

GUATÉMALA ET HONDURAS

Traité d'arbitrage avec Convention additionnelle signés à Washington, le 16 juillet 1930, et spécification de la frontière définitive entre les deux pays, déterminée par la sentence arbitrale du tribunal spécial de délimitation constitué en exécution dudit traité, signée à Washington, le 23 janvier 1933.

· GUATEMALA AND HONDURAS

Treaty of Arbitration, with Additional Convention, signed at Washington, July 16, 1930, and Description of the Definitive Boundary between the two Countries, as settled by the Arbitral Award of the Special Boundary Tribunal constituted in virtue of the said Treaty, signed at Washington, January 23, 1933.

Artículo XIII.

La presente Convención, adicional al Tratado de Arbitraje celebrado en esta misma fecha entre los Gobiernos de Guatemala y de Honduras, será sometida, juntamente con éste, a las ratificaciones constitucionales en ambos países ; y el canje se verificará en esta ciudad de Washington, capital de los Estados Unidos de América, dentro de los sesenta días posteriores a la fecha de la última ratificación.

En fe de lo cual, los Plenipotenciarios de Guatemala y de Honduras firman esta Convención, en dos ejemplares del mismo tenor que autorizan con sus respectivos sellos, en la ciudad de Washington, D. C., a los diez y seis días del mes de julio de mil novecientos treinta.

(f) Carlos SALAZAR.

(f) Mariano VÁSQUEZ.

(f) E. SILVA PEÑA.

Es conforme :

D. Ed. Girón,

Subsecretario de Relaciones EE.

DESCRIPCION DE LA FRONTERA
DEFINITIVA

ENTRE GUATEMALA Y HONDURAS ESTABLECIDA DE CONFORMIDAD CON LA SENTENCIA ARBITRAL DEL TRIBUNAL ESPECIAL DE LIMITES CONSTITUIDO PARA DAR CUMPLIMIENTO AL TRATADO DE ARBITRAJE CONCLUIDO ENTRE LOS DOS PAISES CON FECHA 16 DE JULIO DE 1930, FIRMADA EN WASHINGTON, EL 23 DE ENERO DE 1933.

Textes officiels espagnol et anglais communiqués par le représentant du Guatemala au Conseil de la Société des Nations. L'enregistrement de cet acte a eu lieu le 8 mars 1933.

LIMITE DEFINITIVO.

El límite definitivo es, en toda su extensión, el que sigue :

A partir de la frontera salvadoreña, en el punto más cercano a la cima del Cerro Montecristo ; desde éste en línea recta hacia el Norte hasta las cabeceras del arroyo más próximo tributario del Río

DESCRIPTION OF THE DEFINITIVE
BOUNDARY

BETWEEN GUATEMALA AND HONDURAS, AS SETTLED BY THE ARBITRAL AWARD OF THE SPECIAL BOUNDARY TRIBUNAL CONSTITUTED IN VIRTUE OF THE TREATY OF ARBITRATION BETWEEN THE TWO COUNTRIES, DATED JULY 16, 1930, SIGNED AT WASHINGTON, JANUARY 23, 1933.

Spanish and English official texts communicated by the Representative of Guatemala on the Council of the League of Nations. The registration of this Act took place March 8, 1933.

THE DEFINITIVE BOUNDARY.

The definitive boundary as thus established, in its entire extent, is as follows :

Starting at the Salvadoran boundary at the point nearest the summit of Cerro Montecristo ; thence in a northerly direction in a straight line to the headwaters of the nearest stream tributary to the Frijol or

