down in Article 3 with regard to the nationality of members.

If one Party desires to avail itself of this right, it shall at once inform the other Party, which may take a similar action within fifteen days of receiving such notification.

*Article 6.*

If, at the end of his term of office, a member of the Commission has not been replaced, his term shall be considered as renewed for a period of three years. The Chairman, however, shall, at the request of one of the Parties, cease to hold office at the end of his appointed term.

If a member's term of office expires in the course of proceedings in connection with a dispute, he shall continue to take part in such proceedings until the dispute has been settled, even if his successor has been appointed.

*Article 7.*

When one of the Parties desires to submit a dispute to the Commission, it shall notify the President. The other Party shall also be informed at once of such notification. The President shall convene the Commission as soon as possible.

The Party which has submitted the dispute to the Commission shall notify the Secretary-General of the League of Nations.

*Article 8.*

The Commission shall meet at the seat of the League of Nations unless in a special case the Parties decide otherwise.

*Article 9.*

The Parties shall supply the Commission with all the information which may be useful and shall in every respect assist it in the accomplishment of its task.

The Commission may apply to the Secretary-General of the League of Nations for the assistance of the Secretariat if it appears that such assistance is necessary to facilitate its task.

*Article 10.*

The Parties shall be entitled to appoint special representatives on the Commission, these representatives shall also act as intermediaries between the Parties and the Commission.

*Article 11.*

Proceedings before the Commission shall not be public unless the Commission so decides and the Parties agree.

*Article 12.*

In proceedings before the Commission both Parties shall be heard.

The Commission shall draw up rules to govern its procedure, subject to the proviso that the regulations laid down in Chapter III of the Hague Convention of October 18, 1907, for the pacific settlement of international disputes shall be applied, unless the Commission unanimously agrees to depart from these regulations.

*Article 13.*

The Commission shall take its decisions by a majority vote of its members except where otherwise laid down in the present Convention.

Each member shall have one vote, and in case of a tie the President shall have a casting vote.

A quorum shall be constituted if all the members have been duly summoned and if the President and not less than two other members are present.

*Article 14.*

The Commission shall make a report on each dispute submitted to it. The report shall include a proposal for the settlement of the dispute, if a settlement is possible, and if at least three members agree to the proposal. The reasoned opinion of the members who are in the minority shall be recorded in the report.

*Article 15.*

The Commission shall complete its task within six months from the day when the dispute is submitted to it, unless the Parties agree to an extension of this period.

The above period shall not include any time during which the Commission's work is interrupted for reasons arising out of the provisions of Article 2.

*Article 16.*

The Commission's report shall be signed by the President, who shall immediately bring it to the knowledge of the Parties and of the Secretary-General of the League of Nations.

The Parties undertake to inform each other within reasonable time as to how far they approve the findings of the Report and accept the settlement proposed therein.

The Parties shall decide in agreement with one another whether the Commission's report shall be published immediately after it has been issued. In special circumstances, however, the Commission may decide that the report shall be published at once, even in the absence of any such agreement.

*Article 17.*

Each Party shall pay the allowances of the members of the Commission which it has appointed and shall also pay half the allowances of the Chairman.

The Parties shall endeavour to arrange that the allowances of the members of the Commission on both sides shall be fixed at the same figure.

Each Party shall bear the costs of procedure which it has incurred and half of those which the Commission may declare to be joint costs.

*Article 18.*

The present Convention is drafted in Finnish, Swedish, Norwegian and French. In questions concerning its interpretation, the French text shall be authoritative.

The present Convention shall be ratified and the ratifications exchanged at Helsingfors, as soon as possible. It shall come into force as soon as the instruments of ratification have been exchanged and shall remain in force for five years from that date. Unless denounced within six months before the expiration of this period, it shall remain in force for a further period of five years and shall thereafter be regarded as renewed for successive periods of five years, unless denounced within six months before the expiration of the preceding period of five years.

No. 831. — TREATY TO AVOID OR PREVENT CONFLICTS BETWEEN THE AMERICAN STATES, SIGNED AT SANTIAGO, CHILE, MAY 3, 1923.

---

*The registration of this Treaty took place March 3, 1925. Ratified by the United States of America, the United States of Brazil, Guatemala and Paraguay.*

---

*Article I.*

All controversies which for any cause whatsoever may arise between two or more of the High Contracting Parties and which it has been impossible to settle through diplomatic channels, or to submit to arbitration in accordance with existing treaties, shall be submitted for investigation and report to a Commission to be established in the manner provided for in Article IV. The High Contracting Parties undertake, in case of disputes, not to begin mobilisation or concentration of troops on the frontier of the other Party, nor to engage in any hostile acts or preparations for hostilities, from the time steps are taken to convene the Commission until the said Commission has rendered its report or until the expiration of the time provided for in Article VII.

This provision shall not abrogate nor limit the obligations contained in treaties of arbitration in force between two or more of the High Contracting Parties, nor the obligations arising out of them.

It is understood that in disputes arising between nations which have no general treaties of arbitration, investigation shall not take place in questions affecting constitutional provisions nor in questions already settled by other treaties.

*Article II.*

The controversies referred to in Article I shall be submitted to the Commission of Inquiry whenever it has been impossible to settle them through diplomatic negotiations or procedure or by submission to arbitration, or in cases in which the circumstances of fact render all negotiation impossible and there is imminent danger of an armed conflict between the Parties. Any one of the Governments directly interested in the investigation of the fact which is giving rise to the controversy may apply for the convocation of the Commission of Inquiry, and to this end it shall be necessary only to communicate officially this decision to the other Party and to one of the Permanent Commissions established by Article III.

*Article III.*

Two Commissions to be designated as permanent shall be established with their seats at Washington (United States of America) and at Montevideo (Uruguay). They shall be composed of the three American diplomatic agents longest accredited in said capitals, and at the call of the Foreign Offices of those States they shall organise, appointing their respective chairmen. Their functions shall be limited to receiving from the interested Parties the request for a convocation of the Commission of Inquiry and to notifying the other Party thereof immediately. The Government requesting the convocation shall appoint at the same time the persons who shall compose the Commission of Inquiry in representation of that Government, and the other Party shall likewise, as soon as it receives notification, designate its members.



The Party initiating the procedure established by this Treaty may address itself, in doing so, to the Permanent Commission which it considers most efficacious for a rapid organisation of the Commission of Inquiry. Once the request for convocation has been received and the Permanent Commission has made the respective notifications, the question or controversy existing between the Parties and as to which no agreement has been reached will *ipso facto* be suspended.

#### Article IV.

The Commission of Inquiry shall be composed of five members, all nationals of American States, appointed in the following manner : each Government shall appoint two at the time of convocation, only one of whom may be a national of its country. The fifth shall be chosen by common accord by those already appointed and shall perform the duties of President. However, a citizen of a nation already represented on the Commission may not be elected. Any of the Governments may refuse to accept the elected members, for reasons which it may reserve to itself, and in such event a substitute shall be appointed, with the mutual consent of the Parties, within thirty days following the notification of this refusal. In the failure of such agreement, the designation shall be made by the President of an American Republic not interested in the dispute, who shall be selected by lot by the Commissioners already appointed, from a list of not more than six American Presidents to be formed as follows : each Government Party to the controversy, or if there are more than two Governments directly interested in the dispute, the Government or Governments on each side of the controversy, shall designate three Presidents of American States which maintain the same friendly relations with all the Parties to the dispute.

Whenever there are more than two Governments directly interested in a controversy, and the interests of two or more of them are identical, the Government or Governments on each side of the controversy shall have the right to increase the number of their Commissioners, as far as it may be necessary, so that both sides in the dispute may always have equal representation on the Commission.

Once the Commission has been thus organised in the capital city, seat of the Permanent Commission which issued the order of convocation, it shall notify the respective Governments of the date of its inauguration, and it may then determine upon the place or places in which it will function, taking into account the greater facilities for investigation.

The Commission of Inquiry shall itself establish its rules of procedure. In this regard there are recommended for incorporation into said rules of procedure the provisions contained in Articles 9, 10, 11, 12 and 13 of the Convention signed in Washington, February 1923, between the Government of the United States of America and the Governments of the Republics of Guatemala, El Salvador, Honduras, Nicaragua, and Costa Rica, which appear in the appendix to this Treaty.

Its decisions and final report shall be agreed to by the majority of its members.

Each Party shall bear its own expenses and a proportionate share of the general expenses of the Commission.

#### Article V.

The Parties to the controversy shall furnish the antecedents and data necessary for the investigation. The Commission shall render its report within one year from the date of its inauguration. If it has been impossible to finish the investigation or draft the report within the period agreed upon, it may be extended six months beyond the period established, provided the Parties to the controversy are in agreement upon this point.

#### Article VI.

The findings of the Commission will be considered as report upon the disputes, which were the subjects of the investigation, but will not have the value or force of judicial decisions or arbitral awards.

*Article VII.*

Once the report is in possession of the Governments Parties to the dispute, six months' time will be available for renewed negotiations in order to bring about a settlement of the difficulty in view of the findings of said report ; and if during this new term they should be unable to reach a friendly arrangement, the Parties in dispute shall recover entire liberty of action to proceed as their interests may dictate in the question dealt with in the investigation.

*Article VIII.*

The present Treaty does not abrogate analogous conventions which may exist or may in the future exist between two or more of the High Contracting Parties ; neither does it partially abrogate any of their provisions, although they may provide special circumstances or conditions differing from those herein stipulated.

*Article IX.*

The present Treaty shall be ratified by the High Contracting Parties, in conformity with their respective constitutional procedures, and the ratifications shall be deposited in the Ministry for Foreign Affairs of the Republic of Chile, which will communicate them through diplomatic channels to the other signatory Governments, and it shall enter into effect for the Contracting Parties in the order of ratification.

The Treaty shall remain in force indefinitely ; any of the High Contracting Parties may denounce it and the denunciation shall take effect as regards the Party denouncing one year after notification thereof has been given.

Notice of the denunciation shall be sent to the Government of Chile, which will transmit it for appropriate action to the other signatory Governments.

*Article X.*

The American States which have not been represented in the Fifth Conference may adhere to the present Treaty, transmitting the official documents setting forth such adherence to the Ministry for Foreign Affairs of Chile, which will communicate it to the other Contracting Parties.

APPENDIX.

*Article I.*

The signatory Governments grant to all the Commissions which may be constituted the power to summon witnesses, to administer oaths and to receive evidence and testimony.

*Article II.*

During the investigation the Parties shall be heard and may have the right to be represented by one or more agents and counsel.

*Article III.*

All members of the Commission shall take oath duly and faithfully to discharge their duties before the highest judicial authority of the place where it may meet.

*Article IV.*

The enquiry shall be conducted so that both Parties shall be heard. Consequently, the Commission shall notify each Party of the statements of facts submitted by the other and shall fix periods of time in which to receive evidence.

Once the Parties are notified, the Commission shall proceed to the investigation, even though they fail to appear.

*Article V.*

As soon as the Commission of Inquiry is organised, it shall at the request of any of the Parties to the dispute have the right to fix the status in which the Parties must remain, in order that the situation may not be aggravated and matters may remain in *statu quo* pending the rendering of the report by the Commission.

---

No. 839. — CONVENTION BETWEEN DENMARK AND FINLAND,  
CONCERNING THE ESTABLISHMENT OF A CONCILIATION COM-  
MISSION, SIGNED AT STOCKHOLM, JUNE 27, 1924.

---

*The registration of this Convention took place March 17, 1925. Ratifications exchanged at  
Copenhagen, March 7, 1925.*

---

[*Traduction.*]

*Article 1.*

The Contracting Parties undertake to refer to a Permanent Commission, to be appointed in the manner set forth below, for investigation and settlement by conciliation, all disputes of any nature whatever which it has not been possible to settle within reasonable time through diplomatic channels and which should not, under the terms of the Statute of the Permanent Court of International Justice or of any other agreement between the Parties, be submitted either to the Permanent Court or to a Court of Arbitration.

*Article 2.*

When a dispute which has been referred to the Commission by one of the Parties has been brought before the Permanent Court or a Court of Arbitration by the other Party under the terms of Article 1, the Commission shall postpone its investigation of the dispute until the Permanent Court or the Court of Arbitration shall have determined the question of competence in the case.

*Article 3.*

The Commission shall be composed of five members. Each Party shall appoint two members, one of which may be a national of the appointing State. The fifth member, who shall act as Chairman of the Commission, shall be a national of a State not otherwise represented on the Commission. He shall be appointed jointly by the Parties. Should the Parties be unable to agree, the Chairman shall, at the request of one of the Parties, be appointed by the President of the Permanent Court of International Justice or, should the latter be a national of one of the Contracting States, by the Vice-President of the Court.

The Commission shall be appointed within six months after the ratifications of the present Convention have been exchanged.

*Article 4.*

The members of the Commission shall be appointed for three years. They shall be irremovable during their term of office unless the Parties agree otherwise. In the event of the death or retirement of a member, the vacancy must be filled for the remainder of his term of office, within, if possible, the next two months, but in any case as soon as a dispute has been submitted to the Commission.

*Article 5.*

Either of the Parties may, within fifteen days after one of them has submitted a dispute to the Commission, replace one of the members whom it has appointed by a person specially qualified

to deal with the particular case before the Commission, subject, however, to the rules laid down in Article 3 with regard to the nationality of members.

If one Party desires to avail itself of this right, it shall at once inform the other Party, which may take a similar step within fifteen days of receiving such notification.

*Article 6.*

If, at the end of his term of office, a member of the Commission has not been replaced, his term of office shall be considered as renewed for a period of three years. The Chairman, however, shall, at the request of one of the Parties, cease to hold office at the end of his appointed term.

If a member's term of office expires in the course of proceedings in connection with a dispute, he shall continue to take part in such proceedings until the dispute has been settled, even if his successor has been appointed.

*Article 7.*

When one of the Parties desires to submit a dispute to the Commission, it shall notify the President. The other Party shall also be informed at once of such notification. The President shall convene the Commission as soon as possible.

The Party which has submitted the dispute to the Commission shall notify the Secretary-General of the League of Nations.

*Article 8.*

The Commission shall meet at the seat of the League of Nations, unless, in special cases, the Parties decide otherwise.

*Article 9.*

The Parties shall supply the Commission with all the information which may be useful and shall in every respect assist it in the accomplishment of its task.

The Commission may apply to the Secretary-General of the League of Nations for the assistance of the Secretariat if it appears that such assistance is necessary to facilitate its task.

*Article 10.*

The Parties shall be entitled to appoint special representatives on the Commission. These representatives shall also act as intermediaries between the Parties and the Commission.

*Article 11.*

Proceedings before the Commission shall not be public unless the Commission so decides and the Parties agree.

*Article 12.*

In proceedings before the Commission both Parties shall be heard.

The Commission shall draw up rules to govern its procedure, subject to the proviso that the regulations laid down in Chapter III of the Hague Convention of October 18, 1907, for the pacific settlement of international disputes shall be applied, unless the Commission unanimously agrees to depart from these regulations.

*Article 13.*

The Commission shall take its decisions by a majority vote of its members except where otherwise laid down in the present Convention.

Each member shall have one vote, and in case of a tie the President shall have a casting vote.

A quorum shall be constituted if all the members have been duly summoned and if the President and not less than two other members are present.

*Article 14.*

The Commission shall make a report on each dispute submitted to it. The report shall include a proposal for the settlement of the dispute, if a settlement is possible, and if at least three members agree to the proposals. The reasoned opinion of the members who are in the minority shall be recorded in the report.

*Article 15.*

The Commission shall complete its task within six months from the day when the dispute is submitted to it, unless the Parties agree to an extension of this period.

The above period shall not include any time during which the Commission's work is interrupted for reasons arising out of the provisions of Article 2.

*Article 16.*

The Commission's report shall be signed by the President, who shall immediately bring it to the knowledge of the Parties and of the Secretary-General of the League.

The Parties undertake to inform each other within reasonable time as to how far they approve the findings of the report and accept the settlement proposed therein.

The Parties shall decide, in agreement with one another, whether the Commission's report shall be published immediately after it has been issued; in special circumstances, however, the Commission may decide that the report shall be published at once, even in the absence of any such agreement.

*Article 17.*

Each Party shall pay the allowances of the members of the Commission which it has appointed and shall also pay half the allowances of the Chairman.

The Parties shall endeavour to arrange that the allowances of the members of the Commission on both sides shall be fixed at the same figure.

Each Party shall bear the costs of procedure which it has incurred and half of those which the Commission may declare to be joint costs.

*Article 18.*

The present Convention is drafted in Danish, Finnish, Swedish and French. In any questions concerning its interpretation the French text shall be authoritative.

The present Convention shall be ratified and the ratifications exchanged at Copenhagen as soon as possible. It shall come into force as soon as the instruments of ratification have been exchanged and shall remain in force for five years from that date. Unless denounced within six months before the expiration of this period, it shall remain in force for a further period of five years and shall thereafter be regarded as renewed for successive periods of five years, unless denounced within six months before the expiration of the preceding period of five years.

No. 840. — CONVENTION BETWEEN DENMARK AND SWEDEN  
CONCERNING THE ESTABLISHMENT OF A CONCILIATION  
COMMISSION, SIGNED AT STOCKHOLM, JUNE 27, 1924.

---

*The registration of this Convention took place March 17, 1925. Ratifications exchanged at Copenhagen, March 7, 1925.*

---

*[Translation.]*

*Article 1.*

The Contracting Parties undertake to refer to a Permanent Commission, to be appointed in the manner set forth below, for investigation and settlement by conciliation, all disputes of any nature whatever which it has not been possible to settle within reasonable time through diplomatic channels, and which should not, under the terms of the Statute of the Permanent Court of International Justice or of any other agreement between the Parties, be submitted either to the Permanent Court or to a Court of Arbitration.

*Article 2.*

When a dispute which has been referred to the Commission by one of the Parties has been brought before the Permanent Court or a Court of Arbitration by the other Party under the terms of Article 1, the Commission shall postpone its investigation of the dispute until the Permanent Court or the Court of Arbitration shall have determined the question of competence in the case.

*Article 3.*

The Commission shall be composed of five members. Each Party shall appoint two members, one of which may be a national of the appointing State. The fifth member, who shall act as chairman of the Commission, shall be a national of a State not otherwise represented on the Commission. He shall be appointed jointly by the Parties. Should the Parties be unable to agree, the chairman shall, at the request of one of the Parties, be appointed by the President of the Permanent Court of International Justice, or, should the latter be a national of one of the Contracting States, by the Vice-President of the Court.

The Commission shall be appointed within six months after the ratifications of the present Convention have been exchanged.

*Article 4.*

The members of the Commission shall be appointed for three years. They shall be irremovable during their period of office unless the Parties agree otherwise. In the event of the death or retirement of a member, the vacancy must be filled for the remainder of his term of office within the next two months if possible, but, in any case, as soon as a dispute has been submitted to the Commission.

*Article 5.*

Either of the Parties may, within fourteen days after one of them has submitted a dispute to the Commission, replace one of the members whom it has appointed by a person specially qualified

to deal with the particular case before the Commission, subject, however, to the rules laid down in Article 3 with regard to the nationality of members.

If one Party desires to avail itself of this right, it shall at once inform the other Party, which may take a similar step within fourteen days of receiving such notification.

*Article 6.*

If, at the end of his term of office, a member of the Commission has not been replaced, his term shall be considered as renewed for a period of three years. The chairman, however, shall, at the request of one of the Parties, cease to hold office at the end of his appointed term.

If a member's term of office expires in the course of proceedings in connection with a dispute, he shall continue to take part in such proceedings until the dispute has been settled, even if his successor has been appointed.

*Article 7.*

When one of the Parties desires to submit a dispute to the Commission, it shall notify the president. The other Party shall also be informed at once of such notification. The president shall convene the Commission as soon as possible.

The Party which has submitted the dispute to the Commission shall notify the Secretary-General of the League of Nations.

*Article 8.*

The Commission shall meet at the seat of the League of Nations unless, in special cases, the Parties decide otherwise.

*Article 9.*

The Parties shall supply the Commission with all the information which may be useful, and shall in every respect assist it in the accomplishment of its task.

The Commission may apply to the Secretary-General of the League of Nations for the assistance of the Secretariat if it appears that such assistance is necessary to facilitate its task.

*Article 10.*

The Parties shall be entitled to appoint special representatives on the Commission. These representatives shall also act as intermediaries between the Parties and the Commission.

*Article 11.*

Proceedings before the Commission shall not be public unless the Commission so decides and the Parties agree.

*Article 12.*

In proceedings before the Commission both Parties shall be heard.

The Commission shall draw up rules to govern its procedure, subject to the proviso that the regulations laid down in Chapter III of the Hague Convention of October 18, 1907, for the pacific settlement of international disputes shall be applied unless the Commission unanimously agrees to depart from these regulations.



*Article 13.*

The Commission shall take its decisions by a majority vote of its members except where otherwise laid down in the present Convention. Each member shall have one vote, and in case of a tie the president shall have a casting vote.

A quorum shall be constituted if all the members have been duly summoned, and if the president and not less than two other members are present.

*Article 14.*

The Commission shall make a report on each dispute submitted to it. The report shall include a proposal for the settlement of the dispute if a settlement is possible and if at least three members agree to the proposals.

The reasoned opinion of the members who are in the minority shall be recorded in the report.

*Article 15.*

The Commission shall complete its task within six months from the day when the dispute is submitted to it, unless the Parties agree to an extension of this period.

The above period shall not include any time during which the Commission's work is interrupted for reasons arising out of the provisions of Article 2.

*Article 16.*

The Commission's report shall be signed by the president, who shall immediately bring it to the knowledge of the Parties and of the Secretary-General of the League.

The Parties undertake to inform each other within reasonable time as to how far they approve the findings of the report and accept the settlement proposed therein.

The Parties shall decide, in agreement with one another, whether the Commission's report shall be published immediately after it has been issued; in special circumstances, however, the Commission may decide that the report shall be published at once, even in the absence of any such agreement.

*Article 17.*

Each Party shall pay the allowances of the members of the Commission which it has appointed, and shall also pay half of the allowances of the chairman.

The Parties shall endeavour to arrange that the allowances of the members of the Commission on both sides shall be fixed at the same figure.

Each Party shall bear the costs of procedure which it has incurred and half of those which the Commission may declare to be joint costs.

*Article 18.*

The present Convention shall be ratified and the ratifications shall be exchanged at Copenhagen, as soon as possible. It shall come into force as soon as the instruments of ratification have been exchanged, and shall remain in force for five years from that date. Unless denounced within six months before the expiration of this period, it shall remain in force for a further period of five years and shall thereafter be regarded as renewed for successive periods of five years unless denounced within six months before the expiration of the preceding period of five years.

---

No. 842. — CONVENTION BETWEEN DENMARK AND NORWAY,  
CONCERNING THE ESTABLISHMENT OF A CONCILIATION  
COMMISSION, SIGNED AT STOCKHOLM, JUNE 27, 1924.

---

*The registration of this Convention took place March 21, 1925. Ratifications exchanged at Oslo, March 14, 1925.*

---

[Translation.]

*Article 1.*

The Contracting Parties undertake to refer to a Permanent Commission, to be appointed in the manner set forth below, for investigation and settlement by conciliation, all disputes of any nature whatever which it has not been possible to settle within reasonable time through diplomatic channels, and which should not, under the terms of the Statute of the Permanent Court of International Justice or of any other agreement between the Parties, be submitted either to the Permanent Court or to a Court of Arbitration.

*Article 2.*

When a dispute, which has been referred to the Commission by one of the Parties, has been brought before the Permanent Court or a Court of Arbitration by the other Party under the terms of Article 1, the Commission shall postpone its investigation of the dispute until the Permanent Court or the Court of Arbitration shall have determined the question of competence in the case.

*Article 3.*

The Commission shall be composed of five members. Each Party shall appoint two members, one of which may be a national of the appointing State. The fifth member, who shall act as chairman of the Commission, shall be a national of a State not otherwise represented on the Commission. He shall be appointed jointly by the Parties. Should the Parties be unable to agree, the chairman shall, at the request of one of the Parties, be appointed by the President of the Permanent Court of International Justice, or, should the latter be a national of one of the Contracting States, by the Vice-President of the Court.

The Commission shall be appointed within six months after the ratifications of the present Convention have been exchanged.

*Article 4.*

The members of the Commission shall be appointed for three years. They shall be irremovable during their period of office unless the Parties agree otherwise. In the event of the death or retirement of a member, the vacancy must be filled for the remainder of his term of office within the next two months if possible, but, in any case, as soon as a dispute has been submitted to the Commission.

*Article 5.*

Either of the Parties may, within fourteen days after one of them has submitted a dispute to the Commission, replace one of the members whom it has appointed by a person specially qualified

to deal with the particular case before the Commission, subject, however, to the rules laid down in Article 3 with regard to the nationality of members.

If one Party desires to avail itself of this right, it shall at once inform the other Party, which may take a similar step within fourteen days of receiving such notification.

*Article 6.*

If, at the end of his term of office, a member of the Commission has not been replaced, his term shall be considered as renewed for a period of three years. The chairman, however, shall, at the request of one of the Parties, cease to hold office at the end of his appointed term.

If a member's term of office expires in the course of proceeding in connection with a dispute, he shall continue to take part in such proceedings until the dispute has been settled, even if his successor has been appointed.

*Article 7.*

When one of the Parties desires to submit a dispute to the Commission, it shall notify the President. The other Party shall also be informed at once of such notification. The President shall convene the Commission as soon as possible.

The Party which has submitted the dispute to the Commission shall notify the Secretary-General of the League of Nations.

*Article 8.*

The Commission shall meet at the seat of the League of Nations, unless, in special cases, the Parties decide otherwise.

*Article 9.*

The Parties shall supply the Commission with all the information which may be useful and shall in every respect assist it in the accomplishment of its task.

The Commission may apply to the Secretary-General of the League of Nations for the assistance of the Secretariat if it appears that such assistance is necessary to facilitate its task.

*Article 10.*

The Parties shall be entitled to appoint special representatives on the Commission. These representatives shall also act as intermediaries between the Parties and the Commission.

*Article 11.*

Proceedings before the Commission shall not be public unless the Commission so decides and the Parties agree.

*Article 12.*

In proceedings before the Commission both Parties shall be heard.

The Commission shall draw up rules to govern its procedure, subject to the proviso that the regulations laid down in Chapter III of the Hague Convention of October 18, 1907, for the Pacific Settlement of International Disputes shall be applied unless the Commission unanimously agrees to depart from these regulations.

*Article 13.*

The Commission shall take its decisions by a majority vote of its members except where otherwise laid down in the present Convention. Each member shall have one vote, and in case of a tie the President shall have a casting vote.

A quorum shall be constituted if all the members have been duly summoned, and if the President and not less than two other members are present.

