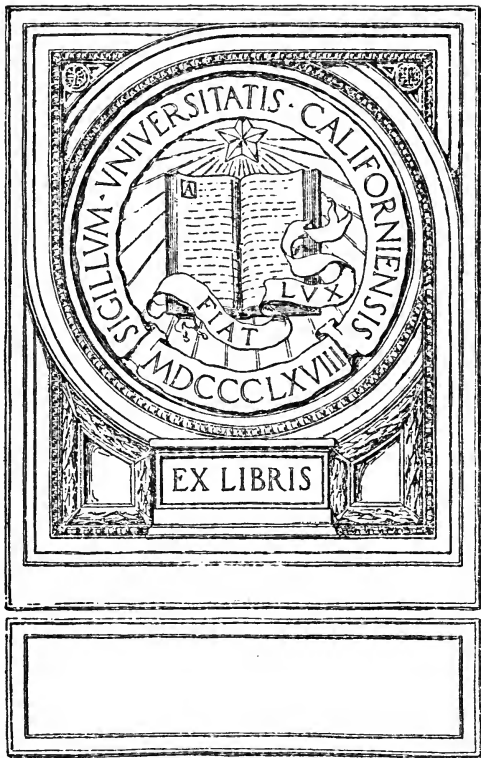


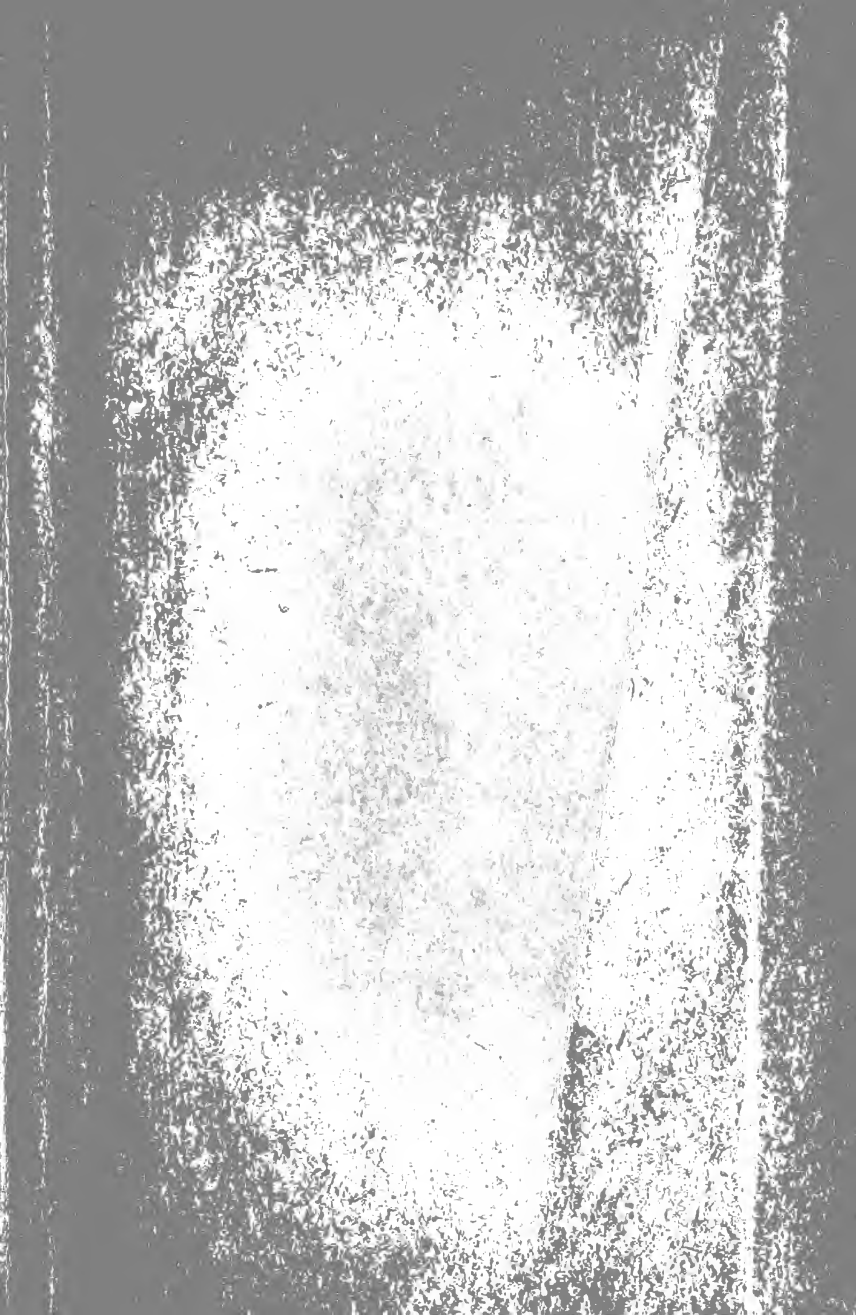
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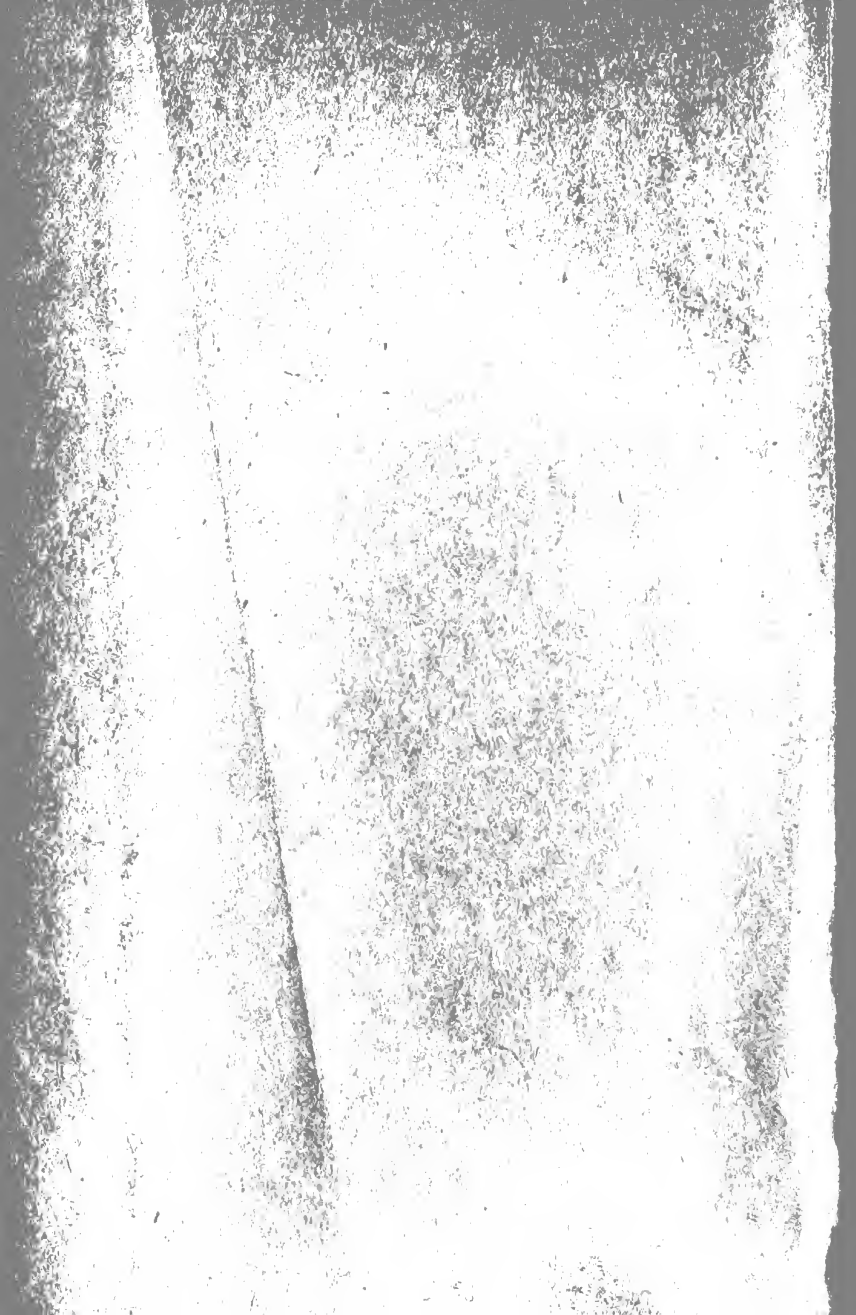


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### REVISED LIST OF ARBITRATION TREATIES

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COMPILED BY

DENYS P. MYERS

"



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# ARBITRATION TREATIES BETWEEN COUNTRIES

*Corrected to July 1, 1912.*

[The following chronological list of arbitration treaties includes only bipartite treaties, conventions or agreements, no effort being made to distinguish between documents technically different in respect to name.]