Frío o Sesecapa ; desde éstas hacia el Norte, siguiendo la línea media de este tributario, río abajo hasta su confluencia con el Río Frío o Sesecapa ; desde éste a lo largo de la línea media del Río Frío o Sesecapa, río abajo hasta su confluencia con la quebrada que nace en las faldas Sudoeste del Cerro Tecomapa, y denominada Quebrada El Chagüitón ; desde ésta, siguiendo la línea media de la Quebrada llamada El Chagüitón, río arriba hasta sus cabeceras y hacia el Norte hasta la cima de la divisoria de las aguas de las cuencas de los ríos Atulapa y Frío o Sesecapa ; desde ésta en línea recta hacia el Oriente hasta el más meridional y elevado de los dos picos del Cerro Tecomapa ; desde éste en línea recta hacia el Oriente, por una distancia aproximada de cuatrocientos (400) metros hasta la confluencia de dos pequeños arroyos que forman un tributario de la Quebrada Tecomapa o Agua Caliente ; desde este punto a lo largo de la línea media de dicho tributario en dirección al Oriente, río abajo hasta su confluencia con la Quebrada Tecomapa o Agua Caliente ; desde allí a lo largo de la línea media de la Quebrada Tecomapa o Agua Caliente, río abajo en dirección al Noreste hasta su confluencia con el Río Olopa ; desde ésta siguiendo la línea media del Río Olopa, río abajo hasta su confluencia con la Quebrada de La Brea ; desde este punto siguiendo la línea media de la Quebrada de La Brea, río arriba hasta un punto situado a sesenta metros antes de la confluencia de dicha quebrada con la Quebrada de El Incienso ; desde ese punto en línea recta hacia el Oriente hasta el punto más alto del Cerro Oscuro ; desde éste en dirección general hacia el Oriente siguiendo la divisoria continental de las aguas hasta su conjunción con la divisoria de las aguas de la cuenca del Río Blanco ; desde éste en dirección al Norte siguiendo la divisoria de las aguas de las cuencas de los ríos Chanmagua y Blanco hasta su conjunción con la divisoria de las aguas de la cuenca de la Quebrada de La Raya o Pezote ; desde ese punto en línea recta hacia el Norte hasta las cabeceras del afluente más próximo de la Quebrada de La Raya o Pezote ; desde aquí en dirección al Norte aguas abajo a lo largo de la línea media de dicho tributario hasta su

Sesecapa river ; thence in a northerly direction, following the median line of this tributary, downstream to its confluence with the Frío or Sesecapa river ; thence following the median line of the Frío or Sesecapa river downstream to its confluence with the creek which rises on the southwestern slopes of Cerro Tecomapa and which is called Quebrada El Chagüitón in the survey of the Chagüitón land grant ; thence following the median line of the creek called El Chagüitón upstream to its headwaters and continuing due north to the summit of the water divide between the drainage basins of the Atulapa and Frío or Sesecapa rivers ; thence in an easterly direction in a straight line to the southernmost and higher of the twin peaks of Cerro Tecomapa ; thence in an easterly direction in a straight line, a distance of approximately four hundred metres (400), to the confluence of two small creeks forming a tributary of the Quebrada Tecomapa or Agua Caliente ; thence following the median line of the said tributary downstream in an easterly direction to its confluence with the Quebrada Tecomapa or Agua Caliente ; thence following the median line of the Quebrada Tecomapa or Agua Caliente downstream in a north-easterly direction to its confluence with the Olopa river ; thence following the median line of the Olopa river downstream to its confluence with the Quebrada de la Brea ; thence following the median line of the Quebrada de la Brea upstream to a point sixty metres below the confluence of that stream with the Quebrada El Incienso ; thence in an easterly direction in a straight line to the highest point of Cerro Oscuro ; thence in a general easterly direction following the continental water divide to its junction with the water divide of the drainage basin of the Blanco river ; thence in a northerly direction following the water divide between the drainage basins of the Chanmagua and Blanco rivers to its junction with the water divide of the drainage basin of the Quebrada de la Raya or Pezote ; thence northerly in a straight line to the headwaters of the nearest tributary of the Quebrada de la Raya or Pezote ; thence in a northerly direction downstream along the median line of the said tributary to its confluence with the Quebrada de la Raya or