*Article 14.*

The Commission shall make a report on each dispute submitted to it. The report shall include a proposal for the settlement of the dispute if a settlement is possible and if at least three members agree to the proposals.

The reasoned opinion of the members who are in the minority shall be recorded in the report.

*Article 15.*

The Commission shall complete its task within six months from the day when the dispute is submitted to it, unless the Parties agree to an extension of this period.

The above period shall not include any time during which the Commission's work is interrupted for reasons arising out of the provisions of Article 2.

*Article 16.*

The Commission's report shall be signed by the President, who shall immediately bring it to the knowledge of the Parties and of the Secretary-General of the League.

The Parties undertake to inform each other within reasonable time as to how far they approve the findings of the report and accept the settlement proposed therein.

The Parties shall decide, in agreement with one another, whether the Commission's report shall be published immediately after it has been issued; in special circumstances, however, the Commission may decide that the report shall be published at once, even in the absence of any such agreement.

*Article 17.*

Each Party shall pay the allowances of the members of the Commission which it has appointed, and shall also pay half of the allowances of the chairman.

The Parties shall endeavour to arrange that the allowances of the members of the Commission on both sides shall be fixed at the same figure.

Each Party shall bear the costs of procedure which it has incurred and half of those which the Commission may declare to be joint costs.

*Article 18.*

The present Convention shall be ratified and the ratifications shall be exchanged at Christiania, as soon as possible. It shall come into force as soon as the instruments of ratification have been exchanged, and shall remain in force for five years from that date. Unless denounced within six months before the expiration of this period, it shall remain in force for a further period of five years, and shall thereafter be regarded as renewed for successive periods of five years unless denounced within six months before the expiration of the preceding period of five years.

---

No. 844. — CONCILIATION TREATY BETWEEN SWEDEN AND SWITZERLAND, SIGNED AT STOCKHOLM, JUNE 2, 1924.

---

*The registration of this Treaty took place March 21, 1925. Ratifications exchanged at Stockholm, February 14, 1925.*

---

[*Translation.*]

*Article 1.*

The Contracting Parties undertake to submit to a Permanent Conciliation Commission any disputes that may arise between them and which it may not have been possible to settle through the diplomatic channel, and which shall not be capable of judicial settlement under Article 36, paragraph 2, of the Statute of the Permanent Court of International Justice.

Each Contracting Party shall be free to decide at what period the procedure of conciliation may be substituted for diplomatic negotiations.

The Contracting Parties may agree that a dispute which is capable of judicial settlement under Article 36, paragraph 2, of the Statute of the Permanent Court of International Justice shall be previously submitted to the procedure of conciliation.

*Article 2.*

The Permanent Conciliation Commission shall be composed of five members.

Each Contracting Party shall nominate one member of its own choosing, the other three being appointed by joint agreement. The latter may not be nationals of the Contracting States, nor be domiciled in their territory, nor be employed in their service.

The President of the Commission shall be appointed by joint agreement from among the jointly selected members.

The Commission shall be set up within six months after the ratifications of the present Treaty have been exchanged.

If the appointment of the members to be nominated jointly or of the President is not made within six months from the exchange of ratifications or, in the event of resignation or death, within two months after the vacancy occurs, these appointments shall be made at the request of either Party by the President of the Permanent Court of International Justice, or if the latter is a national of one of the Contracting States, by the Vice-President of the Court.

*Article 3.*

The members of the Commission shall be appointed for three years. Their appointment shall not be revoked during the term of their mandate unless the Contracting Parties decide otherwise. In the event of the death or resignation of a member, arrangements shall be made to replace him for the remainder of his mandate.

If the mandate of a member selected by joint agreement shall expire, and if neither Party is opposed to its renewal, it shall be deemed to be renewed for a further period of three years. Similarly, if, on the expiry of the mandate of a member appointed by one of the Parties, no arrangements have been made to replace him, his mandate shall be deemed renewed for three years.

A member whose mandate expires in the course of a procedure shall continue to take part in the examination of the dispute until the procedure is completed.

*Article 4.*

Within the fortnight following the notification of a request for conciliation to the Permanent Commission, either Party may replace the member of its own choosing by a person possessing special competence in the matter which forms the subject of the dispute.

The Party which intends to make use of this right shall immediately notify the opposing Party. In this case, the latter may make use of the same right within a fortnight after receiving the notification.

*Article 5.*

The task of the Permanent Conciliation Commission shall be to further the settlement of disputes by an impartial and conscientious examination of the facts and by formulating proposals with a view to settling the case.

The Commission shall be seized of a question by an application addressed to its President by one of the Contracting Parties.

This application shall be notified at the same time to the opposing Party by the Party which is requesting the institution of the procedure of conciliation.

*Article 6.*

The Commission shall meet at the place chosen by the President, unless there is an agreement to the contrary.

*Article 7.*

The Contracting Parties shall be entitled to appoint special agents on the Commission, who shall also act as intermediaries between the Parties and the Commission.

*Article 8.*

The Contracting Parties undertake to give the Commission all possible assistance in its work and, in particular, to employ all the means placed at their disposal by their domestic legislation to enable it to call and hear witnesses or experts within their territory as well as to carry out investigations on the spot.

*Article 9.*

The deliberations of the Commission shall be held in private, unless, in agreement with the Parties, the Commission decides otherwise.

*Article 10.*

In proceedings before the Commission both Parties shall be heard.

The Commission shall draw up rules to govern its procedure, subject to the proviso that the regulations laid down in Chapter III of the Hague Convention of October 18, 1907, for the pacific settlement of international disputes shall be applied, unless the Commission unanimously agrees to depart from these regulations.

*Article 11.*

The Commission shall take its decisions by a majority vote of its members, except where otherwise laid down in the present Treaty.

A quorum shall be constituted if all the members have been duly summoned and if the President and not less than two other members are present.

*Article 12.*

The Commission shall make its report within six months from the day on which the dispute is submitted to it, unless the Contracting Parties agree to a curtailment or extension of this period.

The report shall contain the reasoned opinion of the members who form the minority.

A copy of the report shall be sent to each Party.

The report shall not be in the nature of an arbitral award, as regards either the statement of facts or the legal considerations.

The Parties shall decide in agreement with one another whether the Commission's report shall be immediately published.

*Article 13.*

The Permanent Conciliation Commission shall fix the period within which the Parties will be required to take their decision as regards the Commission's proposal. This period shall not however, exceed three months.

*Article 14.*

For the actual duration of the procedure, the members of the Conciliation Commission shall receive an allowance to be fixed by arrangement between the Contracting Parties.

Each Party shall bear its own costs and half the costs of the Commission.

*Article 15.*

During the procedure of conciliation, the Contracting Parties shall abstain from all measures which might prejudicially affect the acceptance of the proposals of the Permanent Conciliation Commission.

*Article 16.*

The present Treaty shall be ratified and the ratifications shall be exchanged at Stockholm, as soon as possible.

The Treaty is concluded for a period of ten years from the date of the exchange of ratifications. Unless denounced at least six months before the expiration of this period, it shall remain in force for a further period of five years, and similarly thereafter.

---

No. 862. — TREATY OF CONCILIATION BETWEEN AUSTRIA AND SWITZERLAND, SIGNED AT VIENNA, OCTOBER 11, 1924.

---

*The registration of this Treaty took place May 16, 1925. Ratifications exchanged at Berne, May 1, 1925.*

---

[*Translation.*]

*Article 1.*

The Contracting Parties undertake, prior to any procedure before an international or arbitral Tribunal, to submit to the procedure of conciliation laid down in the following articles all disputes of any nature whatever which may arise between them and which it may not have been possible to settle through the diplomatic channel, provided that they shall not be capable of a judicial settlement in accordance with Article 36 of the Statute of the Permanent Court of International Justice.

Each of the Contracting Parties shall be free to decide at what period the procedure of conciliation may be substituted for diplomatic negotiations.

*Article 2.*

The Contracting Parties may agree to submit a dispute in the first instance to the procedure of conciliation, even though it is capable of being settled by the Permanent Court of International Justice in virtue of Article 36 of its Statute.

*Article 3.*

With a view to carrying out the procedure of conciliation the Contracting Parties shall establish a Permanent Commission composed of three members.

Each Party shall appoint one member of its own choosing, and the two Parties shall appoint the President by joint agreement.

The President shall not be a national of the Contracting States, nor be domiciled in their territory, nor be employed in their service.

The Commission shall be constituted within six months after the exchange of ratifications of the present Treaty.

So long as a procedure has not begun, either Contracting Party may revoke the appointment of its commissioner and appoint a successor, and may also withdraw its consent to the appointment of the President. In this case the commissioners whose mandates have been withdrawn shall be replaced without delay.

Commissioners shall be replaced under the same conditions as were observed in their appointment.

If the appointment of the President is not made within six months from the exchange of ratifications or, in the case of replacement, within three months after the vacancy occurs, these appointments shall be made in conformity with Article 45 of the Hague Convention of October 18, 1907, for the pacific settlement of international disputes.



For the actual duration of the procedure the President of the Conciliation Commission shall receive an allowance, to be fixed by an arrangement between the Contracting Parties and borne by them in equal shares.

Each Party shall fix and be responsible for the allowance of the Commissioner appointed by itself.

*Article 4.*

The Commission shall be seized of a question by an application addressed to its President by one of the Contracting Parties.

This application shall be notified at the same time to the opposing Party by the Party which is requesting the institution of the procedure of conciliation.

*Article 5.*

The Permanent Conciliation Commission shall meet at the place chosen by its President, unless there is an agreement to the contrary.

*Article 6.*

The task of the Permanent Conciliation Commission shall be to further the settlement of disputes by an impartial and conscientious examination of the facts and by submitting proposals with a view to settling the case.

The Commission's report shall be presented within six months from the day when the dispute is submitted to it, unless the Contracting Parties decide by joint agreement to curtail or extend this period. A copy of the report shall be sent to each Party.

The report shall not be in the nature of a compulsory award, as regards either the statement of facts or the legal considerations.

*Article 7.*

The Contracting Parties undertake to give the Permanent Conciliation Commission all possible assistance in its work and, in particular, to employ all the means placed at their disposal by their domestic legislation to enable the Commission to call and hear witnesses and experts within their territory, as well as to carry out investigations on the spot.

*Article 8.*

In the absence of an agreement to the contrary, the procedure of conciliation shall be governed by the Hague Convention of October 18, 1907, for the pacific settlement of international disputes.

*Article 9.*

The Permanent Conciliation Commission shall fix the period within which the Parties will be required to take their decision as regards the Commission's proposals. This period shall not, however, exceed three months.

*Article 10.*

Each Party shall bear its own expenses and half the expenses of the procedure of conciliation.

*Article 11.*

During the procedure of conciliation the Contracting Parties shall abstain from all measures which might prejudicially affect the acceptance of the proposals of the Permanent Conciliation Commission.

*Article 12.*

The present Treaty shall be ratified. The instruments of ratification shall be exchanged at Berne as soon as possible.

The Treaty is concluded for a period of ten years from the date of the exchange of ratifications. Unless denounced six months before the expiration of this period, it shall remain in force for a further period of five years, and similarly thereafter.

---

FINAL PROTOCOL

OF THE TREATY OF CONCILIATION BETWEEN AUSTRIA AND SWITZERLAND.

At the moment of signing the Treaty of Conciliation concluded this day, the undersigned, duly authorised to this effect, declare that it is understood that the Contracting Parties shall, until the expiration of the Treaty of Conciliation, remain bound as between themselves by the terms of Article 36 of the Statute of the Permanent Court of International Justice, in the event of the obligation which they incurred by their adherence to the optional provision of the said Statute terminated for one of them in the interim.

---

No. 873. — TREATY OF CONCILIATION BETWEEN DENMARK AND SWITZERLAND, SIGNED AT COPENHAGEN, JUNE 6, 1924.

---

*The registration of this Treaty took place May 26, 1925. Ratifications exchanged at Berne, May 18, 1925.*

---

[*Translation.*]

*Article 1.*

The Contracting Parties undertake to submit to a Permanent Conciliation Commission any disputes that may arise between them and which it may not have been possible to settle by the diplomatic channel, and which shall not be capable of judicial or arbitral settlement in accordance with Article 36, paragraph 2, of the Statute of the Permanent Court of International Justice, or in conformity with any other international convention in force between the Contracting Parties.

Each of the Contracting Parties shall be free to decide at what period the procedure of conciliation may be substituted for diplomatic negotiations.

The Contracting Parties may agree that a dispute which is capable of judicial or arbitral settlement shall be previously submitted to the procedure of conciliation.

*Article 2.*

The Permanent Conciliation Commission shall be composed of five members.

Each Contracting Party shall nominate one member of its own choosing, the other three being appointed by joint agreement. The latter may not be nationals of the Contracting States, nor be domiciled in their territory, nor be employed in their service.

The President of the Commission shall be appointed by joint agreement from among the jointly selected members.

The Commission shall be set up within six months of the exchange of ratifications of the present Treaty.

If the appointment of the members to be nominated jointly is not made within this period, or, in case of resignation or death, within three months after the vacancy occurs, the Contracting Parties shall each appoint one of these members satisfying the conditions laid down in paragraph 2, while the appointment of the President shall, if necessary, be made on the request of either Party by the President of the Permanent Court of International Justice, or, if the latter is a national of one of the Contracting States, by the Vice-President or by the oldest member of the Court who is not a national of one of the Contracting States.

*Article 3.*

The members of the Commission shall be appointed for three years. Their appointment shall not be revoked during the term of their mandate unless the Contracting Parties decide otherwise.

If the mandate of a member appointed by joint agreement expires, and if neither Party is opposed to its renewal, the mandate shall be deemed to be renewed for a further period of three years. Similarly, if, on the expiration of the mandate of a member chosen by one Party, this Party has not arranged for his replacement, his mandate shall be deemed to have been renewed for three years.

A member whose mandate expires during a procedure shall continue to take part in the examination of the dispute until the procedure is completed.

*Article 4.*

Within the fortnight following the notification of a request for conciliation to the Permanent Commission, each Party may replace the member freely chosen by itself under paragraph 2 of Article 2 by a person possessing special competence in the matter which forms the subject of the dispute.

The Party which intends to make use of this right shall immediately notify the opposing Party. In this case, the latter may make use of the same right within a fortnight of receiving the notification.

*Article 5.*

The task of the Permanent Conciliation Commission shall be to further the settlement of disputes by an impartial and conscientious examination of the facts and by formulating proposals with a view to settling the case.

The Commission shall be seized of a question by an application addressed to its President by one of the Contracting Parties.

This application shall be notified at the same time to the opposing Party by the Party which is requesting the institution of the procedure of conciliation.

*Article 6.*

The Commission shall meet at the place chosen by the President, unless there is an agreement to the contrary.

*Article 7.*

The Contracting Parties shall be entitled to appoint special agents on the Commission ; these agents shall also act as intermediaries between the Parties and the Commission.

*Article 8.*

The Contracting Parties undertake to give all possible assistance to the Commission in its work and, in particular, to employ all the means placed at their disposal by their domestic legislation to enable it to call and hear witnesses or experts within their territory, as well as to carry out investigations on the spot.

*Article 9.*

The deliberations of the Commission shall be held in private unless, in agreement with the Parties, the Commission decides otherwise.

*Article 10.*

In proceedings before the Commission both Parties shall be heard.

The Commission shall draw up its own rules of procedure, regard being had to the regulations laid down in Title III of the Hague Convention of October 18, 1907, for the pacific settlement of international disputes, unless the Commission unanimously decides otherwise.

*Article 11.*

The Commission shall take its decisions by a majority vote of its members, except as otherwise laid down in the present Treaty.

The Commission shall be deemed to have a quorum if all the members have been duly convened and if the President and not less than two other members are present.

*Article 12.*

The Commission shall make its report within six months from the day when the dispute is submitted to it unless the Contracting Parties decide by joint agreement to curtail or prolong this period.

The report shall contain the reasoned opinion of the members forming the minority.

A copy of the report shall be sent to each Party.

The report shall not be in the nature of an arbitral award as regards either the statement of facts or the legal considerations.

It shall rest with the Parties to decide by agreement between themselves whether the Commission's report may be published at once.

*Article 13.*

The Permanent Conciliation Commission shall fix the period within which the Parties will be required to take their decision as regards the Commission's proposals. This period shall not, however, exceed three months.

*Article 14.*

For the actual duration of the procedure, the members of the Conciliation Commission shall receive an allowance to be fixed by arrangement between the Contracting Parties.

Each Party shall bear its own costs and half the costs of the Commission.

*Article 15.*

During the procedure of conciliation the Contracting Parties shall abstain from any act which may prejudicially affect the acceptance of the proposals of the Permanent Conciliation Commission.

*Article 16.*

The present Treaty shall be ratified and the ratifications shall be exchanged as soon as possible.

The Treaty is concluded for a period of ten years from the date of the exchange of ratifications. Unless denounced at least six months before the expiration of this period, it shall remain in force for a further period of five years, and similarly thereafter.

---

### **Chapter III.**

## **TREATIES OF ARBITRATION AND CONCILIATION**

---

	Page
No. 320. GERMANY AND SWITZERLAND . . . . .	107
No. 834. ITALY AND SWITZERLAND . . . . .	113
No. 887. HUNGARY AND SWITZERLAND . . . . .	117
No. 991. ESTHONIA, FINLAND, LATVIA AND POLAND . . . . .	121
No. 1036. GERMANY AND SWEDEN . . . . .	126

No. 320. — TREATY OF ARBITRATION AND CONCILIATION BETWEEN  
THE SWISS CONFEDERATION AND THE GERMAN REICH,  
SIGNED AT BERNE, DECEMBER 3, 1921.

---

*The registration of this Treaty took place September 13, 1922. Ratifications exchanged at Berne, April 25, 1922.*

---

[*Translation.*]

*Article 1.*

The Contracting Parties undertake to refer to the procedure of arbitration or conciliation disputes of any nature whatsoever which may arise between them and which it has not been possible to settle, within a reasonable period, by diplomatic means.

Disputes for the solution of which a special procedure has been laid down in other Conventions in force between the Contracting Parties shall be settled in accordance with the provisions of such Conventions.

*Article 2.*

At the request of one of the Parties, disputes regarding the following subjects shall, unless otherwise provided for in Articles 3 and 4, be submitted to arbitration :

First, the contents, interpretation and application of any treaty concluded between the two Parties ;

Secondly, any point of international law ;

Thirdly, the existence of any fact which, if established, would constitute a violation of an international engagement ;

Fourthly, the extent and nature of the reparation due for such violation.

In case of disagreement as to whether the dispute falls under one of the above categories, this preliminary question shall be referred to arbitration.

*Article 3.*

In regard to questions which, under the national laws of the Party against which an action has been brought, are within the competence of judicial authorities, including administrative tribunals, the defendant Party may require, on the one hand, that the dispute shall not be submitted to arbitral award until a final decision has been pronounced by these judicial authorities and, on the other hand, that the matter shall be brought before the Tribunal not later than six months after the date of such decision. The above provisions shall not apply if justice has been refused and if the matter has been brought before the courts of appeal provided for by law.

In the case of disputes regarding the application of the preceding provision, the Arbitral Tribunal shall decide.

*Article 4.*

If, in a dispute coming under one of the categories mentioned in Article 2, one of the Parties pleads that the question at issue is one which affects its independence, the integrity of its territory or other vital interests of the highest importance, and if the opposing Party admits that the plea

is well founded, the dispute shall not be subject to arbitration but to the procedure of conciliation. If, however, the plea is not recognised as well founded by the opposing Party, this point shall be settled by means of arbitration.

The above provisions shall apply if, in a dispute coming under one of the categories mentioned in Article 2, one Party, although not pleading its independence, the integrity of its territory, or other vital interests of the highest importance, pleads that the dispute is mainly political and, for this reason, does not allow of a decision based exclusively on legal principles. At the same time, as an exception to the provision laid down in Article 9, the Tribunal can only recognise the validity of this plea if all its members unanimously agree thereto or if there is only one dissentient.

If the Tribunal recognises the validity of such pleas it shall refer the dispute for settlement to the procedure of conciliation. If the contrary is the case, it shall give an award on the dispute itself.

A Party which does not recognise the validity of one of the pleas of exception put forward by the opposing Party may, nevertheless, without first having recourse to arbitration, agree to the application of the procedure of conciliation. It may, however, stipulate that if the proposal for settlement by conciliation is not accepted by both Parties, the Tribunal shall be required to give a decision regarding the plea of exception, and, if necessary, regarding the dispute itself.

#### *Article 5.*

The Tribunal shall apply :

First : the conventions in force between the Parties, whether general or special, and the principles of law arising therefrom ;

Secondly : international custom as evidence of a general practice accepted as law ;

Thirdly : the general principles of law recognised by civilised nations.

If, in a particular case, the legal bases mentioned above are inadequate, the Tribunal shall give an award in accordance with the principles of law which, in its opinion, should govern international law. For this purpose it shall be guided by decisions sanctioned by legal authorities and by jurisprudence.

If the Parties agree, the Tribunal may, instead of basing its decision on legal principles, give an award in accordance with considerations of equity.

#### *Article 6.*

Subject to special agreement to the contrary in each particular case, the Tribunal shall be constituted as follows :

The judges shall be chosen from the list of Members of the Permanent Court of Arbitration established by The Hague Convention dated October 18, 1907, for the pacific settlement of international disputes.

Each Party shall appoint its own arbiter. The Parties shall jointly nominate three other arbiters, one of whom shall be the umpire. If, after having been appointed, one of the judges jointly elected acquires the nationality of one of the Parties, appoints his domicile in its territory or enters its service, either of the Parties may claim that he be replaced. Any disputes which may arise as to whether either of these conditions exists shall be settled by the other four judges; the eldest of the judges jointly elected shall take the chair in these cases, and if the votes are equally divided, he shall give a casting vote.

For each individual disputes there shall be a fresh election of judges. The Contracting Parties, however, reserve the right to act in concert regarding these elections, so that for a certain class of dispute arising within a fixed period, the same judges shall be seated on the Tribunal.

In case of the death of members of the Tribunal, or of their retirement, for any reason whatever, they shall be replaced according to the manner determined for their appointment.

#### *Article 7.*

In each individual case the Contracting Parties shall, in pursuance of the present Treaty, draw up an agreement of reference (" *compromis* ") to determine the subject of the dispute, any



special terms of reference which may be accorded to the Tribunal, its composition, the place where it shall meet, the total amount that each Party concerned shall be obliged to deposit in advance to cover expenses, the rules to be observed with regard to the form and time-limits of the proceedings, and any other detail that may be considered necessary.

Any disputes arising out of the terms of the agreement of reference shall, subject to the terms of Article 8, be referred to arbitration.

*Article 8.*

If the agreement of reference has not been determined within a period of six months after one Party concerned has notified the other of its intention to refer the dispute to arbitration, either Party may request the Permanent Board of Conciliation provided for under Article 14 to establish the agreement of reference. The Permanent Board of Conciliation shall, within two months after having been convened, settle the terms of the agreement of reference, abiding by the conclusions of each Party when determining the subject of the dispute.

The same procedure shall apply when one Party has not nominated the arbitrators for whose appointment it is responsible, or when the Parties concerned cannot agree upon the choice of judges to be jointly appointed, or upon the umpire.

Pending the constitution of the Tribunal, the Permanent Board of Conciliation shall also be competent to give an award upon any other disputes arising out of the agreement of reference.

*Article 9.*

The decisions of the Tribunal shall be based upon a majority vote.

*Article 10.*

The arbitration award shall specify the manner in which it is to be carried out, especially as regards the time-limits to be observed.

If in an arbitration award it is proved that a decision or measure of a court of law or other authority of one of the Parties is wholly or in part contrary to international law, and if the constitutional law of that Party does not permit, or only partially permits, the consequences of the decision or measure in question, to be annulled by administrative measures the arbitration award shall award the injured Party equitable satisfaction of another kind.

*Article 11.*

Subject to compromissorial clauses to the contrary, either Party may claim a revision of the award by the Tribunal which gave the award. This demand shall only be warranted by the discovery of a fact which exercises a decisive influence on the award, and which, at the time of the close of the discussion in Court, was unknown to the Tribunal itself and to the Party demanding the revision, unless that Party ought to have been aware of it.

If, for any reason, any Members of the Tribunal do not take part in the revision proceedings, substitutes for them shall be appointed in the manner determined for their own appointment.

The limit of time within which the demand provided for in the first paragraph may be presented shall be fixed in the arbitral award unless it has already been fixed in the agreement of reference.

*Article 12.*

Any dispute arising between the Parties concerned as to the interpretation and execution of the award shall, in the absence of an agreement to the contrary, be submitted to the Tribunal which pronounced it. In the latter case the provision contained in Article 11, paragraph 2, shall also apply.

*Article 13.*

Any dispute which, under the terms of the present Treaty, cannot be referred to arbitration shall, at the request of one of the Parties concerned, be submitted to the procedure of conciliation.

If the opposing Party claims that a dispute for which conciliation procedure has been initiated should be settled by the Tribunal, the latter shall first pronounce judgment upon this preliminary question.

The Governments of the Contracting Parties shall be entitled to agree that a dispute which, under the terms of the present Treaty, can be settled by arbitration shall be referred to the conciliation procedure, either without appeal or subject to appeal to the Tribunal.

*Article 14.*

A Permanent Board of Conciliation shall be constituted for the procedure of conciliation.

The Permanent Board of Conciliation shall consist of five members. The Contracting Parties shall appoint one member each of their own choice and nominate the other three members by mutual agreement. These three members shall not be nationals of the Contracting Parties, nor shall they be domiciled on their territory, nor employed in their service. The Contracting Parties shall by mutual agreement elect the President from among these three Members.

Either of the Contracting Parties shall at any time, if no procedure is pending or if no procedure has been proposed by one of the Parties, have the right to recall the member appointed by it and to appoint a successor. In the same circumstances either Contracting Party shall be entitled to withdraw its consent to the appointment of any one of the three members jointly elected. In that case a new member shall be appointed, without delay, by joint nomination.

While the procedure is actually in progress, the members shall receive remuneration, the amount of which shall be fixed by the Parties concerned. The expenses of the Permanent Board of Conciliation shall be divided equally between the Contracting Parties.

The Permanent Board of Conciliation shall be constituted in the course of the six months following the exchange of ratifications of the present Treaty. Retiring members shall be replaced as soon as possible in the manner laid down for the first election.

The Permanent Board of Conciliation shall determine its own meeting-place and shall be at liberty to transfer it.

The Permanent Board of Conciliation shall, if need be, establish a registry. If it appoints nationals of the Contracting Parties to positions in this office, it shall treat both Parties alike.

If the nomination of the members to be appointed in common has not taken place within the six months following the exchange of ratifications, or, in the case of a vacancy on the Permanent Board of Conciliation, within the three months dating from the retirement or death of a member, the provisions of Article 45, paragraphs 4 to 6, of the Hague Convention, dated October 18, 1907, for the Pacific Settlement of International Disputes, shall be applicable by analogy as regards the appointment of members.

