

N° 4353.

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

Traité interaméricain sur les bons offices et la médiation, adopté par la Conférence interaméricaine pour le maintien de la paix. Signé à Buenos-Ayres, le 23 décembre 1936.

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

Inter-American Treaty on Good Offices and Mediation, adopted by the Inter-American Conference for the Maintenance of Peace. Signed at Buenos Aires, December 23rd, 1936.

No. 4353. — INTER-AMERICAN TREATY¹ ON GOOD OFFICES AND MEDIATION, ADOPTED BY THE INTER-AMERICAN CONFERENCE FOR THE MAINTENANCE OF PEACE. SIGNED AT BUENOS AIRES, DECEMBER 23RD, 1936.

English, Spanish, Portuguese and French official texts communicated by the Envoy Extraordinary and Minister Plenipotentiary of the United States of America at Berne, by the Secretary-General of the Permanent Delegation of the Argentine Republic to the League of Nations, and by the Permanent Delegate of the Republic of Cuba to the League of Nations. The registration of this Treaty took place May 13th, 1938.

The Governments represented at the Inter-American Conference for the Maintenance of Peace,

Considering that, notwithstanding the pacts which have been concluded between them, it is desirable to facilitate, even more, recourse to peaceful methods for the solution of controversies,

Have resolved to celebrate a Treaty of Good Offices and Mediation between the American countries, and to this end have named the following Plenipotentiaries :

ARGENTINA :

Carlos SAAVEDRA LAMAS,
Roberto M. ORTIZ,
Miguel Angel CÁRCANO,
José María CANTILLO,
Felipe A. ESPIL,
Leopoldo MELO,
Isidoro RUIZ MORENO,
Daniel ANTOKOLETZ,
Carlos BREBBIA,
César DÍAZ CISNEROS,

PARAGUAY :

Miguel Angel SOLER,
J. Isidro RAMÍREZ.

HONDURAS :

Antonio BERMÚDEZ M.,
Julián LÓPEZ PINEDA.

COSTA RICA :

Manuel F. JIMÉNEZ,
Carlos BRENES.

VENEZUELA :

Caracciolo PARRA PÉREZ,
Gustavo HERRERA,
Alberto ZÉREGA FOMBONA.

PERU :

Carlos CONCHA,
Alberto ULLOA,
Felipe BARREDA LAOS,
Diómedes ARIAS SCHREIBER.

EL SALVADOR :

Manuel CASTRO RAMÍREZ,
Maximiliano Patricio BRANNON.

¹ Ratifications deposited in the archives of the Pan-American Union at Washington :

UNITED STATES OF AMERICA July 29th, 1937.
CUBA March 1st, 1938.

MEXICO :

Francisco CASTILLO NÁJERA,
Alfonso REYES,
Ramón BETETA,
Juan Manuel ALVAREZ DEL CASTILLO.

BRAZIL :

José Carlos DE MACEDO SOARES,
Oswaldo ARANHA,
José de Paula RODRÍGUES ALVES,
Helio LOBO,
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César SALAYA,
Calixto WHITMARSH,
José Manuel CARBONELL.

Who, after having deposited their full powers, found to be in good and due form, have agreed as follows :

Article I.

When a controversy arises between them, that cannot be settled by the usual diplomatic means, the High Contracting Parties may have recourse to the good offices or mediation of an eminent citizen of any of the other American countries, preferably chosen from a general list made up in accordance with the following Article.

Article II.

To prepare the aforementioned list, each Government, as soon as the present Treaty is ratified, shall name two citizens selected from among the most eminent by reason of their high character and juridical learning.

The designations shall immediately be communicated to the Pan-American Union, which shall prepare the list and shall forward copies thereof to the Contracting Parties.

Article III.

According to the hypothesis set forth in Article I, the countries in controversy shall, by common agreement, select one of the persons named on this list, for the purposes indicated in this Treaty.

The person selected shall name the place where, under his chairmanship, one duly authorized representative of each of the Parties shall meet in order to seek a peaceful and equitable solution of the difference.

If the Parties are unable to agree concerning the selection of the person lending his good offices or mediation, each one shall choose one of those named on the list. The two citizens chosen in this way shall select, from among the names listed, a third person who shall undertake the functions referred to, endeavoring, in so far as possible, to make a choice that shall be acceptable to both Parties.

Article IV.

The mediator shall determine a period of time, not to exceed six nor be less than three months for the Parties to arrive at some peaceful settlement. Should this period expire before the Parties have reached some solution, the controversy shall be submitted to the procedure of conciliation provided for in existing inter-American agreements.

