

TREATY SERIES No. **16**
OAS OFFICIAL RECORDS

OEA/Ser.X/2 (English)

INTER-AMERICAN PEACE TREATIES AND CONVENTIONS

**GENERAL SECRETARIAT
ORGANIZATION OF AMERICAN STATES
WASHINGTON, D.C.**



Signed at Buenos Aires, December 23, 1936

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

CONSIDERING: That according to the statement of His Excellency, Franklin D. Roosevelt, President of the United States, to whose lofty ideals the meeting of this Conference is due, the measures to be adopted by it "would advance the cause of world peace, inasmuch as the agreements which might be reached would supplement and reinforce the efforts of the League of Nations and of all other existing or future peace agencies in seeking to prevent war";

That every war or threat of war affects directly or indirectly all civilized peoples and endangers the great principles of liberty and justice which constitute the American ideal and the standard of American international policy;

That the Treaty of Paris of 1928 (Kellogg-Briand Pact) has been accepted by almost all the civilized states, whether or not members of other peace organizations, and that the Treaty of Non-Aggression and Conciliation of 1933 (Saavedra Lamas Pact signed at Rio de Janeiro) has the approval of the twenty-one American Republics represented in this Conference,

Have resolved to give contractual form to these purposes by concluding the present Convention, to which end they have appointed the Plenipotentiaries hereafter mentioned;

Argentina: Carlos Saavedra Lamas, Roberto M. Ortiz, Miguel Angel Cárcano, José María Cantilo, 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.

Mexico: Francisco Castillo Nájera, Alfonso Reyes, Ramón Beteta, Juan Manuel Alvarez del Castillo.

Brazil: José Carlos de Macedo Soares, Oswaldo Aranha, José de Paula Rodrigues Alves, Helio Lobo, Hildebrando Pompeu Pinto Accioly, Edmundo da Luz Pinto, Roberto Carneiro de Mendonça, Rosalina Coelho Lisboa de Miller, María Luiza Bittencourt.

Uruguay: José Espalter, Pedro Manini Ríos, Eugenio Martínez Thedy, Juan Antonio Buero, Felipe Ferreiro, Andrés F. Puyol, Abalcázar García, José G. Antuña, Julio César Cerdeiras Alonso, Gervasio Posadas Belgrano.

Guatemala: Carlos Salazar, José A. Medrano, Alfonso Carrillo.

Nicaragua: Luis Manuel Debayle, José María Mongcada, Modesto Valle.

Dominican Republic: Max Henríquez Ureña, Tulio M. Cestero, Enrique Jiménez.

Colombia: Jorge Soto del Corral, Miguel

Panama: Harmodio Arias M., Julio J. Fábrega, Eduardo Chiari.

United States of America: Cordell Hull, Sumner Welles, Alexander W. Weddell, Adolf A. Berle, Jr., Alexander F. Whitney, Charles G. Fenwick, Michael Francis Doyle, Elise F. Musser.

Chile: Miguel Cruçhaga Tocornal, Luis Barros Borgoño, Félix Nieto del Río, Ricardo Montaner Bello.

Ecuador: Humberto Alborno, Antonio Pons, José Gabriel Navarro, Francisco Guarderas, Eduardo Salazar Gómez.

Bolivia: Enrique Finot, David Alvéstegui, Eduardo Diez de Medina, Alberto Ostria Gutiérrez, Carlos Romero, Alberto Cortadellas, Javier Paz Campero.

Haiti: 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.

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

ARTICLE 1. In the event that the peace of the American Republics is menaced, and in order to coordinate efforts to prevent war, any of the Governments of the American Republics signatory to the Treaty of Paris of 1928 or to the Treaty of Non-Aggression and Conciliation of 1933, or to both, whether or not a member of other peace organizations, shall consult with the other Governments of the American Republics, which, in such event, shall consult together for the purpose of finding and adopting methods of peaceful cooperation.

ARTICLE 2. In the event of war, or a virtual state of war between American

States, the Governments of the American Republics represented at this Conference shall undertake without delay the necessary mutual consultations, in order to exchange views and to seek, within the obligations resulting from the pacts above mentioned and from the standards of international morality, a method of peaceful collaboration; and, in the event of an international war outside America which might menace the peace of the American Republics, such consultation shall also take place to determine the proper time and manner in which the signatory states, if they so desire, may eventually cooperate in some action tending to preserve the peace of the American Continent.

ARTICLE 3. It is agreed that any question regarding the interpretation of the present Convention, which it has not been possible to settle through diplomatic channels, shall be submitted to the procedure of conciliation provided by existing agreements, or to arbitration or to judicial settlement.

ARTICLE 4. The present Convention shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The original convention shall be deposited in the Ministry of Foreign Affairs of the Argentine Republic which shall communicate the ratifications to the other signatories. The Convention shall come into effect between the High Contracting Parties in the order in which they have deposited their ratifications.

ARTICLE 5. The present Convention shall remain in effect indefinitely but may be denounced by means of one year's notice, after the expiration of which period the Convention shall cease in its effects as regards the party which denounces it but shall remain in effect for the remaining signatory States. De-

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nunciations shall be addressed to the Government of the Argentine Republic, which shall transmit them to the other contracting States.

IN WITNESS WHEREOF, the above mentioned Plenipotentiaries sign the present Convention 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, nineteen hundred and thirty-six.

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, with the express and definite reservation in respect to its peculiar international position as regards the League of Nations.

Honduras: ANTONIO BERMÚDEZ M., JULIÁN LÓPEZ PINEDA.

Costa Rica: MANUEL F. JIMÉNEZ, CARLOS BRENES.

Venezuela: CARACCIOLLO PARRA PÉREZ, GUSTAVO HERRERA, ALBERTO ZÉREGA FOMBONA.