*Article 15.*

The Permanent Board of Conciliation shall draw up a report which shall determine the facts of the case and shall contain proposals for settling the disputes.

The report shall be submitted within six months from the day on which the dispute was laid before the Permanent Board of Conciliation, unless the Parties shall agree to cancel or extend this time-limit. The report shall be drawn up in three copies, one of which shall be handed to each of the Parties and the third preserved in the archives of the Permanent Board of Conciliation.

The report shall not, either as regards statement of facts or as regards legal considerations, be in the nature of a final judgment binding upon the Parties. Each Party shall, however, state, within a time-limit to be fixed by the report, whether and within what limits it recognises the accuracy of the facts noted in the report and accepts the proposals which it contains. The duration of this time-limit shall not exceed three months.

*Article 16.*

The Permanent Board of Conciliation shall begin work as soon as the question shall have been submitted to it by one of the Parties. That Party shall communicate its request to the President of the Permanent Board of Conciliation and at the same time to the opposing Party.

The Contracting Parties shall undertake to facilitate, in all cases and in all respects, the work of the Permanent Board of Conciliation and, in particular, to grant it all legal assistance through the agency of competent authorities. The Permanent Board of Conciliation shall be entitled, within the limits of the competence of the local courts, to summon and examine witnesses and experts and search premises in the territory of the Contracting Parties. It may draw up the procedure for the taking of evidence at a plenary meeting or entrust this task to one or several members chosen by common agreement.

*Article 17.*

Every decision shall be taken by a majority of the members of the Permanent Board of Conciliation. Its deliberations shall be valid if all the members have been duly convoked and if all the members elected by common agreement are present at the meeting.

*Article 18.*

The award pronounced as the result of the procedure of arbitration shall be carried out in good faith by the Parties concerned.

The Contracting Parties shall undertake during the course of the arbitration or conciliation proceedings to refrain as far as possible from any action liable to have a prejudicial effect on the execution of the award or on the acceptance of the proposals of the Permanent Board of Conciliation. They shall refrain from any act of a legal nature in connection with the conciliation proceedings until the expiration of the time-limit fixed by the Permanent Board of Conciliation for the acceptance of its proposals.

At the request of one of the Parties, the Tribunal may order provisional measures to be taken in so far as the Parties are in a position to secure their execution through administrative channels ; the Permanent Board of Conciliation may also formulate proposals to the same effect.

*Article 19.*

Subject to the contrary provisions laid down in the present Treaty or the agreement of reference, the procedure of arbitration and conciliation is regulated by the Hague Convention for the pacific settlement of international disputes of October 18, 1907.

In as far as the present Treaty refers to the stipulations of the Hague Convention, the latter shall continue to be applicable to relations between the Contracting Parties, even if one or both of them denounce the Convention.

The Tribunal or the Permanent Board of Conciliation shall be competent to decide as to the necessary provisions with regard to periods of grace or other details connected with the method of arbitration or conciliation, in so far as neither the present Treaty nor the agreement of reference, nor other Conventions in force between the Parties, contain stipulations on these points.

*Article 20.*

The present Treaty shall come into force as soon as possible. The instruments of ratification shall be exchanged at Berne.

The Treaty shall come into force one month after the exchange of ratifications.

It is valid for a period of ten years. If, however, it is not denounced six months before the expiration of this period, it shall remain in force for a further period of two years, and so on, as long as it has not been denounced within the prescribed period.

If a dispute which has been referred to arbitration or conciliation has not been settled when the present Treaty expires, the case shall be proceeded with according to the stipulations of the Treaty or of any other Convention which the Contracting Parties may agree to substitute therefor.

---

FINAL PROTOCOL OF THE TREATY OF ARBITRATION AND CONCILIATION  
CONCLUDED BETWEEN SWITZERLAND AND GERMANY.

(1) The Contracting Parties are agreed that in doubtful cases the stipulations of the present Treaty shall be interpreted in favour of the application of the principle of settlement of disputes by arbitration. In particular, the Contracting Parties declare that ordinary frontier disputes shall not be considered as disputes affecting their territorial integrity in the sense provided in Article 4 of the Treaty.

(2) The Contracting Parties declare that the Treaty shall apply equally to disputes arising out of events which occurred prior to its conclusion. In consideration of their general political bearing, an exception shall, however, be made with regard to disputes arising directly out of the world-war.

(3) The Treaty shall not cease to be applicable if a third State is concerned in a dispute. The Contracting Parties shall endeavour, if necessary, to induce the third State to agree to refer the dispute to arbitration or conciliation. In this case the two Governments may, if they so desire, jointly provide that the Tribunal or the Permanent Board of Conciliation shall be composed of members specially chosen for the case. If no agreement is reached with the third State within a reasonable period, the Contracting Parties shall proceed with the case in accordance with the provisions of the Treaty.

(4) The Contracting Parties declare that disputes between Germany and a third State, in which Switzerland might be interested as a Member of the League of Nations, cannot be considered as disputes between the Contracting Parties in the sense intended by the present Treaty.

---

No. 834. — TREATY OF CONCILIATION AND JUDICIAL SETTLEMENT  
BETWEEN ITALY AND SWITZERLAND, SIGNED AT ROME,  
SEPTEMBER 20, 1924.

---

*The registration of this Treaty took place March 3, 1925. Ratifications exchanged at Rome, January 29, 1925.*

---

[*Translation.*]

*Article 1.*

The Contracting Parties, in view of the friendly and confident relations existing between them, undertake to submit to a procedure of conciliation all disputes of any nature whatever which may arise between them and which it may not have been possible to settle within a reasonable time by diplomacy.

In the event of the procedure of conciliation proving unsuccessful, a judicial settlement shall be sought in conformity with Articles 15 *et seq.* of the present Treaty.

The above shall not apply to disputes for the solution of which a special procedure is laid down by other Conventions in force between the Contracting Parties.

*Article 2.*

In the case of a dispute which, according to the domestic legislation of one of the Parties, comes within the jurisdiction of the Courts, the defendant Party may oppose the submission of the dispute to a procedure of conciliation or, alternatively, to a judicial settlement, until a final judgment has been given by the competent judicial authority.

In this case the request for conciliation procedure must be made within a year at most from the date of such judgment.

*Article 3.*

The Contracting Parties shall establish a Permanent Conciliation Commission composed of five members.

Each Party shall nominate one member of its own choosing, the other three being appointed by joint agreement. The latter may not be nationals of the Contracting States nor be domiciled in their territory nor be employed in their service.

The President of the Commission shall be appointed by joint agreement from among the jointly selected members.

So long as the procedure has not begun, each Contracting Party shall have the right to revoke the appointment of its nominee and replace him by another, and also to withdraw its consent to the appointment of any of the three members nominated jointly. In this case the necessary replacement shall be effected without delay.

Members shall be replaced under the same conditions as were observed in their appointment.

*Article 4.*

The Commission shall be set up within six months after the ratifications of the present Treaty have been exchanged.

If the appointment of the members to be nominated jointly is not made within this period or, in case of their replacement within three months after the vacancy occurs, such appointments shall be made in accordance with Article 45 of the Hague Convention of October 18, 1907, for the pacific settlement of international disputes.

*Article 5.*

The task of the Permanent Conciliation Commission shall be to further the settlement of disputes by an impartial and conscientious examination of the facts and by formulating proposals with a view to settling the case.

The Commission shall be seized of a question by an application addressed to its president by one of the Contracting Parties.

This application shall be notified at the same time to the opposing Party by the Party which is requesting the institution of the procedure of conciliation.

*Article 6.*

The Commission shall meet at the place chosen by the president, unless there is an agreement to the contrary.

*Article 7.*

In proceedings before the Commission both Parties shall be heard.

The Commission shall draw up its own rules of procedure, regard being had to the regulations laid down in Title III of the Hague Convention of October 18, 1907, for the pacific settlement of international disputes, unless the Commission unanimously decides otherwise.

*Article 8.*

The deliberations of the Commission shall be heard in private, unless in agreement with the Parties the Commission decides otherwise.

*Article 9.*

The Contracting Parties shall be entitled to appoint special agents on the Commission. These agents shall also act as intermediaries between the Parties and the Commission.

*Article 10.*

The Commission shall take its decisions by a majority vote of its members except as otherwise laid down in the present Treaty.

*Article 11.*

The Contracting Parties undertake to give the Commission all possible assistance in its work and, in particular, to employ all the means placed at their disposal by their domestic legislation to enable it to call and hear witnesses or experts within their territory as well as to carry out investigations on the spot.

*Article 12.*

The Commission shall make its report within six months from the day when the dispute is submitted to it, unless the Contracting Parties agree to an extension of this period.

A copy of the report shall be sent to each Party.

The Commission's report shall not be in the nature of an arbitral award, as regards either the statement of facts or the legal considerations.

*Article 13.*

The Conciliation Commission shall fix the period within which the Parties will be required to take their decision as regards the Commission's proposals.

This period shall not, however, exceed three months.

*Article 14.*

For the actual duration of the procedure the members of the Conciliation Commission shall receive an allowance to be fixed by an arrangement between the Contracting Parties.

Each Party shall bear its own costs and half the costs of the Commission.

*Article 15.*

If one of the Parties does not accept the proposals of the Permanent Conciliation Commission, or does not announce its decision within the period prescribed in the report, either Party may request that the dispute be submitted to the Permanent Court of International Justice.

If, in the opinion of the Court, the case is not of a juridical nature, the Parties shall agree to its being settled *ex æquo et bono*.

*Article 16.*

In each particular case the Contracting Parties shall draw up a special agreement (*compromis*) specifying clearly the subject of the dispute, the particular competence that might devolve upon the Permanent Court of International Justice, and any other conditions fixed between themselves.

The agreement shall be constituted by an exchange of notes between the Governments of the Contracting Parties.

All points contained therein shall be interpreted by the Court of Justice.

If the agreement is not drawn up within three months from the day on which one of the Parties was requested to submit the matter for judicial settlement, either Party may bring the question before the Court of Justice by a simple application.

*Article 17.*

Should the Permanent Court of International Justice find that a decision of a court of law or other authority of one of the Contracting States is wholly or partly at variance with international law, and should the constitutional law of that State not allow, or only inadequately allow, the cancellation of this decision by administrative procedure, the Party prejudiced shall be granted equitable satisfaction in some other form.

*Article 18.*

The judgment given by the Permanent Court of International Justice shall be acted upon by the Parties in good faith.

Any difficulties regarding the interpretation of the judgment shall be settled by the Court of Justice upon a simple application for this purpose by either Party.

*Article 19.*

During the procedure of conciliation or the judicial procedure, the Contracting Parties shall abstain from all measures which might prejudicially affect the acceptance of the proposals of the Conciliation Commission or the execution of the judgment of the Permanent Court of International Justice.

*Article 20.*

Any disputes which may arise as to the interpretation or the execution of the present Treaty shall, in the absence of any agreement to the contrary, be submitted direct to the Permanent Court of International Justice by simple application.

*Article 21.*

The present Treaty shall be ratified and the instruments of ratification shall be exchanged at Rome as soon as possible.

The Treaty shall come into force as soon as the instruments of ratification have been exchanged. It shall be concluded for a period of ten years from the date of its coming into force. Unless denounced six months before the expiration of this period, it shall be deemed to have been renewed for a further period of five years, and similarly thereafter.

If a procedure of conciliation or a judicial procedure is pending at the time of the expiration of the present Treaty, it shall pursue its course in accordance with the provisions of the present Treaty or any other convention which the Contracting Parties may have agreed to substitute therefor.

---



No. 887 — TREATY OF CONCILIATION AND ARBITRATION BETWEEN  
HUNGARY AND SWITZERLAND, SIGNED AT BUDAPEST, JUNE 18,  
1924.

---

*The registration of this Treaty took place June 5, 1924. Ratifications exchanged at Budapest,  
May 13, 1925.*

---

[Translation.]

*Article 1.*

The Contracting Parties undertake to submit to a procedure of conciliation or, alternatively, to arbitration, all disputes of any nature whatever which may arise between them and which it may not have been possible to settle within a reasonable time through the diplomatic channel.

*Article 2.*

In the case of a dispute which, according to the domestic legislation of one of the Contracting Parties, comes within the jurisdiction of the Courts, the defendant Party may oppose the submission of the dispute to a procedure of conciliation or to arbitration until a final judgment has been given by the competent judicial authority.

In this case, the request for conciliation procedure must be made within a year at most from the date of such judgment.

*Article 3.*

The conciliation shall be entrusted to a single Commissioner appointed for each particular case by joint agreement between the Contracting Parties.

If, within three months of the day when one of the Contracting Parties shall have notified to the other its intention of resorting to the procedure of conciliation, no agreement has been arrived at regarding the choice of the Commissioner, Her Majesty the Queen of the Netherlands shall be asked to appoint him.

The Commissioner must not be a national of the Contracting Parties, nor be domiciled in their territory, nor be employed in their service.

During the actual course of the procedure he shall receive an allowance to be fixed between the Contracting Parties.

*Article 4.*

The Commissioner shall be seized of the dispute upon the application of one of the Parties.

This application shall be notified at the same time to the opposing Party by the Party which is requesting the institution of the procedure of conciliation.

*Article 5.*

The Contracting Parties shall determine the place where the Commissioner shall sit. If no agreement on this point is concluded within the three months provided for in Article 3, the Commissioner shall sit at The Hague.

*Article 6.*

The task of the Commissioner shall be to promote the settlement of the dispute by an impartial and conscientious examination of the facts and by submitting proposals with a view to settling the case.

His report shall be made within six months from the day on which he was seized of a request for conciliation, unless the Contracting Parties shall jointly agree to curtail or prolong this period. A copy of the report shall be sent to each Party.

The report shall not be in the nature of a compulsory award as regards either the statement of facts or the legal considerations.

*Article 7.*

The Contracting Parties undertake, as far as they shall consider possible, to supply the Commissioner with all means and all facilities necessary for a complete knowledge and exact appreciation of the facts to be elucidated.

They further undertake to employ all the means placed at their disposal by their domestic legislation to enable the Commissioner to call and hear witnesses and experts within their territory, as well as to carry out investigations on the spot.

*Article 8.*

In the absence of an agreement to the contrary, the procedure of conciliation shall be governed by the Hague Convention of October 18, 1907, for the pacific settlement of international disputes.

*Article 9.*

The Commissioner shall fix in his report the period within which the Parties must take their decision as regards his proposals.

This period shall not, however, exceed three months.

*Article 10.*

If one of the Contracting Parties does not accept the Commissioner's proposals or does not announce its decision within the period prescribed in his report, either of them may demand that the dispute be submitted to arbitration, provided that it is included in one of the categories of legal disputes relating to :

- (a) The interpretation of a treaty ;
- (b) Any point of international law ;
- (c) The existence of any fact which, if established, would constitute the violation of an international engagement ;
- (d) The nature or extent of the reparation due for the breach of an international engagement.

In the event of a dispute as to whether the question is included in one of the above-mentioned categories of disputes, this *a priori* question shall be submitted to arbitration.

If the arbitral tribunal recognises that the dispute is capable of an arbitral solution within the meaning of the present Treaty, it shall at the same time pronounce upon the substance of the case.

*Article 11.*

The arbitral tribunal instructed to pronounce upon disputes which, according to the present Treaty, may be submitted to compulsory arbitration, shall for each particular case be constituted by joint agreement between the Contracting Parties.

If the tribunal is not constituted within six months after the notification of a request for arbitration, either Party may by a simple application refer the dispute to the Permanent Court of International Justice.

If the dispute requires despatch, the Contracting Parties may agree in this case to bring it before the Chamber for Summary Procedure of the Permanent Court of International Justice.

*Article 12.*

The tribunal shall meet at the place chosen by its President unless there is an agreement to the contrary.

*Article 13.*

In each particular case the Contracting Parties shall draw up a special agreement (*compromis*) specifying clearly the subject of the dispute, the composition and particular competence of the tribunal, and any other conditions fixed between themselves.

The agreement shall be constituted by an exchange of notes between the Governments of the Contracting Parties.

All points contained therein shall be interpreted by the tribunal instructed to pronounce upon the substance of the dispute.

*Article 14.*

In the absence of an agreement to the contrary and except in cases where the Permanent Court of International Justice shall be seized of the dispute, the arbitral procedure is governed by Articles 51 to 85 of the Convention of October 18, 1907, for the pacific settlement of international disputes.

*Article 15.*

The award given by the tribunal shall be acted upon by the Parties in good faith.

*Article 16.*

Should the tribunal find that a decision of a court of law or other authority of one of the Contracting Parties is wholly or partly at variance with international law, and should the constitutional law of that Party not allow, or only inadequately allow, the cancellation of this decision by administrative procedure, the Party prejudiced shall be granted equitable satisfaction in some other form.

*Article 17.*

During the procedure of conciliation or arbitration the Contracting Parties shall, as far as possible, abstain from all measures which might prejudicially affect the acceptance of the proposals of the Commissioner or the execution of the award.

*Article 18.*

Each Party shall bear its own costs and half the costs of the procedure of conciliation or arbitration.

*Article 19.*

Any disputes which may arise with regard to the interpretation or the application of the present Treaty shall be submitted directly to arbitration, unless there is an agreement to the contrary.

*Article 20.*

The present Treaty shall be ratified. The ratifications shall be exchanged at Budapest, as soon as possible.

The Treaty is concluded for a period of ten years from the date of the exchange of ratifications. Unless denounced six months before the expiration of this period, it shall remain in force for a further period of five years, and similarly thereafter.

---

FINAL PROTOCOL

OF THE TREATY OF CONCILIATION AND ARBITRATION CONCLUDED BETWEEN  
HUNGARY AND SWITZERLAND.

At the moment of signing the Treaty of Conciliation and Arbitration concluded this day, the undersigned, duly authorised to this effect, declare that it is understood that the Treaty applies also to disputes having their origin in occurrences prior to its conclusion: in the absence of an agreement to the contrary, however, it shall not be applicable to disputes directly concerned with incidents in the world-war.

---

No. 991. — CONCILIATION AND ARBITRATION CONVENTION  
BETWEEN ESTHONIA, FINLAND, LATVIA AND POLAND, SIGNED  
AT HELSINGFORS, JANUARY 17, 1925.

---

*The registration of this Convention took place October 30, 1925. Ratifications deposited at Helsingfors, by Esthonia and Finland, August 12, 1925, by Latvia, September 7, 1925, and by Poland, October 14, 1925.*

---

[*Translation.*]

*Article 1.*

The High Contracting Parties, being desirous of applying in their mutual relations the leading principles laid down in the Covenant of the League of Nations and further elaborated in the Geneva Protocol adopted on October 2, 1924, have decided to use the means provided therein for the pacific settlement of any disputes which might arise between them.

*Article 2.*

The High Contracting Parties undertake to submit to a procedure of conciliation or of arbitration any disputes arising between them which it has not been possible to settle within a reasonable time through diplomatic channels. This undertaking shall not, however, apply to questions the legal nature of which makes them subject solely to the domestic legislation of the Party concerned, or to any disputes regarding the territorial status of the High Contracting Parties.

Any dispute capable of being settled in the manner set forth above shall be submitted to a conciliation procedure unless the Parties to the dispute agree to submit it immediately to arbitration.

Should the report drawn up by the Conciliation Commission set up in virtue of Article 6 of the present Convention not have been accepted by all the Parties to the dispute, the said dispute shall be submitted to arbitration if one of the Parties so requests.

*Article 3.*

If, in accordance with the domestic legislation of one of the High Contracting Parties, the matter in dispute comes within the jurisdiction of the courts, including administrative courts, the defending Party may decline to have the dispute submitted to arbitration or to a procedure of conciliation until such time as a final judgment has been given by the competent judicial authority.

*Article 4.*

Should recourse to arbitral procedure be provided for by a convention previously concluded, to which only States signatories of the present Convention are Parties, it shall be agreed that any dispute to which this previous convention would apply shall, in accordance with the present Convention, be submitted to a Conciliation or Arbitration Commission by the States between which the dispute has arisen.

*Article 5.*

It is agreed that the obligations assumed by the High Contracting Parties in virtue of the present Convention shall not in any way restrict their right to submit by common consent any difference which might arise between them to the Permanent Court of International Justice.

*Article 6.*

Within three months from the date on which the last ratification of the present Convention shall have been deposited, the High Contracting Parties shall establish a Permanent Conciliation Commission composed of four members, each of the Parties appointing one member, and of a Chairman chosen by common agreement from among the nationals of a State not Party to the present Convention. Failing agreement between the Parties, the Chairman shall, at the request of one of the Parties, be appointed by the President of the Permanent Court of International Justice.

Any Party desirous of submitting a dispute to a conciliation procedure shall apply to the Chairman of the Permanent Commission. The latter shall immediately notify the opposing Party or Parties and shall invite each Party to the dispute to appoint, in addition to the member already appointed by it, another member selected for the purpose from among the nationals of a State not Party to the dispute within a time limit of six weeks from the day on which the invitation was issued. Should these appointments not have been made within the prescribed time limit, the additional members shall be appointed by the Chairman.

The permanent members of the Commission appointed by the Parties to the dispute, as well as the additional members, shall be convened without delay by the Chairman and shall, together with the latter, constitute the Conciliation Commission for the settlement of the dispute submitted to the conciliation procedure.

*Article 7.*

The competence of each Conciliation Commission shall be governed by the provisions of the preceding articles.

If one of the States between which a dispute has arisen has submitted it to a procedure of conciliation, and if the opposing Party, pleading the competence of the Permanent Court of International Justice on the grounds that reference of the case to that Court is compulsory for the Parties, has referred the same dispute to the Permanent Court, consideration of the case shall be suspended until the Court shall have determined the questions of competence.

If an application has thus been submitted to the Permanent Court by one of the Parties, the procedure provided for in Article 6 shall be suspended until the Court has given a decision in regard to its competence.

*Article 8.*

The members of the Permanent Commission shall be appointed for three years. Unless there is an agreement to the contrary between the High Contracting Parties, they may not be relieved of their functions during their term of office. In case of death or retirement of one of the members, the vacancy shall be filled for the remainder of that member's term of office, if possible within two months, and in any case as soon as a dispute shall have been submitted to the Commission.

*Article 9.*

If, on the expiration of his term of office, one of the members of the Permanent Commission has not been replaced, his term of office shall be regarded as renewed for a further period of three

years : if, however, one of the Parties so requests, the Chairman shall cease to hold office at the end of his appointed term.

Any member whose term of office expires while conciliation proceedings are in progress shall continue to take part in the settlement of the dispute until the proceedings are closed, notwithstanding the fact that his successor has already been appointed.

*Article 10.*

Each Party shall have the right, within 15 days as from the day on which one of the Contracting Parties has referred a dispute to the Commission, to replace for the purpose of dealing with the dispute the permanent member it has appointed by a person possessing special competence in the matter.

Any Party desirous of availing itself of this right shall immediately notify the opposing Party ; in such case the latter shall be entitled to take similar steps within 15 days after receiving such notification.

*Article 11.*

The Commission shall meet at a place appointed by agreement between the Parties or, failing such agreement, at the seat of the League of Nations.

The Commission may, for special reasons, meet at any other place.

*Article 12.*

The Parties to the dispute shall furnish the Commission with all useful information and shall afford it every assistance in the execution of its duties.

If this is necessary in the interests of its work, the Commission may ask the Secretary-General of the League of Nations for the assistance of the Secretariat.

*Article 13.*

In proceedings before the Commission all Parties shall be heard.

Unless a decision to the contrary has been unanimously adopted, the provisions contained in Chapters III and IV of the Hague Convention for the Pacific Settlement of International Disputes of October 18, 1907, shall be applied in proceedings before the Commission.

The proceedings shall be public only if the Commission so decides and the Parties agree.

*Article 14.*

The decisions of the Commission shall be taken by a majority vote. Each member shall have one vote. In case of equal votes the Chairman shall have the casting vote. The Commission shall not take decisions on the substance of the dispute unless all members are present.

*Article 15.*

The Commission shall draw up a report on the dispute referred to it. The report shall contain a proposal for the settlement of the dispute if circumstances permit and if at least three of the members of the Commission — the Chairman being regarded as a member — agree upon such proposal.

The reasoned opinion of the members who are in the minority shall be recorded in the report.

*Article 16.*

Subject to the right of the Parties to the dispute to extend this time limit, the Commission shall complete its work within six months as from the day on which the first meeting of the Commission takes place. Any time during which the work of the Commission is suspended in accordance with the provisions of Article 7 shall not be included in the above-mentioned time limit.

*Article 17.*

The report of the Commission shall be signed by the Chairman and shall forthwith be communicated to the Parties to the dispute and to the Secretary-General of the League of Nations.

*Article 18.*

The Parties whose dispute has been referred to the Commission shall within reasonable time inform each other, as well as the Chairman of the Permanent Commission, whether they accept the findings of the report and the settlement proposed therein.

The Parties to the dispute shall decide, in agreement with one another, whether the Commission's report shall be published immediately. Failing such agreement, the Commission may, for special reasons, decide to publish the report.

*Article 19.*

If in virtue of the provisions of Article 2 a dispute is submitted to arbitration, the Court of Arbitration shall be established by agreement between the Parties.

If the Court of Arbitration is not constituted by agreement between the Parties, the following procedure shall be followed :

Each Party shall appoint two arbitrators, one of whom must be a member of the Permanent Court of Arbitration and must not be a national of the Party concerned. The arbitrators thus appointed shall together elect the President of the Court. In case of equal votes the duty of appointing a President shall devolve upon the President of the Permanent Court of International Justice.

*Article 20.*

Should a dispute between the Parties involve recourse to arbitration, the Parties shall, within three months, draw up a special agreement to submit the matter to arbitration, specifying the subject of the dispute and the methods of procedure. In the absence of any compromissorial clauses to the contrary, they shall conform, as regards the arbitral procedure, to the provisions laid down in the Convention for the Pacific Settlement of International Disputes, signed at the Hague on October 18, 1907, including Articles 53 and 54, and taking into account Article 83 of the said Convention.

*Article 21.*

The arbitral award shall be binding. If, however, the award should lay down that a decision by a Court of Justice or by any other authority of one of the High Contracting Parties was wholly or partly incompatible with international law, and if the constitutional law of that Party does not allow of the complete or partial cancellation by administrative measures of the effects of the said decision, the injured Party shall be granted equitable compensation of another kind.

*Article 22.*

In the course of the conciliation or arbitration procedure, the Parties shall refrain from taking any measures which might compromise the acceptance of the proposal of the Commission or the execution of the award.



*Article 23.*

Each Party shall pay the allowances of the members of the Commission or of the arbitrators appointed by it or, in the absence of such appointment, nominated by the Chairman in accordance with Article 6. The Chairman's allowances shall be paid by all the Parties to the dispute in equal shares.