## 1899

**Brazil—Chile.** Signed at Rio de Janeiro, May 18; ratifications exchanged at Santiago, Chile, March 7, 1906; promulgated March 7, 1906, by Chile; text in 99 B. F. and S. P.,<sup>1</sup> 880, and N. R. G., 3 s., 1, 21, and 2, 124; effective ten years.

**Argentina—Uruguay.** Signed at Buenos Aires, July 8; ratifications exchanged at Buenos Aires, January 18, 1902; modifying protocol signed December 21, 1901; text in 94 B. F. and S. P., 525; effective ten years.

**Argentina—Paraguay.** Signed at Asunción, November 6; ratifications exchanged at Asunción, June 5, 1902; additional protocol signed January 25, 1902; text in 92 B. F. and S. P., 485; effective ten years.

## 1901

**Bolivia—Peru.** Signed at La Paz, November 21; see 1911.

## 1902

**Mexico—Spain.** Signed at Mexico City, January 11; ratifications exchanged at La Paz, April 13; text in 95 B. F. and S. P., 407; effective ten years.

**Spain—Uruguay.** Signed at Mexico City, January 28; ratifications exchanged at Montevideo, November 21; text in 95 B. F. and S. P., 410; effective ten years.

**Salvador—Spain.** Signed at Mexico City, January 28; ratifications exchanged at Guatemala City, September 28; text in 95 B. F. and S. P., 409; effective ten years.

<sup>1</sup> B. F. and S. P. stands for *British and Foreign State Papers*; N. R. G. for *Nouveau Recueil Général de Traités*, III<sup>e</sup> série; R. I. T. for *Recueil international de Traités de XX<sup>e</sup> siècle*; For. Rel. for *Foreign Relations of the United States*; A. J. I. L. for *American Journal of International Law*.

**San Domingo—Spain.** Signed at Mexico City, January 28; ratifications exchanged at San Domingo, July 18; effective ten years.

**Argentina—Spain.** Signed January 28; see 1903.

**Paraguay—Spain.** Signed January 28.

**Argentina—Bolivia.** Signed at Buenos Aires, February 3; ratifications exchanged at Buenos Aires, January 27, 1903; modifying protocol signed July 19, 1902; text in 95 B. F. and S. P., 399, and R. I. T., 1902, 151; effective ten years.

**Colombia—Spain.** Signed at Mexico City, February 17; ratifications exchanged at Bogotá, January 24, 1903; 95 B. F. and S. P., 404; effective ten years.

**Bolivia—Spain.** Signed at Mexico City, February 17; ratifications exchanged October 10, 1903; effective twelve years.

**Guatemala—Spain.** Signed at Mexico City, February 28; ratifications exchanged at Guatemala City, October 8, 1902; text in 95 B. F. and S. P., 405; effective ten years.

**Mexico—Persia.** Signed May 14.

**Argentina—Chile.** Signed at Santiago, May 28; see 1910.

### 1903

**France—Great Britain.** Signed at London, October 14; ratifications exchanged February 25, 1904; published in *Journal Officiel*, March 10, 1904; 96 B. F. and S. P., 35, and For. Rel., 1904, 9; effective five years; renewed October 14, 1908, by exchange of notes.

**Germany—Venezuela.** Signed May 7.

**Paraguay—Peru.** Signed May 18; see 1906.

**Argentina—Spain.** Signed at Buenos Aires, September 17; text in 2 *Deuxième Conférence de la Paix*, 941; effective ten years; negotiated to supersede

**Argentina—Spain.** Signed January 28, 1902; ratifications exchanged July 18; effective ten years.

**France—Italy.** Signed at Paris, December 25; ratifications exchanged March 26, 1904; published in *Journal Officiel*, March 30, 1904, and 96 B. F. and S. P., 620; effective five years; renewed December 24, 1908, by exchange of notes.

**Cuba—Italy.** Signed at Havana, December 29; ratifications exchanged at Havana, December 2, 1904; effective ten years; automatically renewed if not denounced; is treaty of peace, commerce, navigation, emigration and arbitration (Article XXVII); text in 96 B. F. and S. P., 370.



## 1904

**Great Britain—Italy.** Signed at Rome, February 1; exchange of ratifications not necessary; text in 97 B. F. and S. P., 57; effective five years; renewed at London by exchange of notes, January 4, 1909.

**Denmark—Netherlands.** Signed at Copenhagen, February 12; ratifications exchanged at The Hague, March 8, 1906; ratified by Denmark, February 6, 1906, and by Netherlands, March 8, 1906; text in 98 B. F. and S. P., 454, and For. Rel., 1906, 530; effective till denunciation.

**France—Spain.** Signed at Paris, February 26; ratifications exchanged at Paris, March 7—April 20; published in *Journal Officiel*, May 2, 1904, and 97 B. F. and S. P., 953, and 98 *ibid.*, 1180; effective five years; renewed February 3, 1909.

**Great Britain—Spain.** Signed at London, February 27; ratifications exchanged at London, March 16; ratified by \_\_\_\_\_, March 7; text in 97 B. F. and S. P., 80; effective five years; renewed by exchange of notes at London, January 11, 1909.

**France—Netherlands.** Signed at Paris, April 6; ratifications exchanged at Paris, July 5, 1905; effective five years; renewed December 29, 1909, Netherlands law ratifying renewal, May 23, 1910; published in *Journal Officiel*, July 12, 1905, and 99 B. F. and S. P., 1085; French decree approving convention for renewal issued July 26, 1910; ratifications of renewing convention exchanged at Paris, July 5, 1910.

**Portugal—Spain.** Signed at Lisbon, May 31; ratifications exchanged at Lisbon, February 27, 1909; approved by Portugal, August 18, 1908; text in N. R. G., 2, 149, and For. Rel., 1904, 701; effective five years.

**France—Norway.**<sup>2</sup> Signed at Paris, July 9; ratifications exchanged November 9; published in *Journal Officiel*, November 16, 1904, and 97 B. F. and S. P., 971; effective five years; renewed November 5, 1909, by exchange of notes.

**France—Sweden.**<sup>2</sup> Signed at Paris, July 9; ratifications exchanged November 9; published in *Journal Officiel*, November 16, 1904, and 97 B. F. and S. P., 971; effective five years; renewed by exchange of notes at Paris, November 5, 1909.

