

N° 2072.

ÉTATS-UNIS D'AMÉRIQUE
ET FRANCE

Traité d'arbitrage. Signé à Washing-
ton, le 6 février 1928.

UNITED STATES OF AMERICA
AND FRANCE

Arbitration Treaty. Signed at Wash-
ington, February 6, 1928.

No. 2072. — ARBITRATION TREATY¹ BETWEEN THE UNITED STATES OF AMERICA AND FRANCE. SIGNED AT WASHINGTON, FEBRUARY 6, 1928.

French and English official texts communicated by the Minister for Foreign Affairs of the French Republic. The registration of this Treaty took place June 29, 1929. This Treaty was transmitted to the Secretariat by the Department of State of the Government of the United States of America, June 13, 1929.

THE PRESIDENT OF THE FRENCH REPUBLIC and THE PRESIDENT OF THE UNITED STATES OF AMERICA, determined to prevent so far as in their power lies any interruption in the peaceful relations that have happily existed between the two nations for more than a century ;

Desirous of reaffirming their adherence to the policy of submitting to impartial decision all justiciable controversies that may arise between them ;

Eager by example not only to demonstrate their condemnation of war as an instrument of national policy in their mutual relations, but also to hasten the time when the perfection of international arrangements for the pacific settlement of international disputes shall have eliminated for ever the possibility of war among any of the Powers of the world ;

Having in mind the Treaty² signed at Washington on September 15, 1914, to facilitate the settlement of disputes between France and the United States of America ;

Have decided to conclude a new treaty of arbitration enlarging the scope of the Arbitration Convention³ signed at Washington on February 10, 1908, which expires by limitation on February 27, 1928, and promoting the cause of arbitration and for that purpose they have appointed as their respective Plenipotentiaries :

THE PRESIDENT OF THE FRENCH REPUBLIC :

His Excellency Mr. Paul CLAUDEL, Ambassador Extraordinary and Plenipotentiary of the French Republic to the United States ; and

THE PRESIDENT OF THE UNITED STATES OF AMERICA :

Mr. Robert E. OLDS, Acting Secretary of State ;

Who, having communicated to one another their full powers found in good and due form, have agreed upon the following articles :

Article I.

Any disputes arising between the Government of the French Republic and the Government of the United States of America of whatever nature they may be, shall, when ordinary diplomatic proceedings have failed and the High Contracting Parties do not have recourse to adjudication by a competent tribunal, be submitted for investigation and report, as prescribed in the treaty signed at Washington, September 15, 1914, to the Permanent International Commission constituted pursuant thereto.

¹ The exchange of ratifications took place at Washington, April 22, 1929.

² *British and Foreign State Papers*, Vol. 108, page 470.

³ *British and Foreign State Papers*, Vol. 101, page 1019.

Article II.

All differences relating to international matters in which the High Contracting Parties are concerned by virtue of a claim of right made by one against the other under treaty or otherwise, which it has not been possible to adjust by diplomacy, which have not been adjusted as a result of reference to the abovementioned Permanent International Commission, and which are justiciable in their nature by reason of being susceptible of decision by the application of the principles of law or equity, shall be submitted to the Permanent Court of Arbitration established at The Hague by the Convention¹ of October 18, 1907, or to some other competent tribunal, as shall be decided in each case by special agreement, which special agreement shall provide for the organisation of such tribunal if necessary, define its powers, state the question or questions at issue, and settle the terms of reference.

The special agreement in each case shall be made on the part of the United States of America by the President of the United States of America by and with the advice and consent of the Senate thereof, and on the part of France in accordance with the constitutional laws of France.

Article III.

The provisions of this treaty shall not be invoked in respect of any dispute the subject matter of which.

- (a) Is within the domestic jurisdiction of either of the High Contracting Parties;
- (b) Involves the interests of third Parties;
- (c) Depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, commonly described as the Monroe Doctrine;
- (d) Depends upon or involves the observance of the obligations of France in accordance with the covenant of the League of Nations.

Article IV.

The present treaty 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 the French Republic.

The ratifications shall be exchanged at Washington as soon as possible, and the treaty shall take effect on the date of the exchange of the ratifications. It shall thereafter remain in force continuously unless and until terminated by one year's written notice given by either High Contracting Party to the other.

In faith thereof the respective Plenipotentiaries have signed this treaty in duplicate in the French and English languages, both texts having equal force, and hereunto affix their seals.

Done at Washington the sixth day of February in the year of our Lord one Thousand nine hundred and twenty-eight.

CLAUDEL.
Robert E. OLDS.

¹ *British and Foreign State Papers*, Vol. 100, page 298.