The Parties shall endeavour to arrange that the allowances shall be fixed in accordance with uniform principles.

Each Party shall bear the costs of procedure which it has incurred: those which the Commission or the Court have declared to be joint costs shall be borne by the Parties in equal shares.

*Article 24.*

The provisions of the present Convention shall be applicable even to disputes originating in facts existing before the conclusion of this Convention.

*Article 25.*

It shall be understood that the present Convention shall not in any way modify the obligations assumed by the Signatory States in connection with the Protocol for the Pacific Settlement of International Disputes, adopted at Geneva on October 2, 1924.

*Article 26.*

Any dispute regarding the interpretation of the present Convention shall be submitted to the Permanent Court of International Justice.

*Article 27.*

The present Convention shall be ratified and the ratifications shall be deposited at Helsinki (Helsingfors), as soon as possible. It shall enter into force as soon as the instruments of ratification have been deposited and shall remain in force for three years as from the date on which the ratifications of all the Signatory States have been deposited. Unless denounced within six months before the expiration of that period it shall remain in force for a further period of three years and shall thereafter be regarded as renewed for successive periods of three years, unless denounced within six months before the expiration of the preceding period of three years.

Notwithstanding denunciation by one of the High Contracting Parties, the Convention shall remain in force in respect of those Parties which have not denounced it.

---

ADDITIONAL PROTOCOL TO THE CONCILIATION AND ARBITRATION CONVENTION.

The Plenipotentiaries appointed by the President of the Republic of Esthonia and by the President of the Republic of Finland declare, in signing the Conciliation and Arbitration Convention between Esthonia, Finland, Latvia and Poland, that the obligations undertaken by Esthonia and Finland in virtue of the said Convention do not modify in any way the declarations by which those States have recognised as obligatory *ipso facto* and without special convention the jurisdiction of the Permanent Court of International Justice in conformity with Article 36, paragraph 2, of the Statute of the Court.

No. 1036. — CONVENTION OF ARBITRATION AND CONCILIATION  
BETWEEN GERMANY AND SWEDEN, WITH FINAL PROTOCOL  
AND EXCHANGE OF NOTES RELATING THERETO SIGNED AT  
BERLIN, AUGUST 29, 1924.

---

*The registration of this Convention took place December 12, 1925. Ratifications exchanged at Stockholm, November 21, 1925.*

---

[*Translation.*]

*Article 1.*

The Contracting Parties undertake to submit all disputes of any nature whatever which may arise between them, and which it has not been possible to settle within a reasonable period by diplomatic means, to be dealt with by arbitration or conciliation, as provided in the present Convention.

Disputes for the solution of which a special procedure has been laid down in other conventions in force between the Contracting Parties shall be settled in accordance with the provisions of such conventions.

*Article 2.*

At the request of one of the Parties, disputes regarding the following subjects shall, unless otherwise provided for in Articles 3 and 4, be submitted to arbitration :

First, the contents, interpretation and application of any treaty concluded between the two Parties ;

Secondly, any point of international law ;

Thirdly, the existence of any fact which, if established, would constitute a violation of an international engagement ;

Fourthly, the extent and nature of the reparation due for such violation.

In case of disagreement as to whether the dispute falls under one of the above categories, this preliminary question shall be referred to arbitration.

*Article 3.*

In regard to questions which, under the national laws of the Party against which a demand has been formulated, are within the competence of judicial authorities, including administrative tribunals, the defendant Party may require, on the one hand, that the dispute shall not be submitted to arbitral award until a final decision has been pronounced by these judicial authorities and, on the other hand, that the matter shall be brought before the Tribunal not later than six months after the date of such decision. The above provisions shall not apply if justice has been refused and if the matter has been brought before the courts of appeal provided for by law.

In the case of disputes regarding the application of the preceding provision, the Arbitral Tribunal shall decide.

*Article 4.*

If, in a dispute coming under one of the categories mentioned in Article 2, one of the Parties pleads that the question at issue is one which affects its independence, the integrity of its territory

or other vital interests of the highest importance, and if the opposing Party admits that the plea is well founded, the dispute shall not be subject to arbitration but to the procedure of conciliation. If, however, the plea is not recognised as well founded by the opposing Party, this point shall be settled by means of arbitration.

If the Tribunal recognises the validity of such pleas it shall refer the dispute for settlement to the procedure of conciliation. If the contrary is the case, it shall give an award on the dispute itself.

A Party which does not recognise the validity of one of the pleas of exception put forward by the opposing Party may, nevertheless, without first having recourse to arbitration, agree to the application of the procedure of conciliation. It may, however, stipulate that if the proposal for settlement by conciliation is not accepted by both Parties, the Tribunal shall be required to give a decision regarding the plea of exception, and, if necessary, regarding the dispute itself.

#### *Article 5.*

The Tribunal shall apply :

First : the conventions in force between the Parties, whether general or special, and the principles of law arising therefrom ;

Secondly : international custom as evidence of a general practice accepted as law ;

Thirdly : the general principles of law recognised by civilised nations.

If, in a particular case, the legal bases mentioned above are inadequate, the Tribunal shall give an award in accordance with the principles of law which, in its opinion, should govern international law. For this purpose it shall be guided by decisions sanctioned by legal authorities and by jurisprudence.

If the Parties agree, the Tribunal may, instead of basing its decision on legal principles, give an award in accordance with considerations of equity.

#### *Article 6.*

Subject to special agreement to the contrary in each particular case, the Tribunal shall be constituted as follows :

The judges shall be chosen from the list of members of the Permanent Court of Arbitration established by The Hague Convention, dated October 18, 1907, for the pacific settlement of international disputes.

Each Party shall appoint its own arbitrator. The Parties shall jointly nominate three other arbitrators, one of whom shall be the umpire. If, after having been appointed, one of the judges jointly elected acquires the nationality of one of the Parties, appoints his domicile in its territory or enters its service, either of the Parties may claim that he be replaced. Any disputes which may arise as to whether any one of these conditions exists shall be settled by the other four judges ; the eldest of the judges jointly elected shall take the chair in these cases, and if the votes are equally divided, he shall give a casting vote.

For each individual dispute there shall be a fresh election of judges. The Contracting Parties, however, reserve the right to act in concert regarding these elections, so that, for a certain class of dispute arising within a fixed period, the same judges shall be seated on the Tribunal.

In case of the death of members of the Tribunal, or of their retirement for any reason whatever, they shall be replaced according to the manner determined for their appointment.

#### *Article 7.*

In each individual case the Contracting Parties shall, in pursuance of the present Treaty, draw up an agreement of reference (" *compromis* ") to determine the subject of the dispute, any special terms of reference which may be accorded to the Tribunal, its composition, the place where it shall meet, the total amount that each Party concerned shall be obliged to deposit in advance

to cover expenses, the rules to be observed with regard to the form and time-limits of the proceedings, and any other detail that may be considered necessary.

Any disputes arising out of the terms of the agreement of reference shall, subject to the terms of Article 8, be referred to arbitration.

*Article 8.*

If the agreement of reference has not been determined within a period of six months after one Party concerned has notified the other of its intention to refer the dispute to arbitration, either Party may request the Permanent Board of Conciliation provided for under Article 14 to establish the agreement of reference. The Permanent Board of Conciliation shall, within two months after having been convened, settle the terms of the agreement of reference, the subject of the dispute being determined on the basis of the statements submitted by the Parties.

The same procedure shall apply when one Party has not nominated the arbitrator for whose appointment it is responsible, or when the Parties concerned cannot agree upon the choice of judges to be jointly appointed, or upon the umpire.

Pending the constitution of the Tribunal, the Permanent Board of Conciliation shall also be competent to give an award upon any other dispute arising out of the agreement of reference.

*Article 9.*

The award of the Tribunal shall be given by a majority vote. The opinion of any member of a minority of the Tribunal who dissents from the award shall be duly placed on record.

*Article 10.*

The arbitration award shall specify the manner in which it is to be carried out, especially as regards the time-limits to be observed.

If in an arbitration award it is proved that a decision or measure of a court of law or other authority of one of the Parties is wholly or in part contrary to international law, and if the constitutional law of that Party does not permit, or only partially permits, the consequences of the decision or measure in question, to be annulled by administrative measures, the arbitration award shall give the injured Party equitable satisfaction of another kind.

*Article 11.*

Subject to any provision to the contrary in the agreement of reference, either Party may claim a revision of the award by the Tribunal which gave the award. This demand shall only be warranted by the discovery of a fact which exercises a decisive influence on the award, and which, at the time of the close of the discussion in Court, was unknown to the Tribunal itself and to the Party demanding the revision, unless that Party ought to have been aware of it.

If, for any reason, any members of the Tribunal do not take part in the revision proceedings, substitutes for them shall be appointed in the manner determined for their own appointment.

The limit of time within which the demand provided for in the first paragraph may be presented shall be fixed in the arbitral award, unless it has already been fixed in the agreement of reference.

*Article 12.*

Any dispute arising between the Parties concerned as to the interpretation and execution of the award shall, in the absence of an agreement to the contrary, be submitted to the Tribunal which pronounced it. In the latter case the provision contained in Article 11, paragraph 2, shall also apply.

*Article 13.*

Any dispute which, under the terms of the present Convention, cannot be referred to arbitration shall, at the request of one of the Parties concerned, be submitted to the procedure of conciliation.

If the opposing Party claims that a dispute for which conciliation procedure has been initiated should be settled by the Tribunal, the latter shall first pronounce judgment upon this prior question.

The Governments of the Contracting Parties shall be entitled to agree that a dispute which, under the terms of the present Convention, can be settled by arbitration shall be referred to the conciliation procedure, either without appeal or subject to appeal to the Tribunal.

*Article 14.*

A Permanent Board of Conciliation shall be constituted for the procedure of conciliation.

The Permanent Board of Conciliation shall consist of five members.

Each Contracting Party shall appoint two members, one of whom may be one of its own nationals. The fifth member, who shall be the chairman, shall have a different nationality from that of the other members. He shall be appointed by the Contracting Parties jointly. Should the Contracting Parties fail to agree upon the choice of a chairman, either Party may invite the President of the Swiss Confederation to appoint the chairman.

The Permanent Board of Conciliation shall be constituted in the course of the six months following the exchange of the instruments of ratification of the present Convention.

*Article 15.*

The members of the Permanent Board of Conciliation shall be appointed for a period of three years. In the absence of an agreement to the contrary between the Contracting Parties, their appointment may not be revoked during their term of office. In the event of the retirement or death of any member, or should any member be prevented from any other cause from carrying out his duties, he shall be replaced for the remainder of his term of office in the manner provided for in the second paragraph of Article 14.

*Article 16.*

Either Contracting Party may, within two weeks after a dispute has been referred to the Permanent Board of Conciliation, replace for the purposes of such dispute one of the members whom it has appointed by another member having an expert knowledge of the question at issue. In such cases, however, the provisions of the second sentence of the second paragraph of Article 14 shall still apply.

Should either of the Parties desire to make use of this right, it shall immediately inform the other Party, and the latter may make use of the same right within a period of two weeks after receipt of such notice.

*Article 17.*

Should the term of office of a member of the Board of Conciliation expire and should no successor be appointed, the aforesaid member's term of office shall be regarded as renewed for a period of three years. The Chairman shall, however, retire on the expiration of his term of office should one of the Contracting Parties so request.

Should the term of office of any member expire while proceedings are still pending, such member shall continue to take part in the examination of the dispute until the termination of the proceedings, whether his successor has been appointed or not.

*Article 18.*

The Permanent Board of Conciliation shall determine its own meeting-place and shall be at liberty to transfer it.

The Permanent Board of Conciliation shall, if need be, establish a Registry. If it appoints nationals of the Contracting Parties to positions in this office, it shall treat both Parties alike.

*Article 19.*

The Permanent Board of Conciliation shall draw up a report which shall determine the facts of the case and, if the circumstances permit, shall contain proposals for the settlement of the dispute.

The report shall be submitted within six months from the date on which the dispute was laid before the Permanent Board of Conciliation unless the Parties shall agree to shorten or extend this time-limit. The report shall be drawn up in three copies, one of which shall be handed to each of the Parties and the third preserved in the archives of the Permanent Board of Conciliation.

The report shall not, either as regards statement of facts or as regards legal considerations, be in the nature of a final judgment binding upon the Parties. Each Party shall, however, state, within a time-limit to be fixed by the report, whether and within what limits it recognises the correctness of the facts noted in the report and accepts the proposals which it contains. The duration of this time-limit shall not exceed three months.

The Parties shall jointly decide whether the report should be published immediately. If they fail to reach an agreement on this point the Permanent Board of Conciliation may cause the report to be published immediately should there be special reasons for so doing.

*Article 20.*

The Permanent Board of Conciliation shall take action immediately a dispute has been referred to it by either of the Parties. Such Party shall communicate its request simultaneously to the chairman of the Permanent Board of Conciliation and to the other Party. The chairman shall summon the Permanent Board of Conciliation to meet at the earliest possible moment.

The Parties undertake to assist the Permanent Board of Conciliation in every possible way, and in particular to employ all the means placed at their disposal by their internal laws for the purpose of enabling the Board to cite and take the evidence of witnesses and experts who are in their respective territories and also to carry out enquiries on the spot. The Board may obtain evidence either *in pleno* or through its Chairman.

*Article 21.*

The deliberations of the Permanent Board of Conciliation shall be valid if all the members have been duly convoked and if the Chairman and at least two other members are present at the meeting.

Decisions of the Permanent Board of Conciliation shall be taken by a majority vote. Each member shall have one vote ; if the votes are equally divided the chairman shall give a casting vote.

The opinion of any member of a minority of the Tribunal who dissents from the award shall be duly recorded in the Board's report.

*Article 22.*

Each Party shall pay the emoluments of the members of the Permanent Board of Conciliation appointed by itself and shall bear the cost of half the emoluments of the chairman. The Parties shall as far as possible agree on a uniform scale for assessing the emoluments of all the members of the Permanent Board of Conciliation.

Each Party shall bear its own costs and half of the costs which the Permanent Board of Conciliation declares to be common to both Parties.

*Article 23.*

The award pronounced as the result of the procedure of arbitration shall be carried out in good faith by the Parties concerned.

The Contracting Parties shall undertake, during the course of the arbitration or conciliation proceedings, to refrain as far as possible from any action liable to have a prejudicial effect on the execution of the arbitral award or on the acceptance of the proposals of the Permanent Board of Conciliation. In the case of conciliation proceedings they shall refrain from resorting to forcible measures of any kind until the expiration of the time-limit fixed by the Permanent Board of Conciliation for the acceptance of its proposals.

The Arbitral Tribunal may, at the request of either of the Parties, prescribe measures of precaution to safeguard the rights of such Party, provided that such measures can be carried out by the Parties through their administrative machinery. The Permanent Board of Conciliation may also make proposals for the same purpose.

*Article 24.*

Subject to any provisions to the contrary laid down in the present Convention or the agreement of reference, the procedure of arbitration and conciliation shall be regulated by the Hague Convention of October 18, 1907, for the pacific settlement of international disputes.

In as far as the present Convention refers to the stipulations of the Hague Convention, the latter shall continue to be applicable to the relations between the Contracting Parties, even if one or both of them denounce the Hague Convention.

In so far as the present Convention, or the agreement of reference, or any other Conventions in force between the Parties do not lay down the time-limits and other details concluded with the procedure of arbitration or conciliation, the Tribunal or the Permanent Board of Conciliation shall itself be competent to decide as to the necessary provisions.

*Article 25.*

The present Convention shall be ratified on behalf of Sweden by His Majesty the King of Sweden, subject to the consent of Parliament. The instruments of ratification shall be exchanged at Stockholm.

The Convention shall come into force one month after the exchange of the instruments of ratification.

The Convention shall be valid for a period of ten years. If, however, it is not denounced six months before the expiration of this period, it shall remain in force for a further period of two years, and so on, so long as it has not been denounced within the prescribed period.

If a dispute which has been referred to arbitration or conciliation has not been settled when the present Treaty expires, the case shall be proceeded with according to the stipulations of the present Convention or of any other convention which the Contracting Parties may agree to substitute therefor.

---

FINAL PROTOCOL.

(1) The Contracting Parties are agreed that in doubtful cases the stipulations of the present Convention shall be interpreted in favour of the application of the principle of settlement of disputes by arbitration.

(2) The Contracting Parties declare that the Convention shall apply equally to disputes arising out of events which occurred prior to its conclusion. In consideration of their general political bearing, an exception shall, however, be made with regard to disputes arising directly out of the world-war.

(3) The Convention shall not cease to be applicable if a third State is concerned in a dispute. The Contracting Parties shall endeavour, if necessary, to induce the third State to agree to refer

the dispute to arbitration or conciliation. In this case the two Governments may, if they so desire, jointly provide that the Tribunal or the Permanent Board of Conciliation shall be composed of members specially chosen for the case. If no agreement is reached with the third State within a reasonable period, the Contracting Parties shall proceed with the case in accordance with the provisions of the Convention.

(4) The Contracting Parties declare that disputes between Germany and a third State, in which Sweden might be interested as a Member of the League of Nations, cannot be considered as disputes between the Contracting Parties in the sense intended by the present Convention.

I.

ROYAL SWEDISH LEGATION,  
BERLIN.

BERLIN, *August 29, 1924.*

SIR,

With reference to the signature, on the present day, of the Swedish-German Convention of Arbitration and Conciliation, I am instructed by my Government to confirm the following declaration :

In the event of Germany adhering to the Permanent Court of International Justice at The Hague or becoming a Member of the League of Nations, it is the intention of the Contracting Parties that the duties assigned by the above-mentioned Convention to the Arbitral Tribunal shall be entrusted to the Permanent Court of International Justice, in pursuance of a further agreement to be concluded to that effect.

I have the honour to be, etc.

(Signed) RAMEL.

Dr. Friedrich GAUS,  
Head of Division at the  
Ministry for Foreign Affairs,  
Berlin.

II.

GERMAN MINISTRY  
FOR FOREIGN AFFAIRS.  
No. V. J. 3179.

BERLIN, *August 29, 1924.*

YOUR EXCELLENCY,

In reply to your Note of to-day's date, and with reference to the signature on this day of the German-Swedish Convention of Arbitration and Conciliation, I am instructed by my Government to confirm the following declaration :

In the event of Germany adhering to the Permanent Court of International Justice at The Hague or becoming a Member of the League of Nations, it is the intention of the Contracting Parties that the duties assigned by the above-mentioned Convention to the Arbitral Tribunal shall be entrusted to the Permanent Court of International Justice in pursuance of a further agreement to be concluded to that effect.

I have the honour to be, etc.

(Signed) GAUS.

To  
H. E. Baron RAMEL,  
Swedish Minister.

---



## Chapter IV.

# TREATIES OF GUARANTEE

---

	Page
I.	
No. 56. BELGIUM AND FRANCE . . . . .	135
No. 588. FRANCE AND CZECHOSLOVAKIA . . . . .	137
No. 449. FRANCE AND POLAND . . . . .	139
II.	
No. 607. UNITED STATES OF AMERICA, BRITISH EMPIRE, FRANCE AND JAPAN. . . . .	140
No. 982. UNITED STATES OF AMERICA, BELGIUM, BRITISH EMPIRE, CHINA, FRANCE, etc.. . . . .	142
III.	
No. 154. KINGDOM OF THE SERBS, CROATS AND SLOVENES AND CZECHOSLOVAKIA. . . . .	144
No. 155. ROUMANIA AND CZECHOSLOVAKIA . . . . .	145
No. 354. KINGDOM OF THE SERBS, CROATS AND SLOVENES AND CZECHOSLOVAKIA. . . . .	146
No. 455. ROUMANIA AND CZECHOSLOVAKIA . . . . .	148
No. 175. POLAND AND ROUMANIA . . . . .	149
IV.	
No. 596. ITALY AND KINGDOM OF THE SERBS, CROATS AND SLOVENES. . . . .	151
No. 637. ITALY AND CZECHOSLOVAKIA . . . . .	153
V.	
No. 334. AUSTRIA . . . . .	154
VI.	
No. 633. HUNGARY . . . . .	155
VII.	
No. 257. AUSTRIA AND CZECHOSLOVAKIA . . . . .	156
VIII.	
No. 296. ESTHONIA, FINLAND, LATVIA AND POLAND . . . . .	158
No. 578. ESTHONIA AND LATVIA . . . . .	160

---

No. 56. — EXCHANGE OF LETTERS OF 10 AND 15 SEPTEMBER, 1920,  
BETWEEN THE BELGIAN AND FRENCH GOVERNMENTS,  
CONCERNING THE APPROVAL OF THE FRANCO-BELGIAN  
MILITARY UNDERSTANDING OF SEPTEMBER 7, 1920.

---

*The registration of the above-mentioned exchange of letters took place November 4, 1920.*

---

[*Translation.*]

MINISTRY OF FOREIGN AFFAIRS.

BRUSSELS, *September 10, 1920.*

EXCELLENCY,

We have the honour to inform your Excellency that the Belgian Government gives its approval to the Military Understanding, the text of which was signed September 7, 1920, by Marshal Foch, General Maglinse, Chief of Staff of the Belgian Army, and General Buat, Chief of Staff of the French Army, designated for this purpose by their respective Governments.

The object of this understanding is to reinforce the guarantees of peace and security resulting from the Covenant of the League of Nations.

It is recognised as a matter of course that the two States retain undiminished their rights of sovereignty in respect of the imposition of military burdens upon their respective countries and in regard to determining in each case whether the eventuality contemplated by the present understanding has in fact arisen.

We, etc.

(Signed) PAUL EMILE JANSON,  
*Minister of National Defence.*

(Signed) DELACROIX,  
*Prime Minister,  
Minister of Finance,  
Minister of Foreign Affairs.*

His Excellency  
Monsieur MILLERAND,  
President of the Council,  
Minister for Foreign Affairs,  
Paris.

FRENCH REPUBLIC.

MINISTRY OF FOREIGN AFFAIRS.

DIRECTORATE OF  
POLITICAL AND COMMERCIAL AFFAIRS.

PARIS, *September 15, 1920.*

MONSIEUR LE PRÉSIDENT,

By a letter dated the 10th of this month and bearing the signature of the Belgian Minister of National Defence, as well as your Excellency's signature, your Excellency had the kindness to inform me that the Belgian Government gave its approval to the Military Understanding, the text

of which was signed on September 7, 1920, by Marshal FOCH, General MAGLINSE, Chief of Staff of the Belgian Army, and General BUAT, Chief of Staff of the French Army, designated for this purpose by their respective Governments.

I have the honour to inform you that the Government of the Republic likewise gives its approval to this Military Understanding.

The object of this understanding is to reinforce the guarantees of peace and security resulting from the Covenant of the League of Nations.

It is recognised as a matter of course that the two States retain undiminished their rights of sovereignty in respect of the imposition of military burdens upon their respective countries and in regard to determining in each case whether the eventuality contemplated by the present understanding has in fact arisen.

I avail, etc.

(Signed) MILLERAND.

His Excellency  
Monsieur DELACROIX,  
President of the Council of Ministers,  
Minister of Foreign Affairs,  
BRUSSELS.

---

No. 588. — TREATY OF ALLIANCE AND FRIENDSHIP BETWEEN  
FRANCE AND CZECHOSLOVAKIA, SIGNED AT PARIS,  
JANUARY 25, 1924.

---

*The registration of this Treaty took place March 15, 1924. Ratifications exchanged March 4, 1924.*

---

[*Translation.*]

*Article 1.*

The Governments of the French Republic and of the Czechoslovak Republic undertake to concert their action in all matters of foreign policy which may threaten their security or which may tend to subvert the situation created by the Treaties of Peace of which both Parties are signatories.

*Article 2.*

The High Contracting Parties shall agree together as to the measures to be adopted to safeguard their common interests in case the latter are threatened.

*Article 3.*

The High Contracting Parties, being fully in agreement as to the importance, for the maintenance of the world's peace, of the political principles laid down in Article 88 of the Treaty of Peace of St. Germain-en-Laye of September 10, 1919, and in the Protocols of Geneva, dated October 4, 1922, of which instruments they both are signatories,

Undertake to consult each other as to the measures to be taken in case there should be any danger of an infraction of these principles.

*Article 4.*

The High Contracting Parties, having special regard to the declarations made by the Conference of Ambassadors on February 3, 1920, and April 1, 1921, on which their policy will continue to be based, and to the declaration made on November 10, 1921, by the Hungarian Government to the Allied diplomatic representatives,

Undertake to consult each other in case their interests are threatened by a failure to observe the principles laid down in the aforesaid declarations.

*Article 5.*

The High Contracting Parties solemnly declare that they are in complete agreement as to the necessity, for the maintenance of peace, of taking common action in the event of any attempt to restore the Hohenzollern dynasty in Germany, and they undertake to consult each other in such a contingency.

*Article 6.*

In conformity with the principles laid down in the Covenant of the League of Nations, the High Contracting Parties agree that if in future any dispute should arise between them which cannot be settled by friendly agreement and through diplomatic channels, they will submit such dispute either to the Permanent Court of International Justice or to such other arbitrator or arbitrators as they may select.

*Article 7.*

The High Contracting Parties undertake to communicate to each other all Agreements affecting their policy in Central Europe which they may have previously concluded, and to consult one another before concluding any further Agreements. They declare that, in this matter, nothing in the present Treaty is contrary to the above Agreements, and in particular to the Treaty of Alliance between France and Poland, or to the Conventions and Agreements concluded by Czechoslovakia with the Federal Republic of Austria, Roumania, the Kingdom of the Serbs, Croats and Slovenes, or to the Agreement effected by an exchange of notes on February 8, 1921, between the Italian Government and the Czechoslovak Government.

*Article 8.*

The present Treaty shall be communicated to the League of Nations in conformity with Article 18 of the Covenant.

The present Treaty shall be ratified and the instruments of ratification shall be exchanged at Paris as soon as possible.

---

No. 449. — POLITICAL AGREEMENT BETWEEN FRANCE AND POLAND,  
SIGNED AT PARIS, FEBRUARY 19, 1921.

---

*The registration of this Agreement took place July 2, 1923. Ratifications exchanged at Paris, June 27, 1922.*

---

[Translation.]

(1) In order to co-ordinate their endeavours towards peace, the two Governments undertake to consult each other on all questions of foreign policy which concern both States, so far as those questions affect the settlement of international relations in the spirit of the Treaties and in accordance with the Covenant of the League of Nations.

(2) In view of the fact that economic restoration is the essential preliminary condition of the re-establishment of international order and peace in Europe, the two Governments shall come to an understanding in this regard, with a view to concerted action and mutual support.

They will endeavour to develop their economic relations and for this purpose will conclude special agreements and a Commercial Treaty.

(3) If, notwithstanding the sincerely peaceful views and intentions of the two Contracting States, either or both of them should be attacked without giving provocation, the two Governments shall take concerted measures for the defence of their territory and the protection of their legitimate interests, within the limits specified in the preamble.