confluencia con la Quebrada de La Raya o Pezote; desde aquí en dirección al Norte, aguas abajo a lo largo de la línea media de dicha quebrada hasta su confluencia con el Río Playón; desde aquí, aguas arriba siguiendo la línea media del Río Playón hasta su confluencia con el Zanjón de Laguna Verde; desde aquí en línea recta hacia el Noreste hasta la confluencia de los ríos Templador y Sulay; desde aquí en línea recta hacia el Noroeste hasta el punto más elevado del Cerro Ojo de Agua del Amate; desde aquí en línea recta hacia el Norte hasta la cima del Cerro San Cristóbal; desde aquí en línea recta al Noroeste hasta la cima del Cerro Sepultura; desde aquí en línea recta hacia el Noroeste hasta Bonete del Portillo; desde aquí en línea recta hacia el Norte hasta el Cerro Jute; desde aquí hacia el Noreste a lo largo de la cima del cordón en que se halla situado el Cerro Jute, hasta la divisoria de las aguas de las cuencas de los arroyos San Antonio y Tizamarte; desde aquí en dirección al Noreste, a lo largo de la divisoria de las aguas de las cuencas de la Quebrada Sesemiles y del Río Pexjá, hasta su conjunción con la divisoria de las aguas de la cuenca del Río Managuá; desde aquí hacia el Norte, a lo largo de la divisoria de las aguas de las cuencas de los ríos Pexjá y Managuá, hasta el punto en la conjunción de la primera divisoria secundaria de las aguas en la cuenca del Río Managuá, hacia el Sur de la población llamada Palmichal en el mapa preliminar del reconocimiento aéreo; desde aquí siguiendo esta divisoria secundaria de las aguas en dirección Noreste al Río Managuá; desde allí a lo largo de la línea media de este río, aguas abajo hasta la desembocadura de la primera quebrada al Norte del pueblo de Aldea Nueva; desde aquí en línea recta hacia el Noreste hasta un punto en el Río Marjá hacia el Oriente del ángulo Sudeste del terreno raso de La Francia; desde aquí en línea recta hacia el Noreste hasta un punto en la conjunción de la divisoria secundaria de las aguas de los ríos Juyama y Encantado con la divisoria principal de las aguas de las cuencas del Motagua y del Chamelecón; desde aquí en línea recta hacia el Noreste hasta un punto en la conjunción de la divisoria secundaria de las aguas de los ríos Bobos y Animas con la divisoria principal de las

Pezote; thence in a northerly direction downstream along the median line of the said creek to its confluence with the Playón river; thence upstream following the median line of the Playón river to its confluence with the Zanjón de Laguna Verde; thence north-easterly in a straight line to the confluence of the Templador and Sulay rivers; thence north-westerly in a straight line to the highest point of Cerro Ojo de Agua del Amate; thence northerly in a straight line to the summit of Cerro San Cristóbal; thence north-westerly in a straight line to the summit of Cerro Sepulturas; thence north-westerly in a straight line to Bonete del Portillo; thence northerly in a straight line to Cerro Jute; thence north-easterly along the crest of the ridge on which Cerro Jute is situated to the water divide between the drainage basins of the San Antonio and Tizamarte creeks; thence in a north-easterly direction along the water divide between the drainage basins of the Quebrada Sesemiles and the Pexjá river to its junction with the water divide of the drainage basin of the Managuá river; thence northerly along the water divide between the drainage basins of the Pexjá and Managuá rivers to a point at the junction of the secondary water divide in the Managuá River basin at the settlement called Palmichal on the preliminary map of the aerial survey; thence following this secondary water divide in a north-easterly direction to the Managuá River; thence along the median line of the Managuá river downstream to the mouth of the first creek north of the village of Aldea Nueva; thence in a north-easterly direction in a straight line to a point on the Morjá river due east of the south-east corner of the La Francia clearing; thence in a north-easterly direction in a straight line to a point at the junction of the secondary water divide between the Juyama and Encantado rivers with the main water divide between the Motagua and Chamelecón drainage basins; thence in a north-easterly direction in a straight line to a point at the junction of the secondary water divide between the Bobos and Animas rivers with the main water divide between the Motagua and Chamelecón drainage basins; thence in a north-easterly direction in a straight line to a point at the

