

ARBITRATION

Treaty signed at Luxembourg April 6, 1929

Senate advice and consent to ratification May 22, 1929

Ratified by the President of the United States May 28, 1929

Ratified by Luxembourg August 30, 1930

Ratifications exchanged at Luxembourg September 2, 1930

Entered into force September 2, 1930

Proclaimed by the President of the United States September 8, 1930

46 Stat. 2809; Treaty Series 825

TREATY OF ARBITRATION

THE PRESIDENT OF THE UNITED STATES OF AMERICA

and

HER ROYAL HIGHNESS THE GRAND DUCHESS OF LUXEMBURG,

Determined to prevent so far as in their power lies any interruption in the peaceful relations now happily existing between the two nations;

Desirous of reaffirming their adherence to the policy of submitting to impartial decision all justiciable controversies that may arise between them; and

Eager by their example not only to demonstrate their condemnation of war as an instrument of national policy in their mutual relations, but also to hasten the time when the perfection of international arrangements for the pacific settlement of international disputes shall have eliminated forever the possibility of war among any of the Powers of the world;

Have decided to conclude a treaty of arbitration and for that purpose they have appointed as their respective Plenipotentiaries:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

Mr. Edward Lyndal Reed, Chargé d'Affaires a. i. of the United States of America,

HER ROYAL HIGHNESS THE GRAND DUCHESS OF LUXEMBURG

Mr. Joseph Bech, Minister of State and President of Government,

Who, having communicated to one another their full powers found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE 1

All differences relating to international matters in which the High Contracting Parties are concerned by virtue of a claim of right made by one against the other under treaty or otherwise, which it has not been possible to adjust by diplomacy, which have not been adjusted as a result of reference to an appropriate commission of conciliation, and which are justiciable in their nature by reason of being susceptible of decision by the application of the principles of law or equity, shall be submitted to the Permanent Court of Arbitration established at the Hague by the Convention of October 18, 1907,¹ or to some other competent tribunal, as shall be decided in each case by special agreement, which special agreement shall provide, if necessary, for the organisation of such tribunal, shall define its powers, shall state the question or questions at issue, and shall settle the terms of reference.

The special agreement in each case shall be made on the part of the United States of America by the President of the United States of America by and with the advice and consent of the Senate thereof, and on the part of Luxemburg in accordance with its constitutional law.

ARTICLE 2

The provisions of this treaty shall not be invoked in respect of any dispute the subject matter of which

- a) is within the domestic jurisdiction of either of the High Contracting Parties,
- b) involves the interests of third Parties,
- c) depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, commonly described as the Monroe Doctrine,
- d) depends upon or involves Luxemburg's policy of neutrality,
- e) depends upon or involves the observance of the obligations of Luxemburg in accordance with the Covenant of the League of Nations.²

ARTICLE 3

The present treaty shall be ratified by the President of the United States of America by and with the advice and consent of the Senate thereof and by Her Royal Highness the Grand Duchess of Luxemburg in accordance with the constitutional law of Luxemburg.

The ratifications shall be exchanged at Luxemburg as soon as possible, and the treaty shall take effect on the date of the exchange of ratifications. It shall thereafter remain in force continuously unless and until terminated by one year's written notice given by either High Contracting Party to the other.

¹ TS 536, *ante*, vol. 1, p. 577.

² *Ante*, vol. 2, p. 48.

In faith whereof the respective Plenipotentiaries have signed this treaty in duplicate in the English and French languages, both texts having equal force, and hereunto affix their seals.

Done at Luxemburg, in duplicate, this sixth day of April one thousand nine hundred and twenty-nine.

EDWARD LYNDAL REED [SEAL]

BECH [SEAL]