(4) The two Governments undertake to consult each other before concluding new agreements which will affect their policy in Central and Eastern Europe.

(5) The present Agreement shall not come into force until the commercial agreements now in course of negotiation have been signed.

---

No. 607. — TREATY BETWEEN THE UNITED STATES OF AMERICA, THE BRITISH EMPIRE, FRANCE, AND JAPAN, RELATING TO THEIR INSULAR POSSESSIONS AND INSULAR DOMINIONS IN THE PACIFIC OCEAN, SIGNED AT WASHINGTON, DECEMBER 13, 1921.

---

*The registration of this Treaty took place April 16, 1924. Ratifications deposited at Washington, August 17, 1923.*

---

I.

The High Contracting Parties agree as between themselves to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.

If there should develop between any of the High Contracting Parties a controversy arising out of any Pacific question and involving their said rights which is not satisfactorily settled by diplomacy and is likely to affect the harmonious accord now happily subsisting between them, they shall invite the other High Contracting Parties to a joint conference to which the whole subject will be referred for consideration and adjustment.

II.

If the said rights are threatened by the aggressive action of any other Power, the High Contracting Parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

III.

This Treaty shall remain in force for ten years from the time it shall take effect, and after the expiration of said period it shall continue to be in force subject to the right of any of the High Contracting Parties to terminate it upon twelve months' notice.

IV.

This Treaty shall be ratified as soon as possible in accordance with the constitutional methods of the High Contracting Parties and shall take effect on the deposit of ratifications, which shall take place at Washington, and thereupon the agreement between Great Britain and Japan, which was concluded at London on the 13th July, 1911, shall terminate. The Government of the United States will transmit to all the Signatory Powers a certified copy of the *procès-verbal* of the deposit of ratifications.

The present Treaty, in French and in English, shall remain deposited in the archives of the Government of the United States, and duly certified copies thereof will be transmitted by that Government to each of the Signatory Powers.

---

DECLARATION.

In signing the Treaty this day between the UNITED STATES OF AMERICA, the BRITISH EMPIRE FRANCE and JAPAN, it is declared to be the understanding and intent of the Signatory Powers :

(1) That the Treaty shall apply to the Mandated Islands in the Pacific Ocean, provided, however, that the making of the Treaty shall not be deemed to be an assent on the part of the United States of America to the mandates and shall not preclude agreements between the United States of America and the Mandatory Powers respectively in relation to the mandated islands.

(2) That the controversies to which the second paragraph of Article I refers shall not be taken to embrace questions which according to principles of international law lie exclusively within the domestic jurisdiction of the respective Powers.

Washington, D.C., 13th December, 1921.

---



No. 982. — TREATY BETWEEN THE UNITED STATES OF AMERICA, BELGIUM, THE BRITISH EMPIRE, CHINA, FRANCE, ITALY, JAPAN, THE NETHERLANDS AND PORTUGAL, RELATING TO PRINCIPLES AND POLICIES TO BE FOLLOWED IN MATTERS CONCERNING CHINA, SIGNED AT WASHINGTON, FEBRUARY 6, 1906.

---

*The registration of this Treaty took place October 19, 1925. Ratifications deposited at Washington, August 5, 1925.*

---

*Article I.*

The Contracting Powers, other than China, agree :

- (1) To respect the sovereignty, the independence, and the territorial and administrative integrity of China ;
- (2) To provide the fullest and most unembarrassed opportunity to China to develop and maintain for herself an effective and stable Government ;
- (3) To use their influence for the purpose of effectually establishing and maintaining the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China ;
- (4) To refrain from taking advantage of conditions in China in order to seek special rights or privileges which would abridge the rights of subjects or citizens of friendly States, and from countenancing action inimical to the security of such States.

*Article II.*

The Contracting Powers agree not to enter into any treaty, agreement, arrangement, or understanding, either with one another or individually or collectively, with any Power or Powers which would infringe or impair the principles stated in Article I.

*Article III.*

With a view to applying more effectually the principles of the "open door" or equality of opportunity in China for the trade and industry of all nations, the Contracting Powers, other than China, agree that they will not seek, nor support their respective nationals in seeking :

- (a) any arrangement which might purport to establish in favour of their interests any general superiority of rights with respect to commercial or economic development in any designated region of China ;
- (b) any such monopoly or preference as would deprive the nationals of any other Power of the right of undertaking any legitimate trade or industry in China, or of participating with the Chinese Government, or with any local authority, in any category of public enterprise, or which, by reason of its scope, duration or geographical extent, is calculated to frustrate the practical application of the principle of equal opportunity.

It is understood that the foregoing stipulations of this Article are not to be so construed as to prohibit the acquisition of such properties or rights as may be necessary to the conduct of a

particular commercial, industrial, or financial undertaking or to the encouragement of invention and research.

China undertakes to be guided by the principles stated in the foregoing stipulations of this Article in dealing with applications for economic rights and privileges from Governments and nationals of all foreign countries, whether Parties to the present Treaty or not.

*Article IV.*

The Contracting Powers agree not to support any agreements by their respective nationals with each other designed to create "spheres of influence" or to provide for the enjoyment of mutually exclusive opportunities in designated parts of Chinese territory.

*Article V.*

China agrees that, throughout the whole of the railways in China, she will not exercise or permit unfair discrimination of any kind. In particular there shall be no discrimination whatever, direct or indirect, in respect of charges or of facilities on the ground of the nationality of passengers or the countries from which or to which they are proceeding, or the origin or ownership of goods or the country from which or to which they are consigned, or the nationality or ownership of the ship or other means of conveying such passengers or goods before or after their transport on the Chinese Railways.

The Contracting Powers, other than China, assume a corresponding obligation in respect of any of the aforesaid railways over which they or their nationals are in a position to exercise any control in virtue of any concession, special agreement or otherwise.

*Article VI.*

The Contracting Powers, other than China, agree fully to respect China's rights as a neutral in time of war to which China is not a party; and China declares that when she is a neutral she will observe the obligations of neutrality.

*Article VII.*

The Contracting Powers agree that, whenever a situation arises which in the opinion of any one of them involves the application of the stipulations of the present Treaty, and renders desirable discussion of such application, there shall be full and frank communication between the Contracting Powers concerned.

*Article VIII.*

Powers not signatory to the present Treaty, which have Governments recognized by the Signatory Powers and which have treaty relations with China, shall be invited to adhere to the present Treaty. To this end the Government of the United States will make the necessary communications to non-signatory Powers and will inform the Contracting Powers of the replies received. Adherence by any Power shall become effective on receipt of notice thereof by the Government of the United States.

*Article IX.*

The present Treaty shall be ratified by the Contracting Powers in accordance with their respective constitutional methods and shall take effect on the date of the deposit of all the ratifications, which shall take place at Washington as soon as possible. The Government of the United States will transmit to the other Contracting Powers a certified copy of the procès-verbal of the deposit of ratifications.

The present Treaty, of which the French and English texts are both authentic, shall remain deposited in the archives of the Government of the United States, and duly certified copies thereof shall be transmitted by that Government to the other Contracting Powers.

No. 154. — CONVENTION OF ALLIANCE BETWEEN THE KINGDOM OF THE SERBS, CROATS AND SLOVENES AND THE CZECHOSLOVAK REPUBLIC, SIGNED AT BELGRADE, AUGUST 14, 1920.

---

*The registration of this Convention took place on August 30, 1921. Ratifications exchanged at Belgrade, February 10, 1921.*

---

[*Translation.*]

*Article 1.*

In case of an unprovoked attack on the part of Hungary against one of the High Contracting Parties, the other Party agrees to assist in the defence of the Party attacked, in the manner laid down by the arrangement provided for in Article 2 of the present Convention.

*Article 2.*

The competent technical authorities of the Czechoslovak Republic and the Kingdom of the Serbs, Croats and Slovenes shall decide, by mutual agreement, upon the provisions necessary for the execution of the present Convention.

*Article 3.*

Neither of the High Contracting Parties shall conclude an alliance with a third Power without preliminary notice to the other.

*Article 4.*

The present Convention shall be valid for two years from the date of the exchange of ratifications. On the expiration of this period, each of the Contracting Parties shall have the option of denouncing the present Convention. It shall, however, remain in force for six months after the date of denunciation.

*Article 5.*

The present Convention shall be communicated to the League of Nations (Covenant of the League of Nations).

*Article 6.*

The present Convention shall be ratified, and the ratifications shall be exchanged at Belgrade, as soon as possible.

---

No. 155. — CONVENTION OF DEFENSIVE ALLIANCE BETWEEN THE KINGDOM OF ROUMANIA AND THE CZECHOSLOVAK REPUBLIC, SIGNED AT BUCAREST, APRIL 23, 1921.

---

*The registration of this Convention took place on August 30, 1921. Ratifications exchanged at Bucarest, May 27, 1921.*

---

[*Translation.*]

*Article 1.*

In case of an unprovoked attack on the part of Hungary against one of the High Contracting Parties, the other Party agrees to assist in the defence of the Party attacked, in the manner laid down by the arrangement provided for in Article 2 of the present Convention.

*Article 2.*

The competent technical authorities of the Czechoslovak Republic and Roumania shall decide by mutual agreement and in a Military Convention to be concluded, upon the provisions necessary for the execution of the present Convention.

*Article 3.*

Neither of the High Contracting Parties shall conclude an alliance with a third Power without preliminary notice to the other.

*Article 4.*

For the purpose of co-ordinating their efforts to maintain peace, the two Governments undertake to consult together on questions of foreign policy concerning their relations with Hungary.

*Article 5.*

The present Convention shall be valid for two years from the date of the exchange of ratifications. On the expiration of this period, each of the Contracting Parties shall have the option of denouncing the present Convention. It shall, however, remain in force for six months after the date of denunciation.

*Article 6.*

The present Convention shall be communicated to the League of Nations (Covenant of the League of Nations).

*Article 7.*

The present Convention shall be ratified, and the ratifications shall be exchanged at Bucarest as soon as possible.

---

No. 354. — TREATY OF ALLIANCE BETWEEN THE KINGDOM OF THE SERBS, CROATS AND SLOVENES AND THE CZECHOSLOVAK REPUBLIC, SIGNED AT MARIÁNSKÉ LÁZNĚ, AUGUST 31, 1922.

---

*The registration of this Treaty took place November 16, 1922. Ratifications exchanged at Belgrade, October 3, 1922.*

---

*[Translation.]*

*Article 1.*

The Agreement concluded at Belgrade on August 14, 1920, between the Kingdom of the Serbs, Croats and Slovenes and the Czechoslovak Republic is prolonged for the duration of the present Convention.

*Article 2.*

The High Contracting Parties take note of the political and military treaties and of the agreements concluded between the Czechoslovak Republic and Roumania, Austria and Poland on the one hand, and of the similar agreements concluded between the Kingdom of the Serbs, Croats and Slovenes and Roumania and Italy on the other.

*Article 3.*

The High Contracting Parties will endeavour to establish on a solid foundation all their economic, financial and transport relations and mutually to ensure the closest co operation in these relations ; for this purpose they will conclude arrangements on these subjects and particularly a commercial treaty for this purpose.

*Article 4.*

The two High Contracting Parties undertake to give each other in general all possible political and diplomatic support in their international relations ; should they consider their common interests to be threatened, they undertake to consider together steps for their protection.

*Article 5.*

The proper authorities of the Kingdom of the Serbs, Croats and Slovenes and the Czechoslovak Republic shall come to a mutual understanding with a view to taking all the steps necessary for the application of the present Convention.

*Article 6.*

The present Convention shall remain in force for five years from the date on which the instruments of ratification are exchanged.

At the expiration of these five years either of the High Contracting Parties shall be free to denounce the present Convention giving six months' previous notice to the other Party.

*Article 7.*

The present Convention shall be ratified and the instruments of ratification shall be exchanged at Belgrade, as soon as possible.

*Article 8.*

The present Convention shall be communicated to the League of Nations.

---

No. 455. — PROTOCOL CONCERNING THE PROLONGATION OF THE CONVENTION OF DEFENSIVE ALLIANCE, CONCLUDED AT BUCAREST, APRIL 23, 1921, BETWEEN THE CZECHOSLOVAK REPUBLIC AND THE KINGDOM OF ROUMANIA, SIGNED AT PRAGUE, MAY 7, 1923.

---

*The registration of this Protocol took place July 16, 1923. Ratifications exchanged at Prague, June 14, 1923.*

---

*[Translation.]*

The Convention of Defensive Alliance of April 23, 1921, shall remain in force for a further period of three years from the date on which the exchange of the ratifications of the present Protocol took place. When this term has expired, it shall again become denounceable according to the final provisions of Article 5.

The Military Convention concluded in accordance with Article 2 of the foregoing Convention shall be prolonged for the same period.

The present Protocol shall be communicated to the League of Nations (Covenant of the League of Nations).

The present Protocol shall be ratified and the ratifications exchanged at Prague, as early as possible.

---

No. 175. — CONVENTION FOR A DEFENSIVE ALLIANCE BETWEEN  
THE POLISH REPUBLIC AND THE KINGDOM OF ROUMANIA,  
SIGNED AT BUCAREST, MARCH 3, 1921.

---

*The registration of this Convention took place on October 24, 1921. Ratifications exchanged at Bucarest  
July 25, 1921.*

---

[*Translation.*]

*Article 1.*

POLAND and ROUMANIA undertake to assist each other in the event of their being the object of an unprovoked attack on their present eastern frontiers.

Accordingly, if either State is the object of an unprovoked attack, the other shall consider itself in a state of war and shall render armed assistance.

*Article 2.*

In order to co-ordinate their efforts to maintain peace, both Governments undertake to consult together on such questions of foreign policy as concern their relations with their eastern neighbours.

*Article 3.*

A military Convention shall determine the manner in which either country shall render assistance to the other should the occasion arise.

This Convention shall be subject to the same conditions as the present Convention as regards duration and denunciation.

*Article 4.*

If, in spite of their efforts to maintain peace, the two States are compelled to enter on a defensive war under the terms of Article 1, each undertakes not to negotiate nor to conclude an armistice or a peace without the participation of the other State.

*Article 5.*

The duration of the present Convention shall be five years from the date of its signature, but either Government shall be at liberty to denounce it after two years on giving the other State six months' notice.

*Article 6.*

Neither of the High Contracting Parties shall be at liberty to conclude an alliance with a third Power without having previously obtained the assent of the other Party.

Alliances with a view to the maintenance of treaties already signed jointly by both Poland and Roumania are excepted from this provision.



Such alliances must, however, be notified.

The Polish Government hereby declares that it is acquainted with the agreements entered into by Roumania with other States with a view to upholding the Treaties of Trianon and Neuilly, which agreements may be transformed into treaties of alliance.

The Roumanian Government hereby declares that it is acquainted with the agreements entered into by Poland with the French Republic.

*Article 7.*

The present Convention shall be communicated to the League of Nations in accordance with the Treaty of Versailles.

*Article 8.*

The present Convention shall be ratified and the ratifications exchanged at Bucarest, as soon as possible.

---

No. 596. — AGREEMENTS BETWEEN THE KINGDOM OF ITALY  
AND THE KINGDOM OF THE SERBS, CROATS AND SLOVENES,  
SIGNED AT ROME, JANUARY 27, 1924.

---

*The registration of these Agreements took place April 7, 1924. At the request of the two Contracting Parties these Agreements have been registered under one number. Ratifications exchanged at Rome, February 22, 1924.*

---

[Translation.]

I.

PACT OF FRIENDSHIP AND CORDIAL CO-OPERATION BETWEEN THE KINGDOM  
OF ITALY AND THE KINGDOM OF THE SERBS, CROATS AND SLOVENES.

*Article 1.*

The two High Contracting Parties undertake to afford each other support and cordial co-operation in order to maintain the position established by the Treaties of Peace concluded at Trianon, Saint Germain and Neuilly, and to ensure respect and fulfilment of the obligations laid down in those Treaties.

*Article 2.*

In the event of one of the High Contracting Parties suffering an unprovoked attack from any Power or Powers, the other Party undertakes to remain neutral throughout the conflict. Furthermore, in the event of the safety and the interests of one of the High Contracting Parties being threatened as the result of forcible incursions from without, the other Party undertakes to afford political and diplomatic support in the form of friendly co-operation for the purpose of assisting to remove the external cause of such threat.

*Article 3.*

In the event of international complications, if the two High Contracting Parties are agreed that their common interests are or may be threatened, they undertake to consult one another as to the steps to be taken in common to protect those interests.

*Article 4.*

The present Convention shall remain in force for five years and may be denounced or renewed one year before its expiration.

*Article 5.*

The present Treaty shall be ratified and the ratifications shall be exchanged at Rome. It shall come into force immediately upon the exchange of ratifications.

II.

**SUPPLEMENTARY PROTOCOL TO THE PACT OF FRIENDSHIP AND CORDIAL  
CO-OPERATION BETWEEN THE KINGDOM OF ITALY AND THE KINGDOM OF  
THE SERBS, CROATS AND SLOVENES.**

*Article 1.*

The High Contracting Parties undertake to communicate to each other, after previous consultation, such Agreements as affect their policy in Central Europe, and declare in this connection that the Pact of Friendship signed on this day's date contains nothing contrary to the Treaties of Alliance which the Kingdom of the Serbs, Croats and Slovenes has concluded with the Czechoslovak Republic and the Kingdom of Roumania on August 31, 1922, and July 7, 1923, respectively.

*Article 2.*

The Pact of Friendship concluded on this day's date and the present Supplementary Protocol shall be presented to the League of Nations for registration in conformity with Article 18 of the Covenant.

---

No. 637. — PACT OF CORDIAL COLLABORATION BETWEEN THE  
KINGDOM OF ITALY AND THE CZECHOSLOVAK REPUBLIC,  
SIGNED AT ROME, JULY 5, 1924.

---

*The registration of this Pact took place on July 14, 1924. Ratifications exchanged at Rome,  
August 21, 1924.*

---

[*Translation.*]

*Article 1.*

The High Contracting Parties will decide in concert upon the measures best designed to protect their common interests in the event of their being agreed as to the existence or possibility of a menace.

*Article 2.*

The two High Contracting Parties undertake to afford mutual support and assistance in order to ensure the maintenance of the situation established by the Treaties of Peace concluded at St. Germain-en-Laye, Trianon and Neuilly, and the observance and fulfilment of the obligations specified in the said Treaties.

*Article 3.*

The present Convention shall remain in force for five years and may be denounced or renewed one year before its expiration.

*Article 4.*

The present Treaty shall be communicated to the League of Nations in accordance with Article 18 of the Covenant.

The present Treaty shall be ratified and the ratifications shall be exchanged at Rome. It shall come into force immediately upon the exchange of ratifications.

---

No. 334. — RESTORATION OF AUSTRIA. PROTOCOL No. I  
(DECLARATION), SIGNED AT GENEVA, OCTOBER 4, 1922.

---

*French official text registered October 4, 1922, according to the terms of this Protocol.  
Spain and Belgium have adhered to this Protocol.*

---

[Translation.]

DECLARATION.

THE GOVERNMENT OF HIS BRITANNIC MAJESTY, THE GOVERNMENT OF THE FRENCH REPUBLIC,  
THE GOVERNMENT OF HIS MAJESTY THE KING OF ITALY, THE GOVERNMENT OF THE CZECHO-  
SLOVAK REPUBLIC,

Of the one part,

At the moment of undertaking to assist Austria in her work of economic and financial reconstruction ;

Acting solely in the interests of Austria and of the general peace, and in accordance with the obligations which they assumed when they agreed to become Members of the League of Nations,

Solemnly declare :

That they will respect the political independence, the territorial integrity and the sovereignty of Austria ;

That they will not seek to obtain any special or exclusive economic or financial advantage calculated directly or indirectly to compromise that independence ;

That they will abstain from any act which might be contrary to the spirit of the conventions which will be drawn up in common with a view to effecting the economic and financial reconstruction of Austria, or which might prejudicially affect the guarantees demanded by the Powers for the protection of the interests of the creditors and of the guarantor States ;

And that, with a view to ensuring the respect of these principles by all nations, they will, should occasion arise, appeal, in accordance with the regulations contained in the Covenant of the League of Nations, either individually or collectively, to the Council of the League, in order that the latter may consider what measures should be taken, and that they will conform to the decisions of the said Council ;

THE GOVERNMENT OF THE FEDERAL REPUBLIC OF AUSTRIA,

Of the other part,

Undertakes, in accordance with the terms of Article 88 of the Treaty of St. Germain, not to alienate its independence ; it will abstain from any negotiations or from any economic or financial engagement calculated directly or indirectly to compromise this independence.

This undertaking shall not prevent Austria from maintaining, subject to the provisions of the Treaty of St. Germain, her freedom in the matter of Customs tariffs and commercial or financial agreements, and, in general, in all matters relating to her economic regime or her commercial relations, provided always that she shall not violate her economic independence by granting to any State a special regime or exclusive advantages calculated to threaten this independence.

The present Protocol shall remain open for signature by all the States which desire to adhere to it.

---

No. 633. — PROTOCOL No. 1 WITH REGARD TO THE FINANCIAL RECONSTRUCTION OF HUNGARY, SIGNED MARCH 14, 1924.

---

*This Protocol was registered June 24, 1924, in accordance with its final provisions.*

---

DECLARATION.

The GOVERNMENT OF HIS BRITANNIC MAJESTY, THE GOVERNMENT OF THE FRENCH REPUBLIC, THE GOVERNMENT OF HIS MAJESTY THE KING OF ITALY, THE GOVERNMENT OF HIS MAJESTY THE KING OF ROUMANIA, THE GOVERNMENT OF HIS MAJESTY THE KING OF THE SERBS, CROATS AND SLOVENES, AND THE GOVERNMENT OF THE CZECHOSLOVAK REPUBLIC, of the one part,

At the moment of undertaking to assist Hungary in her work of economic and financial reconstruction ;

Acting solely in the interests of Hungary and of the general peace, and in accordance with the obligations which they assumed when they agreed to become Members of the League of Nations, Solemnly declare :

That they will respect the political independence, the territorial integrity and the sovereignty of Hungary ;

That they will not seek to obtain any special or exclusive economic or financial advantage calculated directly or indirectly to compromise that independence ;

That they will abstain from any act which might be contrary to the spirit of the Conventions which are to be drawn up in common with a view to effecting the economic and financial reconstruction of Hungary, or which might prejudicially affect the guarantees demanded by the Signatory Powers for the protection of the interests of the creditors ;

And that, with a view to ensuring the respect of these principles by all nations, they will, should occasion arise, appeal, in accordance with the regulations contained in the Covenant of the League of Nations, either individually or collectively, to the Council of the League of Nations, in order that the latter may consider what measures should be taken, and that they will conform to the decisions of the said Council.

The Government of HUNGARY, of the other part,

Undertakes, in accordance with the stipulations of the Treaty of Trianon, strictly and loyally to fulfil the obligations contained in the said Treaty, and in particular the military clauses, as also the other international engagements.

It will abstain from any action which might be contrary to the spirit of the Conventions which shall be drawn up in common with a view to effecting the economic and financial reconstruction of Hungary or which might prejudicially affect the guarantees demanded by the Signatory Powers for the protection of the interests of the creditors.

It is understood that Hungary will maintain, subject to the provisions of the Treaty of Trianon, her freedom in the matter of Customs tariffs and commercial or financial agreements, and, in general, in all matters relating to her economic regime or her commercial relations, provided always that she shall not violate her economic independence by granting to any State a special regime calculated to threaten this independence.

The present Protocol shall remain open for signature by all the States which desire to adhere to it.

---

No. 257. — POLITICAL AGREEMENT BETWEEN THE FEDERAL  
REPUBLIC OF AUSTRIA AND THE CZECHOSLOVAK REPUBLIC,  
SIGNED AT PRAGUE, DECEMBER 16, 1921.

---

*The registration of this Agreement took place April 11, 1922. Ratifications exchanged at Prague,  
March 15, 1922.*

---

*[Translation.]*

*Article 1.*

Both States undertake to carry out in full all the provisions of the Treaty of Peace concluded with Austria at St. Germain-en-Laye on September 10, 1919, and the Treaty of Peace concluded with Hungary at Trianon on June 4, 1920.

*Article 2.*

The two States mutually guarantee their territories as fixed by the Treaties of Peace referred to in Article 1 ; and, with a view to maintaining peace and safeguarding the integrity of these territories, they undertake to afford each other mutual political and diplomatic support.

*Article 3.*

Each State undertakes to remain neutral should the other be compelled to defend itself against attack.

*Article 4.*

Both States undertake not to tolerate on their territories any political or military organisation directed against the integrity and security of the other Contracting Party. They agree to work together and afford each other mutual aid against any plans or attempts to restore the former regime, either as regards foreign and domestic policy, or in respect of the form of the State and of Government. The competent authorities of both States shall afford each other mutual assistance in effectively combating secret intrigues having this object.

*Article 5.*

The Czechoslovak Republic will communicate to the Federal Republic of Austria certain political and economic conventions which the Czechoslovak Republic has concluded with the Kingdom of the Serbs, Croats and Slovenes, the Kingdom of Roumania and the Republic of Poland. Similar conventions concluded by the Federal Republic of Austria shall be communicated to the Czechoslovak Republic.

*Article 6.*

Both States undertake to enforce the observance of agreements concluded or to be concluded for the settlement of economic and financial questions, or of questions relating to minorities, and to arrive at an understanding as soon as possible with regard to any disputes which may not yet have been settled.

*Article 7.*

Should disputes arise between the two States after the conclusion of the present Agreement, the two Governments undertake to endeavour to settle them by amicable arrangement; they will, if need be, submit the dispute to the Permanent Court of International Justice or to an arbitrator or arbitrators chosen *ad hoc*.

*Article 8.*

Each State undertakes not to conclude with any other State any agreement which would conflict with the Agreement now entered into by the two Contracting Parties. They further declare that the present Agreement is not in conflict with agreements previously concluded.

*Article 9.*

The present Agreement is concluded for a period of five years dating from the day on which the instruments of ratification are exchanged; after a period of three years dating from the said date, each of the Contracting Parties is free to denounce the present Agreement, six months' notice being given.

*Article 10.*

The present Agreement shall be ratified and the instruments of ratification shall be exchanged at Prague as soon as possible.

*Article 11.*

The present Agreement shall be communicated to the League of Nations.

---



No. 296. — POLITICAL AGREEMENT BETWEEN ESTHONIA, FINLAND,  
LATVIA AND POLAND, SIGNED AT WARSAW, MARCH 17, 1922.