aguas de las cuencas del Motagua y del Chamelecón ; desde aquí en línea recta hacia el Noreste hasta un punto en la conjunción de la divisoria secundaria de las aguas de los ríos Animas y Negro con la divisoria principal de las aguas de las cuencas del Motagua y del Chamelecón ; desde aquí hacia el Noreste siguiendo las sinuosidades de la divisoria principal de las aguas de las cuencas del Motagua y del Chamelecón hasta el punto de su conjunción con la divisoria secundaria de las aguas entre los dos brazos principales del Río Chiquito o Plátanos ; desde aquí en una línea recta hacia el Noreste hasta el punto más alto de la montaña denominada Cerro Escarpado, en la vecindad del punto donde se unen las divisorias secundarias de las aguas de las cuencas de los ríos Chiquito o Plátanos, Nuevo o Cacao, y Chachagualilla ; desde aquí en línea recta hacia el Noreste hasta un punto en el centro del puente del Ferrocarril de Cuyamel sobre el Río Santo Tomás ; desde aquí en línea recta hacia el Noreste, hasta el punto más austral de la margen derecha del Río Tinto que sale desde la Laguna Tinta ; desde aquí siguiendo la ribera derecha del Río Tinto, al nivel de las aguas de las crecidas ordinarias, río abajo hasta el punto en que se descarga en el Río Motagua ; y desde aquí siguiendo la ribera derecha del Río Motagua al nivel de las aguas de las crecidas ordinarias, río abajo hasta su desembocadura en el Golfo de Honduras. Conforme queda descrito, el límite se fija en las riberas derechas de los ríos Tinto y Motagua al nivel de las aguas de las crecidas ordinarias, y, en caso de alteraciones de dichos ríos en le transcurso del tiempo, sea por el depósito de aluvión, o por corrosión, o por mutación de cauce, el límite seguirá la línea del nivel de las aguas de las crecidas ordinarias en las riberas derechas efectivas de ambos. Los puntos anteriores están descritos conforme aparecen en el mapa preliminar¹ del reconocimiento aéreo, que se acompaña y declara parte de este Laudo.

Hecho en la Ciudad de Washington, en el Distrito de Columbia, Estados Unidos de América, este vigésimo tercer día de enero de mil

junction of the secondary water divide between the Animas and Negro rivers with the main water divide between the Motagua and Chamelecon drainage basins ; thence in a north-easterly direction following the meanders of the main water divide between the Motagua and Chamelecon drainage basins to a point at its junction with the secondary water divide between the two principal branches of the Chiquito or Plátanos River ; thence in a north-easterly direction in a straight line to the highest point of the mountain designated as Cerro Escarpado, situated near the junction of the secondary water divides between the Chiquito or Plátanos, the Nuevo or Cacao and the Chachagualilla river basins ; thence in a north-easterly direction in a straight line to a point at the centre of the Cuyamel Railroad bridge over the Santo Tomás river ; thence in a north-easterly direction in a straight line to the southernmost point on the right bank of the Tinto river, which flows out of the Laguna Tinta ; thence along the right bank, taken at mean high water mark, of the Tinto river downstream to its point of discharge into the Motagua river ; thence along the right bank, taken at mean high water mark, of the Motagua river downstream to its mouth on the Gulf of Honduras. As thus described, the boundary is established on the right banks of the Tinto and Motagua rivers at mean high water mark, and, in the event of changes in these streams in the course of time, whether due to accretion, erosion or avulsion, the boundary shall follow the mean high water mark upon the actual right banks of both rivers. All the above points are described as shown on the preliminary map¹ of the aerial survey hereto annexed and made part of this Award.

Done at the City of Washington, in the District of Columbia, United States of America, this twenty-third day of January, one thousand

¹ Non reproduit.

