

INSULAR POSSESSIONS AND DOMINIONS IN THE PACIFIC (FOUR-POWER TREATY)

Treaty and declaration signed at Washington December 13, 1921

*Senate advice and consent to ratification, with a reservation and understanding, March 24, 1922*¹

*Ratified by the President of the United States, with a reservation and understanding, June 9, 1923*¹

Procès-verbal of deposit of ratifications (including that of the United States) at Washington dated August 17, 1923

Entered into force August 17, 1923

Proclaimed by the President of the United States August 21, 1923

*Supplemented by agreement of February 6, 1922*²

43 Stat. 1646; Treaty Series 669

The United States of America, the British Empire, France and Japan,
With a view to the preservation of the general peace and the maintenance
of their rights in relation to their insular possessions and insular dominions in
the region of the Pacific Ocean,

Have determined to conclude a Treaty to this effect and have appointed as
their Plenipotentiaries:

The President of the United States of America:

Charles Evans Hughes,

Henry Cabot Lodge,

Oscar W. Underwood and Elihu Root,

citizens of the United States;

His Majesty the King of the United Kingdom of Great Britain and Ireland
and of the British Dominions beyond the Seas, Emperor of India:

The Right Honourable Arthur James Balfour, O.M., M.P., Lord Presi-
dent of His Privy Council:

The Right Honourable Baron Lee of Fareham, G.B.E., K.C.B., First
Lord of His Admiralty;

¹ The U.S. reservation and understanding reads as follows: "The United States understands that under the statement in the preamble and under the terms of this treaty there is no commitment to armed force, no alliance, no obligation to join in any defense."

² TS 670, *post*, p. 372.

The Right Honourable Sir Auckland Campbell Geddes, K.C.B., His Ambassador Extraordinary and Plenipotentiary to the United States of America;

and

for the Dominion of Canada:

The Right Honourable Robert Laird Borden, G.C.M.G., K.C.;

for the Commonwealth of Australia:

The Honourable George Foster Pearce, Minister of Defence;

for the Dominion of New Zealand:

Sir John William Salmond, K. C., Judge of the Supreme Court of New Zealand;

for the Union of South Africa:

The Right Honourable Arthur James Balfour, O.M., M.P.;

for India:

The Right Honourable Valingman Sankaranarayana Srinivasa Sastri, Member of the Indian Council of State;

The President of the French Republic:

Mr. René Viviani, Deputy, Former President of the Council of Ministers;

Mr. Albert Sarraut, Deputy, Minister of the Colonies;

Mr. Jules J. Jusserand, Ambassador Extraordinary and Plenipotentiary to the United States of America, Grand Cross of the National Order of the Legion of Honour;

His Majesty the Emperor of Japan:

Baron Tomosaburo Kato, Minister for the Navy, Junii, a member of the First Class of the Imperial Order of the Grand Cordon of the Rising Sun with the Paulownia Flower;

Baron Kijuro Shidehara, His Ambassador Extraordinary and Plenipotentiary at Washington, Joshii, a member of the First Class of the Imperial Order of the Rising Sun;

Prince Iyesato Tokugawa, Junii, a member of the First Class of the Imperial Order of the Rising Sun;

Mr. Masanao Hanihara, Vice-Minister for Foreign Affairs, Jushii, a member of the Second Class of the Imperial Order of the Rising Sun;

Who, having communicated their Full Powers, found in good and due form, have agreed as follows:

I

The High Contracting Parties agree as between themselves to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.

If there should develop between any of the High Contracting Parties a controversy arising out of any Pacific question and involving their said rights

which is not satisfactorily settled by diplomacy and is likely to affect the harmonious accord now happily subsisting between them, they shall invite the other High Contracting Parties to a joint conference to which the whole subject will be referred for consideration and adjustment.

II

If the said rights are threatened by the aggressive action of any other Power, the High Contracting Parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

III

This Treaty shall remain in force for ten years from the time it shall take effect, and after the expiration of said period it shall continue to be in force subject to the right of any of the High Contracting Parties to terminate it upon twelve months' notice.