**Germany—Great Britain.** Signed at London, July 12; exchange of ratifications not necessary; effective five years; renewed at London by

<sup>2</sup> These treaties were concluded with the King of Sweden and Norway before the separation of those two states, June, 1905. They remain in force as between the one party and each of the two states originally jointly contractant and are therefore listed now as separate treaties. A note of the Norwegian minister of December 7, 1905 (For. Rel., 1905, 873; Treaties, Conventions, etc., 1300), says: "The Norwegian Government is of the opinion that all the conventions and international agreements concluded by Norway with one or several other states, either jointly with Sweden, or separately, or as an adhering party, continue in full force and effect, as heretofore, between Norway and the other contracting party or parties without any change in their provisions being effected by the dissolution of the union." Cf. 98 B. F. and S. P., 833 ff.

exchange of notes for a further period of one year, June 7–July 9, 1909, and again for four years, November 23–December 7, 1909; text in 97 B. F. and S. P., 56; effective till July 12, 1914.

**Great Britain—Norway.**<sup>3</sup> Signed at London, August 11; ratifications exchanged at London, November 9; text in 97 B. F. and S. P., 91; effective five years; renewed by convention at London for a further period of five years, November 9, 1909.

**Great Britain—Sweden.**<sup>3</sup> Signed at London, August 11; ratifications exchanged at London, November 9; text in 97 B. F. and S. P., 91; effective five years; renewed by convention at London for a further period of five years, November 9, 1909.

**Netherlands—Portugal.** Signed at The Hague, October 1; ratifications exchanged at The Hague, October 29, 1908; ratified by law of Netherlands, February 5, 1906; proclaimed by Netherlands, December 21, 1908; effective for an indeterminate period.

**Nicaragua—Spain.** Signed at Guatemala City, October 4; ratifications exchanged at Paris, March 19, 1908; text in 98 B. F. and S. P., 896.

**Belgium—Russia.** Signed at St. Petersburg, October (17) 30; ratifications exchanged at St. Petersburg, (August 27) September 9, 1905; promulgated by Belgium, January 19, 1906; text in 97 B. F. and S. P., 569, and For. Rel., 1905, 78; effective ten years.

**Belgium—Switzerland.** Signed at Bern, November 15; ratifications exchanged at Bern, August 19, 1905; promulgated by Belgium, January 19, 1906; text in 97 B. F. and S. P., 591, and For. Rel., 1905, 80; effective ten years.

**Great Britain—Portugal.** Signed at Windsor Castle, November 16; exchange of ratifications not necessary; approved by Portuguese Chamber, August 18, 1908; text in 97 B. F. and S. P., 68; effective five years; renewed at London by exchange of notes for a further period of five years, November 16, 1909.

**Great Britain—Switzerland.** Signed at London, November 16; ratifications exchanged at London, July 12, 1905; text in 97 B. F. and S. P., 93; effective five years; renewed by exchange of notes for a further period of five years, November 3–12, 1909.

**Italy—Switzerland.** Signed at Rome, November 23; ratifications exchanged December 5, 1905; text in 98 B. F. and S. P., 513; effective five years; renewed at Rome by exchange of notes for a further period of five years, November 16, 1909.

**Belgium—Norway.**<sup>3</sup> Signed at Brussels, November 30; ratifications exchanged at Brussels, August 11, 1905; promulgated by Belgium, January 19, 1906; text in 97 B. F. and S. P., 573, and For. Rel., 1905, 81; effective ten years.

<sup>3</sup> See Note 2.

**Belgium—Sweden.**<sup>3</sup> Signed at Brussels, November 30; ratifications exchanged at Brussels, August 11, 1905; promulgated by Belgium, January 19, 1906; text in 97 B. F. and S. P., 573, and For. Rel., 1905, 81; effective ten years.

**Norway**<sup>3</sup>—**Russia.** Signed at St. Petersburg, (November 26) December 9; ratifications exchanged February (12) 25–February (14) 27, 1905; effective ten years.

**Russia—Sweden.**<sup>3</sup> Signed at St. Petersburg, (November 26) December 9; ratifications exchanged February (12) 25–February (14) 27, 1905; effective ten years.

**Austria-Hungary—Switzerland.** Signed at Bern, December 3; ratifications exchanged at Vienna, October 17, 1905; text in 98 B. F. and S. P., 1082; effective five years.

**France—Switzerland.** Signed at Bern, December 14; ratifications exchanged at Paris, July 13, 1905; published in *Journal Officiel*, July 21, 1905, and 98 B. F. and S. P., 464; effective five years; renewed for two years by exchange of notes at Paris, July 13, 1910.

**Sweden**<sup>3</sup>—**Switzerland.** Signed at Berlin, December 17; ratifications exchanged at Berlin, July 13, 1905; text in 98 B. F. and S. P., 791; effective ten years.

**Norway**<sup>3</sup>—**Switzerland.** Signed at Berlin, December 17; ratifications exchanged at Berlin, July 13, 1905; text in B. F. and S. P., 791; effective ten years.

## 1905

**Austria-Hungary—Great Britain.** Signed at London, January 11; see 1910.

**Belgium—Spain.** Signed at Madrid, January 23; ratifications exchanged December 16; ratified by \_\_\_\_\_, July 28; promulgated January 19, 1906; text in 98 B. F. and S. P., 405, and For. Rel., 1905, 83; effective ten years.

**Norway**<sup>3</sup>—**Spain.** Signed at Madrid, January 23; ratifications exchanged at Madrid, March 20; text in N. R. G., 1, 287, and 2, 223; effective ten years.

**Spain—Sweden.**<sup>3</sup> Signed at Madrid, January 23; ratifications exchanged at Madrid, March 20; text in N. R. G., 1, 287, and 2, 223; effective ten years.

**Great Britain—Netherlands.** Signed at London, February 15; ratifications exchanged at London, July 12;<sup>4</sup> ratified by Norway, June 7; text

<sup>4</sup> *La Paix par le Droit*, 1911, 40, says July 5.

in 98 B. F. and S. P., 59, For. Rel., 1905, 693, and 5 Supp., A. J. I. L., 125; effective five years; renewed by convention of December 16, 1909; ratifications of renewing convention exchanged at London, July 11, 1910; Netherlands law ratifying renewing convention passed May 23, 1910.

**Denmark—Russia.** Signed at St. Petersburg, (February 16) March 1; ratifications exchanged at April (11) 24; ratified at Copenhagen by the Danish Riksdag, March 29, and at St. Petersburg, (March 20) April 3; text in For. Rel., 1905, 292; effective ten years.

**Honduras—Spain.** Signed at Madrid, March 13; ratifications exchanged at Madrid, July 16, 1906; published in *La Gaceta Oficial*, August 21, 1906, and For. Rel., 1906, 1353; effective twelve years.

**Italy—Peru.** Signed at Lima, April 18; ratified December 11, 1905, by ; effective ten years.

**Belgium—Greece.** Signed at Athens, (April 19) May 2; ratifications exchanged July (9) 22, 1905; ratified by Belgium, May 2; promulgated January 19, 1906; text in 98 B. F. and S. P., 407, and For. Rel., 1905, 86; effective five years.

**Belgium—Denmark.** Signed at Brussels, April 26; ratifications exchanged at Brussels, May 2, 1906; promulgated by Belgium, January 19, 1906; text in 98 B. F. and S. P., 685, and For. Rel., 1905, 84; effective ten years.

**Norway<sup>3</sup>—Portugal.** Signed at Lisbon, May 6; see 1908.

**Portugal—Sweden.<sup>3</sup>** Signed at Lisbon, May 6; ratifications exchanged at Stockholm, October 23, 1908; approved by Portugal, August 18, 1908; effective five years.

**Italy—Portugal.** Signed at Lisbon, May 11; promulgated by Italian decree of July 2, 1905; text in 98 B. F. and S. P., 664; effective five years.

**Belgium—Roumania.** Signed at Bukharest, May (14) 27; ratifications exchanged at Bukharest, (September 26) October 9, 1905; proclaimed January 19, 1906; text in 98 B. F. and S. P., 409, and N. R. G., 2, 236; effective five years.