¹ Not reproduced here.

novecientos treinta y tres, en tres ejemplares, en español e inglés, de los cuales uno se conservará en los archivos del Tribunal Especial de Límites, y los otros serán entregados a los Agentes de las respectivas Partes.

Charles Evans HUGHES, *Presidente*.
Luis CASTRO-UREÑA }
Emilio BELLO-CODESIDO } *Arbitros.*

Certifica :

B. Cohen,
Secretario del Tribunal.

Es copia fiel del original :

D. Ed. Girón,
El Subsecretario de Relaciones E. E.

nine hundred and thirty-three, in three copies, in English and Spanish, one of which is to be placed in the archives of the Special Boundary Tribunal and the others to be transmitted to the Agents of the respective Parties.

(s.) Charles Evans HUGHES, *President*.
Luis CASTRO-UREÑA }
Emilio BELLO-CODESIDO } *Arbitrators.*

Attested :

B. Cohen,
Secretary of the Tribunal.

¹ TRANSLATION.

No. 3159. — TREATY OF ARBITRATION BETWEEN GUATEMALA AND HONDURAS. SIGNED AT WASHINGTON, JULY 16, 1930.

THE GOVERNMENTS OF THE REPUBLICS OF GUATEMALA and HONDURAS, being desirous of closing the territorial frontier question unhappily existing between the two Republics, have agreed to submit the said question to arbitration through the conclusion of the present Treaty and to that end have appointed as their Plenipotentiaries :

THE GOVERNMENT OF GUATEMALA :|

M. Carlos SALAZAR and
M. Eugenio SILVA PEÑA, and

THE GOVERNMENT OF HONDURAS :

M. Mariano VÁSQUEZ,

Who, having exchanged their full powers, found in good and| due form, have agreed upon the following provisions :

Article I.

The High Contracting Parties are agreed that the Convention setting up an International Central American Tribunal concluded at Washington on February 7, 1923, is in force between them in accordance with Article XXVI of the said Convention. The Government of Guatemala makes this declaration without any reservation. The Government of Honduras declares that the said Convention is binding for all disputes with the exception of the frontier dispute between Guatemala and Honduras, basing itself on the wording of Article I of the said Convention, which does not include questions for which the Parties may have "agreed upon another form of arbitration". The Government of Honduras considers that this provision excludes from the jurisdiction of the International Central American Tribunal its frontier dispute outstanding with Guatemala, inasmuch as the Convention setting up an International Central American Tribunal was signed on the seventh of February one thousand nine hundred and twenty-three, whereas the Delimitation Convention signed on the first of August one thousand nine hundred and fourteen, was at that time in force between the two countries.

The Government of Guatemala maintains that the International Central American Tribunal, in its capacity of an arbitral court, has full powers to adjudicate the frontier question referred to, inasmuch as, under Article I of the Convention invoked by the Government of Honduras, its jurisdiction extends to "all disputes or questions which exist at present or which may arise, irrespective of their nature or origin"; this text embraces and includes all territorial frontier questions and the jurisdiction of the tribunal cannot be affected by the reservation advanced by the Government of Honduras, because no agreement exists between the Parties as to any other form of arbitration inasmuch as the intention manifested in 1923 to submit the matter to the President of the United States of America lapsed with the 1914 Treaty upon which it was based.

¹ Translated by the Secretariat of the League of Nations, for information.

The Government of Guatemala holds that the divergence of views between the two Governments with regard to the application of the Convention setting up an International Central American Tribunal can and ought to be settled in accordance with Article XIII of the said Convention.

The Government of Honduras considers that the International Central American Tribunal has no authority to determine the extent of the jurisdiction originally conferred upon it, but only to decide its jurisdiction in particular cases with due regard to the restrictions contained in Article I of the Convention.

The two Parties are nevertheless agreed that the tribunal which will adjudicate the frontier question between the two countries shall be organised in the manner prescribed in the Convention setting up an International Central American Tribunal.

