

N° 3082.

ÉTATS-UNIS D'AMÉRIQUE,
RÉPUBLIQUE ARGENTINE,
BOLIVIE, BRÉSIL, CHILI, etc.

Convention concernant les droits et
devoirs des États en cas de luttes
civiles, adoptée par la VI^e Confé-
rence internationale américaine et
signée à La Havane, le 20 février
1928.

UNITED STATES OF AMERICA,
ARGENTINE REPUBLIC,
BOLIVIA, BRAZIL, CHILE, etc.

Convention concerning the Duties
and Rights of States in the event
of Civil Strife, adopted by the
VIth International Conference of
American States and signed at
Habana, February 20, 1928.

TEXTE ESPAGNOL. — SPANISH TEXT.

Nº 3082. — CONVENCION ¹ RELATIVA A LOS DEBERES Y DERECHOS DE LOS ESTADOS EN CASOS DE LUCHAS CIVILES, ADOPTADA POR LA VI CONFERENCIA INTERNACIONAL AMERICANA Y FIRMADA EN LA HABANA, EL 20 DE FEBRERO DE 1928.

Texte officiel espagnol, communiqué par le secrétaire d'Etat aux Affaires étrangères de la République de Panama. L'enregistrement de cette convention a eu lieu le 27 octobre 1932. Cette convention a été transmise au Secrétariat par le " Department of State " du Gouvernement des Etats-Unis d'Amérique le 20 août 1930.

Los Gobiernos de las Repúblicas representadas en la VI Conferencia Internacional Americana celebrada en la ciudad de La Habana, República de Cuba, el año 1928, deseosos de llegar a un acuerdo en cuanto a los deberes y derechos de los Estados en casos de luchas civiles, han nombrado sus Plenipotenciarios :

PERÚ :

Jesús Melquiades SALAZAR, Víctor MAÚRTUA, Enrique CASTRO OYANGUREN, Luis Ernesto DENEGRI.

URUGUAY :

Jacobo VARELA ACEVEDO, Juan José AMÉZAGA, Leonel AGUIRRE, Pedro Erasmo CALLORDA.

PANAMÁ :

Ricardo J. ALFARO, Eduardo CHIARI.

ECUADOR :

Gonzalo ZALDUMBIDE, Víctor ZEVALLOS, Colón Eloy ALFARO.

MEXICO :

Julio GARCÍA, Fernando GONZÁLEZ ROA, Salvador URBINA, Aquiles ELORDUY.

EL SALVADOR :

Gustavo GUERRERO, Héctor David CASTRO, Eduardo ALVAREZ.

¹ Dépôt des ratifications à Washington :

MEXIQUE	6 février 1929.
PANAMA	21 mai 1929.
BRÉSIL	3 septembre 1929.
NICARAGUA	20 mars 1930.
ETATS-UNIS D'AMÉRIQUE	21 mai 1930.

* TRADUCTION. — TRANSLATION.

Etant entendu que les dispositions de l'article 3 de la convention ne s'appliqueront pas lorsqu'un état de guerre aura été reconnu.

* Traduit par le Secrétariat de la Société des Nations, à titre d'information.

* Translated by the Secretariat of the League of Nations, for information.

No. 3082. — CONVENTION ¹ CONCERNING THE DUTIES AND RIGHTS OF STATES IN THE EVENT OF CIVIL STRIFE, ADOPTED BY THE VITH INTERNATIONAL CONFERENCE OF AMERICAN STATES AND SIGNED AT HABANA, FEBRUARY 20, 1928 ².

Spanish official text communicated by the Secretary of State for Foreign Affairs of the Republic of Panama. The registration of this Convention took place October 27, 1932. This Convention was transmitted to the Secretariat by the Department of State of the Government of the United States of America, August 20, 1930.

The Governments of the Republics represented at the Sixth International Conference of American States, held in the city of Habana, Republic of Cuba, in the year 1928, desirous of reaching an agreement as to the duties and rights of States in the event of civil strife, have appointed the following Plenipotentiaries :

PERU :

Jesús Melquíades SALAZAR, Víctor MAÚRTUA, Enrique CASTRO OYANGUREN, Luis Ernesto DENEGRI.

URUGUAY :

Jacobo VARELA ACEVEDO, Juan José AMÉZAGA, Leonel AGUIRRE, Pedro Erasmo CALLORDA.

PANAMA :

Ricardo J. ALFARO, Eduardo CHIARI.

ECUADOR :

Gonzalo ZALDUMBIDE, Víctor ZEVALLOS, Colón Eloy ALFARO.

MEXICO :

Julio GARCÍA, Fernando GONZÁLEZ ROA, Salvador URBINA, Aquiles ELORDUY.

SALVADOR :

Gustavo GUERRERO, Héctor David CASTRO, Eduardo ALVAREZ.

¹ Deposit of ratifications at Washington :

MEXICO	February 6, 1929.
PANAMA	May 21, 1929.
BRAZIL	September 3, 1929.
NICARAGUA	March 20, 1930.
UNITED STATES OF AMERICA	May 21, 1930.

Subject to the understanding that the provisions of Article 3 of the Convention shall not apply where a state of belligerency has been recognized

² Texte reproduit d'après le « Treaty Series » des Etats-Unis d'Amérique, N^o 814, 1930.