**Colombia—Ecuador.** Signed at Quito, August 10; ratifications exchanged at Quito, October 24, 1907; general treaty of friendship, commerce and navigation, extradition, arbitration (Art. III), contraband of war, slave trade, consuls, etc.; text in 99 B. F. and S. P., 1012; perpetual by Art. XXVII in respect to Art. III.

**Portugal—Switzerland.** Signed at Bern, August 18; ratifications exchanged at Bern, October 23, 1908; approved by Portuguese Chamber, August 18, 1908; text in N. R. G., 2, 273; effective five years.

**Argentina—Brazil.** Signed at Rio de Janeiro, September 7;<sup>5</sup> ratifications exchanged at Buenos Aires, November 9, 1908; approved by Argentina;

<sup>5</sup> Anniversary of Brazilian independence.

December 2, and by Brazil, October 1, 1908; ratified by Brazil, December 5, 1908; formally promulgated by Argentina, December 24, 1908, and by Brazil, January 7, 1909; permanently signed at Rio de Janeiro, June 19, 1909; text in N. R. G., 2, 274; effective ten years.

**Colombia—Peru.** Signed at Bogotá, September 12, 1905; ratifications exchanged July 6, 1906; text in For. Rel., 1905, 256; effective ten years.

**Denmark—France.** Signed at Copenhagen, September 15; see 1911.

**Denmark—Great Britain.** Signed at London, October 25; ratifications exchanged at London, May 4, 1906; text in 98 B. F. and S. P., 44; effective five years; renewed by convention of March 3, 1911; ratifications exchanged at London, May 3, 1911; Treaty Series (1911) No. 10.

**Norway—Sweden.** Signed at Stockholm, October 26; ratified by *procès-verbal* of October 26; text in 98 B. F. and S. P., 820; effective ten years.

**Denmark—Spain.** Signed at Madrid, December 1; ratifications exchanged at Madrid, May 19, 1906; ratified by Denmark, May 10, and by Spain, May 14; text in 99 B. F. and S. P., 1037; effective six years.

**Denmark—Italy.** Signed at Rome, December 14; ratifications exchanged at Rome, May 22, 1906; proclaimed by King of Italy, May 27, 1906; text in 99 B. F. and S. P., 1035, and For. Rel., 1906, 528; effective until denunciation.

## 1906

**Austria-Hungary—Portugal.** Signed at Vienna, February 13; approved August 18, 1908, by the Portuguese Chamber, and by Austria-Hungary at Vienna, October 16, 1908; effective five years.

**Belgium—Nicaragua.** Signed at Guatemala City, March 6; ratifications exchanged at Guatemala City, July 20, 1909; text in *Bulletin Usuel*, September 2, 1909, 99 B. F. and S. P., 869, and N. R. G., 2, 753; effective ten years.

**Paraguay—Peru.** Signed at La Paz, June 24; may supersede

**Paraguay—Peru.** Signed \_\_\_\_\_, May 18, 1903.

**France—Portugal.** Signed at Paris, June 29; ratifications exchanged at Paris, April 5, 1909; approved by Portugal, August 18, 1908; published in *Journal Officiel*, April 9, 1909; effective nine years.

## 1907

**Bolivia—Paraguay.** Signed at Buenos Aires, January 12.

**Denmark—Portugal.** Signed at Copenhagen, March 20; ratifications exchanged at Copenhagen, October 26, 1908; approved by Portuguese Chamber, August 18, 1908; text in N. R. G., 2, 304; effective ten years.

**Spain—Switzerland.** Signed at Bern, May 14; ratifications exchanged at Bern, July 9; text in *For. Rel.*, 1907, 1014; effective five years.

**Argentina—Italy.** Signed during the Peace Conference at The Hague, September 18; ratifications exchanged at Rome, May 21, 1910; promulgated by Italian decree of August 9, 1910; text in 5 *Supp.*, A. J. I. L., 171, N. R. G., 4, 84, and 1 *Deuxième Conférence de la Paix*, 174; effective ten years; superseding

**Argentina—Italy.** Signed at Rome, July 23, 1898; ratifications exchanged at Buenos Aires, \_\_\_\_\_; text in *Conférence internationale de la Paix*, 1899, 1<sup>e</sup> partie, 146; effective ten years.

**Italy—Mexico.** Signed at The Hague, October 16, during Peace Conference; ratifications exchanged at Rome, December 31; ratified by Italy, March 7, 1908; effective ten years.

### 1908

**United States<sup>6</sup>—France.** Signed at Washington, February 10; see 1911.

**United States—Greece.** Signed February 29.

**United States—Switzerland.** Signed at Washington, February 29; ratifications exchanged at Washington, December 23; approved by United States Senate, March 6; ratified by President of the United States, May 29, and by Switzerland, October 13; proclaimed by President of the United States, December 23; effective five years.

**United States—Mexico.** Signed at Washington, March 24; ratifications exchanged at Washington, June 27; ratification advised by United States Senate, April 2; ratified by President of the United States, May 29; ratified by Mexico, May 30; proclaimed by President of the United States, June 29; effective five years.

**United States—Italy.** Signed at Washington, March 28; ratifications exchanged at Washington, January 22, 1909; ratification advised by United States Senate, April 2, 1908; ratified by President of the United States, June 19; proclaimed by President of the United States, January 25, 1909; effective five years; superseding

**United States—Italy.** Signed at \_\_\_\_\_, December 24, 1904; not ratified.

**United States—Great Britain.** Signed at Washington, April 4; see 1911.

**United States—Norway.** Signed at Washington, April 4; ratifications exchanged at Washington, June 24; ratification advised by United

<sup>6</sup> The treaties negotiated by the United States in 1908 and 1909 are identic, and may be found textually in *Treaties, Conventions, etc.*, 1776-1909.

States Senate, April 17; ratified by President of the United States, June 18; proclaimed by President of the United States, June 29; effective five years.

**United States—Portugal.** Signed at Washington, April 6; ratifications exchanged at Washington, November 14; approved by Portuguese Chamber, August 18, and ratified September 21; ratification advised by United States Senate, April 17; ratified by President of the United States, November 6; proclaimed by President of the United States, December 14; effective five years.

**United States—Spain.** Signed at Washington, April 20; ratifications exchanged at Washington, June 2; ratified by Spain, May 11, and by United States, May 28; ratification advised by United States Senate, April 22; proclaimed by President of the United States, June 3; effective five years.

**United States—Netherlands.** Signed at Washington, May 2; ratifications exchanged at Washington, March 25, 1909; ratification advised by United States Senate, May 6, 1908; ratified by President of the United States, January 8, 1909; ratified by Netherlands, March 5, 1909; proclaimed by President of the United States, March 25, 1909; effective five years.

**United States—Sweden.** Signed at Washington, May 2; ratifications exchanged at Washington, August 18; ratification advised by United States Senate, May 6; ratified by President of the United States, June 6, and by Sweden, June 13; proclaimed by President of the United States, September 1; effective five years.

**United States—Japan.** Signed at Washington, May 5; ratifications exchanged at Washington, August 24; ratification advised by United States Senate, May 13; ratified by President of the United States, August 19, and by Japan, July 20; proclaimed by President of the United States, September 1, 1908; text in Treaty Series No. 509; effective five years.

**United States—Denmark.** Signed at Washington, May 18; ratifications exchanged at Washington, March 29, 1909; ratification advised by United States Senate, May 20, and approved by Danish Parliament, February 6, 1909; ratified by President of the United States, January 8, 1909, and by Denmark, February 15, 1909; proclaimed by President of the United States, March 29, 1909; effective five years.

**Denmark—Sweden.** Signed at Stockholm, July 17; ratifications exchanged at Stockholm, February 26, 1909; approved by Danish Parliament, February 6, 1909; text in N. R. G., 2, 755; effective ten years.