Perú: CARLOS CONCHA, ALBERTO ULLOA, FELIPE BARREDA LAOS, DIÓMEDES ARIAS SCHREIBER.

El Salvador: MANUEL CASTRO RAMÍREZ, MAXIMILIANO PATRICIO BRANNON.

México: FRANCISCO CASTILLO NÁJERA, ALFONSO REYES, RAMÓN BETETA, JUAN MANUEL ÁLVAREZ DEL CASTILLO.

Brazil: JOSÉ CARLOS DE MACEDO SOARES, JOSÉ DE PAULA RODRÍGUEZ ALVES, HELIO LOBO, HILDEBRANDO POMPEU PINTO ACCIOLY, EDMUNDO DA LUZ

PINTO, ROBERTO CARNEIRO DE MENDONÇA, ROSALINA COELHO LISBOA DE MILLER, MARIA LUIZA BITTENCOURT.

Uruguay: PEDRO MANINI RÍOS, EUGENIO MARTÍNEZ THEDY, FELIPE FERREIRO, ABALCÁZAR GARCÍA, JULIO CÉSAR CERDEIRAS ALONSO, CERVASIO POSADAS BELGRANO.

Guatemala: CARLOS SALAZAR, JOSÉ A. MEDRANO, ALFONSO CARILLO.

Nicaragua: LUIS MANUEL DEBAYLE, JOSÉ MARÍA MONCADA, MODESTO VALLE.

Dominican Republic: MAX HENRÍQUEZ UREÑA, TULIO M. CESTERO, ENRIQUE JIMÉNEZ.

Colombia: JORGE SOTO DEL CORRAL, MIGUEL LÓPEZ PUMAREJO, ROBERTO URDANETA ARBELÁEZ, ALBERTO LLERAS CAMARGO, JOSÉ IGNACIO DÍAZ GRANADOS.

Panama: HARMODIO ARIAS M., JULIO J. FÁBREGA, EDUARDO CHIARI.

United States of America: CORDELL HULL, SUMNER WELLES, ALEXANDER W. WEDDELL, ADOLPH A. BERLE, JR., ALEXANDER F. WHITNEY, CHARLES G. FENWICK, MICHAEL FRANCIS DOYLE, ELISE F. MUSSER.

Chile: MIGUEL CRUCHAGA TOCORNAL, LUIS BARROS BORGONO, FÉLIX NIETO DEL RÍO, RICARDO MONTANER BELLO.

Ecuador: HUMBERTO ALBORNOZ, ANTONIO PONS, JOSÉ GABRIEL NAVARRO, FRANCISCO GUARDERAS.

Bolivia: ENRIQUE FINOT, DAVID ALVÉSTEGUI, CARLOS ROMERO.

Haiti: H. PAULEUS SANNON, CAMILLE J. LEÓN, ELIE LESCOT, EDMÉ MANIGAT, PIERRE EUGÉNE DE LESPINASSE, CLÉMENT MAGLOIRE.

Cuba: JOSÉ MANUEL CORTINA, RAMÓN ZAYDIN, CARLOS MÁRQUEZ STERLING, RAFAEL SANTOS JIMÉNEZ, CÉSAR SALAYA, CALIXTO WHITMARSH, JOSÉ MANUEL CARBONELL.

Ecuador:

La República del Ecuador, al ratificar la preinserta Convención, declara, con relación al Artículo Segundo de la citada Convención, que admite la consulta como coadyuvante y no excluyente de los Tratados y Compromisos vigentes, de carácter particular, cuya inejecución pudiera producir conflictos internacionales.

[Translation]

In ratifying the foregoing Convention, the Republic of Ecuador declares that, with regard to Article 2, it considers consultation as supplementing and not as excluding existing Treaties and Agreements of a special character, when the non-fulfillment thereof could result in international conflicts.

Honduras:

El Gobierno de Honduras consigna su reserva en el sentido de que en el Arbitraje no habrá más excepciones que los casos que hayan sido resueltos por aquel medio; y que las disposiciones de la presente Convención no serán aplicables a los asuntos o controversias pendientes ni a los que se promuevan en lo sucesivo sobre hechos anteriores a la fecha en que esta Convención entre en vigor.

[Translation]

The Government of Honduras formulates a reservation in the sense that there shall be no exceptions to arbitration except questions already settled by that procedure; and that the provisions of this Convention may not be applied to pending matters or controversies, nor to those which may arise in the future concerning events which took place before the Convention enters into effect.

CONVENTION FOR THE MAINTENANCE, PRESERVATION
AND REESTABLISHMENT OF PEACE

Signed at Buenos Aires, December 23, 1936, at the
Inter-American Conference for the Maintenance of Peace

SIGNATORY
COUNTRIES

DATE OF DEPOSIT OF THE
INSTRUMENT OF RATIFICATION

Argentina	
Bolivia	
Brazil	April 4, 1938
Chile	August 18, 1938
Colombia	March 10, 1938
Costa Rica	July 21, 1939
Cuba	March 25, 1938
Dominican Republic	July 1, 1937
Ecuador	September 10, 1937 ¹
El Salvador	April 12, 1938
Guatemala	August 4, 1938
Haiti	August 30, 1938
Honduras	July 25, 1938 ¹
Mexico	December 15, 1937
Nicaragua	November 24, 1938
Panama	December 7, 1938
Paraguay ¹	December 28, 1938 ¹
Peru	
United States	August 25, 1937
Uruguay	
Venezuela	December 22, 1937

1. With a reservation.

The original instrument is deposited with the Ministry of Foreign Affairs of the Argentine Republic, which is also the depository of the instruments of ratification. It entered into force on August 25, 1937, when the second ratification was deposited by the United States.