² The text is reprinted from the United States Treaty Series, No. 814, 1930.

Who, after exchanging their respective full powers, which were found to be in good and due form, have agreed upon the following :

Article 1.

The contracting States bind themselves to observe the following rules with regard to civil strife in another one of them :

First : To use all means at their disposal to prevent the inhabitants of their territory, nationals or aliens, from participating in, gathering elements, crossing the boundary or sailing from their territory for the purpose of starting or promoting civil strife.

Second : To disarm and intern every rebel force crossing their boundaries, the expenses of internment to be borne by the State where public order may have been disturbed. The arms found in the hands of the rebels may be seized and withdrawn by the Government of the country granting asylum, to be returned, once the struggle has ended, to the State in civil strife.

Third : To forbid the traffic in arms and war material, except when intended for the Government, while the belligerency of the rebels has not been recognised, in which latter case the rules of neutrality shall be applied.

Fourth : To prevent that within their jurisdiction there be equipped, armed or adapted for warlike purposes any vessel intended to operate in favour of the rebellion.

Article 2.

The declaration of piracy against vessels which have risen in arms, emanating from a Government, is not binding upon the other States.

The State that may be injured by depredations originating from insurgent vessels is entitled to adopt the following punitive measures against them : Should the authors of the damages be warships, it may capture and return them to the Government of the State, to which they belong, for their trial ; should the damage originate with merchantmen, the injured State may capture and subject them to the appropriate penal laws.

The insurgent vessel, whether a warship or a merchantman, which flies the flag of a foreign country to shield its actions, may also be captured and tried by the State of said flag.

Article 3.

The insurgent vessel, whether a warship or a merchantman, equipped by the rebels, which arrived at a foreign country or seeks refuge therein, shall be delivered by the Government of the latter to the constituted Government of the State in civil strife, and the members of the crew shall be considered as political refugees.

Article 4.

The present Convention does not affect obligations previously undertaken by the contracting parties through international agreements.

Article 5.

After being signed, the present Convention shall be submitted to the ratification of the signatory States. The Government of Cuba is charged with transmitting authentic certified copies to the Governments for the aforementioned purpose of ratification. The instrument of ratification shall

be deposited in the archives of the Pan American Union in Washington, the Union to notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications. This Convention shall remain open to the adherence of non-signatory States.

In witness whereof the aforementioned Plenipotentiaries sign the present Convention in Spanish, English, French and Portuguese, in the city of Habana, the 20th day of February, 1928.

Perú :

Jesús M. SALAZAR, Víctor M. MAÚRTUA, Luis Ernesto DENEGRI, E. CASTRO OYANGUREN.

Uruguay :

VARELA, Pedro Erasmo CALLORDA.

Panamá :

R. J. ALFARO, Eduardo CHIARI.

Ecuador :

Gonzalo ZALDUMBIDE, Víctor ZEVALLOS, C. E. ALFARO.

Mexico :

Julio GARCÍA, Fernando GONZÁLES ROA, Salvador URBINA, Aquiles ELORDUY.

Salvador :

J. Gustavo GUERRERO, Héctor David CASTRO, Ed. ALVAREZ.

Guatemala :

Carlos SALAZAR, B. ALVARADO, Luis BELTRANENA, J. AZURDIA.

Nicaragua :

Carlos CUADRA PAZOS, Máximo H. ZEPEDA, Joaquín GÓMEZ.

Bolivia :

José ANTEZANA, A. COSTA DU R.

Venezuela :

Santiago KEY AYALA, Francisco G. YANES, Rafael Angel ARRAIZ.

Colombia :

Enrique OLAYA HERRERA, R. GUTIÉRREZ LEE, J. M. YEPES.

Honduras :

F. DÁVILA, Mariano VÁSQUEZ.

Costa Rica :

Ricardo CASTRO BEECHE, J. Rafael OREAMUNO, A. TINOCO JIMÉNEZ.

Chile :

Alejandro LIRA, Alejandro ALVAREZ, C. SILVA VILDÓSOLA, Manuel BIANCHI.

Brazil :

Raúl FERNÁNDES, Lindolfo COLLOR.

Argentine :

Laurentino OLASCOAGA, Felipe A. ESPIL, Carlos Alberto ALCORTA.

Paraguay :

Lisandro DÍAZ LEÓN, Juan Vicente RAMIRÉZ.

Haiti :

Fernando DENNIS.

Dominican Republic :

Fraço. J. PEYNADO, Tulio M. CESTERO, Jacinto R. DE CASTRO, Elías BRACHE,
R. PÉREZ ALFONSECA.

United States of America :

Charles EVANS HUGHES, Noble BRANDON JUDAH, Henry P. FLETCHER, Oscar
W. UNDERWOOD, Morgan J. O'BRIEN, James BROWN SCOTT, Ray LYMAN
WILBUR, Leo S. ROWE.

Cuba :

Antonio S. DE BUSTAMANTE, Orestes FERRARA, E. HERNÁNDEZ CARTAYA,
Aristides DE AGÜERO BETHENCOURT, M. MÁRQUEZ STERLING, Néstor
CARBONELL.

Certified to be the English text of the Convention
on Rights and Duties of States in the Event of
Civil Strife as contained in the Final Act signed
at the closing session of the Sixth International
Conference of American States.

Frank B. Kellogg,
Secretary of State
of the United States of America.
