

## ARBITRATION

*Convention and exchange of notes signed at Washington June 24, 1924*

*Senate advice and consent to ratification January 10, 1925*

*Ratified by Sweden January 16, 1925*

*Ratified by the President of the United States January 17, 1925*

*Ratifications exchanged at Washington March 18, 1925*

*Entered into force March 18, 1925*

*Proclaimed by the President of the United States March 18, 1925*

*Superseded April 15, 1929, by treaty of October 27, 1928<sup>1</sup>*

44 Stat. 1993; Treaty Series 708

### CONVENTION

The Government of the United States of America and the Government of His Majesty the King of Sweden desiring, in pursuance of the principles set forth in Articles XXXVII–XL [37–40] of the Convention for the Pacific Settlement of International Disputes signed at The Hague October 18, 1907,<sup>2</sup> to enter into negotiations for the conclusion of an Arbitration Convention have named as their Plenipotentiaries, to wit:

The President of the United States of America: Charles Evans Hughes, Secretary of State of the United States; and

His Majesty the King of Sweden: Captain Axel F. Wallenberg, His Envoy Extraordinary and Minister Plenipotentiary at Washington;

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

### ARTICLE I

Differences which may arise of a legal nature or relating to the interpretation of treaties existing between the Contracting Parties and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Conventions of July 29, 1899,<sup>3</sup> and October 18, 1907, provided, nevertheless, that they do

<sup>1</sup> TS 783, *post*, p. 760.

<sup>2</sup> TS 536, *ante*, vol. 1, p. 591.

<sup>3</sup> TS 392, *ante*, vol. 1, p. 230.

not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third Parties.

#### ARTICLE II

In each individual case the Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that on the part of the United States such special agreements will be made by the President of the United States, by and with the advice and consent of the Senate thereof, and on the part of Sweden by the King in such forms and conditions as he may find requisite or appropriate.

#### ARTICLE III

The present Convention shall be ratified by the Contracting Parties. The ratifications shall be exchanged at Washington as soon as possible, and the Convention shall take effect on the date of the exchange of ratifications.

#### ARTICLE IV

The present Convention is concluded for a term of five years, dating from the exchange of ratifications. In case neither Contracting Party should give notice, six months before the expiration of that period of its intention to terminate the Convention, it will continue binding until the expiration of six months from the day when either Contracting Party shall have denounced it.

Done in duplicate at the city of Washington, in the English and French languages, this twenty-fourth day of June, one thousand nine hundred and twenty-four.

|                      |        |
|----------------------|--------|
| CHARLES EVANS HUGHES | [SEAL] |
| AX. WALLENBERG       | [SEAL] |

#### EXCHANGE OF NOTES

*The Secretary of State to the Swedish Minister*

WASHINGTON, *June 24, 1924*

SIR:

In connection with the signing today of a Convention of Arbitration between the United States and Sweden, providing for the submission of differences of certain classes which may arise between the two Governments to the Permanent Court of Arbitration established at The Hague under the Conventions for the Pacific Settlement of International Disputes concluded in 1899 and 1907, I have the honor to state the following understanding which I shall be glad to have you confirm on behalf of your Government.

On February 24, 1923, the President proposed to the Senate that it consent under certain stated conditions to the adhesion by the United States to the Protocol of December 16, 1920, under which the Permanent Court of International Justice was created at The Hague. In the event that the Senate gives its assent to the proposal, I understand that the Government of Sweden will not be averse to considering a modification of the Convention of Arbitration which we are concluding, or the making of a separate agreement, under which the disputes mentioned in the Convention could be referred to the Permanent Court of International Justice.

Accept, Sir, the renewed assurances of my highest consideration.

CHARLES E. HUGHES

Captain AXEL F. WALLENBERG  
*Minister of Sweden*

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*The Swedish Minister to the Secretary of State*

WASHINGTON, D.C., June 24, 1924

SIR,

I have the honor to acknowledge the receipt of Your note of today's date, in which you were so good as to inform me, in connection with the signing of a convention of arbitration between Sweden and the United States, that the President of the United States had proposed to the Senate the adherence of the United States, under certain conditions, to the protocol of the 16th of December, 1920, creating the Permanent Court of International Justice at The Hague, and that, if the Senate assents to this proposal, you understand that the Royal Swedish Government would not be averse to considering a modification of the Convention of Arbitration which we are concluding, or the making of a separate agreement, under which the disputes mentioned in the Convention could be referred to the Permanent Court of International Justice.

Under instructions from the Swedish Minister of Foreign Affairs I have the honor to confirm your understanding of my Government's attitude on this point and to state that if the Senate approve the President's proposal, my Government will not be averse to considering a modification of the Convention of Arbitration which we are concluding, or the making of a separate agreement, under which the disputes mentioned in the Convention could be referred to the Permanent Court of International Justice.

With renewed assurances of my highest consideration, I have the honor to remain Your most obedient servant,

AX. WALLENBERG

HON. CHARLES EVANS HUGHES  
*Secretary of State*  
*etc. etc. etc.*