---

*The registration of this Agreement took place on July 12, 1922. Ratified by Esthonia, April 8, 1921. In a note, dated August 23, 1922, the Finnish Ministry for Foreign Affairs states that on August 18, 1922, the Finnish Government decided not to ratify the Agreement in question.*

---

[*Translation.*]

*Article 1.*

The Governments represented at the Conference of Warsaw confirm the reciprocal recognition of the Treaties of Peace which concluded the state of war between Esthonia and Russia on February 2, 1920, between Latvia and Russia on August 11, 1920, between Finland and Russia on October 14, 1920, and between Poland of the one part and Russia, the Ukraine and White Ruthenia of the other part on March 18, 1921.

*Article 2.*

The Governments represented at the Conference undertake not to conclude any agreement to the direct or indirect disadvantage of any one of their respective States.

*Article 3.*

In order that their mutual relations may be fully public, and that there can be no suspicion of their good faith, each of the Governments represented at the Conference shall be bound henceforward to communicate to the other three Governments the text of the Treaties concluded between it and other State or States.

*Article 4.*

The Governments represented at the Conference undertake to enter as soon as possible into negotiations with a view to the conclusion between them of such of the proposed administrative and economic Treaties and Conventions as have not yet been concluded, and especially of commercial treaties and consular, option and extradition Conventions.

*Article 5.*

States which contain racial minorities belonging to the numerically superior race in one of the other Contracting States shall guarantee to such minorities all rights and liberties and shall safeguard the preservation and free development of the organisation of their national culture.

*Article 6.*

The Governments represented at the Conference agree to decide any controversy or dispute between their respective States solely by peaceful methods. In all questions of a more important nature, they shall have recourse to arbitration, which shall be entrusted by common agreement of the States concerned, either to arbitrators chosen *ad hoc*, or to the Court of International Justice, in conformity with the Covenant of the League of Nations.

*Article 7.*

The States represented at the Conference of Warsaw declare that, in case of an unprovoked attack upon any one of them by another State, they will adopt a benevolent attitude towards the State attacked, and will immediately agree upon their course of action.

*Article 8.*

The present Agreement shall be valid for five years from the date of the deposit of the last ratification, and it shall be prolonged from year to year without formal renewal, subject to denunciation six months in advance.

*Article 9.*

The present Agreement shall be ratified, and the instruments of ratification shall be deposited at the Ministry of Foreign Affairs at Warsaw.

---

No. 578. — TREATY OF DEFENSIVE ALLIANCE BETWEEN ESTHONIA  
AND LATVIA, SIGNED AT TALLINN, NOVEMBER 1, 1923.

---

*The registration of this Treaty took place March 3, 1924. Ratifications exchanged February 21, 1924.*

---

*[Translation.]*

*Article 1.*

The High Contracting Parties undertake to follow a wholly pacific policy, directed towards maintaining and strengthening the bonds of friendship and developing their economic relations with all nations, more especially with the Baltic States and neighbouring countries.

*Article 2.*

The two Governments undertake to co-ordinate their efforts for peace by consulting each other on such questions of foreign policy as are important to both, and by affording each other political and diplomatic assistance in their international relations.

*Article 3.*

The High Contracting Parties undertake to afford each other assistance should either of them suffer an unprovoked attack on its present frontiers.

Accordingly, should one of the High Contracting Parties suffer an unprovoked attack, the other shall consider itself in a state of war and shall furnish armed assistance.

*Article 4.*

The competent technical authorities of the Esthonian Republic and of the Latvian Republic shall determine by common agreement the manner in which the two countries will assist each other, and shall establish the necessary provisions for the execution of Article 3 of the present Treaty.

*Article 5.*

Should the High Contracting Parties, notwithstanding their efforts for peace, find themselves in a state of defensive war, as defined in Article 3, they undertake that neither will separately negotiate or conclude an armistice or peace.

*Article 6.*

All disputed questions which may arise between the High Contracting Parties, and which cannot be settled by diplomatic means, shall be laid before the Court of International Justice or submitted to international arbitration.

*Article 7.*

Neither of the High Contracting Parties shall conclude an alliance with a third power without the consent of the other Party. Each undertakes to communicate to the other forthwith the text of any treaties which it may have concluded with any other State or States.

*Article 8.*

The present Treaty shall remain in force for ten years from the date of the exchange of ratifications ; thereafter either of the two Contracting Parties may denounce it on giving one year's notice to the other Party.

*Article 9.*

The present Treaty shall be communicated to the League of Nations for registration and publication.

*Article 10.*

The present Treaty shall be ratified, and the instruments of ratification shall be exchanged at Riga as early as possible.

---

## Chapter V.

# THE LOCARNO AGREEMENTS <sup>1</sup>

---

	Page
1. Final Protocol of the Locarno Conference, 1925 . . . . .	165
Treaty of Mutual Guarantee between GERMANY, BELGIUM, FRANCE, GREAT BRITAIN and ITALY . . . . .	166
Arbitration Convention between GERMANY and BELGIUM . . . . .	169
Arbitration Convention between GERMANY and FRANCE . . . . .	173
Arbitration Treaty between GERMANY and POLAND . . . . .	177
Arbitration Treaty between GERMANY and CZECHOSLOVAKIA . . . . .	182
Collective Note to GERMANY regarding Article 16 of the Covenant of the LEAGUE OF NATIONS . . . . .	187
2. Treaty between FRANCE and POLAND . . . . .	188
3. Treaty between FRANCE and CZECHOSLOVAKIA. . . . .	189

---

---

<sup>1</sup> Translation by the British Foreign Office.

No. 1.

FINAL PROTOCOL OF THE LOCARNO CONFERENCE, 1925.

---

[Translation.]

The representatives of the GERMAN, BELGIAN, BRITISH, FRENCH, ITALIAN, POLISH and CZECHOSLOVAK GOVERNMENTS, who have met at Locarno from the 5th to 16th October, 1925, in order to seek by common agreement means for preserving their respective nations from the scourge of war and for providing for the peaceful settlement of disputes of every nature which might eventually arise between them,

Have given their approval to the draft Treaties and Conventions<sup>1</sup> which respectively affect them and which, framed in the course of the present Conference, are mutually interdependent :

Treaty between GERMANY, BELGIUM, FRANCE, GREAT BRITAIN and ITALY (Annex A).

Arbitration Convention between GERMANY and BELGIUM (Annex B).

Arbitration Convention between GERMANY and FRANCE (Annex C).

Arbitration Treaty between GERMANY and POLAND (Annex D).

Arbitration Treaty between GERMANY and CZECHOSLOVAKIA (Annex E).

These instruments, hereby initialled *ne varietur*, will bear to-day's date, the representatives of the interested Parties agreeing to meet in London on the 1st December next, to proceed during the course of a single meeting to the formality of the signature of the instruments which affect them.

The Minister for Foreign Affairs of France states that as a result of the draft arbitration treaties mentioned above, France, Poland and Czechoslovakia have also concluded at Locarno draft agreements in order reciprocally to assure to themselves the benefit of the said Treaties. These agreements will be duly deposited at the League of Nations, but M. Briand holds copies forthwith at the disposal of the Powers represented here.

The Secretary of State for Foreign Affairs of Great Britain proposes that, in reply to certain requests for explanations concerning Article 16 of the Covenant of the League of Nations presented by the Chancellor and the Minister for Foreign Affairs of Germany, a letter, of which the draft is similarly attached (Annex F), should be addressed to them at the same time as the formality of signature of the above-mentioned instruments takes place. This proposal is agreed to.

The representatives of the Governments represented here declare their firm conviction that the entry into force of these Treaties and Conventions will contribute greatly to bring about a moral relaxation of the tension between nations, that it will help powerfully towards the solution of many political or economic problems in accordance with the interests and sentiments of peoples, and that, in strengthening peace and security in Europe, it will hasten on effectively the disarmament provided for in Article 8 of the Covenant of the League of Nations.

They undertake to give their sincere co-operation to the work relating to disarmament already undertaken by the League of Nations and to seek the realisation thereof in a general agreement.

Done at Locarno, the 16th October, 1925.

Dr. LUTHER.  
STRESEMANN.  
EMILE VANDERVELDE.  
ARI. BRIAND.  
AUSTEN CHAMBERLAIN.  
BENITO MUSSOLINI.  
AL. SKRZYNSKI.  
DR. EDUARD BENES.

---

<sup>1</sup> These instruments were deposited with the Secretariat of the League of Nations, December 14, 1925.

Annex A.

TREATY OF MUTUAL GUARANTEE BETWEEN GERMANY, BELGIUM,  
FRANCE, GREAT BRITAIN AND ITALY.

[*Translation.*]

THE PRESIDENT OF THE GERMAN REICH, HIS MAJESTY THE KING OF THE BELGIANS, THE PRESIDENT OF THE FRENCH REPUBLIC, HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND OF THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA, and HIS MAJESTY THE KING OF ITALY ;

Anxious to satisfy the desire for security and protection which animates the peoples upon whom fell the scourge of the war of 1914-1918 ;

Taking note of the abrogation of the treaties for the neutralisation of Belgium, and conscious of the necessity of ensuring peace in the area which has so frequently been the scene of European conflicts ;

Animated also with the sincere desire of giving to all the signatory Powers concerned supplementary guarantees within the framework of the Covenant of the League of Nations and the treaties in force between them ;

Have determined to conclude a treaty with these objects, and have appointed as their Plenipotentiaries :

THE PRESIDENT OF THE GERMAN REICH :

Dr. Hans LUTHER, Chancellor of the Reich ;  
Dr. Gustav STRESEMANN, Minister for Foreign Affairs ;

HIS MAJESTY THE KING OF THE BELGIANS :

M. Emile VANDERVELDE, Minister for Foreign Affairs ;

THE PRESIDENT OF THE FRENCH REPUBLIC :

M. Aristide BRIAND, Prime Minister and Minister for Foreign Affairs ;

HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND OF THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA :—

The Right Honourable Stanley BALDWIN, M.P., First Lord of the Treasury and Prime Minister ;

The Right Honourable Joseph Austen CHAMBERLAIN, M.P., Principal Secretary of State for Foreign Affairs ;

HIS MAJESTY THE KING OF ITALY :

The Honourable Vittorio SCIALOJA, Senator of the Kingdom ;

Who, having communicated their full powers, found in good and due form, have agreed as follows :

*Article I.*

The High Contracting Parties collectively and severally guarantee, in the manner provided in the following articles, the maintenance of the territorial *status quo* resulting from the frontiers between Germany and Belgium and between Germany and France and the inviolability of the said frontiers as fixed by or in pursuance of the Treaty of Peace signed at Versailles on the 28th June, 1919, and also the observance of the stipulations of Articles 42 and 43 of the said Treaty concerning the demilitarised zone.

*Article 2.*

Germany and Belgium, and also Germany and France, mutually undertake that they will in no case attack or invade each other or resort to war against each other.

This stipulation shall not, however, apply in the case of :

1. The exercise of the right of legitimate defence, that is to say, resistance to a violation of the undertaking contained in the previous paragraph or to a flagrant breach of Articles 42 or 43 of the said Treaty of Versailles, if such breach constitutes an unprovoked act of aggression and by reason of the assembly of armed forces in the demilitarised zone immediate action is necessary.

2. Action in pursuance of Article 16 of the Covenant of the League of Nations.

3. Action as the result of a decision taken by the Assembly or by the Council of the League of Nations or in pursuance of Article 15, paragraph 7, of the Covenant of the League of Nations, provided that in this last event the action is directed against a State which was the first to attack.

*Article 3.*

In view of the undertakings entered into in Article 2 of the present Treaty, Germany and Belgium and Germany and France undertake to settle by peaceful means and in the manner laid down herein all questions of every kind which may arise between them and which it may not be possible to settle by the normal methods of diplomacy :

Any question with regard to which the Parties are in conflict as to their respective rights shall be submitted to judicial decision, and the Parties undertake to comply with such decision.

All other questions shall be submitted to a conciliation commission. If the proposals of this commission are not accepted by the two Parties, the question shall be brought before the Council of the League of Nations, which will deal with it in accordance with Article 15 of the Covenant of the League.

The detailed arrangements for effecting such peaceful settlement are the subject of special agreements signed this day.

*Article 4.*

1. If one of the High Contracting Parties alleges that a violation of Article 2 of the present Treaty or a breach of Articles 42 or 43 of the Treaty of Versailles has been or is being committed, it shall bring the question at once before the Council of the League of Nations.

2. As soon as the Council of the League of Nations is satisfied that such violation or breach has been committed, it will notify its finding without delay to the Powers signatory of the present Treaty, who severally agree that in such case they will each of them come immediately to the assistance of the Power against whom the act complained of is directed.

3. In case of a flagrant violation of Article 2 of the present Treaty or of a flagrant breach of Articles 42 or 43 of the Treaty of Versailles by one of the High Contracting Parties, each of the other Contracting Parties hereby undertakes immediately to come to the help of the Party against whom such a violation or breach has been directed as soon as the said Power has been able to satisfy itself that this violation constitutes an unprovoked act of aggression and that by reason either of the crossing of the frontier or of the outbreak of hostilities or of the assembly of armed forces in the demilitarised zone immediate action is necessary. Nevertheless, the Council of the League of Nations, which will be seized of the question in accordance with the first paragraph of this article, will issue its findings, and the High Contracting Parties undertake to act in accordance with the recommendations of the Council, provided that they are concurred in by all the members other than the representatives of the Parties which have engaged in hostilities.



*Article 5.*

The provisions of Article 3 of the present Treaty are placed under the guarantee of the High Contracting Parties as provided by the following stipulations :

If one of the Powers referred to in Article 3 refuses to submit a dispute to peaceful settlement or to comply with an arbitral or judicial decision and commits a violation of Article 2 of the present Treaty or a breach of Articles 42 or 43 of the Treaty of Versailles, the provisions of Article 4 shall apply.

Where one of the Powers referred to in Article 3, without committing a violation of Article 2 of the present Treaty or a breach of Articles 42 or 43 of the Treaty of Versailles, refuses to submit a dispute to peaceful settlement or to comply with an arbitral or judicial decision, the other Party shall bring the matter before the Council of the League of Nations, and the Council shall propose what steps shall be taken ; the High Contracting Parties shall comply with these proposals.

*Article 6.*

The provisions of the present Treaty do not affect the rights and obligations of the High Contracting Parties under the Treaty of Versailles or under arrangements supplementary thereto, including the agreements signed in London on the 30th August, 1924.

*Article 7.*

The present Treaty, which is designed to ensure the maintenance of peace and is in conformity with the Covenant of the League of Nations, shall not be interpreted as restricting the duty of the League to take whatever action may be deemed wise and effectual to safeguard the peace of the world.

*Article 8.*

The present Treaty shall be registered at the League of Nations in accordance with the Covenant of the League. It shall remain in force until the Council, acting on a request of one or other of the High Contracting Parties notified to the other signatory Powers three months in advance, and voting at least by a two-thirds majority, decides that the League of Nations ensures sufficient protection to the High Contracting Parties ; the Treaty shall cease to have effect on the expiration of a period of one year from such decision.

*Article 9.*

The present Treaty shall impose no obligation upon any of the British dominions or upon India, unless the Government of such dominion, or of India, signifies its acceptance thereof.

*Article 10.*

The present Treaty shall be ratified and the ratifications shall be deposited at Geneva in the archives of the League of Nations as soon as possible.

It shall enter into force as soon as all the ratifications have been deposited and Germany has become a Member of the League of Nations.

The present Treaty, done in a single copy, will be deposited in the archives of the League of Nations, and the Secretary-General will be requested to transmit certified copies to each of the High Contracting Parties.

In faith whereof the above-mentioned Plenipotentiaries have signed the present Treaty.

Done at Locarno, the 16th October, 1925.

(L. S.) HANS LUTHER.  
(L. S.) GUSTAV STRESEMANN.  
(L. S.) EMILE VANDERVELDE.  
(L. S.) ARI. BRIAND.  
(L. S.) STANLEY BALDWIN.  
(L. S.) AUSTEN CHAMBERLAIN.  
(L. S.) VITTORIO SCIALOJA.

---

**Annex B.**

**ARBITRATION CONVENTION BETWEEN GERMANY AND BELGIUM.**

*[Translation.]*

The undersigned, duly authorised,

Charged by their respective Governments to determine the methods by which, as provided in Article 3 of the Treaty concluded this day between Germany, Belgium, France, Great Britain and Italy, a peaceful solution shall be attained of all questions which cannot be settled amicably between Germany and Belgium,

Have agreed as follows :

**PART I.**

*Article 1.*

All disputes of every kind between Germany and Belgium with regard to which the Parties are in conflict as to their respective rights, and which it may not be possible to settle amicably by the normal methods of diplomacy, shall be submitted for decision either to an arbitral tribunal or to the Permanent Court of International Justice, as laid down hereafter. It is agreed that the disputes referred to above include in particular those mentioned in Article 13 of the Covenant of the League of Nations.

This provision does not apply to disputes arising out of events prior to the present Convention and belonging to the past.

Disputes for the settlement of which a special procedure is laid down in other conventions in force between Germany and Belgium shall be settled in conformity with the provisions of those conventions.

*Article 2.*

Before any resort is made to arbitral procedure or to procedure before the Permanent Court of International Justice, the dispute may, by agreement between the Parties, be submitted, with a view to amicable settlement, to a permanent international commission styled the Permanent Conciliation Commission, constituted in accordance with the present Convention.

*Article 3.*

In the case of a dispute, the occasion of which, according to the municipal law of one of the Parties, falls within the competence of the national courts of such Party, the matter in dispute shall not be submitted to the procedure laid down in the present Convention until a judgment with final effect has been pronounced, within a reasonable time, by the competent national judicial authority.

*Article 4.*

The Permanent Conciliation Commission mentioned in Article 2 shall be composed of five members, who shall be appointed as follows, that is to say : the German Government and the Belgian Government shall each nominate a commissioner chosen from among their respective nationals, and shall appoint, by common agreement, the three other commissioners from among the nationals of third Powers ; these three commissioners must be of different nationalities, and the German and Belgian Governments shall appoint the president of the Commission from among them.

The commissioners are appointed for three years, and their mandate is renewable. Their appointment shall continue until their replacement and, in any case, until the termination of the work in hand at the moment of the expiry of their mandate.

Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

*Article 5.*

The Permanent Conciliation Commission shall be constituted within three months from the entry into force of the present Convention.

If the nomination of the commissioners to be appointed by common agreement should not have taken place within the said period, or, in the case of the filling of a vacancy, within three months from the time when the seat falls vacant, the President of the Swiss Confederation shall, in the absence of other agreement, be requested to make the necessary appointments.

*Article 6.*

The Permanent Conciliation Commission shall be informed by means of a request addressed to the president by the two Parties acting in agreement or, in the absence of such agreement, by one or other of the Parties.

The request, after having given a summary account of the subject of the dispute, shall contain the invitation to the commission to take all necessary measures with a view to arrive at an amicable settlement.

If the request emanates from only one of the Parties, notification thereof shall be made without delay to the other Party.

*Article 7.*

Within fifteen days from the date when the German Government or the Belgian Government shall have brought a dispute before the Permanent Conciliation Commission, either Party may, for the examination of the particular dispute, replace its commissioner by a person possessing special competence in the matter.

The Party making use of this right shall immediately inform the other Party ; the latter shall in that case be entitled to take similar action within fifteen days from the date when the notification reaches it.

*Article 8.*

The task of the Permanent Conciliation Commission shall be to elucidate questions in dispute, to collect with that object all necessary information by means of enquiry or otherwise, and to endeavour to bring the Parties to an agreement. It may, after the case has been examined, inform the Parties of the terms of settlement which seem suitable to it, and lay down a period within which they are to make their decision.

At the close of its labours the Commission shall draw up a report stating, as the case may be, either that the Parties have come to an agreement and, if need arises, the terms of the agreement, or that it has been impossible to effect a settlement.

The labours of the Commission must, unless the Parties otherwise agree, be terminated within six months from the day on which the Commission shall have been notified of the dispute.

*Article 9.*

Failing any special provision to the contrary, the Permanent Conciliation Commission shall lay down its own procedure, which in any case must provide for both Parties being heard. In regard to enquiries, the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Chapter III (International Commissions of Enquiry) of the Hague Convention of the 18th October, 1907, for the Pacific Settlement of International Disputes.

*Article 10.*

The Permanent Conciliation Commission shall meet, in the absence of agreement by the Parties to the contrary, at a place selected by its president.

*Article 11.*

The labours of the Permanent Conciliation Commission are not public, except when a decision to that effect has been taken by the Commission with the consent of the Parties.

*Article 12.*

The Parties shall be represented before the Permanent Conciliation Commission by agents, whose duty it shall be to act as intermediary between them and the Commission; they may, moreover, be assisted by counsel and experts appointed by them for that purpose, and request that all persons whose evidence appears to them useful should be heard.

The Commission, on its side, shall be entitled to request oral explanations from the agents, counsel and experts of the two Parties, as well as from all persons it may think useful to summon with the consent of their Government.

*Article 13.*

Unless otherwise provided in the present Convention, the decisions of the Permanent Conciliation Commission shall be taken by a majority.

*Article 14.*

The German and Belgian Governments undertake to facilitate the labours of the Permanent Conciliation Commission, and particularly to supply it to the greatest possible extent with all

relevant documents and information, as well as to use the means at their disposal to allow it to proceed in their territory and in accordance with their law to the summoning and hearing of witnesses or experts, and to visit the localities in question.

*Article 15.*

During the labours of the Permanent Conciliation Commission each commissioner shall receive salary, the amount of which shall be fixed by agreement between the German and Belgian Governments, each of which shall contribute an equal share.

*Article 16.*

In the event of no amicable agreement being reached before the Permanent Conciliation Commission, the dispute shall be submitted by means of a special agreement either to the Permanent Court of International Justice under the conditions and according to the procedure laid down by its Statute or to an arbitral tribunal under the conditions and according to the procedure laid down by the Hague Convention of the 18th October, 1907, for the Pacific Settlement of International Disputes.

If the Parties cannot agree on the terms of the special agreement after a month's notice, one or other of them may bring the dispute before the Permanent Court of International Justice by means of an application.

PART II.

*Article 17.*

All questions on which the German and Belgian Governments shall differ without being able to reach an amicable solution by means of the normal methods of diplomacy the settlement of which cannot be attained by means of a judicial decision as provided in Article 1 of the present Convention, and for the settlement of which no procedure has been laid down by other conventions in force between the Parties, shall be submitted to the Permanent Conciliation Commission, whose duty it shall be to propose to the Parties an acceptable solution and in any case to present a report.

The procedure laid down in Articles 6-15 of the present Convention shall be applicable.

*Article 18.*

If the two Parties have not reached an agreement within a month from the termination of the labours of the Permanent Conciliation Commission, the question shall, at the request of either Party, be brought before the Council of the League of Nations, which shall deal with it in accordance with Article 15 of the Covenant of the League.

GENERAL PROVISION.

*Article 19.*

In any case, and particularly if the question on which the Parties differ arises out of acts already committed or on the point of commission, the Conciliation Commission or, if the latter has not been notified thereof, the arbitral tribunal or the Permanent Court of International Justice, acting in accordance with Article 41 of its Statute, shall lay down within the shortest possible

time the provisional measures to be adopted. It shall similarly be the duty of the Council of the League of Nations, if the question is brought before it, to ensure that suitable provisional measures are taken. The German and Belgian Governments undertake respectively to accept such measures, to abstain from all measures likely to have a repercussion prejudicial to the execution of the decision or to the arrangements proposed by the Conciliation Commission or by the Council of the League of Nations, and in general to abstain from any sort of action whatsoever which may aggravate or extend the dispute.

*Article 20.*

The present Convention continues applicable as between Germany and Belgium, even when other Powers are also interested in the dispute.

*Article 21.*

The present Convention shall be ratified. Ratifications shall be deposited at Geneva with the League of Nations at the same time as the ratifications of the Treaty concluded this day between Germany, Belgium, France, Great Britain and Italy.

It shall enter into and remain in force under the same conditions as the said Treaty.

The present Convention, done in a single copy, shall be deposited in the archives of the League of Nations, the Secretary-General of which shall be requested to transmit certified copies to each of the two Contracting Governments.

Done at Locarno the 16th October, 1925.

(L. S.) GUSTAV STRESEMANN.

(L. S.) EMILE VANDERVELDE.

---

**Annex C.**

**ARBITRATION CONVENTION BETWEEN GERMANY AND FRANCE.**

*[Translation.]*

The undersigned, duly authorised,

Charged by their respective Governments to determine the methods by which, as provided in Article 3 of the Treaty concluded this day between Germany, Belgium, France, Great Britain and Italy, a peaceful solution shall be attained of all questions which cannot be settled amicably between Germany and France,

Have agreed as follows :

**PART I.**

*Article 1.*

All disputes of every kind between Germany and France with regard to which the Parties are in conflict as to their respective rights, and which it may not be possible to settle amicably by the normal methods of diplomacy, shall be submitted for decision either to an arbitral tribunal or to the Permanent Court of International Justice, as laid down hereafter. It is agreed that the disputes referred to above include in particular those mentioned in Article 13 of the Covenant of the League of Nations.

This provision does not apply to disputes arising out of events prior to the present Convention and belonging to the past.

Disputes for the settlement of which a special procedure is laid down in other conventions in force between Germany and France shall be settled in conformity with the provisions of those conventions.

*Article 2.*

Before any resort is made to arbitral procedure or to procedure before the Permanent Court of International Justice, the dispute may, by agreement between the Parties, be submitted, with a view to amicable settlement, to a permanent international commission styled the Permanent Conciliation Commission, constituted in accordance with the present Convention.

*Article 3.*

In the case of a dispute the occasion of which, according to the municipal law of one of the Parties, falls within the competence of the national courts of such Party, the matter in dispute shall not be submitted to the procedure laid down in the present Convention until a judgment with final effect has been pronounced, within a reasonable time, by the competent national judicial authority.

*Article 4.*

The Permanent Conciliation Commission mentioned in Article 2 shall be composed of five members, who shall be appointed as follows, that is to say : the German Government and the French Government shall each nominate a commissioner chosen from among their respective nationals, and shall appoint, by common agreement, the three other commissioners from among the nationals of third Powers ; these three commissioners must be of different nationalities, and the German and French Governments shall appoint the president of the Commission from among them.

The commissioners are appointed for three years, and their mandate is renewable. Their appointment shall continue until their replacement and, in any case, until the termination of the work in hand at the moment of the expiry of their mandate.

Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

*Article 5.*

The Permanent Conciliation Commission shall be constituted within three months from the entry into force of the present Convention.

If the nomination of the commissioners to be appointed by common agreement should not have taken place within the said period, or, in the case of the filling of a vacancy, within three months from the time when the seat falls vacant, the President of the Swiss Confederation shall, in the absence of other agreement, be requested to make the necessary appointments.

*Article 6.*

The Permanent Conciliation Commission shall be informed by means of a request addressed to the president by the two Parties acting in agreement or, in the absence of such agreement, by one or other of the Parties.

The request, after having given a summary account of the subject of the dispute, shall contain the invitation to the Commission to take all necessary measures with a view to arrive at an amicable settlement.

