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Chapter 1 : Treaties | Public International Law

b general treaty of inter-american arbitration adopted at: washington, d.c., united states date: 01/05/29 conf/assem/meeting: international conference of american states on conciliation and arbitration, entry into force: 10/28/29 in accordance with article 9 of the treaty.

If the parties are not in agreement as to whether the controversy concerns a matter of domestic jurisdiction, this preliminary question shall be submitted to decision by the International Court of Justice, at the request of any of the parties. ARTICLE VI The aforesaid procedures, furthermore, may not be applied to matters already settled by arrangements between the parties, or by arbitral award or by decision of an international court, or which are governed by agreements or treaties in force on the date of the conclusion of the present Treaty. ARTICLE VII The High Contracting Parties bind themselves not to make diplomatic representations in order to protect their nationals, or to refer a controversy to a court of international jurisdiction for that purpose, when the said nationals have had available the means to place their case before competent domestic courts of the respective state. ARTICLE VIII Neither recourse to pacific means for the solution of controversies, nor the recommendations of their use, shall, in the case of an armed attack, be ground for delaying the exercise of the right of individual or collective self-defense, as provided for in the Charter of the united Nations. ARTICLE X Once the parties have been brought together and have resumed direct negotiations, no further action is to be taken by the states or citizens that have offered their good offices or have accepted an invitation to offer them; they may, however, by agreement between the parties be present at the negotiations. ARTICLE XI The procedure of mediation consists in the submission of the controversy to one or more American Governments not parties to the controversy, or to one or more eminent citizens of any American State not a party to the controversy. In either case the mediator or mediators shall be chosen by mutual agreement between the parties. ARTICLE XII The functions of the mediator or mediators shall be to assist the parties in the settlement of controversies in the simplest and most direct manner, avoiding formalities and seeking an acceptable solution. No report shall be made by the mediator and, so far as he is concerned, the proceedings shall be wholly confidential. ARTICLE XIII In the event that the High Contracting Parties have agreed to the procedure of mediation but are unable to reach an agreement within two months on the selection of the mediator or mediators, or no solution to the controversy has been reached within five months after mediation has begun, the parties shall have recourse without delay to any one of the other procedures of peaceful settlement established in the present Treaty. The High Contracting Parties may offer their mediation, either individually or jointly. The Council for its part shall take immediate steps to convoke it. Once the request to convoke the Commission has been received, the controversy between the parties shall immediately be suspended, and the parties shall refrain from any act that might make conciliation more difficult. The fifth member who shall perform the functions of chairman, shall be selected immediately by common agreement of the members thus appointed. Any one of the contracting parties may remove members whom it has appointed, whether nationals or aliens; at the same time it shall appoint the successor. If this is not done, the removal shall be considered as not having been made. The appointments and substitutions shall be registered with the Pan American Union, which shall endeavor to ensure that the commissions maintain their full complement of five members. The person so elected shall perform the duties of chairman of the Commission. Thereafter the Commission may determine the place or places in which it is to function, taking into account the best facilities for the performance of its work. If they have different interests they shall be entitled to increase the number of conciliators in order that all parties may have equal representation. The chairman shall be elected in the manner set forth in Article XIX. The Commission shall institute such investigations of the facts involved in the controversy as it may deem necessary for the purpose of proposing acceptable bases of settlement. ARTICLE XXIII It shall be the duty of the parties to facilitate the work of the Commission and to supply it, to the fullest extent possible, with all useful documents and information, and also to use the means at their

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disposal to enable the Commission to summon and hear witnesses or experts and perform other tasks in the territories of the parties, in conformity with their laws. The parties and the Commission may use the services of technical advisers and experts.

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Chapter 2 : The Avalon Project : American Treaty on Pacific Settlement (Pact of Bogota); April 30,

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Graydon, William Acta Regia: Rapin has Grounded His History of England 4 v. Hett, ; Title varies: Volumes , as Acta Regia: Air Laws and Treaties of the World Vols. The Origins of the Franco-Soviet Pact 1v. Proposing an amendment to the Constitution of the United States relative to the making of treaties. March 8, November 29 and 30, December 1 and 2, Washington: Off, American Diplomatic Code 2 v. Princeton University Press, Kreider, Carl 1 v. Arbitration Treaties among the American Nations: To the Close of the Year 1 v. Japan, Korea, China, Philippine Islands 1v. Basic Documents of International Relations 1 v. Kennikat Press, Hartmann, Frederick H. Francis Tracy Tobin, Attorney for Claimant 1 v. The United States, No. Including the Reports of the Bering Sea Commission 1 v. Printed for the Lenox Club, Division of Legal Affairs, Dept. A Commemoration of the th Anniversary of the Treaty of Paris 1v. Blueprint for the Peace Race: Government Printing Office, Department of State China and World Peace: Studies in Chinese International Relations 1v. Revell Co, Bau, Mingchien J. China at the Conference: A Report 1 v. Chino-Japanese Treaties of May 25, 1v. Revell Co, Wood, G. Durand, Calvo, Carlos 1v. San Jose de Costa Rica: Noboa, Noboa, Aurelio 1v. Oxford University Press, April 10, 1 v. April 21, 1 v. Cobbett and Morgan, Martens, G. Prepared under Act of July 7, 1 v. Off, United States. Off, Compulsory Arbitration of International Disputes 1v. Off, Conference on the Limitation of Armament 1 v. Washington, November 12, 1 v. February 6, 1 v. Praeger, Lee, Luke T. The New Werner Company, Continental Watershed in the Face of the Treaty of 1 v. Off, Bray, Wayne D. Law and treaty series, no. Systematische Zusammenstellung der Texte der Friedensvertrage, 1v. Off, Great Britain. Guthrie, J Guthrie, William D. Husband, Defeated Victory 1v. Signed at Paris, the 3d of September, 1v. Brooke, Department of State Bulletin Vols. Fish and Wildlife Service 1v. Treaties, and Kindred Subjects Vol. Wells and Lilly, Diplomatic Code of the United States of America: Off, Diplomatic History of America: Its First Chapter, 1v. Disabilities of American Women Married Abroad: University of Missouri, Hill, Chesney Vol. Compacts, Treaties, and Adjudications 1v. Librairie du Recueil Sirey, Matsudaira, K.