**United States—China.** Signed at Washington, October 8; ratifications exchanged at Washington, April 6, 1909; ratification advised by United States Senate, December 10; ratified by President of the United States, March 1, 1909, and by China, February 12, 1909; proclaimed by President of the United States, April 6, 1909; effective five years.

**Denmark—Norway.** Signed at Copenhagen, October 8; ratifications exchanged at Copenhagen, March 6, 1909; approved by Danish Parliament, February 6, 1909; text in N. R. G., 2, 758; effective ten years.

**United States—Peru.** Signed at Washington, December 5; ratifications exchanged at Washington, June 29, 1909, ratification advised by United States Senate, December 10; ratified by President of the United States, March 1, 1909, and by Peru, May 1, 1909; proclaimed by President of the United States, June 30, 1909; effective five years.

**Norway—Portugal.** Signed at Lisbon, December 8; ratifications exchanged at Lisbon, November 3, 1909; text in N. R. G., 3, 208; superseding

**Norway—Portugal.** Signed at Lisbon, May 6, 1905; ratifications exchanged at Stockholm, October 23, 1908; approved by Portugal, August 18, 1908; effective five years.

**Colombia—France.** Signed at Bogotá, December 16; ratifications exchanged at Bogotá, October 6, 1909; ratified by France, March 10, 1909; promulgated by French decree of December 31, 1909, and published in *Journal Officiel*, January 6, 1910; additional convention signed at Bogotá, August 5, 1910; ratifications exchanged at Paris, November 15, 1911; text in N. R. G., 3, 210.

**United States—Salvador.** Signed at Washington, December 21; ratifications exchanged at Washington, July 3, 1909; ratification advised by United States Senate, January 6, 1909; ratified by President of the United States, March 1, 1909; ratified by Salvador, June 14; proclaimed by President of the United States, July 7, 1909; effective five years.

**United States—Argentina.** Signed at Washington, December 23; ratified by United States, March 1, 1909; ratification advised by United States Senate, January 6, 1909; effective five years.

**Colombia—Great Britain.** Signed at Bogotá, December 30; exchange of ratifications not necessary; ratified by Colombia, July 14, 1909; text in Treaty Series (1909) No. 5; effective five years.

## 1909

**United States—Haiti.** Signed at Washington, January 7; ratifications exchanged at Washington, November 15; ratification advised by United States Senate, February 13; ratified by President of the United States, March 1, and by Haitian President, March 22; approved by Haitian Congress, July 23; proclaimed by President of the United States, November 16; effective five years.

**United States—Bolivia.** Signed at Washington, January 7; ratification advised by United States Senate, January 13; ratified by President of the United States, March 1; effective five years.



**United States—Ecuador.** Signed at Washington, January 7; ratifications exchanged at Washington, June 22, 1910; ratification advised by United States Senate, January 13; ratified by President of the United States, March 1, and by Ecuadorian President, October 21; proclaimed June 23, 1910; effective five years.

**United States—Uruguay.** Signed at Washington, January 9; ratification advised by United States Senate, January 13; ratified by President of the United States, March 1; effective five years.

**United States—Costa Rica.** Signed at Washington, January 13; ratifications exchanged at Washington, July 20; ratification advised by United States Senate, January 20; ratified by President of the United States, March 1, by Costa Rica, June 28; proclaimed by President of the United States, July 21; effective five years.

**United States—Chile.** Signed at Washington, January 13; ratification advised by United States Senate, January 20; ratified by President of the United States, March 1; effective five years.

**United States—Austria-Hungary.** Signed at Washington, January 15; ratifications exchanged at Washington, May 13; ratified by President of the United States, March 1, and by Austria-Hungary, April 17; ratification advised by United States Senate, January 20; proclaimed by President of the United States, May 18; effective five years.

**United States—Brazil.** Signed at Washington, January 23; ratifications exchanged at Washington, July 26, 1911; ratified by President of the United States, March 1; ratification advised by United States Senate, January 27; approved by Brazil, December 31, 1910; effective five years.

**United States—Paraguay.** Signed at Asunción, March 13; ratifications exchanged at Asunción, October 2; ratified by President of the United States, August 10, and by Paraguay, September 28; ratification advised by United States Senate, July 30, and by Paraguay, July 30; proclaimed by President of the United States, November 11; effective five years.

**Brazil—Portugal.** Signed at Petropolis, March 25; approved by Brazil, December 31, 1910; effective five years.

**Brazil—France.** Signed at Petropolis, April 4; approved by Brazil, December 31, 1910.

**Brazil—Spain.** Signed at Petropolis, April 8; ratifications exchanged at Rio de Janeiro, June 29, 1911; approved by Brazil, December 31, 1910; text in *La Gaceta* of Madrid, July 27, 1911.

**Brazil—Mexico.** Signed at Petropolis, April 8; ratifications exchanged at Rio de Janeiro, June 29, 1911; approved by Brazil, December 31, 1910.

**Brazil—Honduras.** Signed at Guatemala City, April 26; approved by Honduras, July 30, and by Brazil, December 31, 1910; terms in *La Gaceta*, Guatemala, August 19.

**Brazil—Venezuela.** Signed at Caracas, April 30; ratifications exchanged at Caracas, January 8, 1912; approved by Brazil, December 31, 1910.

**Brazil—Panama.** Signed at Washington, May 1; approved by Brazil, December 31, 1910.

**Brazil—Ecuador.** Signed at Washington, May 13; approved by Brazil, December 31, 1910; ratified by Ecuador, February 12, 1912; effective five years.

**Brazil—Costa Rica.** Signed at Washington, May 18; ratified by Costa Rican President, October 20; approved by Costa Rica, October 11, and by Brazil, December 31, 1910; published in *La Gaceta Oficial*, October 24; effective five years.

**Brazil—Cuba.** Signed at Washington, June 10; ratifications exchanged at Havana, August 2, 1911; approved by Brazil, December 31, 1910; text in *La Gaceta Oficial* of Cuba, August 14, 1911; ratifications exchanged at Rio de Janeiro, May 6, 1911; effective five years.

**Brazil—Great Britain.** Signed at Petropolis, June 18; approved by Brazilian Parliament, July 21, and by Brazilian Government, December 31, 1910; text in Treaty Series (1911) No. 12; effective five years.

**Argentina—Great Britain and Ireland.** Signed at Rio de Janeiro, June 18.

**Brazil—Bolivia.** Signed at Petropolis, June 25; approved by Brazil, December 31, 1910; promulgated in Official Register of Bolivia, March 15, 1912; effective ten years.

**Brazil—Nicaragua.** Signed at Guatemala, June 28; approved by Brazilian Government, December 31, 1910; effective five years.

**Brazil—Norway.** Signed at Christiania, July 13; approved by Brazilian Government, December 31, 1910; effective five years.

**Nicaragua—Portugal.** Signed at \_\_\_\_\_, July 17.

**Brazil—China.** Signed at Peking, August 3; approved by Brazilian Government, December 31, 1910; effective five years.

**Argentina—Portugal.** Signed August 27.

**Brazil—Salvador.** Signed at Salvador, September 3; approved by Brazilian Government, December 31, 1910; effective five years.

**Brazil—Peru.** Signed at Rio de Janeiro, November 5; approved by Brazilian Government, December 31, 1910; effective ten years.

**Italy—Netherlands.** Signed at Rome, November 21; ratifications exchanged at Rome, August 26, 1910; proclaimed by Italian order of September 5, 1910.

**Brazil—Sweden.** Signed December 14; effective ten years.

**Greece—Spain.** Signed at Athens, December (3) 16; ratifications exchanged at Athens, March (11) 24, 1910; text in N. R. G., 4, 711; effective five years.