IV

This Treaty shall be ratified as soon as possible in accordance with the constitutional methods of the High Contracting Parties and shall take effect on the deposit of ratifications, which shall take place at Washington, and thereupon the agreement between Great Britain and Japan, which was concluded at London on July 13, 1911, shall terminate. The Government of the United States will transmit to all the Signatory Powers a certified copy of the process-verbal of the deposit of ratifications.

The present Treaty, in French and in English, shall remain deposited in the Archives of the Government of the United States, and duly certified copies thereof will be transmitted by that Government to each of the Signatory Powers.

In faith whereof the above named Plenipotentiaries have signed the present Treaty.

Done at the City of Washington, the thirteenth day of December, One Thousand Nine Hundred and Twenty-One.

[For the United States:]

CHARLES EVANS HUGHES [SEAL]
HENRY CABOT LODGE [SEAL]
OSCAR W. UNDERWOOD [SEAL]
ELIHU ROOT [SEAL]

[For the United Kingdom:]

ARTHUR JAMES BALFOUR [SEAL]
LEE OF FAREHAM [SEAL]
A. C. GEDDES [SEAL]

[For the Dominion of Canada:]

R. L. BORDEN [SEAL]

[For the Commonwealth of Australia:]

G. F. PEARCE [SEAL]

[For the Dominion of New Zealand:]

JOHN W. SALMOND [SEAL]

[For the Union of South Africa:]

ARTHUR JAMES BALFOUR [SEAL]

[For India:]

V. S. SRINIVASA SASTRI [SEAL]

[For France:]		[For Japan:]	
RENÉ VIVIANI	[SEAL]	T. KATO	[SEAL]
A. SARRAUT	[SEAL]	K. SHIDEHARA	[SEAL]
JUSSERAND	[SEAL]	TOKUGAWA IYESATO	[SEAL]
		M. HANIHARA	[SEAL]

Declaration

In signing the Treaty this day between The United States of America, The British Empire, France and Japan, it is declared to be the understanding and intent of the Signatory Powers:

1. That the Treaty shall apply to the Mandated Islands in the Pacific Ocean; provided, however, that the making of the Treaty shall not be deemed to be an assent on the part of The United States of America to the mandates and shall not preclude agreements between The United States of America and the Mandatory Powers respectively in relation to the mandated islands.

2. That the controversies to which the second paragraph of Article I refers shall not be taken to embrace questions which according to principles of international law lie exclusively within the domestic jurisdiction of the respective Powers.

Washington, D.C., December 13, 1921.

CHARLES EVANS HUGHES
HENRY CABOT LODGE
OSCAR W. UNDERWOOD
ELIHU ROOT
ARTHUR JAMES BALFOUR
LEE OF FAREHAM
A. C. GEDDES
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M. HANIHARA

[The following note was delivered by the American Minister at The Hague to the Netherlands Minister for Foreign Affairs on February 4, 1922:

“The United States of America have concluded on December 13, 1921, with the British Empire, France, and Japan, a treaty with a view to the preservation of the general peace and the maintenance of their rights in relation to their insular possessions and the insular dominions in the region of the Pacific Ocean. They have agreed thereby as between themselves to respect their rights in relation to these possessions and dominions.

“The Netherlands not being signatory to the said treaty and the Netherlands possessions in the region of the Pacific Ocean therefore not being included in the agreement referred to, the Government of the United States of America, anxious to forestall any conclusion contrary to the spirit of the treaty, desires to declare that it is firmly resolved to respect the rights of the Netherlands in relation to their insular possessions in the region of the Pacific Ocean.”

An identical note, *mutatis mutandis*, was delivered by the American Minister at Lisbon to the Portuguese Minister for Foreign Affairs on the same date. The Ministers of the other three governments parties to the treaty of December 13, 1921 (British, French, and Japanese), also delivered identical notes, *mutatis mutandis*, to the Netherlands and Portuguese governments. (Department of State files: telegram no. 3 of Feb. 3, 1922, to American Minister to the Netherlands and despatch no. 862 of Feb. 13, 1922, from the American Minister at The Hague; telegram no. 9 of Feb. 3, 1922, to the American Minister to Portugal and despatch no. 853 of Feb. 13, 1922, from the American Minister at Lisbon; S. Doc. 128, 67th Cong., 2d sess.)]