If the request emanates from only one of the Parties, notification thereof shall be made without delay to the other Party.

*Article 7.*

Within fifteen days from the date when the German Government or the French Government shall have brought a dispute before the Permanent Conciliation Commission either Party may, for the examination of the particular dispute, replace its commissioner by a person possessing special competence in the matter.

The Party making use of this right shall immediately inform the other Party; the latter shall in that case be entitled to take similar action within fifteen days from the date when the notification reaches it.

*Article 8.*

The task of the Permanent Conciliation Commission shall be to elucidate questions in dispute, to collect with that object all necessary information by means of enquiry or otherwise, and to endeavour to bring the Parties to an agreement. It may, after the case has been examined, inform the Parties of the terms of settlement which seem suitable to it, and lay down a period within which they are to make their decision.

At the close of its labours the Commission shall draw up a report stating, as the case may be, either that the Parties have come to an agreement and, if need arises, the terms of the agreement, or that it has been impossible to effect a settlement.

The labours of the Commission must, unless the Parties otherwise agree, be terminated within six months from the day on which the Commission shall have been notified of the dispute.

*Article 9.*

Failing any special provision to the contrary, the Permanent Conciliation Commission shall lay down its own procedure, which in any case must provide for both Parties being heard. In regard to enquiries the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Chapter III (International Commissions of Enquiry) of the Hague Convention of the 18th October, 1907, for the Pacific Settlement of International Disputes.

*Article 10.*

The Permanent Conciliation Commission shall meet, in the absence of agreement by the Parties to the contrary, at a place selected by its president.

*Article 11.*

The labours of the Permanent Conciliation Commission are not public, except when a decision to that effect has been taken by the Commission with the consent of the Parties.

*Article 12.*

The Parties shall be represented before the Permanent Conciliation Commission by agents, whose duty it shall be to act as intermediary between them and the Commission; they may, moreover, be assisted by counsel and experts appointed by them for that purpose, and request that all persons whose evidence appears to them useful should be heard.

The Commission, on its side, shall be entitled to request oral explanations from the agents, counsel and experts of the two Parties, as well as from all persons it may think useful to summon with the consent of their Government.



*Article 13.*

Unless otherwise provided in the present Convention, the decisions of the Permanent Conciliation Commission shall be taken by a majority.

*Article 14.*

The German and French Governments undertake to facilitate the labours of the Permanent Conciliation Commission, and particularly to supply it to the greatest possible extent with all relevant documents and information, as well as to use the means at their disposal to allow it to proceed in their territory and in accordance with their law to the summoning and hearing of witnesses or experts, and to visit the localities in question.

*Article 15.*

During the labours of the Permanent Conciliation Commission each commissioner shall receive salary, the amount of which shall be fixed by agreement between the German and French Governments, each of which shall contribute an equal share.

*Article 16.*

In the event of no amicable agreement being reached before the Permanent Conciliation Commission the dispute shall be submitted by means of a special agreement either to the Permanent Court of International Justice under the conditions and according to the procedure laid down by its statute or to an arbitral tribunal under the conditions and according to the procedure laid down by the Hague Convention of the 18th October, 1907, for the Pacific Settlement of International Disputes.

If the Parties cannot agree on the terms of the special agreement after a month's notice one or other of them may bring the dispute before the Permanent Court of International Justice by means of an application.

PART II.

*Article 17.*

All questions on which the German and French Governments shall differ without being able to reach an amicable solution by means of the normal methods of diplomacy the settlement of which cannot be attained by means of a judicial decision as provided in Article 1 of the present Convention, and for the settlement of which no procedure has been laid down by other conventions in force between the Parties, shall be submitted to the Permanent Conciliation Commission, whose duty it shall be to propose to the Parties an acceptable solution and in any case to present a report.

The procedure laid down in Articles 6-15 of the present Convention shall be applicable.

*Article 18.*

If the two Parties have not reached an agreement within a month from the termination of the labours of the Permanent Conciliation Commission the question shall, at the request of either Party, be brought before the Council of the League of Nations, which shall deal with it in accordance with Article 15 of the Covenant of the League.

GENERAL PROVISIONS.

*Article 19.*

In any case, and particularly if the question on which the Parties differ arises out of acts already committed or on the point of commission, the Conciliation Commission or, if the latter has not been notified thereof, the arbitral tribunal or the Permanent Court of International Justice, acting in accordance with Article 41 of its Statute, shall lay down within the shortest possible time the provisional measures to be adopted. It shall similarly be the duty of the Council of the League of Nations, if the question is brought before it, to ensure that suitable provisional measures are taken. The German and French Governments undertake respectively to accept such measures, to abstain from all measures likely to have a repercussion prejudicial to the execution of the decision or to the arrangements proposed by the Conciliation Commission or by the Council of the League of Nations, and in general to abstain from any sort of action whatsoever which may aggravate or extend the dispute.

*Article 20.*

The present Convention continues applicable as between Germany and France, even when other Powers are also interested in the dispute.

*Article 21.*

The present Convention shall be ratified. Ratifications shall be deposited at Geneva with the League of Nations at the same time as the ratifications of the Treaty concluded this day between Germany, Belgium, France, Great Britain and Italy.

It shall enter into and remain in force under the same conditions as the said Treaty.

The present Convention, done in a single copy, shall be deposited in the archives of the League of Nations, the Secretary-General of which shall be requested to transmit certified copies to each of the two Contracting Governments.

Done at Locarno the 16th October, 1925.

(L.S.) GUSTAV STRESEMANN.

(L.S.) ARI. BRIAND.

---

**Annex D.**

**ARBITRATION TREATY BETWEEN GERMANY AND POLAND.**

*[Translation.]*

THE PRESIDENT OF THE GERMAN EMPIRE and THE PRESIDENT OF THE POLISH REPUBLIC ;

Equally resolved to maintain peace between Germany and Poland by assuring the peaceful settlement of differences which might arise between the two countries ;

Declaring that respect for the rights established by treaty or resulting from the law of nations is obligatory for international tribunals ;

Agreeing to recognise that the rights of a State cannot be modified save with its consent ;

And considering that sincere observance of the methods of peaceful settlement of international disputes permits of resolving, without recourse to force, questions which may become the cause of division between States :

Have decided to embody in a treaty their common intentions in this respect, and have named as their Plenipotentiaries the following :

THE PRESIDENT OF THE GERMAN EMPIRE :

Dr. Gustav STRESEMANN, Minister for Foreign Affairs ;

THE PRESIDENT OF THE POLISH REPUBLIC :

M. Alexandre SKRZYNSKI, Prime Minister, Minister for Foreign Affairs ;

Who, having exchanged their full powers, found in good and due form, are agreed upon the following articles :

## PART I.

### *Article 1.*

All disputes of every kind between Germany and Poland with regard to which the Parties are in conflict as to their respective rights, and which it may not be possible to settle amicably by the normal methods of diplomacy, shall be submitted for decision either to an arbitral tribunal or to the Permanent Court of International Justice, as laid down hereafter. It is agreed that the disputes referred to above include in particular those mentioned in Article 13 of the Covenant of the League of Nations.

This provision does not apply to disputes arising out of events prior to the present Treaty and belonging to the past.

Disputes for the settlement of which a special procedure is laid down in other conventions in force between the High Contracting Parties shall be settled in conformity with the provisions of those conventions.

### *Article 2.*

Before any resort is made to arbitral procedure or to procedure before the Permanent Court of International Justice, the dispute may, by agreement between the Parties, be submitted, with a view to amicable settlement, to a permanent international commission, styled the Permanent Conciliation Commission, constituted in accordance with the present Treaty.

### *Article 3.*

In the case of a dispute the occasion of which, according to the municipal law of one of the Parties, falls within the competence of the national courts of such Party, the matter in dispute shall not be submitted to the procedure laid down in the present Treaty until a judgment with final effect has been pronounced, within a reasonable time, by the competent national judicial authority.

### *Article 4.*

The Permanent Conciliation Commission mentioned in Article 2 shall be composed of five members, who shall be appointed as follows, that is to say : the High Contracting Parties shall each nominate a commissioner chosen from among their respective nationals, and shall appoint, by common agreement, the three other commissioners from among the nationals of third Powers ; these three commissioners must be of different nationalities, and the High Contracting Parties shall appoint the president of the Commission from among them.

The commissioners are appointed for three years, and their mandate is renewable. Their appointment shall continue until their replacement, and in any case until the termination of the work in hand at the moment of the expiry of their mandate.

Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

*Article 5.*

The Permanent Conciliation Commission shall be constituted within three months from the entry into force of the present Convention.

If the nomination of the commissioners to be appointed by common agreement should not have taken place within the said period, or, in the case of the filling of a vacancy, within three months from the time when the seat falls vacant, the President of the Swiss Confederation shall, in the absence of other agreement, be requested to make the necessary appointments.

*Article 6.*

The Permanent Conciliation Commission shall be informed by means of a request addressed to the president by the two Parties acting in agreement, or, in the absence of such agreement, by one or other of the Parties.

The request, after having given a summary account of the subject of the dispute, shall contain the invitation to the Commission to take all necessary measures with a view to arrive at an amicable settlement.

If the request emanates from only one of the Parties, notification thereof shall be made without delay to the other Party.

*Article 7.*

Within fifteen days from the date when one of the High Contracting Parties shall have brought a dispute before the Permanent Conciliation Commission, either Party may, for the examination of the particular dispute, replace its commissioner by a person possessing special competence in the matter.

The Party making use of this right shall immediately inform the other Party; the latter shall in that case be entitled to take similar action within fifteen days from the date when the notification reaches it.

*Article 8.*

The task of the Permanent Conciliation Commission shall be to elucidate questions in dispute, to collect with that object all necessary information by means of enquiry or otherwise, and to endeavour to bring the Parties to an agreement. It may, after the case has been examined, inform the Parties of the terms of settlement which seem suitable to it, and lay down a period within which they are to make their decision.

At the close of its labours the Commission shall draw up a report stating, as the case may be, either that the Parties have come to an agreement and, if need arises, the terms of the agreement, or that it has been impossible to effect a settlement.

The labours of the Commission must, unless the Parties otherwise agree, be terminated within six months from the day on which the Commission shall have been notified of the dispute.

*Article 9.*

Failing any special provision to the contrary, the Permanent Conciliation Commission shall lay down its own procedure, which in any case must provide for both Parties being heard. In regard to enquiries, the commission, unless it decides unanimously to the contrary, shall act in

accordance with the provisions of Chapter III (International Commissions of Enquiry) of The Hague Convention of the 18th October, 1907, for the Pacific Settlement of International Disputes.

*Article 10.*

The Permanent Conciliation Commission shall meet, in the absence of agreement by the Parties to the contrary, at a place selected by its president.

*Article 11.*

The labours of the Permanent Conciliation Commission are not public except when a decision to that effect has been taken by the Commission with the consent of the Parties.

*Article 12.*

The Parties shall be represented before the Permanent Conciliation Commission by agents, whose duty it shall be to act as intermediary between them and the Commission; they may moreover be assisted by counsel and experts appointed by them for that purpose, and request that all persons whose evidence appears to them useful should be heard.

The Commission on its side shall be entitled to request oral explanations from the agents, counsel and experts of the two Parties, as well as from all persons it may think useful to summon with the consent of their Government.

*Article 13.*

Unless otherwise provided in the present Treaty the decisions of the Permanent Conciliation Commission shall be taken by a majority.

*Article 14.*

The High Contracting Parties undertake to facilitate the labours of the Permanent Conciliation Commission, and particularly to supply it to the greatest possible extent with all relevant documents and information, as well as to use the means at their disposal to allow it to proceed in their territory and in accordance with their law to the summoning and hearing of witnesses or experts, and to visit the localities in question.

*Article 15.*

During the labours of the Permanent Conciliation Commission each commissioner shall receive salary, the amount of which shall be fixed by agreement between the High Contracting Parties, each of which shall contribute an equal share.

*Article 16.*

In the event of no amicable agreement being reached before the Permanent Conciliation Commission the dispute shall be submitted by means of a special agreement either to the Permanent Court of International Justice under the conditions and according to the procedure laid down by its statute or to an arbitral tribunal under the conditions and according to the procedure laid down by the Hague Convention of the 18th October, 1907, for the Pacific Settlement of International Disputes.

If the Parties cannot agree on the terms of the special agreement after a month's notice one or other of them may bring the dispute before the Permanent Court of International Justice by means of an application.

PART II.

*Article 17.*

All questions on which the German and Polish Governments shall differ without being able to reach an amicable solution by means of the normal methods of diplomacy the settlement of which cannot be attained by means of a judicial decision as provided in Article 1 of the present Treaty, and for the settlement of which no procedure has been laid down by other conventions in force between the Parties shall be submitted to the Permanent Conciliation Commission, whose duty it shall be to propose to the Parties an acceptable solution and in any case to present a report.

The procedure laid down in Articles 6-15 of the present Treaty shall be applicable.

*Article 18.*

If the two Parties have not reached an agreement within a month from the termination of the labours of the Permanent Conciliation Commission the question shall, at the request of either Party, be brought before the Council of the League of Nations, which shall deal with it in accordance with Article 15 of the Covenant of the League.

GENERAL PROVISIONS.

*Article 19.*

In any case, and particularly if the question on which the Parties differ arises out of acts already committed or on the point of commission, the Conciliation Commission or, if the latter has not been notified thereof, the arbitral tribunal or the Permanent Court of International Justice acting in accordance with Article 41 of its Statute, shall lay down within the shortest possible time the provisional measures to be adopted. It shall similarly be the duty of the Council of the League of Nations, if the question is brought before it, to ensure that suitable provisional measures are taken. The High Contracting Parties undertake respectively to accept such measures, to abstain from all measures likely to have a repercussion prejudicial to the execution of the decision or to the arrangements proposed by the Conciliation Commission or by the Council of the League of Nations, and in general to abstain from any sort of action whatsoever which may aggravate or extend the dispute.

*Article 20.*

The present Treaty continues applicable as between the High Contracting Parties even when other Powers are also interested in the dispute.

*Article 21.*

The present Treaty, which is in conformity with the Covenant of the League of Nations, shall not in any way affect the rights and obligations of the High Contracting Parties as Members of the League of Nations and shall not be interpreted as restricting the duty of the League to take whatever action may be deemed wise and effectual to safeguard the peace of the world.

*Article 22.*

The present Treaty shall be ratified. Ratifications shall be deposited at Geneva with the League of Nations at the same time as the ratifications of the Treaty concluded this day between Germany, Belgium, France, Great Britain and Italy.

It shall enter into and remain in force under the same conditions as the said Treaty.

The present Treaty, done in a single copy, shall be deposited in the archives of the League of Nations, the Secretary-General of which shall be requested to transmit certified copies to each of the High Contracting Parties.

In faith whereof the above-mentioned Plenipotentiaries have signed the present Treaty.

Done at Locarno the 16th October, 1925.

(L.S.) GUSTAV STRESEMANN.

(L.S.) ALEXANDRE SKRZYNSKI.

**Annex E.**

**ARBITRATION TREATY BETWEEN GERMANY AND CZECHOSLOVAKIA.**

*[Translation.]*

THE PRESIDENT OF THE GERMAN EMPIRE and THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC

Equally resolved to maintain peace between Germany and Czechoslovakia by assuring the peaceful settlement of differences which might arise between the two countries ;

Declaring that respect for the rights established by Treaty or resulting from the law of nations is obligatory for international tribunals ;

Agreeing to recognise that the rights of a State cannot be modified save with its consent ;

And considering that sincere observance of the methods of peaceful settlement of international disputes permits of resolving, without recourse to force, questions which may become the cause of division between States ;

Have decided to embody in a treaty their common intentions in this respect, and have named as their Plenipotentiaries the following :

THE PRESIDENT OF THE GERMAN EMPIRE :

Dr. Gustav STRESEMANN, Minister for Foreign Affairs ;

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC :

Dr. Edouard BENEŠ, Minister for Foreign Affairs ;

Who, having exchanged their full powers, found in good and due form, are agreed upon the following articles :

PART I.

*Article 1.*

All disputes of every kind between Germany and Czechoslovakia with regard to which the Parties are in conflict as to their respective rights, and which it may not be possible to settle amicably by the normal methods of diplomacy, shall be submitted for decision either to an arbitral

tribunal or to the Permanent Court of International Justice, as laid down hereafter. It is agreed that the disputes referred to above include, in particular, those mentioned in Article 13 of the Covenant of the League of Nations.

This provision does not apply to disputes arising out of events prior to the present Treaty and belonging to the past.

Disputes, for the settlement of which a special procedure is laid down in other conventions in force between the High Contracting Parties shall be settled in conformity with the provisions of those Conventions.

*Article 2.*

Before any resort is made to arbitral procedure or to procedure before the Permanent Court of International Justice, the dispute may, by agreement between the Parties, be submitted, with a view to amicable settlement, to a permanent international commission, styled the Permanent Conciliation Commission, constituted in accordance with the present Treaty.

*Article 3.*

In the case of a dispute the occasion of which, according to the municipal law of one of the Parties, falls within the competence of the national courts of such Party, the matter in dispute shall not be submitted to the procedure laid down in the present Treaty until a judgment with final effect has been pronounced, within a reasonable time, by the competent national judicial authority.

*Article 4.*

The Permanent Conciliation Commission mentioned in Article 2 shall be composed of five members, who shall be appointed as follows, that is to say: the High Contracting Parties shall each nominate a commissioner chosen from among their respective nationals, and shall appoint, by common agreement, the three other commissioners from among the nationals of third Powers; those three commissioners must be of different nationalities, and the High Contracting Parties shall appoint the president of the Commission from among them.

The commissioners are appointed for three years, and their mandate is renewable. Their appointment shall continue until their replacement, and in any case until the termination of the work in hand at the moment of the expiry of their mandate.

Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

*Article 5.*

The Permanent Conciliation Commission shall be constituted within three months from the entry into force of the present Convention.

If the nomination of the commissioners to be appointed by common agreement should not have taken place within the said period, or, in the case of the filling of a vacancy, within three months from the time when the seat falls vacant, the President of the Swiss Confederation shall, in the absence of other agreement, be requested to make the necessary appointments.

*Article 6.*

The Permanent Conciliation Commission shall be informed by means of a request addressed to the president by the two Parties acting in agreement, or, in the absence of such agreement, by one or other of the Parties.



The request, after having given a summary account of the subject of the dispute, shall contain the invitation to the Commission to take all necessary measures with a view to arrive at an amicable settlement.

If the request emanates from only one of the Parties, notification thereof shall be made without delay to the other Party.

*Article 7.*

Within fifteen days from the date when one of the High Contracting Parties shall have brought a dispute before the Permanent Conciliation Commission, either Party may, for the examination of the particular dispute, replace its commissioner by a person possessing special competence in the matter.

The Party making use of this right shall immediately inform the other Party; the latter shall in that case be entitled to take similar action within fifteen days from the date when the notification reaches it.

*Article 8.*

The task of the Permanent Conciliation Commission shall be to elucidate questions in dispute, to collect with that object all necessary information by means of enquiry or otherwise, and to endeavour to bring the Parties to an agreement. It may, after the case has been examined, inform the Parties of the terms of settlement which seem suitable to it, and lay down a period within which they are to make their decision.

At the close of its labours the Commission shall draw up a report stating, as the case may be, either that the Parties have come to an agreement and, if need arises, the terms of the agreement, or that it has been impossible to effect a settlement.

The labours of the Commission must, unless the Parties otherwise agree, be terminated within six months from the day on which the Commission shall have been notified of the dispute.

*Article 9.*

Failing any special provision to the contrary, the Permanent Conciliation Commission shall lay down its own procedure, which in any case must provide for both Parties being heard. In regard to enquiries, the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Chapter III (International Commissions of Enquiry) of the Hague Convention of the 18th October, 1907, for the Pacific Settlement of International Disputes.

*Article 10.*

The Permanent Conciliation Commission shall meet, in the absence of agreement by the Parties to the contrary, at a place selected by its president.

*Article 11.*

The labours of the Permanent Conciliation Commission are not public, except when a decision to that effect has been taken by the Commission with the consent of the Parties.

*Article 12.*

The Parties shall be represented before the Permanent Conciliation Commission by agents, whose duty it shall be to act as intermediary between them and the Commission; they may, moreover,

be assisted by counsel and experts appointed by them for that purpose, and request that all persons whose evidence appears to them useful should be heard.

The Commission on its side shall be entitled to request oral explanations from the agents, counsel and experts of the two Parties, as well as from all persons it may think useful to summon with the consent of their Government.

*Article 13.*

Unless otherwise provided in the present Treaty, the decisions of the Permanent Conciliation Commission shall be taken by a majority.

*Article 14.*

The High Contracting Parties undertake to facilitate the labours of the Permanent Conciliation Commission, and particularly to supply it to the greatest possible extent with all relevant documents and information, as well as to use the means at their disposal to allow it to proceed in their territory and in accordance with their law to the summoning and hearing of witnesses or experts, and to visit the localities in question.

*Article 15.*

During the labours of the Permanent Conciliation Commission each commissioner shall receive salary, the amount of which shall be fixed by agreement between the High Contracting Parties, each of which shall contribute an equal share.

*Article 16.*

In the event of no amicable agreement being reached before the Permanent Conciliation Commission, the dispute shall be submitted by means of a special agreement either to the Permanent Court of International Justice under the conditions and according to the procedure laid down by its Statute or to an arbitral tribunal under the conditions and according to the procedure laid down by the Hague Convention of the 18th October, 1907, for the Pacific Settlement of International Disputes.

If the Parties cannot agree on the terms of the special agreement after a month's notice, one or other of them may bring the dispute before the Permanent Court of International Justice by means of an application.

PART II.

*Article 17.*

All questions on which the German and Czechoslovak Governments shall differ without being able to reach an amicable solution by means of the normal methods of diplomacy, the settlement of which cannot be attained by means of a judicial decision as provided in Article 1 of the present Treaty, and for the settlement of which no procedure has been laid down by other conventions in force between the Parties, shall be submitted to the Permanent Conciliation Commission, whose duty it shall be to propose to the Parties an acceptable solution and in any case to present a report.

The procedure laid down in Articles 6-15 of the present Treaty shall be applicable.

*Article 18.*

If the two Parties have not reached an agreement within a month from the termination of the labours of the Permanent Conciliation Commission, the question shall, at the request of either Party, be brought before the Council of the League of Nations, which shall deal with it in accordance with Article 15 of the Covenant of the League.

GENERAL PROVISIONS.

*Article 19.*

In any case, and particularly if the question on which the Parties differ arises out of acts already committed or on the point of commission, the Conciliation Commission or, if the latter has not been notified thereof, the arbitral tribunal or the Permanent Court of International Justice, acting in accordance with Article 41 of its Statute, shall lay down within the shortest possible time the provisional measures to be adopted. It shall similarly be the duty of the Council of the League of Nations, if the question is brought before it, to ensure that suitable provisional measures are taken. The High Contracting Parties undertake respectively to accept such measures, to abstain from all measures likely to have a repercussion prejudicial to the execution of the decision or to the arrangements proposed by the Conciliation Commission or by the Council of the League of Nations, and in general to abstain from any sort of action whatsoever which may aggravate or extend the dispute.

*Article 20.*

The present Treaty continues applicable as between the High Contracting Parties even when other Powers are also interested in the dispute.

*Article 21.*

The present Treaty, which is in conformity with the Covenant of the League of Nations, shall not in any way affect the rights and obligations of the High Contracting Parties as Members of the League of Nations and shall not be interpreted as restricting the duty of the League to take whatever action may be deemed wise and effectual to safeguard the peace of the world.

*Article 22.*

The present Treaty shall be ratified. Ratifications shall be deposited at Geneva with the League of Nations at the same time as the ratifications of the Treaty concluded this day between Germany, Belgium, France, Great Britain and Italy.

It shall enter into and remain in force under the same conditions as the said Treaty.

The present Treaty, done in a single copy, shall be deposited in the archives of the League of Nations, the Secretary-General of which shall be requested to transmit certified copies to each of the High Contracting Parties.

In faith whereof the above-mentioned Plenipotentiaries have signed the present Treaty.

Done at Locarno the 16th October, 1925.

(L.S.) GUSTAV STRESEMANN. (L.S.) Dr. EDOUARD BENES.

---

**Annex F.**

**COLLECTIVE NOTE TO GERMANY REGARDING ARTICLE 16  
OF THE COVENANT OF THE LEAGUE OF NATIONS.**

*[Translation.]*

LONDON, *December 1, 1925.*

YOUR EXCELLENCIES,

The German delegation has requested certain explanations in regard to Article 16 of the Covenant of the League of Nations.

We are not in a position to speak in the name of the League, but in view of the discussions which have already taken place in the Assembly and in the commissions of the League of Nations, and after the explanations which have been exchanged between ourselves, we do not hesitate to inform you of the interpretation which, in so far as we are concerned, we place upon Article 16.

In accordance with that interpretation, the obligations resulting from the said article on the Members of the League must be understood to mean that each State Member of the League is bound to co-operate loyally and effectively in support of the Covenant and in resistance to any act of aggression to an extent which is compatible with its military situation and takes its geographical position into account.

We have the honour to be, etc.

EMILE VANDERVELDE.  
ARI. BRIAND.  
STANLEY BALDWIN.  
AUSTEN CHAMBERLAIN.  
VITTORIO SCIALOJA.  
ALEXANDRE SKRZYNSKI.  
Dr. EDUARD BENES.

To Their Excellencies  
The Chancellor and the Minister  
for Foreign Affairs of Germany.

---

No. 2.

## TREATY BETWEEN FRANCE AND POLAND.

*[Translation.]*

THE PRESIDENT OF THE FRENCH REPUBLIC and THE PRESIDENT OF THE POLISH REPUBLIC, Equally desirous to see Europe spared from war by a sincere observance of the undertakings arrived at this day with a view to the maintenance of general peace ;

Have resolved to guarantee their benefits to each other reciprocally by a treaty concluded within the framework of the Covenant of the League of Nations and of the treaties existing between them ;

And have to this effect nominated for their Plenipotentiaries :

THE PRESIDENT OF THE FRENCH REPUBLIC :

M. Aristide BRIAND, Minister for Foreign Affairs ;

THE PRESIDENT OF THE POLISH REPUBLIC :

Count Alexandre SKRZYNSKI, Prime Minister, Minister for Foreign Affairs ;

Who, after having exchanged their full powers, found in good and due form, have agreed on the following provisions :

*Article 1.*

In the event of Poland or France suffering from a failure to observe the undertakings arrived at this day between them and Germany with a view to the maintenance of general peace, France and, reciprocally, Poland, acting in application of Article 16 of the Covenant of the League of Nations, undertake to lend each other immediately aid and assistance, if such a failure is accompanied by an unprovoked recourse to arms.