## 1910

**Costa Rica—Italy.** Signed at Rome, January 8; ratifications exchanged at Rome, November 3; text in *Gazzetta Ufficiale*, 1911, No. 33, and N. R. G., 4, 713; effective ten years.

**Costa Rica—Panama.** Signed at Washington, March 17; approved by Costa Rican Congress, August 25; promulgated by Costa Rica, September 25; approved by Congress of Panama, September 27.

**Brazil—Haiti.** Signed at Washington, April 25; approved by Brazilian Government, December 31.

**Brazil—Dominican Republic.** Signed at Washington, April 29; approved by Brazilian Government, December 31.

**Belgium—Honduras.** Signed at \_\_\_\_\_, April 29.

**Brazil—Colombia.** Signed at Bogotá, July 7; approved by Brazilian Government, December 31.

**Austria—Hungary—Great Britain.** Signed at London, July 16; ratifications exchanged at London, December 2; presented to Parliament, February, 1911; text in Treaty Series (1911) No. 1; effective five years; presumably to supersede

**Austria-Hungary—Great Britain.** Signed at London, January 11, 1905; ratifications exchanged at London, May 17; text in 98 B. F. and S. P., 37; effective five years.

**Russia—Spain.** Signed at St. Petersburg, August (2) 15; ratifications exchanged at St. Petersburg, November (9) 22; text in 5 Supp., A. J. I. L., 217; effective ten years.

**Brazil—Russia.** Signed at Rio de Janeiro, August 26; approved by Brazilian Government, December 31.

**Brazil—Greece.** Signed at \_\_\_\_\_, August 28.

**Greece—Italy.** Signed at \_\_\_\_\_, September 2.

**Italy—Spain.** Signed at \_\_\_\_\_, September 2.

**Argentina—France.** Signed at Buenos Aires, September 7.

**Argentina—Chile.** Signed at \_\_\_\_\_, September 13; to supersede

**Argentina—Chile.** Signed at Santiago, May 28, 1902; ratifications exchanged at Santiago, September 22; preliminary act and additional explication signed May 28 and July 10, 1902; text in 95 B. F. and S. P., 759; effective ten years.

**Austria-Hungary—Brazil.** Signed at Rio de Janeiro, October 19; approved by Brazilian Government, December 31.

**Italy—Russia.** Signed at St. Petersburg, October (14) 27; ratifications exchanged at St. Petersburg, January (12) 25, 1911; in force February (12) 25, 1911.

**Belgium—Italy.** Signed at Brussels, November 18; approved by Belgian Chamber, May 1, 1911; ratified by Belgian Chamber, May 4, 1911; Belgian law approving promulgated June 4, 1911; text in *Moniteur belge*, September 2, 1911; effective ten years.

**Italy—Norway.** Signed at Rome, December 4; ratifications exchanged at Rome, December 22, 1910; text in N. R. G., 4, 728; effective until denunciation.

### 1911

**Brazil—Uruguay.** Signed at Petropolis, January 12.

**Brazil—Paraguay.** Signed at \_\_\_\_\_, February 24.

**Bolivia—Peru.** Protocol signed at Lima, March 31; cited in 49 *Mémorial diplomatique*, 226; may supersede

**Bolivia—Peru.** Signed at La Paz, November 21, 1901; ratifications exchanged at La Paz, December 29, 1903; agreement extending time of ratification signed November 11-12, 1902; text in 95 B. F. and S. P., 1018; effective ten years.

**Italy—Sweden.** Signed at Stockholm, April 13; ratifications exchanged at Stockholm, \_\_\_\_\_; text in *Annuaire de l'Union interparlementaire*, 1912, 138; effective ten years.

**Argentina—Ecuador.** Signed at Caracas, July 16 (circa).

**Argentina—Venezuela.** Signed at Caracas, July 24.

**United States—France.**<sup>7</sup> Signed at Washington, August 3, 1911; ratification advised by United States Senate (after revision), March 7, 1912 (legislative day of March 5); text in 5 Supp., A. J. I. L., 249; negotiated to supersede

**United States—France.** Signed at Washington, February 10, 1908; ratifications exchanged at Washington, March 12; ratified by United States, February 27, and by France, March 3; ratification advised by United States Senate, February 19; proclaimed by President of the United States, March 14; published in *Journal Officiel*, March 15, 1908; effective five years.

<sup>7</sup> These two treaties are at present with the President of the United States, whose ratification is necessary as a step in transforming them into law. Owing to the changes stipulated by the Senate as a *sine qua non* of ratification, France and Great Britain delayed action upon them, and until the President takes the initiative they are dead letters. It will be noticed that the conventional terms of the previous treaties expire on March 12 and June 4, 1913, respectively. In advance of those dates action will have to be taken in respect to renewing or superseding them. Inasmuch as the treaties of 1911, as revised by the Senate, are preferable to the earlier treaties because their arbitral basis is broader, it is suggested that at the time of the expiration of the 1908 treaties they be allowed to lapse and the treaties of 1911 be then substituted for them.

**United States—Great Britain.**<sup>7</sup> Signed at Washington, August 3, 1911; ratification advised by United States Senate (after revision), March 7, 1912 (legislative day of March 5); text in 5 Supp., A. J. I. L., 253; negotiated to supersede

**United States—Great Britain.** Signed at Washington, April 4, 1908; ratifications exchanged at Washington, June 4; ratification advised by United States Senate, April 22; ratified by President of the United States, May 11; proclaimed by President of the United States, June 5; ratified by Great Britain, May 4; effective five years.

**Denmark—France.** Signed at Copenhagen, August 9; ratifications exchanged at Copenhagen, December 21; promulgated by France, December 27; published in *Journal Officiel*, December 30, 6 Supp., A. J. I. L., 90, and *Revue Général de Droit International Public*, 1911, Documents 40; superseding

**Denmark—France.** Signed at Copenhagen, September 15, 1905; ratifications exchanged at Copenhagen, May 31, 1906; ratified by Denmark, May 31, 1906; treaty identical with that of France—Great Britain; published in *Journal Officiel*, June 30, 1906, and 98 B. F. and S. P., 845; effective five years; continued from May 31, 1911, till January 1, 1912, by exchange of notes of May 27, 1911 (cf. *Journal Officiel*, June 4, 1911).

**Brazil—Denmark.** Signed at Copenhagen, November 27; ratifications reported; text in *Annuaire de l'Union interparlementaire*, 1912, 146; effective ten years.

## 1912

**Argentina—Colombia.** Signed at Washington, January 20.

### CHRONOLOGICAL SUMMARY.

The following is a summary by years of the treaties listed above:—

1899 . . . . .	3
1901 . . . . .	1
1902 . . . . .	12
1903 . . . . .	6
1904 . . . . .	26
1905 . . . . .	23
1906 . . . . .	4
1907 . . . . .	5
1908 . . . . .	22
1909 . . . . .	32
1910 . . . . .	18
1911 . . . . .	10
1912 . . . . .	1
	—
Gross total . . . . .	163
Deducting duplicated supersessions . . . . .	9
	—
Net total . . . . .	154

*N.B.*—Presumably each of the 154 treaties, net, listed is on the way to complete ratification and effectiveness, though a due suspicion may arise against those incomplete ones of dates three or more years old.