In order to solve the divergence of views between them, the two Governments have agreed to set up in the City of Washington a special tribunal organised in the manner prescribed by the Convention for setting up an International Central American Tribunal and to submit to it first of all the following question :

“ Has the International Central American Tribunal set up by the Convention of February 7, 1923, jurisdiction to adjudicate the frontier question outstanding between Guatemala and Honduras ? ”

Should the award of the special tribunal disallow the jurisdiction of the International Central American Tribunal to adjudicate the frontier question referred to, the same tribunal shall, acting as a special delimitation court, adjudicate the frontier dispute between the High Contracting Parties.

If, on the other hand, the special tribunal recognises in its judgment the jurisdiction of the International Central American Tribunal, the said special Tribunal shall, in its capacity of International Central American Tribunal, adjudicate the frontier dispute between Guatemala and Honduras and shall sit in the said City of Washington.

The provisions of the present Treaty shall apply in either event.

Article II.

The Special Tribunal mentioned in the preceding Article shall be composed as follows :

The Government of Guatemala shall appoint Dr. Luis Castro Ureña, of the permanent list of jurisconsults established by Article II of the Convention setting up an International Central American Tribunal ;

The Government of Honduras shall appoint Dr. Emilio Bello Codesido, of the same list.

The two Governments shall by common agreement appoint as third arbitrator the Chief Justice of the United States of America, who shall preside over the Tribunal.

Article III.

The Special Tribunal shall if possible meet within sixty days from the date of exchange of ratifications of the present Treaty ; each of the High Contracting Parties shall submit to the Tribunal, within the three day following its installation, the pleas to the jurisdiction of the International Central American Tribunal to adjudicate the frontier question between Guatemala and Honduras.

The Special Tribunal shall decide finally and without appeal on sight of the said pleas.

Article IV.

Within the thirty days following the notification of the judgment deciding the question of competence, the High Contracting Parties shall submit to the Special Tribunal or to the International

Central American Tribunal as the case may be, the pleadings, evidence and documents of all kinds which they may think desirable in support of their views and claims in regard to the frontier question.

Article V.

The High Contracting Parties are agreed that the only line that can be established *de jure* between their respective countries is that of the *Uti Possidetis* of 1821. Consequently it is for the Tribunal to determine this line. If the Tribunal finds that either Party has during its subsequent development acquired beyond this line interests which must be taken into consideration in establishing the final frontier, it shall modify as it may consider suitable the line of the *Uti Possidetis* of 1821 and shall fix such territorial or other compensation as it may deem equitable for one Party to pay to the other.

Article VI.

The pleadings, evidence and documents must be submitted by the Parties to the Tribunal in four copies, in English and Spanish, one copy in each language for each of the members of the Tribunal and the remaining copy to be transmitted by the Tribunal to the other party to the dispute.

Article VII.

The Tribunal shall communicate for sixty days, to the representative of either Government, the pleadings of the other Party and shall, if it so requests, place at its disposal the documents submitted.

Article VIII.

Together with the replication, either Party shall be entitled to submit to the Tribunal any plans, maps, or other documents not appended to the original pleadings. They shall be communicated to the other Party, which may challenge them within fifteen days following the date on which they were notified to it.

Article IX.

The time-limits fixed by the present Treaty shall be final ; nevertheless the Tribunal is expressly authorised by the Parties to extend the said time-limits if, in its opinion, there is adequate reason to do so.

Article X.

All decisions of the tribunal shall be taken by a majority of votes. In case of an equality of votes, the vote of the President shall decide.

Article XI.

Each Party shall be represented by an advocate, who may be aided in the discharge of his duties by assistants in such numbers as the Governments may deem necessary.

Article XII.

The High Contracting Parties shall invest the Tribunal with the necessary power to settle by itself any dispute that may arise as to the interpretation or execution of the present Treaty or of the decisions of the said Tribunal.

Article XIII.

