

N° 2089.

**ALBANIE ET
ÉTATS-UNIS D'AMÉRIQUE**

**Traité d'arbitrage. Signé à Wash-
ington, le 22 octobre 1928.**

**ALBANIA AND
UNITED STATES OF AMERICA**

**Arbitration Treaty. Signed at Wash-
ington, October 22, 1928.**

N° 2089.

No. 2089. — ARBITRATION TREATY¹ BETWEEN ALBANIA AND THE UNITED STATES OF AMERICA. SIGNED AT WASHINGTON, OCTOBER 22, 1928.

Textes officiels albanais et anglais communiqués par le ministre des Affaires étrangères d'Albanie. L'enregistrement de ce traité a eu lieu le 17 juillet 1929.

Albanian and English official texts communicated by the Albanian Minister for Foreign Affairs. The registration of this Treaty took place July 17, 1929.

TEXTE ALBANAIS. — ALBANIAN TEXT.

MADHESHTIA E TIJ MBRETI I SHQIPTAREVE dhe PRESIDENTI I SHTETEVE TE BASHKUARA T'AMERIKES

Duke desheruar, me sa qendron ne fuqi te tyre, te ndalojne çdo pengim ne maredheniet pagesore qe kane vazhduar kurdohere ne mes te dy kombeve ;

Duke desheruar te çfaqin perseri se jane pasanike te politikës qe te shtröjne perpara nje gjyqimi te paaneshme te gjitha moskuptimet e gjykuarshme te cilat munt te ngjasin ne mes te tyre ; edhe

Duke patur deshire te madhe qe me shembellin e tyre jo vetem te tregojne se e denojne luften si nje vegle politike kombetare ne maredheniet e njerit me tjaterin, po dhe te shpejtojne t'arrijturit e kohes kur permiresimi i plotte i ndertimeve nerkombetare per zgjidhjen pagesore te zihjeve nerkombetare do te kete shuar per gjithmone te mundurit e luftes ne mes te cilado Fuqive qe ne qofshin ne bote ;

Vendosne te lidhin ne mes te tyre nje Traktet Arbitrimi dhe per kete qellim emeruan Perfaqesonjes Fuqiplotte te tyre,

MADHESHTIA E TIJ MBRETI I SHQIPTAREVE :

Zotin Faik KONITZA, te Derguarin Eks-traordinar dhe Minister Fuqiplotte te Shqiperise ne Shtetet e Bashkuara t'Amerikes, dhe

HIS MAJESTY THE KING OF THE ALBANIANS 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 always existed between the two nations ;

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

Eager by their 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 forever the possibility of war among any of the Powers of the world ;

Have decided to conclude a treaty of arbitration and for that purpose they have appointed as their respective Plenipotentiaries,

HIS MAJESTY THE KING OF THE ALBANIANS :

Mr. Faik KONITZA, Envoy Extraordinary and Minister Plenipotentiary of Albania in the United States of America, and

¹ L'échange des ratifications a eu lieu à Washington, le 12 février 1929.

¹ The exchange of ratifications took place at Washington, February 12, 1929.

PRESIDENTI I SHTETEVE TE BASHKUARA T'AMERIKES :

Zotin Frank B. KELLOGG, Sekretarin e Shtetit te Shteteve te Bashkuara t'Amërikes,

Te cilet, pasi paraqitne njeri t'jaterit Fuqit' e tyre te plotta, te gjetura ne forme te mire dhe te regullushme, u-bashkuan ne te pelqyerit e Nyjave qe vazhdojne :

Nyje I.

