

**ARBITRATION ENGAGEMENTS
NOW EXISTING IN TREATIES,
TREATY PROVISIONS AND
NATIONAL CONSTITUTIONS;
COMP., WITH NOTES**

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Arbitration engagements now existing in treaties, treaty provisions and national constitutions;
comp., with notes by Denys P. Myers

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DENYS P. MYERS

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Compiled, with Notes, by
DENYS P. MYERS

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ARBITRATION ENGAGEMENTS'

Corrected to July 1, 1915.

The following list of arbitration engagements is designed to show the extent to which this pacific method of settling international disputes has become institutional. It includes provisions in national constitutions, treaty articles applying the principle to disputes in general, and the familiar general-arbitration convention. Treaties have been omitted that contain compromisory clauses, which provide only for the arbitration of questions arising out of the documents in which they are found. Also omitted are *compromis*, which are the treaties by which a specific dispute is submitted to arbitration. All engagements listed are believed to be in force, or eventually coming into force.

1828

Argentina—Brazil. Signed at Rio de Janeiro, August 27; preliminary convention of peace between the United Provinces of the Rio de la Plata and the Emperor of Brazil, Art. 18 of which is mediatory clause before declaration of war; ratifications exchanged at Montevideo, October 4, 1828; text, *Tratados por la República Argentina*, I, 140, and *Tratados vigentes*, I, 25; no provision on expiration.

The following abbreviations are used in citations:

B. and F. S. P., British and Foreign State Papers.

N. R. G., Nouveau Recueil général de traités, 3^e série, other series being indicated.

A. J. I. L., American Journal of International Law, Supplement.

R. I. T., Recueil international de traités de XX^e siècle.

For. Rel., Foreign Relations of the United States.

T. G. A., Traités généraux d'arbitrage communiqués au Bureau international de la Cour permanent d'arbitrage, première série; the second volume is indicated by a numeral added to the abbreviation.

C. P., Conférence internationale de la Paix. 1899.

Deux. Conf., Deuxième conférence de la Paix. 1907.

Treaties, etc., Treaties, Conventions, etc., between the United States of America and other Powers, 1776-1909; followed by III, the same, Supplement, 1909-1913.

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1829

Colombia—Peru. Signed at Guayaquil, September 22; treaty of peace, Art. 19 being general arbitral clause; ratifications exchanged at Guayaquil, October 27, 1829; text, *Nouveau Recueil*, X, 26, and Aranda, *Tratados del Perú*, III, 230; effective indefinitely.

1842

Colombia (New Granada)—Venezuela. Signed at Caracas, July 23; treaty of friendship, commerce and navigation, Art. 4 of which is general arbitral clause before declaration of war; ratifications exchanged at Bogotá, November 7, 1844; text, 33 B. and F. S. P., 820, Cadena, *Tratados de Colombia*, I, 161-162; perpetual as to political relations.

1848

Mexico—United States. Signed at Guadalupe Hidalgo, February 2; treaty of peace, friendship, limits and settlement, Art. XXI of which is general arbitral clause; ratifications exchanged May 30, 1848; ratification advised by Senate, with amendments, March 10, 1848; ratified by the President, March 16, 1848; ratified by Mexico; proclaimed, July 4, 1848; text, *Treaties, etc.*, I, 1117; effective indefinitely.

1856

Colombia (New Granada)—Ecuador. Signed at Bogotá, July 9; treaty of friendship, commerce and navigation, Art. 3 of which is general arbitral clause; ratifications exchanged at Quito, May 26, 1857; text, Cadena, *Tratados de Colombia*, I, 28; effective twelve years, then denunciable on one year's notice.

1863

Bolivia—Peru. Signed at Lima, November 5; treaty of peace and amity, Art. 26 of which provides for general arbitration; ratifications exchanged at Lima, January 21, 1865; text, Aranda, *Tratados del Perú*, II, 303; effective until eighteen months after denunciation.

1869

Norway—Siam. Signed at London, May 18; treaty of amity, commerce and navigation, Art. 25 of which is general arbitral clause without reserve; ratifications exchanged at London, November 9, 1869; ratified at Stockholm, November 27, 1868, and at Bangkok, July 14, 1869; text, C. P., I, 148, Annexes, 27, 69 B. and F. S. P., 1135, and N. R. G., 2^e série, IV, 769; subject to revision on one year's notice.

Siam—Sweden. Signed at London, May 18; treaty of amity, commerce and navigation, Art. 25 of which is general arbitral clause without reserve; ratifications exchanged at London, November 9, 1869; text, C. P., I, 148, Annexes, 27, 69 B. and F. S. P., 1135, and N. R. G., 2^e série, IV, 769; subject to revision on one year's notice.

Argentina—Bolivia. Signed at Buenos Aires, July 9; treaty of peace, friendship, commerce and navigation, Art. XIX of which is general semi-arbitral clause; ratifications exchanged at Buenos Aires, September 24, 1869; approved by Argentine Congress, July 23, 1869; text, *Tratados por la República Argentina*, II, 265, and *Tratados vigentes por la Argentina*, I, 150; effective twelve years, then from year to year.

Costa Rica—Nicaragua. Signed at San José, July 30; treaty of peace and amity, Art. 2 of which is general arbitral clause without reserve; ratifications exchanged June 10, 1869; text, 70 B. and F. S. P., 258, and *Tratados de Costa Rica*, I, 233; perpetual, revisable by agreement.

Belgium—Siam. Signed at London, August 29; treaty of amity and commerce, Art. 24 of which is general arbitral clause without reserve; ratifications exchanged at London; text, C. P., I, 142, Annexes, 23, 59 B. and F. S. P., 405, and N. R. G., 2^e série, II, 779; effective, January 1, 1869, revisable on notice.