In the event of the Council of the League of Nations, when dealing with a question brought before it in accordance with the said undertakings, being unable to succeed in making its report accepted by all its members other than the representatives of the Parties to the dispute, and in the event of Poland or France being attacked without provocation, France or, reciprocally, Poland, acting in application of Article 15, paragraph 7, of the Covenant of the League of Nations, will immediately lend aid and assistance.

*Article 2.*

Nothing in the present Treaty shall affect the rights and obligations of the High Contracting Parties as Members of the League of Nations, or shall be interpreted as restricting the duty of the League to take whatever action may be deemed wise and effectual to safeguard the peace of the world.

*Article 3.*

The present Treaty shall be registered with the League of Nations, in accordance with the Covenant.

*Article 4.*

The present Treaty shall be ratified. The ratifications will be deposited at Geneva with the League of Nations at the same time as the ratifications of the Treaty concluded this day between Germany, Belgium, France, Great Britain and Italy, and the ratifications of the Treaty concluded at the same time between Germany and Poland.

It will enter into force and remain in force under the same conditions as the said Treaties.

The present Treaty, done in a single copy, will be deposited in the archives of the League of Nations, and the Secretary-General of the League will be requested to transmit certified copies to each of the High Contracting Parties.

In faith whereof the above-mentioned Plenipotentiaries have signed the present Treaty.

Done at Locarno the 16th October, 1925.

(L.S.) ARI. BRIAND.

(L.S.) AL. SKRZYNSKI.

No. 3.

TREATY BETWEEN FRANCE AND CZECHOSLOVAKIA.

[*Translation.*]

THE PRESIDENT OF THE FRENCH REPUBLIC and THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC ;

Equally desirous to see Europe spared from war by a sincere observance of the undertakings arrived at this day with a view to the maintenance of general peace ;

Have resolved to guarantee their benefits to each other reciprocally by a treaty concluded within the framework of the Covenant of the League of Nations and of the treaties existing between them ,

And have to this effect nominated for their Plenipotentiaries :

THE PRESIDENT OF THE FRENCH REPUBLIC :

M. Aristide BRIAND, Minister for Foreign Affairs ;

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC :

M. Edouard BENEŠ, Minister for Foreign Affairs ;

Who, after having exchanged their full powers, found in good and due form, have agreed on the following provisions :

*Article 1.*

In the event of Czechoslovakia or France suffering from a failure to observe the undertakings arrived at this day between them and Germany with a view to the maintenance of general peace, France and, reciprocally, Czechoslovakia, acting in application of Article 16 of the Covenant of the League of Nations, undertake to lend each other immediately aid and assistance, if such a failure is accompanied by an unprovoked recourse to arms.

In the event of the Council of the League of Nations, when dealing with a question brought before it in accordance with the said undertakings, being unable to succeed in making its report accepted by all its members other than the representatives of the Parties to the dispute, and in the event of Czechoslovakia or France being attacked without provocation, France or, reciprocally, Czechoslovakia, acting in application of Article 15, paragraph 7, of the Covenant of the League of Nations, will immediately lend aid and assistance.

*Article 2.*

Nothing in the present Treaty shall affect the rights and obligations of the High Contracting Parties as Members of the League of Nations, or shall be interpreted as restricting the duty of the League to take whatever action may be deemed wise and effectual to safeguard the peace of the world.

*Article 3.*

The present Treaty shall be registered with the League of Nations, in accordance with the Covenant.

*Article 4.*

The present Treaty shall be ratified. The ratifications will be deposited at Geneva with the League of Nations at the same time as the ratifications of the Treaty concluded this day between Germany, Belgium, France, Great Britain and Italy, and the ratifications of the Treaty concluded at the same time between Germany and Czechoslovakia.

It will enter into force and remain in force under the same conditions as the said Treaties.

The present Treaty, done in a single copy, will be deposited in the archives of the League of Nations, and the Secretary-General of the League will be requested to transmit certified copies to each of the High Contracting Parties.

In faith whereof the above-mentioned Plenipotentiaries have signed the present Treaty.

Done at Locarno the 16th October, 1925.

(L.S.) ARI. BRIAND.

(L.S.) Dr. EDOUARD BENEŠ.

## APPENDIX

No. 1070. — CONVENTION OF ARBITRATION AND CONCILIATION  
BETWEEN GERMANY AND FINLAND, WITH FINAL PROTOCOL,  
SIGNED AT BERLIN, MARCH 14, 1925.

---

*The registration of this Convention took place February 5, 1926. Ratifications exchanged at  
Helsingfors, January 27, 1926.*

---

[*Translation.*]

*Article 1.*

The Contracting Parties undertake to submit all disputes of any nature whatever which may arise between them, and which it has not been possible to settle within a reasonable period by diplomatic means, to be dealt with by arbitration or conciliation, as provided in the present Convention.

Disputes for the solution of which a special procedure has been laid down in other conventions in force between the Contracting Parties shall be settled in accordance with the provisions of such conventions.

*Article 2.*

At the request of one of the Parties, disputes regarding the following subjects shall, unless otherwise provided for in Articles 3 and 4, be submitted to arbitration :

First, the contents, interpretation and application of any treaty concluded between the two Parties ;

Secondly, any point of international law ;

Thirdly, the existence of any fact which, if established, would constitute a violation of an international engagement ;

Fourthly, the extent and nature of the reparation due for such violation.

In case of disagreement as to whether the dispute falls under one of the above categories, this preliminary question shall be referred to arbitration.

*Article 3.*

In regard to questions which, under the national laws of the Party against which a demand has been formulated, are within the competence of judicial authorities, including administrative tribunals, the defendant Party may require, on the one hand, that the dispute shall not be submitted to arbitral award until a final decision has been pronounced by these judicial authorities and, on the other hand, that the matter shall be brought before the Tribunal not later than six months after the date of such decision. The above provisions shall not apply if justice has been refused and if the matter has been brought before the courts of appeal provided for by law.

In the case of disputes regarding the application of the preceding provision, the Arbitral Tribunal shall decide.

*Article 4.*

If, in a dispute coming under the one of the categories mentioned in Article 2, one of the Parties pleads that the question at issue is one which affects its independence, the integrity of its territory



or other vital interests of the highest importance, and if the opposing Party admits that the plea is well founded, the dispute shall not be subject to arbitration but to the procedure of conciliation. If, however, the plea is not recognised as well founded by the opposing Party, this point shall be settled by means of arbitration.

If the Tribunal recognises the validity of such pleas it shall refer the dispute for settlement to the procedure of conciliation. If the contrary is the case, it shall give an award on the dispute itself.

A Party which does not recognise the validity of one of the pleas of exception put forward by the opposing Party may, nevertheless, without first having recourse to arbitration, agree to the application of the procedure of conciliation. It may, however, stipulate that if the proposal for settlement by conciliation is not accepted by both Parties, the Tribunal shall be required to give a decision regarding the plea of exception, and, if necessary, regarding the dispute itself.

#### *Article 5.*

The Tribunal shall apply :

First : the conventions in force between the Parties, whether general or special, and the principles of law arising therefrom ;

Secondly : international custom as evidence of a general practice accepted as law ;

Thirdly : the general principles of law recognised by civilised nations.

If, in a particular case, the legal bases mentioned above are inadequate, the Tribunal shall give an award in accordance with the principles of law which, in its opinion, should govern international law. For this purpose it shall be guided by decisions sanctioned by legal authorities and by jurisprudence.

If the Parties agree, the Tribunal may, instead of basing its decision on legal principles, give an award in accordance with considerations of equity.

#### *Article 6.*

Subject to special agreement to the contrary in each particular case, the Tribunal shall be constituted as follows :

The judges shall be chosen from the list of members of the Permanent Court of Arbitration established by the Hague Convention, dated October 18, 1907, for the pacific settlement of international disputes.

Each Party shall appoint its own arbitrator. The Parties shall jointly nominate three other arbitrators, one of whom shall be the umpire. If, after having been appointed, one of the judges jointly elected acquires the nationality of one of the Parties, appoints his domicile in its territory or enters its service, either of the Parties may claim that he be replaced. Any disputes which may arise as to whether any one of these conditions exists shall be settled by the other four judges ; the eldest of the judges jointly elected shall take the chair in these cases, and if the votes are equally divided, he shall give a casting vote.

For each individual dispute there shall be a fresh election of judges. The Contracting Parties, however, reserve the right to act in concert regarding these elections, so that, for a certain class of dispute arising within a fixed period, the same judges shall be seated on the Tribunal.

In case of the death of members of the Tribunal or of their retirement for any reason whatever, they shall be replaced according to the manner determined for their appointment.

#### *Article 7.*

In each individual case the Contracting Parties shall, in pursuance of the present Treaty, draw up an agreement of reference (" *compromis* "), to determine the subject of the dispute, any special terms of reference which may be accorded to the Tribunal, its composition, the place where it shall meet, the total amount that each Party concerned shall be obliged to deposit in advance to cover expenses, the rules to be observed with regard to the form and time-limits of the proceedings, and any other detail that may be considered necessary.

Any disputes arising out of the terms of the agreement of reference shall, subject to the terms of Article 8, be referred to arbitration. •

*Article 8.*

If the agreement of reference has not been determined within a period of six months after one Party concerned has notified the other of its intention to refer the dispute to arbitration, either Party may request the Permanent Board of Conciliation provided for under Article 14 to establish the agreement of reference. The Permanent Board of Conciliation shall, within two months after having been convened, settle the terms of the agreement of reference, the subject of the dispute being determined on the basis of the statements submitted by the Parties.

The same procedure shall apply when one Party has not nominated the arbitrator for whose appointment it is responsible, or when the Parties concerned cannot agree upon the choice of judges to be jointly appointed, or upon the umpire.

Pending the constitution of the Tribunal, the Permanent Board of Conciliation shall also be competent to give an award upon any other dispute arising out of the agreement of reference.

*Article 9.*

The award of the Tribunal shall be given by a majority vote. The opinion of any member of a minority of the Tribunal who dissents from the award shall be duly placed on record.

*Article 10.*

The arbitration award shall specify the manner in which it is to be carried out, especially as regards the time-limits to be observed.

If in an arbitration award it is proved that a decision or measure of a court of law or other authority of one of the Parties is wholly or in part contrary to international law, and if the constitutional law of that Party does not permit, or only partially permits, the consequences of the decision or measure in question to be annulled by administrative measures, the arbitration award shall give the injured Party equitable satisfaction of another kind.

*Article 11.*

Subject to any provision to the contrary in the agreement of reference, either Party may claim a revision of the award by the Tribunal which gave the award. This demand shall only be warranted by the discovery of a fact which exercises a decisive influence on the award and which, at the time of the close of the discussion in Court, was unknown to the Tribunal itself and to the Party demanding the revision, unless that Party ought to have been aware of it.

If, for any reason, any members of the Tribunal do not take part in the revision proceedings, substitutes for them shall be appointed in the manner determined for their own appointment.

The limit of time within which the demand provided for in the first paragraph may be presented shall be fixed in the arbitral award unless it has already been fixed in the agreement of reference.

*Article 12.*

Any dispute arising between the Parties concerned as to the interpretation and execution of the award shall, in the absence of an agreement to the contrary, be submitted to the Tribunal which pronounced it. In the latter case the provision contained in Article 11, paragraph 2, shall also apply.

*Article 13.*

Any dispute which, under the terms of the present Convention, cannot be referred to arbitration shall, at the request of one of the Parties concerned, be submitted to the procedure of conciliation.

If the opposing Party claims that a dispute for which conciliation procedure has been initiated should be settled by the Tribunal, the latter shall first pronounce judgment upon this prior question.

The Governments of the Contracting Parties shall be entitled to agree that a dispute which, under the terms of the present Convention, can be settled by arbitration shall be referred to the conciliation procedure, either without appeal or subject to appeal to the Tribunal.

*Article 14.*

A Permanent Board of Conciliation shall be constituted for the procedure of conciliation.

The Permanent Board of Conciliation shall consist of five members. The Contracting Parties shall appoint one member each of their own choice and nominate the other three members by mutual agreement. These three members shall not be nationals of the Contracting Parties, nor shall they be domiciled on their territory nor employed in their service. The Contracting Parties shall by mutual agreement elect the President from among these three members.

Either of the Contracting Parties shall at any time, if no procedure is pending or if no procedure has been proposed by one of the Parties, have the right to recall the member appointed by it and to appoint a successor. In the same circumstances either Contracting Party shall be entitled to withdraw its consent to the appointment, without delay, by joint nomination.

The Permanent Board of Conciliation shall be constituted in the course of the six months following the exchange of ratifications of the present Treaty. Retiring members shall be replaced as soon as possible in the manner laid down for the first election.

If the nomination of the members to be appointed in common has not taken place within the six months following the exchange of ratifications, or, in the case of a vacancy on the Permanent Board of Conciliation, within the three months dating from the retirement or death of a member, the provisions of Article 45, paragraphs 4 to 6, of the Hague Convention, dated October 18, 1907, for the Pacific Settlement of International Disputes, shall be applicable by analogy as regards the appointment of members.

*Article 15.*

The Permanent Board of Conciliation shall take action immediately a dispute has been referred to it by either of the Parties. Such Party shall communicate its request simultaneously to the chairman of the Permanent Board of Conciliation and to the other Party. The chairman shall summon the Permanent Board of Conciliation to meet at the earliest possible moment.

The Contracting Parties undertake in all cases and in all respects to further the work of the Permanent Board of Conciliation and in particular to grant it every legal assistance through the competent authorities. They shall enable the Permanent Board of Conciliation to summon and examine witnesses and experts and to proceed to investigations on the spot in their respective territories, within the limits of the powers enjoyed by their own Courts. The Permanent Board of Conciliation may take evidence either *in corpore* or through one or more of the members appointed jointly.

*Article 16.*

The Permanent Board of Conciliation shall determine its own meeting-place and shall be at liberty to transfer it.

The Permanent Board of Conciliation shall, if need be, establish a Registry. If it appoints nationals of the Contracting Parties to positions in this office, it shall treat both Parties alike.

*Article 17.*

The deliberations of the Permanent Board of Conciliation shall be valid if all the members have been duly convoked and if at least the members nominated by mutual agreement are present at the meeting.

Decisions of the Permanent Board of Conciliation shall be taken by a majority vote. If the votes are equally divided the chairman shall give a casting vote.

*Article 18.*

The Permanent Board of Conciliation shall draw up a report which shall determine the facts of the case and, if the circumstances permit, shall contain proposals for the settlement of the dispute.

The report shall be submitted within six months from the date on which the dispute was laid before the Permanent Board of Conciliation unless the Parties shall agree to shorten or extend this time-limit. The report shall be drawn up in three copies, one of which shall be handed to each of the Parties and the third preserved in the archives of the Permanent Board of Conciliation.

The report shall not, either as regards statement of facts or as regards legal considerations, be in the nature of a final judgment binding upon the Parties. Each Party shall, however, state, within a time-limit to be fixed by the report, whether and within what limits it recognises the correctness of the facts noted in the report and accepts the proposals which it contains. The duration of this time-limit shall not exceed three months.

The Parties shall jointly decide whether the report should be published immediately. If they fail to reach an agreement on this point the Permanent Board of Conciliation may cause the report to be published immediately should there be special reasons for so doing.

*Article 19.*

Each Party shall bear the cost of the remuneration of the member appointed by itself and half the cost of remuneration of the members appointed jointly.

Each Party shall bear its own costs and half of the costs which the Permanent Board of Conciliation declares to be common to both Parties.

*Article 20.*

The award pronounced as the result of the procedure of arbitration shall be carried out in good faith by the Parties concerned.

The Contracting Parties shall undertake, during the course of the arbitration or conciliation proceedings, to refrain as far as possible from any action liable to have a prejudicial effect on the execution of the arbitral award or on the acceptance of the proposals of the Permanent Board of Conciliation. In the case of conciliation proceedings they shall refrain from resorting to forcible measures of any kind until the expiration of the time-limit fixed by the Permanent Board of Conciliation for the acceptance of its proposals.

The Arbitral Tribunal may, at the request of either of the Parties, prescribe measures of precaution, provided that such measures can be carried out by the Parties through their administrative machinery. The Permanent Board of Conciliation may also make proposals for the same purpose.

*Article 21.*

Subject to any provisions to the contrary laid down in the present Convention or the agreement of reference, the procedure of arbitration and conciliation shall be regulated by the Hague Convention of October 18, 1907, for the pacific settlement of international disputes.

In as far as the present Convention refers to the stipulations of the Hague Convention, the latter shall continue to be applicable to the relations between the Contracting Parties, even if one or both of them denounce the Hague Convention.

In so far as the present Convention, or the agreement of reference, or any other Conventions in force between the Parties, do not lay down the time-limits and other details connected with the procedure of arbitration or conciliation, the Tribunal of the Permanent Board of Conciliation shall itself be competent to decide as to the necessary provisions.

#### *Article 22.*

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

The Convention shall come into force one month after the exchange of the instruments of ratification.

The Convention shall be valid for a period of ten years. If, however, it is not denounced six months before the expiration of this period, it shall remain in force for a further period of two years, and so on, so long as it has not been denounced within the prescribed period.

If a dispute which has been referred to arbitration or conciliation has not been settled when the present Treaty expires, the case shall be proceeded with according to the stipulations of the present Convention or of any other convention which the Contracting Parties may agree to substitute therefor.

### FINAL PROTOCOL

#### OF THE ARBITRATION AND CONCILIATION CONVENTION BETWEEN GERMANY AND FINLAND.

(1) The Contracting Parties are agreed that in doubtful cases the stipulations of the present Convention shall be interpreted in favour of the application of the principle of settlement of disputes by arbitration.

(2) The Contracting Parties declare that the Convention shall apply equally to disputes arising out of events which occurred prior to its conclusion. In consideration of their general political bearing, an exception shall, however, be made with regard to disputes arising directly out of the world-war.

(3) The Convention shall not cease to be applicable if a third State is concerned in a dispute. The Contracting Parties shall endeavour, if necessary, to induce the third State to agree to refer the dispute to arbitration or conciliation. In this case the two Governments may, if they so desire, jointly provide that the Tribunal of the Permanent Board of Conciliation shall be composed of members specially chosen for the case. If no agreement is reached with the third State as regards its adhesion within a reasonable period, the case shall proceed in accordance with the provisions of the Convention, but with effect only as regards the Contracting Parties.

(4) The Contracting Parties declare that disputes between Germany and a third State, in which Finland might be interested as a Member of the League of Nations, cannot be considered as disputes between the Contracting Parties in the sense intended by the present Convention.

**BERLIN, March 14, 1925.**

---

No. 1072. — TREATY BETWEEN JAPAN AND SWITZERLAND RELATING TO THE JUDICIAL SETTLEMENT OF DISPUTES, SIGNED AT TOKIO, DECEMBER 26, 1924.

---

*The registration of this Treaty took place February 6, 1926. Ratifications exchanged at Tokio, November 19, 1925.*

---

[Translation.]

*Article 1.*

All disputes of a legal nature which may arise between the High Contracting Parties and which it may not have been possible to settle by diplomacy or by any other means of conciliation shall be submitted for judicial settlement.

Either of the High Contracting Parties may, however, decline to submit for judicial settlement any dispute in which it considers its vital interests, independence or honour to be at stake or which it deems to affect the interests of third Powers.

*Article 2.*

Disputes which are capable of judicial settlement within the meaning of the present Treaty shall be submitted to the Permanent Court of International Justice.

The High Contracting Parties may agree in any individual case to bring the dispute before the Chamber for summary procedure of the Permanent Court of International Justice.

They may also agree to submit the dispute to an arbitral tribunal constituted by joint agreement. In the latter case, and subject to any arrangement to the contrary, the provisions of the present Treaty shall apply *mutatis mutandis* to the arbitral procedure.

*Article 3.*

In every case the High Contracting Parties shall, before applying to the Permanent Court of International Justice, draw up, in conformity with the Statute and Rules of the Permanent Court of International Justice, a special agreement (*compromis*) stating clearly the subject of dispute, the particular competence that might devolve upon the Court, and any other conditions fixed between themselves.

The agreement shall be constituted by an exchange of notes between the Governments of the High Contracting Parties.

All points contained therein shall be interpreted by the Permanent Court of International Justice.

*Article 4.*

The judgment given by the Permanent Court of International Justice shall be executed by the Parties in good faith.

During the judicial procedure the High Contracting Parties shall as far as possible abstain from all measures which might prejudicially affect the execution of the judgment to be given by the Permanent Court of International Justice.

*Article 5.*

The present Treaty shall be ratified. The instruments of ratification shall be exchanged at Tokio as soon as possible.

The Treaty is concluded for a period of five years from the date of the exchange of ratifications. Unless denounced six months before the expiration of this period it shall remain in force for one year from the date on which either of the Contracting Parties notifies the other of its intention to terminate it.

---

*Printed*  
*for the "LEAGUE OF NATIONS"*  
*by*  
*IMPRIMERIES RÉUNIES S. A.*  
*Lausanne (Switzerland)*



# AUTHORISED AGENTS FOR THE PUBLICATIONS OF THE LEAGUE OF NATIONS

- ARGENTINE**  
 Libreria "El Ateneo", calle Florida 371, BUENOS AIRES.
- AUSTRALIA**  
 New South Wales  
 Angus & Robertson Ltd., 89-95, Castlereagh Street, SYDNEY.  
 Victoria  
 Robertson & Mullens Ltd., 107-113, Elizabeth Street, MELBOURNE.
- BELGIUM**  
 Agence Dechenne, Messageries de la Presse S. A., 18-20, rue du Perail, BRUSSELS.
- BOLIVIA**  
 Flores, San Román y Cia., Librería "Renacimiento", LA PAZ.
- BRAZIL**  
 Livraria F. Briguet & Cia., 23, Rua Sachet, RIO DE JANEIRO.
- BULGARIA**  
 Librairie Française et Etrangère, S. & J. Carasso, Bd. "Tsar Osvoboditel", No. 4a, SOFIA.
- CANADA**  
 League of Nations Society in Canada, 279, Wellington Street, OTTAWA.
- CHILE**  
 Alexander R. Walker, Ahumada 357, SANTIAGO DE CHILE.
- COLOMBIA**  
 Librería Colombiana, P.O. Box 189, BOGOTÁ.
- COSTA RICA**  
 Librería Viuda de Lines, SAN JOSE DE COSTA RICA.
- CUBA**  
 Rambla Bouza y Cia., HAVANA.
- CZECHOSLOVAKIA**  
 Librairie F. Topic, 11 Narodni, PRAGUE.
- DANZIG, FREE CITY OF**  
 John & Rosenberg, Buchhandlung (Inh. Friedrich Händler), Zeughauspassage, DANZIG.
- DENMARK**  
 V. Pios Boghandel, Povi Branner, 13, Nørregade, COPENHAGEN.
- DUTCH EAST INDIES**  
 Algemeene Boekhandel G. Koff & Co., BATAVIA-WELTE-VREDEN.
- ECUADOR**  
 Victor Jader, GUAYAQUIL.
- FINLAND**  
 Akademiska Bokhandeln, 7, Alexandersgatan, HELSINGFORS.
- FRANCE**  
 Imprimerie et Librairie Berger-Levrault, 136, Boulevard Saint-Germain, PARIS (VI<sup>e</sup>).
- GREAT BRITAIN, NORTHERN IRELAND AND THE CROWN COLONIES**  
 Constable & Co., Ltd., 10 & 12, Orange Street, LONDON, W.C.2.
- GREECE**  
 Eleutheroudakis & Barth, International Library, Place de la Constitution, ATHENS.
- GUATEMALA**  
 J. Humberto Agestas, Librería Cervantes, 10a, Calle Oriente, No. 5, GUATEMALA.
- HAWAII**  
 Librairie-Papeterie Mme D. Vlard, Angle des rues du Centre et des Casernes, PORT-AU-PRINCE.
- HAWAII**  
 Pan-Pacific Union, HONOLULU.
- HONDURAS**  
 Librería Viuda de Lines, SAN JOSE DE COSTA RICA.
- HUNGARY**  
 Ferdinand Pfeifer (Zeidler Bros.), Kossuth Lajos - Utoe 7 SZ., BUDAPEST, IV, Ker.
- ITALY**  
 Librería Fratelli Bocca, Via Marco-Minghetti, 26-29, ROMA.
- JAPAN**  
 Maruzen Co., Ltd. (Maruzen-Kabushiki-Kaisha), 11-16, Nihonbashi Tori-Sanchome, TOKIO.
- LATVIA**  
 Latvijas Telegrafa Agentura, Kr. Barona Iela, 4, RIGA.
- LUXEMBURG (G.-D.)**  
 Librairie J. Heintz & M. Hagen, successeur, Place Guillaume, 8, LUXEMBURG.
- MEXICO**  
 Pedro Robredo, Avenidas de Argentina y Guatemala, MEXICO.
- NETHERLANDS**  
 Martinus Nijhoff, Boekhandelaar-Uitgever, Lange Voorhout 9, THE HAGUE.
- NEW ZEALAND**  
 Nash & Kiasling, Fletcher's Buildings, 4, Willis Street, WELLINGTON.
- NICARAGUA**  
 Librería Viuda de Lines, SAN JOSE DE COSTA RICA.
- NORWAY**  
 Olaf Nord, Universitetsgaten, 24, OSLO.
- PANAMA**  
 Librería I. Preclado y Cia., Lda., Apartado de Correo 71, PANAMA.
- PERU**  
 Alberto Ulloa, Apartado de Correo 128, LIMA.
- POLAND**  
 Gebethner & Wolff, ulica Stenklewicz 9 (Zgoda 12), WARSAW.
- PORTUGAL**  
 MM. J. Rodrigues & Cia., Rua Aurea, 186-188, LISBON.
- ROUMANIA**  
 "Cartea Românească", 3-5, Boul. Academiei, BUCHAREST.
- SAAR BASIN**  
 Librairie Piméenne, Maison Marguet, M. Golbert, successeur, 4, Friedrich Wilhelmstrasse, SAARBRUCK.
- SALVADOR**  
 Librería Mata y Centell, SAN SALVADOR.
- SERBS, CROATS AND SLOVENES (KINGDOM OF THE)**  
 Librairie "Vrcme", BELGRADE.
- SPAIN**  
 Centro Editorial "Minerva", Tudescos 39-41, MADRID, E. 12.
- SWEDEN**  
 C. E. Fritze, Hofbokhandel, Fredsgatan 2, STOCKHOLM.
- SWITZERLAND**  
 Librairie Payot & Cie., GENEVA, LAUSANNE, VEVEY, MONTREUX, NEUCHÂTEL and BERNE.
- UNITED STATES**  
 World Peace Foundation, 40, Mt. Vernon Street, BOSTON, MASS.
- URUGUAY**  
 Librería Maximino García, Calle Sarandí, MONTEVIDEO.
- VENEZUELA**  
 Luis Nieves, Oca

For other countries, apply :

Publications Sales Department of the League of Nations, Geneva (Switzerland)