Gjithe mosmareveshjet te lidhura me punera nerkombetare ne te cilat te dy pale Kontraktonjese te Larta kane pjese ne baze te nje kerkimi te se drejtes te bere nga njera Pale kunder t'jatres duke u-mbeshtetur mi nje traktet ose ndryshe, mosmareveshje te cilat nuk u-ndreqne dot me ane te diplomatisë, te cilat nuk u-ndreqne dot pasi u-shtruan perpara nje komisioni te veçante per pajtim, dhe te cilat jane te gjykuarshme nga natyra e tyre se munt te zgjidhen me t'aplikuarit e parimeve te kanunit ose te se drejtes, keto mosmareveshje do te shtrohen perpara Gjykatores se Kurdohereshme t'Arbitrimit te themeluar ne Hage¹ pas Mareveshjes se Tetorit 18, 1907, ose do te shtrohen perpara nonje t'jater gjykatorie kompetente, si pas nje mareveshjeje te veçante te bere ne çdo rast nga te dy Guvernat, e cila mareveshje e veçante do t'vendose organizimin e nje gjykatorie te tille ne qofte nevoje, do t'caktoje fuqit' e kesaj gjykatorie, do t'shenoje çeshtjen ose çeshtjet per te gjykuar, dhe do t'vendose menyren e te shtruarit te çeshtjes ose te çeshtjeve.

Mareveshja e veçante ne çdo rast do te behet nga ana e Shqiperise si pas kanuneve konstitucionale te Shqiperise, dhe nga ana e Shteteve te Bashkuara t'Amërikes prej Presidentit te Shteteve te Bashkuara t'Amërikes me keshillen dhe pelqimin e Senatit amerikan.

Nyje II.

Provizionet e ketij trakteti nuk do to meren ner sy per as nonje zihje.

(a) e cila hyn ne sheshet e gjyqeve ('jurisdiction-eve') te brendeshme te njerës

THE PRESIDENT OF THE UNITED STATES OF AMERICA :

Mr. Frank B. KELLOGG, Secretary of State of the United States of America ;

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

Article I.

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 an appropriate commission of conciliation, 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 organization 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 Albania in accordance with its constitutional laws, and 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.

Article II.

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,

¹ DE MARTENS, *Nouveau Recueil général de Traités*, troisième série, tome III, page 360.

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

ose tjetres nga te dy Palet Kontraktonjese te Larta,

(b) e cila cinon interesat e nje pale te trete,

(c) e cila cinon qendrimin e zakonshem te Shteteve te Bashkuara mi çeshtje Amerikane, qendrim i njohur pergjithërisht me emerin Doktrina e Monroe-s,

(d) e cila cinon detyrat qe Shqiperia ka mare persiper si pas Lidhjes se Kombeve.

(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 Albania in accordance with the Covenant of the League of Nations.

Nyje III.

Trakteti i tanishme do t'ratifikohet prej Shqiperise si pas kanuneve konstitucionale te saj dhe prej Presidentit te Shteteve te Bashkuara t'Amerikes me keshillen dhe pelqimin e Senatit amerikan.

Ratifikimet do t'çkembehen ne Washington sa me shpejt qe te jet' e mundur, dhe Trakteti do te hyje ne fuqi qe ditën e çkembimit te ratifikimeve. Pasandaj do te mbetet pa pushuar ne fuqi veç ne qofte se mer funt dhe gjer sa te mare funt me te dhene shenim nji mot me pare, me te shkruar, nga njera prej te dy Paleve Kontraktonjese te Larta Pales t'jater.

Me bese ne te nderuarit e Nyjave te siperme, Perfaqesonesit Fuqiplotte shenuan kete Traktet ne duplikate ne Gjuhet Shqipe dhe Inglishte, teksti inglisht duke patur autoritetin ne rast ndryshimi ne mes te dy teksteve, edhe vune vulat e tyre.

Bere ne Washington me 22 te Tetorit ne motin nje-mij e nent-qint e njetzet e fete.

Faik KONITZA.

Frank B. KELLOGG.

Pour copie conforme à l'original :

Pour le Ministre des Affaires étrangères :

Le Secrétaire général,

D. Poppa.

Article III.

The present treaty shall be ratified by Albania in accordance with its constitutional laws 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 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 whereof the respective Plenipotentiaries have signed this treaty in duplicate in the Albanian and English languages, the English text to have authority in case of conflict between the two texts, and hereunto affixed their seals.

Done at Washington the twenty-second day of October in the year one thousand nine hundred and twenty eight.