Italy—Siam. Signed at London, October 3; treaty of amity, commerce and navigation, Art. 27 of which is general arbitral clause without reserve; ratifications exchanged at Bangkok, January 1, 1871; text, 60 B. and F. S. P., 773; effective by ten-year periods until denounced.

1869

Austria-Hungary—Siam. Signed at Bangkok, May 17; treaty of commerce, Art. 26 of which is general arbitral clause without reserve; ratifications exchanged at Bangkok, April 30, 1872; text, C. P., I, 141, Annexes, 22, 61 B. and F. S. P., 1308, and N. R. G., 2^e série, II, 438; no provision on expiration.

1870

Colombia—Peru. Signed at Lima, February 10; treaty of amity, commerce and navigation, Art. 32 of which is general arbitral clause without reserve; ratifications exchanged at Lima, March 3, 1873; text, Aranda, *Tratados del Perú*, III, 276; effective until one year after denunciation.

1873

Bolivia—Peru. Signed at Lima, February 6; treaty of defensive alliance, Art. 8 of which renders obligatory the use of means of conciliation before a

rupture of relations; ratifications exchanged at La Paz, June 16, 1873; text, Aranda, *Tratados del Perú*, II, 440; effective until one year after denunciation.

1874

Guatemala—Nicaragua. Signed at Guatemala, February 13; treaty of amity and commerce, Art. 2 of which is general arbitral clause without reserve; ratifications exchanged at Guatemala, July 15, 1875; text, 65 B. and F. S. P., 481; perpetual as to arbitration.

Argentina—Peru. Signed at Buenos Aires, March 9; treaty of amity, commerce and navigation, Art. 33 of which is general arbitral clause without reserve; ratifications exchanged at Buenos Aires, December 20, 1875; approved by Argentine Congress, September 28, 1874; text, N. R. G., 2^e série, XII, 443; Aranda, *Tratados del Perú*, II, 29; *Tratados por la República Argentina*, II, 468, and *Tratados vigentes por la Argentina*, I, 171; effective ten years, then denunciable on one year's notice.

1876

Argentina—Paraguay.² Signed at Buenos Aires, February 3; definitive treaty of peace, Art. XXI of which is general semi-arbitral clause; ratifications exchanged at Buenos Aires, September 13, 1876; approved by Argentine Congress, July 7, 1876; text, *Tratados por la República Argentina*, III, 75, and *Tratados vigentes por la Argentina*, I, 183, and 68 B. and F. S. P., 86; no provision on expiration.

1878

Honduras—Salvador. Signed at Tegucigalpa, March 31; general treaty of peace, friendship, commerce and extradition, Art. 34 of which is general arbitral clause; ratifications exchanged at Tegucigalpa, December 17, 1880; text, 72 B. and F. S. P., 963; perpetual as to peace and friendship.

1882

Spain—Venezuela. Signed at Caracas, May 20; treaty of commerce and navigation, Art. 14 of which is general arbitral clause without reserve; ratifications exchanged at Caracas, September 19, 1882; text, C. P., I, 143, Annexes, 24, and 73 B. and F. S. P., 592; no provision on expiration.

² Relative to this treaty, which provides for employing "the pacific methods of soliciting and admitting the good offices of one or more friendly nations," Señor F. M. Quintana, counselor of the Argentine embassy, writes:

"Arr. XXI should be considered in its spirit as providing for arbitration, inasmuch as, when international disputes have been involved, such has always been the solution proclaimed and maintained in fact by our statesmen for many years back."

1883

Paraguay—Uruguay. Signed at Asunción, April 20; treaty of peace and recognition of debt, Art. 8 of which provides for arbitration of conflicts capable of compromising amicable relations; ratifications exchanged at Montevideo, November 24, 1883; text, 2 *Deuz. Conf.*, 976, and N. R. G., 2^e série, IX, 754, and *Tratados del Paraguay*, 1890, 66; no provision on expiration.

Salvador—Venezuela. Signed at Caracas, August 27; treaty of amity, commerce and navigation, Art. 42 of which is general arbitral clause without reserve; ratifications exchanged at Caracas, December 11, 1884; text, 74 B. and F. S. P., 298, and N. R. G., 2^e série, XIV, 215; effective until one year after denunciation.

Salvador—Switzerland. Signed at Bern, October 30; treaty of amity, establishment and commerce, Art. 13 of which is general arbitral clause without reserve; ratifications exchanged at Bern, October 30, 1884; text, C. P., I, 151, Annexes, 31, and N. R. G., 2^e série, X, 617; effective until one year after denunciation.

Nicaragua—Salvador. Signed at San Salvador, November 17; treaty of amity, commerce and extradition, Art. 33 of which is general arbitral clause without reserve; ratifications exchanged; text, N. R. G., 2^e série, XIV, 229; no provision on expiration.

1884

Belgium—Venezuela. Signed at Caracas, March 1; treaty of amity, commerce and navigation, Art. 2 of which is general arbitral clause without reserve; ratifications exchanged at Caracas, February 8, 1886; text, C. P., I, 142, Annexes, 23, 75 B. and F. S. P., 39, and N. R. G., 2^e série, XI, 613; effective until one year after denunciation.

1887

Belgium—Ecuador. Signed at Brussels, March 5; treaty of amity, commerce and navigation, Art. 2 of which is general arbitral clause without reserve; ratifications exchanged at Paris, February 10, 1888; text, C. P., I, 142, Annexes, 23, 78 B. and F. S. P., 947, and N. R. G., 2^e série, XV, 740; effective until one year after denunciation.

1888

Ecuador—Spain. Signed at Madrid, May 23; additional treaty of peace and amity, Art. 1 of which is general arbitral clause applicable to treaty and non-treaty disputes; ratifications exchanged at Madrid, March