Article V.

During the procedure established in this Treaty each of the interested Parties shall provide for its own expense and shall contribute equally to common costs or honoraria.

Article VI.

The present Treaty shall not affect obligations previously entered into by the High Contracting Parties by virtue of international agreements.

Article VII.

The present Treaty shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The original instrument shall be deposited in the Ministry of Foreign Affairs of the Argentine Republic which shall transmit authentic certified copies to the Governments for the aforementioned purpose of ratification. The instruments of ratification shall be deposited in the archives of the Pan-American Union in Washington, which shall notify the signatory Governments of said deposit. Such notification shall be considered as an exchange of ratifications.

Article VIII.

The present Treaty will come into effect between the High Contracting Parties in the order in which they deposit their respective ratifications.

Article IX.

The present Treaty shall remain in effect indefinitely but may be denounced by means of one year's notice given to the Pan-American Union, which shall transmit it to the other signatory Governments. After the expiration of this period the Treaty shall cease in its effects as regards the Party which denounces it, but shall remain in effect for the remaining High Contracting Parties.

Article X.

In witness whereof, the above-mentioned Plenipotentiaries sign the present Treaty in English, Spanish, Portuguese and French, and hereunto affix their respective seals, at the City of Buenos Aires, Capital of the Argentine Republic, on the twenty-third day of the month of December, 1936.

Argentina :

Carlos SAAVEDRA LAMAS,
Roberto M. ORTIZ,
Miguel Angel CÁRCANO,
José María CANTILO,
Felipe A. ESPIL,
Leopoldo MELO,
Isidoro RUIZ MORENO,
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Costa Rica :

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Dominican Republic :

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Haiti :

H. Pauleus SANNON,
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Elie LESCOT,
Edmé MANIGAT,
Pierre Eugène DE LESPINASSE,
Clément MAGLOIRE.

Certified to be a true and complete textual copy of the Treaty in all the languages in which it was signed.

For the Secretary of State
of the United States of America :

Edward Yardley,
Chief Clerk and Administrative Assistant.

Cuba :

José Manuel CORTINA,
Ramón ZAYDIN,
Carlos MÁRQUEZ STERLING,
Rafael SANTOS JIMÉNEZ,
César SALAYA,
Calixto WHITMARSH,
José Manuel CARBONELL.

República Argentina,
Ministerio de Relaciones Exteriores y Culto.

Es copia fiel del original.

Oscar Ibarra Garcia,
Sub-Secretario de Relaciones exteriores.

Haiti :

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José Manuel CARBONELL.

Certificado conforme :
Buenos Aires, 24 de enero de 1939.

Roberto Gache,
Sub-Secretario de Relaciones exteriores.

URUGUAY :

José ESPALTER,
 Pedro MANINI RÍOS,
 Eugenio MARTÍNEZ THEDY,
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Certificado conforme :

Buenos Aires, 24 de enero de 1939.

Roberto Gache,
Sub-Secretario de Relaciones exteriores.

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Panama :

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Julio J. FÁBREGA,
Eduardo CHIARI.

Etats-Unis d'Amérique :

Cordell HULL,
Sumner WELLES,
Alexander W. WEDDELL,

Adolf A. BERLE, Jr.,
Alexander F. WHITNEY,
Charles G. FENWICK,
Michael Francis DOYLE,
Elise F. MUSSER.

Chili :

Miguel CRUCHAGA TOCORNAL,
Luis BARROS BORGONO,
Félix NIETO DEL RÍO,
Ricardo MONTANER BELLO.

Equateur :

Humberto ALBORNOZ,
Antonio PONS,
José Gabriel NAVARRO,
Francisco GUARDERAS.

Bolivie :

Enrique FINOT,
David ALVÉSTEGUI,
Carlos ROMERO.

Haïti :

H. Pauleus SANNON,
Camille J. LEÓN,
Elie LESCOT,
Edmé MANIGAT,
Pierre Eugène DE LESPINASSE,
Clément MAGLOIRE.

Cuba :

José Manuel CORTINA,
Ramón ZAYDIN,
Carlos MÁRQUEZ STERLING,
Rafael SANTOS JIMÉNEZ,
César SALAYA,
Calixto WHITMARSH,
José Manuel CARBONELL.

Certified to be a true and complete textual
copy of the Treaty in all the languages in which
it was signed.

For the Secretary of State
of the United States of America :

Edward Yardley,

Chief Clerk and Administrative Assistant.

Es copia fiel del original.

Oscar Ibarra Garcia,

Sub-Secretario de Relaciones exteriores.