

N° 579.

ETATS-UNIS D'AMÉRIQUE
ET ROYAUME-UNI

Accord renouvelant la Convention
d'Arbitrage conclue le 4 avril 1908
entre les deux pays, et échange de
notes y relatif. Washington, le
23 juin 1923.

UNITED STATES OF AMERICA
AND UNITED KINGDOM

Agreement 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.

No. 579. — AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED KINGDOM FOR THE RENEWAL OF THE ARBITRATION CONVENTION² BETWEEN THE TWO COUNTRIES OF APRIL 4, 1908, TOGETHER WITH EXCHANGE OF NOTES RELATING THERETO. WASHINGTON, JUNE 23, 1923.

*Texte officiel anglais communiqué par le Ministère des Affaires étrangères de Sa Majesté Britannique.
L'enregistrement de cet accord a eu lieu le 5 mars 1924.*

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 THE PRESIDENT OF THE UNITED STATES OF AMERICA, being desirous of extending for another five years the period during which the Arbitration Convention concluded between them on the 4th April, 1908, extended by the agreement concluded between the two Governments on the 31st May, 1913³, and further extended by the agreement concluded between the two Governments on the 3rd June, 1918⁴, shall remain in force, have respectively authorised the undersigned, to wit: Sir Auckland GEDDES, G.C.M.G., K.C.B., His Britannic Majesty's Ambassador Extraordinary and Plenipotentiary to the United States; and Charles Evans HUGHES, Secretary of State of the United States, to conclude the following articles :

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 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.

Done in duplicate this 23rd day of June, 1923.

(L. S.) A. C. GEDDES.

(L. S.) CHARLES EVANS HUGHES.

¹ L'échange des ratifications a eu lieu à Washington le 29 décembre 1923.

² De Martens, Nouveau Recueil Général de Traités, troisième série, tome II, page 313.

³ De Martens, Nouveau Recueil Général de Traités, troisième série, tome VIII, page 706.

⁴ De Martens, Nouveau Recueil Général de Traités, troisième série, tome X, page 900.

¹ TRADUCTION. — TRANSLATION.

No. 579. — ACCORD² ENTRE LES ÉTATS-UNIS D'AMÉRIQUE ET LE ROYAUME-UNI RENOUVELANT LA CONVENTION D'ARBITRAGE³ CONCLUE LE 4 AVRIL 1908 ENTRE LES DEUX PAYS, ET ÉCHANGE DE NOTES Y RELATIF. WASHINGTON, LE 23 JUIN 1923.

Official English text communicated by His Britannic Majesty's Foreign Office. The registration of this Agreement took place March 5, 1924.

SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES DOMINIONS BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES, et LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE, désireux de prolonger, pour une nouvelle période de cinq années, la validité de la Convention d'arbitrage conclue entre eux le 4 avril 1908, — Convention prolongée une première fois par l'accord conclu entre les deux Gouvernements le 31 mai 1913⁴, et une seconde fois par l'accord conclu entre les deux Gouvernements le 3 juin 1918⁵, — ont autorisé respectivement les soussignés, à savoir : Sir Auckland Geddes G.C.M.G., K.C.B., Ambassadeur extraordinaire et plénipotentiaire de Sa Majesté Britannique aux Etats-Unis, et Charles Evans Hughes, Secrétaire d'Etat des Etats-Unis, à convenir des dispositions suivantes :

Article 1.

La Convention d'arbitrage, conclue le 4 avril 1908 entre le Gouvernement de Sa Majesté le Roi du Royaume-Uni de Grande-Bretagne et d'Irlande et des Dominions britanniques au delà des mers, Empereur des Indes, et le Gouvernement des Etats-Unis d'Amérique, dont la durée, fixée par l'article 4 à une période de cinq ans à partir du 4 juin 1908, date de l'échange des instruments de ratification de ladite Convention, a été prolongée de cinq ans à courir du 4 juin 1913, par l'accord conclu entre les deux Gouvernements le 31 mai 1913 et de cinq ans encore à courir du 4 juin 1918, par l'accord conclu entre eux le 2 juin 1918, — est, par le présent accord, maintenue en vigueur pour une nouvelle période de cinq ans, à courir du 4 juin 1923.

Article 2.

Le présent accord devra être ratifié par Sa Majesté Britannique et par le Président des Etats-Unis d'Amérique, après avis et autorisation du Sénat de ce pays ; il entrera en vigueur à la date de l'échange des instruments de ratification, échange qui aura lieu à Washington aussitôt que possible.

Fait en double expédition, le 23 juin 1923.

(L. S.) CHARLES EVANS HUGHES.

(L. S.) A. C. GEDDES.

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

² The exchange of ratifications took place at Washington, December 29, 1923.

³ British and Foreign State Papers, vol. 101, page 208.

⁴ British and Foreign State Papers, vol. 106, page 820.

⁵ British and Foreign State Papers, vol. 111, page 568.

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, &c.

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, &c.

CHARLES E. HUGHES.

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