## SUMMARY BY COUNTRIES.

- Argentina (14)—Bolivia (1902), Brazil (1905), Chile (1910), Colombia (1912), Ecuador (1911), France (1910), Great Britain (1909), Italy (1907), Paraguay (1899), Portugal (1909), Spain (1903), United States (1908), Uruguay (1899), Venezuela (1911).
- Austria-Hungary (5)—Brazil (1910), Great Britain (1910), Portugal (1906), Switzerland (1904), United States (1909).
- Belgium (11)—Denmark (1905), Greece (1905), Honduras (1910), Italy (1910), Nicaragua (1906), Norway (1904), Roumania (1905), Russia (1904), Spain (1905), Sweden (1904), Switzerland (1904).
- Bolivia (6)—Argentina (1902), Brazil (1909), Paraguay (1907), Peru (1911), Spain (1902), United States (1909).
- Brazil (30)—Argentina (1905), Austria-Hungary (1910), Bolivia (1909), Chile (1899), China (1909), Colombia (1910), Costa Rica (1909), Cuba (1909), Denmark (1911), Ecuador (1909), France (1909), Great Britain (1909), Greece (1910), Haiti (1910), Honduras (1909), Mexico (1909), Nicaragua (1909), Norway (1909), Panama (1909), Paraguay (1911), Peru (1909), Portugal (1909), Russia (1910), Salvador (1909), San Domingo (1910), Spain (1909), Sweden (1909), United States (1909), Uruguay (1911), Venezuela (1909).
- Chile (3)—Argentina (1910), Brazil (1899), United States (1909).
- China (2)—Brazil (1909), United States (1908).
- Colombia (7)—Argentina (1912), Brazil (1910), Ecuador (1905), France (1908), Great Britain (1908), Peru (1905), Spain (1902).
- Costa Rica (4)—Brazil (1909), Italy (1909), Panama (1910), United States (1909).
- Cuba (2)—Brazil (1909), Italy (1903).
- Denmark (12)—Belgium (1905), Brazil (1911), France (1911), Great Britain (1905), Italy (1905), Netherlands (1904), Norway (1908), Portugal (1905), Russia (1908), Spain (1905), Sweden (1908), United States (1908).
- Ecuador (4)—Argentina (1911), Brazil (1909), Colombia (1905), United States (1909).
- France (13)—Argentina (1910), Brazil (1909), Colombia (1908), Denmark (1911), Great Britain (1903), Italy (1903), Netherlands (1904), Norway (1904), Portugal (1906), Spain (1904), Sweden (1904), Switzerland (1905), United States (1911).
- Germany (2)—Great Britain (1904), Venezuela (1903).
- Greece (5)—Belgium (1905), Brazil (1910), Italy (1910), Spain (1909), United States (1908).

- Great Britain (15)—Argentina (1909), Austria-Hungary (1910), Brazil (1909), Colombia (1908), Denmark (1905), France (1903), Germany (1904), Italy (1904), Netherlands (1905), Norway (1904), Portugal (1904), Spain (1904), Sweden (1904), Switzerland (1904), United States (1911).
- Guatemala (1)—Spain (1902).
- Haiti (2)—Brazil (1910), United States (1909).
- Honduras (3)—Belgium (1910), Brazil (1909), Spain (1905).
- Italy (18)—Argentina (1907), Belgium (1910), Costa Rica (1909), Cuba (1903), Denmark (1905), France (1903), Great Britain (1904), Greece (1910), Mexico (1907), Netherlands (1909), Norway (1910), Peru (1905), Portugal (1905), Russia (1910), Spain (1910), Sweden (1911), Switzerland (1904), United States (1908).
- Japan (1)—United States (1908).
- Mexico (5)—Brazil (1909), Italy (1907), Persia (1902), Spain (1902), United States (1908).
- Netherlands (6)—Denmark (1904), France (1904), Great Britain (1905), Italy (1909), Portugal (1904), United States (1905).
- Nicaragua (4)—Belgium (1906), Brazil (1909), Portugal (1909), Spain (1904).
- Norway (12)—Belgium (1904), Brazil (1909), Denmark (1908), France (1904), Great Britain (1904), Italy (1910), Portugal (1905), Russia (1904), Spain (1905), Sweden (1905), Switzerland (1904), United States (1908).
- Panama (2)—Brazil (1909), Costa Rica (1910).
- Paraguay (6)—Argentina (1899), Bolivia (1907), Brazil (1910), Peru (1906), Spain (1902), United States (1909).
- Persia (1)—Mexico (1902).
- Peru (6)—Bolivia (1911), Brazil (1909), Colombia (1905), Italy (1905), Paraguay (1906), United States (1908).
- Portugal (14)—Argentina (1909), Austria-Hungary (1906), Brazil (1909), Denmark (1907), France (1906), Great Britain (1904), Italy (1905), Netherlands (1904), Nicaragua (1909), Norway (1905), Spain (1904), Sweden (1905), Switzerland (1905), United States (1908).
- Roumania (1)—Belgium (1905).
- Russia (7)—Belgium (1904), Brazil (1910), Denmark (1905), Italy (1910), Norway (1904), Spain (1910), Sweden (1904).
- Salvador (3)—Brazil (1909), Spain (1902), United States (1908).
- San Domingo (2)—Brazil (1910), Spain (1902).
- Spain (24)—Argentina (1903), Belgium (1905), Bolivia (1902), Brazil (1909), Colombia (1902), Denmark (1905), France (1904), Great Britain (1904), Greece (1909), Guatemala (1902), Honduras (1905), Italy (1910), Mexico (1902), Nicaragua (1904), Norway (1905), Paraguay (1902), Portugal (1904), Russia (1910), Salvador (1902), San Domingo (1902), Sweden (1905), Switzerland (1907), United States (1908), Uruguay (1902).



Sweden (12)—Belgium (1904), Brazil (1909), Denmark (1908), France (1904), Great Britain (1904), Italy (1911), Norway (1905), Portugal (1905), Russia (1904), Spain (1905), Switzerland (1904), United States (1908).

Switzerland (10)—Austria-Hungary (1904), Belgium (1904), France (1904), Great Britain (1904), Italy (1904), Norway (1904), Portugal (1905), Spain (1907), Sweden (1904), United States (1908).

United States (26)—Argentina (1908), Austria-Hungary (1909), Bolivia (1909), Brazil (1909), Chile (1909), China (1908), Costa Rica (1909), Denmark (1908), Ecuador (1909), France (1911), Great Britain (1911), Greece (1908), Haiti (1909), Italy (1908), Japan (1908), Mexico (1908), Netherlands (1908), Norway (1908), Paraguay (1909), Peru (1908), Portugal (1908), Salvador (1908), Spain (1908), Sweden (1908), Switzerland (1908), Uruguay (1909).

Uruguay (4)—Argentina (1899), Brazil (1911), Spain (1902), United States (1908).

Venezuela (3)—Argentina (1911), Brazil (1909), Germany (1903).

## NOTES

This list is a revision of one published in 1911, which was communicated to the diplomats accredited to the United States with a request for suggestions and corrections. One correction only was made, the day of a month having been printed inexactly. The Ambassador of France kindly made a suggestion which has resulted in the Summary by Countries. The former list has been in considerable demand from all parts of the world, and, in accordance with a request recently received, the present list is being translated at Berlin for separate publication in German.

To make thoroughly clear the several stages of arbitration, it seems well to make the following statement concerning agreements to arbitrate and actual arbitrations:—

**INTERNATIONAL TREATIES.**—Agreements to arbitrate are of several kinds. The best-known system is that under the provisions of a convention of the Second Hague Conference,—revising and completing the plan of the First Conference,—called the Convention for the Pacific Settlement of International Disputes. This convention provides a system for offering good offices and mediation, establishes a constitution for international commissions of inquiry, and, in Part IV., Articles 37–90, provides a system for international “arbitration for settlement of disputes between States by judges of their own choice and on the basis of respect for law.” The Tribunal was originally constituted by a convention of the First Hague Conference of 1899, and has been in operation since 1902. Twelve cases have already been decided by it. Another is soon to be tried, and five more have been suggested within a year for submission.

In addition to this system, arbitration under treaty stipulations is provided for by the general conventions drawn up by the Pan-American and the Central American Conferences, and arbitration of specific questions is provided for in many of the constituent conventions which regulate the action of international unions.

