



SECOND INTERNATIONAL CONFERENCE
OF AMERICAN STATES

MEXICO CITY

OCTOBER 22, 1901–JANUARY 31, 1902

PROTOCOL, CONVENTIONS AND RESOLUTIONS ADOPTED BY THE CONFERENCE

PROTOCOL

ON ADHERENCE TO THE CONVENTIONS OF THE HAGUE ¹

WHEREAS: The Delegates to the International Conference of the American States, believing that public sentiment in the Republics represented by them is constantly growing in the direction of heartily favoring the widest application of the principles of arbitration; that the American Republics controlled alike by the principles and responsibilities of popular government and bound together by increasing mutual interests, can, by their own actions, maintain peace in the Continent, and that permanent peace between them will be the forerunner and harbinger of their national development and of the happiness and commercial greatness of their peoples;

They have, therefore, agreed upon the following

PROJECT

ART. 1ST. The American Republics, represented at the International Conference of American States in Mexico, which have not subscribed to the three Conventions signed at The Hague on the 29th. of July, 1899, hereby recognize as a part of Public International American Law the principles set forth therein.

¹ Translation. Second American International Conference, Mexico, 1901–1902. *Recommendations, Resolutions, Conventions and Treaties* (Mexico, 1902). See also Spanish text of same collection.

The Committee on Arbitration having failed to arrive at an agreement on the matter entrusted to it, a plan was adopted whereby the Protocol on Adherence to the Conventions of The Hague and the Treaty on Compulsory Arbitration, post, p. 100, were signed by the delegations supporting them before their submission to the conference, the former being signed by all the delegations of the conference except Chile and Ecuador, the latter by ten delegations. The two documents were then brought before the conference, and after a protracted debate on a point of order involving the plan adopted for action thereon, Chile and Ecuador accepted a solution which made them parties to the protocol. The two documents were then sent to the Minister of Foreign Relations of Mexico, accompanied with the minutes of the debates, to be officially certified and transmitted by that official to the several signatory governments. An uncertified copy of the protocol was transmitted to the Department of State by the Mexican Government in note of May 23, 1902.

Venezuela's withdrawal from the conference on January 14, 1902, with retroactive effect to and from December 31, 1901, invalidated its adherence to the protocol and treaty.

See resolution of the Third Conference, post, p. 124.

ART. 2ND. With respect to the Conventions which are of an open character, the adherence thereto will be communicated to the Government of Holland through diplomatic channels by the respective Governments, upon the ratification thereof.

ART. 3RD. The wide general convenience being so clearly apparent that would be secured by confiding the solution of differences to be submitted to arbitration to the jurisdiction of a tribunal of so high a character as that of the Arbitration Court at The Hague, and, also, that the American Nations, not now signatory to the Convention creating that beneficent institution, can become adherents thereto by virtue of an accepted and recognized right; and, further, taking into consideration the offer of the Government of the United States of America and the United States of Mexico, the Conference hereby confers upon said Governments the authority to negotiate with the other signatory Powers to the Convention for the Peaceful Adjustment of International Differences, for the adherence thereto of the American Nations so requesting and not now signatory to the said Convention.

[Here follow in the Spanish text the names of delegates of the following countries: Guatemala, Mexico, Argentina, Peru, Uruguay, Venezuela¹ (signing *ad referendum* and reserving with respect to Venezuela questions of navigation and other questions relative thereto), Costa Rica, Haiti, Dominican Republic, Paraguay, Bolivia, El Salvador, Colombia, Honduras, Nicaragua, United States of America.]

ART. 4TH. In order that the widest and most unrestricted application of the principle of just arbitration may be satisfactorily and definitely brought about at the earliest possible day, and, to the end that the most advanced and mutually advantageous form in which the said principle can be expressed in a Convention to be signed between the American Republics may be fully ascertained, the President of Mexico is hereby most respectfully requested to ascertain by careful investigation the views of the different Governments represented in the Conference regarding the most advanced form in which a General Arbitration Convention could be drawn that would meet with the approval and secure the final ratification of all the countries in the Conference, and, after the conclusion of this inquiry, to prepare a plan for such a General Convention as would apparently meet the wishes of all the Republics; and, if possible, arrange for a series of protocols to carry the plan into execution; or, if this should be found to be impracticable, then to present the correspondence with a report to the next Conference.

Mexico, January 15th, 1902.

[Here follow in the Spanish text the names of delegates of the countries listed above under Article 3, with the exception of Venezuela.¹]

¹ See note, ante, p. 61.

The following states subsequently adhered to The Hague Pacific Settlement Convention of 1899: Argentina, Bolivia, Brazil, Chile, Colombia, Cuba, Dominican Republic, Ecuador,