The High Contracting Parties authorise the Tribunal to appoint commissions of enquiry, to employ the services of experts and to use any other means of information it may deem necessary to elucidate the facts. The Parties also authorise the Tribunal to organise its secretariat as it deems best. To this end the Parties undertake to place all the necessary facilities at the Tribunal's disposal.

Article XIV.

The Tribunal shall render its award as soon as possible and shall include in its award its judgment on the points of fact and of law in dispute and state the reasons and grounds for its decisions. The said award shall settle the frontier dispute finally and without appeal and shall be loyally complied with by the High Contracting Parties.

Article XV.

The High Contracting Parties are agreed that the actual work of frontier demarcation shall be carried out by a Technical Commission in conformity with the Additional Convention to the present Treaty signed on the same date.

Article XVI.

Pending the demarcation of the frontier, each of the High Contracting Parties shall remain in possession of the territories which it at present holds in the frontier zone, and shall be empowered to carry on agricultural, industrial and commercial activities within the area at present in its occupation; nevertheless, the High Contracting Parties agree not to proceed to any fresh act of penetration and to avoid any act of hostility between themselves.

Article XVII.

It is understood and agreed between the High Contracting Parties that private properties legitimately acquired prior to the present Treaty on either side of the boundary line shall be respected and shall enjoy all the guarantees conferred on those of its nationals by the Constitution and laws of each of the countries to whose laws the said properties are subject.

Article XVIII.

Should either of the two arbitrators appointed individually by each of the High Contracting Parties decline to serve or be prevented from serving, the Government concerned shall immediately take steps to replace him, and to that end shall choose a new arbitrator from the list prescribed in Article II of the Convention setting up an International Central American Tribunal. Such replacement shall not affect the validity or force of the present Treaty.

Article XIX.

Each Party shall pay the fees and expenses of the arbitrator appointed by it and the expenses incurred by itself in preparing and prosecuting its case. The general expenses of the arbitral procedure and the fees and expenses of the President of the Tribunal shall be defrayed by the Contracting Parties in equal halves.

Article XX.

The present Treaty shall be submitted as soon as possible for ratification in Guatemala and Honduras in accordance with their respective Constitutions. The exchange of the instruments of ratification shall take place in the City of Washington, the capital of the United States of America, within sixty days of the date of the last ratification.

In faith whereof the Plenipotentiaries of Guatemala and Honduras have signed the present Treaty in duplicate and have thereto affixed their seals, in the City of Washington, D. C., on the sixteenth of July, one thousand nine hundred and thirty.

(Signed) Carlos SALAZAR.

(Signed) E. SILVA PEÑA.

(Signed) Mariano VÁSQUEZ.

ADDITIONAL CONVENTION

TO THE TREATY OF ARBITRATION BETWEEN GUATEMALA AND HONDURAS.
SIGNED AT WASHINGTON, ON JULY 16, 1930.

THE GOVERNMENTS OF THE REPUBLICS OF GUATEMALA and HONDURAS, in conformity with, Article XV of the Treaty of Arbitration concluded to-day in this city, desirous of concluding the present Additional Convention to the said Treaty, have appointed for that purpose as their Plenipotentiary Representatives :

THE GOVERNMENT OF GUATEMALA :

M. Carlos SALAZAR and M. Eugenio SILVA PEÑA ; and

THE GOVERNMENT OF HONDURAS :

Dr. Mariano VÁSQUEZ,

Who, having communicated to each other their full powers, found in good and due form, have agreed upon the following provisions :

Article I.

Within one hundred and twenty days of the date on which the Arbitral Tribunal constituted by the above-mentioned Arbitration Treaty has notified the High Contracting Parties of the award fixing the boundary line between Honduras and Guatemala, the said line shall be marked out by a Technical Commission.

Article II.