**NATIONAL TREATIES.**—Besides this general machinery providing for arbitration, each nation may reach such agreements with other individual nations as it finds desirable for the settlement by arbitration of such questions as it considers proper to submit to such decision. There are forty-nine sovereign States in the world. If each had signed one of these bipartite treaties with all its peers, there would be 1,176 arbitration treaties between pairs of nations. Such a number, however, is not necessary, for the majority of the sovereign States do not come into sufficiently close contact with each other to result in difficulties which are incapable of settlement by ordinary diplomatic means. The Summary by Countries herewith shows accurately the extent to which the States coming into contact with each other are already protected by such treaties.

ARBITRATIONS.—Dr. W. Evans Darby, in his "Modern Pacific Settlements," lists 6 arbitrations in the eighteenth century, 471 in the nineteenth, and 63 from 1900 to 1903. Since 1900 there have been about 150 arbitrations, most of which have been held under the provisions of treaties. Many arbitrations have been held without treaty provision, the two disputant States in such cases agreeing to refer the matter to umpires or special courts mutually acceptable. But this haphazard system is rapidly giving way before the eager desire of the States of the world to enter into understandings with other States as to what questions they shall refer to arbitration.

TYPES OF TREATIES.—The great fault of the bipartite arbitration treaty has been the restriction which its terms have placed upon the scope of arbitration. In many cases the arbitrable subjects have been so few as to render the treaty almost worthless. The significance of the recent treaties negotiated by the United States with Great Britain and France is that, for the first time, they definitely recognized the legal character of arbitration and made the justiciable nature of the case at issue the test of arbitrability. Theretofore, where exceptions had been made, only the capricious opinion of the contracting parties, at a time when the dispute was acute, was left to determine the arbitrability of the case. This improved feature of the treaties was left unimpaired by the Senate. Contiguous States or those whose relations or rivalries are close naturally become careful about their engagements to arbitrate, though the success of this system of settling international disputes argues for a steadily widening scope. It follows that the smaller and so-called non-military States have usually led in advances of this kind. A treaty of amity and commerce between Belgium and Siam, signed at London, August 29, 1868, says in Article 24:—

If any difference shall arise between the two contracting countries which may not be settled amicably by diplomatic correspondence between the two governments, these governments shall, by common accord, nominate an arbitrator, some third neutral and friendly power, and the results of the arbitration shall be accepted by the two parties.

Denmark's treaties with the Netherlands and Italy contain this reference clause:—

The high contracting parties engage to submit to the Permanent Court of Arbitration established at The Hague by the convention of July 29, 1899, all differences of whatever character which may arise between them which they have not been able to solve by diplomatic methods, and this shall be done in the case where there shall be differences whose origin is in facts previous to the conclusion of the present convention.

The six treaties of Argentina negotiated from 1899 to 1905 except only constitutional provisions, while Article 73 of the Constitution of the Portuguese Republic says textually:—

The Portuguese Republic, without prejudice to the stipulations contained in its treaties of alliance, recognizes the principle of arbitration as the best method of resolving international questions.

The average treaty, however, includes the formula excepting questions of "vital interest, independence and national honor,"—phrases objectionable only on account of vagueness in application.

The thirty treaties of Brazil differ somewhat in text, but little in meaning and scope, and are of this restricted type. The Brazilian-Chinese reference clause may be cited as inclusive of all elements employed in the set. It reads:—

Article I. Differences which may arise of a legal nature or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interest, the independence, or the honor of the two Contracting States, and do not concern the interest of Third Parties: it being further understood that, if one of the two Contracting Parties prefer it, all arbitration resulting from the present Convention shall be submitted to a Head of a State, to a friendly Government, or one or more arbitrators chosen outside the list of the Tribunal of The Hague.

A type of general treaty not to be commended is illustrated by that of Colombia and Ecuador of 1905. Though it is evidently satisfactory to the contractants, its breadth of subject is such that practically all conventional matters are covered in it, and practice has demonstrated that it is better for a state to make many treaties on definite subjects rather than a few attempting to cover all points in their foreign relations. From this point of view the Colombian-Ecuadorian treaty is subject to criticism, though its arbitrable terms are thoroughly estimable:—

The Contracting Parties solemnly promise never to appeal to recourse to arms before they have essayed that of negotiation . . . ; and until due satisfaction has been expressly refused, after a friendly and neutral Power, chosen as Arbitrator, shall have given its decision on the justice of the demand in presence of the arguments and proofs adduced in support thereof by one side and of the replies of the other side.

A further type of treaty worthy of mention is that of 1911 between Denmark and France, which is officially described in these words: "This treaty was inspired by the labors of the Second Peace Conference and reproduces in its general lines the text accepted by 32 states, among which were France, the United States, Great Britain and Russia. It sanctions the idea of 'obligatory arbitration without reserves' for certain cases clearly defined and forming four principal categories (Art. 2). For other cases of contingent difference recourse to arbitration remains always possible, but the contracting states have the right to invoke the reserves of honor, vital interests, etc., and, as a result, not to submit to arbitration. There should be noted certain dispositions of this treaty (Art. 2, at end) which have for their purpose the lessening of the difficulties encountered at the conference in 1907 by the opponents of obligatory arbitration. Art. 4 likewise carries an innovation in providing that, if the contracting states cannot agree on the text of the *compromis*, the Permanent Court at The Hague will be competent to establish this text."

Another type of treaty now very common is that containing a clause specifying arbitration of disputes arising under the provisions of the treaty itself. These clauses are usually inserted in commercial treaties, and a recent compilation indicates that 141 such treaties have been negotiated by American nations since 1832. The letters explanatory of the Franco-German Moroccan and Congo conventions of November 4, 1911, contain such a provision. This type of treaty definitely throws many categories of problems out of the range of possible warlike operations, and contributes in detail to the development of arbitration.

The Franco-German agreement to arbitrate in respect to Congo and Moroccan questions is illustrative of this type. The explanatory letters say textually:—

Finally, desiring to give to said convention the character of an act destined not only to remove every cause for conflict between our two countries, but also to be an aid to our good relations, we are agreed in declaring that the differences which might arise between the contracting parties with regard to the interpretation and the application of the dispositions of the convention of November 4 and which might not be settled through diplomatic channels, shall be submitted to an arbitral tribunal organized according to the terms of The Hague Convention of October 18, 1907. An agreement shall have to be drawn up, and for that purpose the regulations of the same convention shall be followed, provided no derogation should be made thereto by special agreement at the time of the dispute.

**A FRENCH PRECEDENT.**—The progress of arbitration must depend upon governmental action, and it is therefore of no small importance to note that, in response to a desire expressed many times by the French delegation to the Second Hague Conference, the French Minister of Foreign Affairs by decree of March 7, 1911, designated two officials to deal with questions of international arbitration and the periodic Hague conferences. The report on foreign affairs read in the Chamber of Deputies this year (*Journal officiel*, 1255) says:—

The conclusion of treaties of arbitration with certain states and search for the formulas best adapted to the circumstances are the principal objects of the new service.

**LEGAL EFFECT.**—A treaty is not binding until it has passed through all its stages. A treaty signed by the negotiators binds only the negotiators and the empowering division of their governments. Before the governments themselves are legally bound, their ratifying authorities must have approved the treaty; and it becomes mutually binding only after the exchange of ratifications,—a formality by which each State receives a copy of the document properly signed by the negotiating officers and the ratifying authorities of each State. In most countries another step is necessary before the treaty is considered the law of the land. This is promulgation,—a formality of publishing the treaty as a proclamation. No treaty is binding until these several steps have been taken. Most treaties are reported publicly only when signed, and it is, therefore, often exceedingly difficult to follow them through their later history. This circumstance accounts for the incompleteness at any given time in the details of any such list as the present.







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