

## ADVANCEMENT OF PEACE

*Treaty signed at Washington October 13, 1914*

*Senate advice and consent to ratification October 22, 1914*

*Ratified by Sweden November 13, 1914*

*Ratified by the President of the United States January 4, 1915*

*Ratifications exchanged at Washington January 11, 1915*

*Entered into force January 11, 1915*

*Proclaimed by the President of the United States January 12, 1915*

*Supplemented by agreements of November 16, 1915,<sup>1</sup> and June 30, 1939<sup>2</sup>*

38 Stat. 1872; Treaty Series 607

### TREATY FOR THE SETTLEMENT OF DISPUTES

The President of the United States of America and His Majesty the King of Sweden, desiring to strengthen the friendly relations which unite their two countries and to serve the cause of general peace, have decided to conclude a treaty for these purposes and have consequently appointed the plenipotentiaries designed hereinafter, to-wit:

The President of the United States of America, the Honorable William Jennings Bryan, Secretary of State of the United States; and

His Majesty the King of Sweden, Mr. W. A. F. Ekengren, His Envoy Extraordinary and Minister Plenipotentiary at Washington;

Who, after exhibiting to each other their full powers, found to be in due and proper form, have agreed upon the following articles:

#### ARTICLE I

Any disputes arising between the Government of the United States of America and the Government of His Majesty the King of Sweden, of whatever nature they may be, shall, when ordinary diplomatic proceedings have failed and the High Contracting Parties do not have recourse to arbitration, be submitted for investigation and report to a permanent International Commission constituted in the manner prescribed in the following article.

<sup>1</sup> TS 607-A, *post*, p. 744.

<sup>2</sup> EAS 154, *post*, p. 821.

The High Contracting Parties agree not to resort, with respect to each other, to any act of force during the investigation to be made by the Commission and before its report is handed in.

#### ARTICLE 2

The International Commission shall be composed of five members appointed as follows: Each Government shall designate two members, only one of whom shall be of its own nationality; the fifth member shall be designated by common consent and shall not belong to any of the nationalities already represented on the Commission; he shall perform the duties of President.

In case the two Governments should be unable to agree on the choice of the fifth commissioner, the other four shall be called upon to designate him, and failing an understanding between them, the provisions of article 45 of The Hague Convention of 1907<sup>3</sup> shall be applied.

The Commission shall be organized within six months from the exchange of ratifications of the present convention.<sup>4</sup>

The members shall be appointed for one year and their appointment may be renewed. They shall remain in office until superseded or reappointed, or until the work on which they are engaged at the time their office expires is completed.

Any vacancies which may arise (from death, resignation, or cases of physical or moral incapacity) shall be filled within the shortest possible period in the manner followed for the original appointment.

The High Contracting Parties shall, before designating the Commissioners, reach an understanding in regard to their compensation. They shall bear by halves the expenses incident to the meeting of the Commission.<sup>5</sup>

#### ARTICLE 3

Differences that may happen to occur between the High Contracting Parties and should fail of settlement by diplomatic methods shall be forthwith referred to the examination of the International Commission which will undertake to make a report. By a note addressed to the International Bureau of the Permanent Court at The Hague, which shall communicate it without delay to both Governments, the President may remind the Parties that the services of the International Commission are at their disposal.

#### ARTICLE 4

The two High Contracting Parties shall have a right, each on its own part, to state to the President of the Commission what is the subject-matter of

<sup>3</sup> TS 536, *ante*, vol. 1, p. 593.

<sup>4</sup> For an extension of time for organization of commission, see agreement of Nov. 16, 1915 (TS 607-A), *post*, p. 744.

<sup>5</sup> For an understanding relating to the last paragraph of art. 2, see agreement of June 30, 1939 (EAS 154), *post*, p. 821.

the controversy. No difference in these statements, which shall be furnished by way of suggestion, shall arrest the action of the Commission.

In case the cause of the dispute should consist of certain acts already committed or about to be committed, the Commission shall as soon as possible indicate what measures to preserve the rights of each party ought in its opinion to be taken provisionally and pending the delivery of its report.

#### ARTICLE 5

As regards the procedure which it is to follow, the Commission shall as far as possible be guided by the provisions contained in articles 9 to 36 of Convention 1 of The Hague of 1907.

The High Contracting Parties agree to afford the Commission all means and all necessary facilities for its investigation and report.

The work of the Commission shall be completed within one year from the date on which it has taken jurisdiction of the case, unless the High Contracting Parties should agree to set a different period.

The conclusion of the Commission and the terms of its report shall be adopted by a majority. The report, signed only by the President acting by virtue of his office, shall be transmitted by him to each of the Contracting Parties.

The High Contracting Parties reserve full liberty as to the action to be taken on the report of the Commission.

#### ARTICLE 6

The present treaty shall be ratified by the President of the United States of America, upon his being authorized thereto by the American Senate, and by His Majesty the King of Sweden.

The ratifications shall be exchanged at Washington as soon as possible and the treaty shall go into force on the day of the exchange of ratifications.

Its duration shall be five years counted from the exchange of ratifications.

Unless denounced six months at least before the expiration of the said period it shall continue by tacit renewal for another period of five years and so on in periods of five years unless denounced.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done at Washington this 13th day of October, in the year nineteen hundred and fourteen.

WILLIAM JENNINGS BRYAN [SEAL]

W. A. F. EKENGREN [SEAL]