The Commission referred to in the previous Article shall be composed of five engineers, of which one shall be appointed by the President of the Arbitral Tribunal, on the recommendation of the United States Coast and Geodetic Survey ; two shall be appointed by the Government of Guatemala and two by the Government of Honduras, each Party being entitled to appoint such supplementary staff as it may think fit. The work shall be carried out under the direction of the engineer appointed by the President of the Arbitral Tribunal ; he shall be the head of the Commission, with authority to give on the spot a final decision on any differences of a geodetic or topographical character which may arise between the engineers of Guatemala and of Honduras.

Article III.

If, after the expiration of the period of one hundred and twenty days referred to in Article I, either of the High Contracting Parties has not appointed the two engineers who are to represent it on the Technical Commission, the work of demarcation of the boundary line shall be begun and completed by the engineer appointed by the President of the Arbitral Tribunal and by those appointed within the prescribed period by the other Party. In such case, the Engineer-in-Chief of the Technical Commission shall be empowered to appoint substitute engineers if he deems it necessary.

Article IV.

The engineers, when appointed, shall meet as soon as possible in the nearest township to either of the terminal points of the line fixed by the award of the Arbitral Tribunal and shall begin their work, the head of the Commission informing the Governments of Guatemala and Honduras.

Article V.

The Technical Commission shall set up at the extremities of the boundary line and at the principal points of that line boundary marks which shall be determined astronomically by the latitude and longitude of the spot in question. The longitude shall be based on that of the Greenwich meridian. The Commission shall also set up boundary marks along the line at the tops of hills, at cross-roads, rivers and creeks, and in other conspicuous places, in order that the inhabitants of each country may easily recognise the frontier. The boundary marks shall be constructed of such material as the Technical Commission may deem most suitable and the Commission shall determine their dimensions and the inscription which they shall bear.

Article VI.

The Commission of Engineers shall remain in the region where the work of demarcation is carried out, and that work may not be suspended save in exceptional circumstances when it is impossible to continue it on account of the rainy season or for some other important reason.

Article VII.

The Technical Commission shall have all the time necessary to enable the work of demarcation to be completed.

If any of the members of the Commission is unable to undertake the work or cannot continue to serve for whatever reason, he shall at once be replaced by another engineer appointed by the Government concerned on the sole recommendation of the head of the Commission.

Article VIII.

The Technical Commission shall endeavour, as far as possible, to make the line of demarcation connecting the points indicated by the arbitral award pass through such natural or conspicuous boundaries as may be offered by the ground.

Article IX.

After the completion of the work on the spot and the requisite office work, the Technical Commission of Engineers shall prepare in triplicate a detailed report to be sent together with the general plan and the detailed plans to the Governments of Guatemala and of Honduras and to the President of the Arbitral Tribunal.

Article X.

The Governments of Guatemala and of Honduras undertake to give the Technical Commission all assistance and facilities for the accomplishment of its task.

Article XI.

The general costs of demarcation and the fees and expenses of the Engineer-in-Chief of the Technical Commission shall be borne in equal parts by the Governments of Guatemala and of Honduras. In any case each of the High Contracting Parties shall itself pay the fees and expenses of its own two engineers and their assistants.

Article XII.

The High Contracting Parties undertake to recognise, maintain and respect perpetually and for ever as the frontier line between Guatemala and Honduras the line of demarcation traced by the Technical Commission in accordance with the award of the Arbitral Tribunal set up by the Arbitration Treaty concluded by the said Contracting Parties to-day in this City.

Article XIII.

The present Convention, additional to the Treaty of Arbitration concluded to-day between the Governments of Guatemala and of Honduras, shall be subject, together with that Treaty, to the constitutional ratifications of both countries. The exchange of the instruments of ratification shall take place in this City of Washington, the capital of the United States of America, within sixty days of the date of the last ratification.

In faith whereof the Plenipotentiaries of Guatemala and of Honduras have signed the present Convention in duplicate and have thereto affixed their seals, in the City of Washington, D. C., on July the sixteenth, one thousand nine hundred and thirty.

(Signed) Carlos SALAZAR.

(Signed) Mariano VÁSQUEZ.

(Signed) E. SILVA PEÑA.