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Chapter 3 : Organization of American States | UIA Yearbook Profile | Union of International Associations

General Treaty of Inter-American Arbitration and Additional Protocol of Progressive Arbitration, of January 5, ; Additional Protocol to the General Convention of Inter-American Conciliation, of December 26, ;

Chapter one - General obligation to settle disputes by pacific means Article I The High Contracting Parties, solemnly reaffirming their commitments made in earlier international conventions and declarations, as well as in the Charter of the United Nations, agree to refrain from the threat or the use of force, or from any other means of coercion for the settlement of their controversies, and to have recourse at all times to pacific procedures. Article II The High Contracting Parties recognize the obligation to settle international controversies by regional procedures before referring them to the Security Council of the United Nations. Consequently, in the event that a controversy arises between two or more signatory states which, in the opinion of the parties, cannot be settled by direct negotiations through the usual diplomatic channels, the parties bind themselves to use the procedures established in the present Treaty, in the manner and under the conditions provided for in the following articles, or, alternatively, such special procedures as, in their opinion, will permit them to arrive at a solution. Article III The order of the pacific procedures established in the present Treaty does not signify that the parties may not have recourse to the procedure which they consider most appropriate in each case, or that they should use all these procedures, or that any of them have preference over others except as expressly provided. Article IV Once any pacific procedure has been initiated, whether by agreement between the parties or in fulfillment of the present Treaty or a previous pact, no other procedure may be commenced until that procedure is concluded. Article V The aforesaid procedures may not be applied to matters which, by their nature, are within the domestic jurisdiction of the state. If the parties are not in agreement as to whether the controversy concerns a matter of domestic jurisdiction, this preliminary question shall be submitted to decision by the International Court of Justice, at the request of any of the parties. Article VI The aforesaid procedures, furthermore, may not be applied to matters already settled by arrangement between the parties, or by arbitral award or by decision of an international court, or which are governed by agreements or treaties in force on the date of the conclusion of the present Treaty. Article VII The High Contracting Parties bind themselves not to make diplomatic representations in order to protect their nationals, or to refer a controversy to a court of international jurisdiction for that purpose, when the said nationals have had available the means to place their case before competent domestic courts of the respective state. Article VIII Neither recourse to pacific means for the solution of controversies, nor the recommendation of their use, shall, in the case of an armed attack, be ground for delaying the exercise of the right of individual or collective self-defense, as provided for in the Charter of the United Nations. Chapter two - Procedures of good offices and mediation Article IX The procedure of good offices consists in the attempt by one or more American Governments not parties to the controversy, or by one or more eminent citizens of any American State which is not a party to the controversy, to bring the parties together, so as to make it possible for them to reach an adequate solution between themselves. Article X Once the parties have been brought together and have resumed direct negotiations, no further action is to be taken by the states or citizens that have offered their good offices or have accepted an invitation to offer them; they may, however, by agreement between the parties, be present at the negotiations. Article XI The procedure of mediation consists in the submission of the controversy to one or more American Governments not parties to the controversy, or to one or more eminent citizens of any American State not a party to the controversy. In either case the mediator or mediators shall be chosen by mutual agreement between the parties. Article XII The functions of the mediator or mediators shall be to assist the parties in the settlement of controversies in the simplest and most direct manner, avoiding formalities and seeking an acceptable solution. No report shall be made by the mediator and, so far as he is concerned, the proceedings shall be wholly confidential. Article XIII In the event that the High Contracting Parties have agreed to the procedure of mediation but are unable to reach an agreement within two months on

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the selection of, the mediator or mediators, or no solution to the controversy has been reached within five months after mediation has begun, the parties shall have recourse without delay to any one of the other procedures of peaceful settlement established in the present Treaty. Article XIV The High Contracting Parties may offer their mediation, either individually or jointly, but they agree not to do so while the controversy is in process of settlement by any of the other procedures established in the present Treaty. Chapter three - Procedure of investigation and conciliation Article XV The procedure of investigation and conciliation consists in the submission of the controversy to a Commission of Investigation and Conciliation, which shall be established in accordance with the provisions established in subsequent articles of the present Treaty, and which shall function within the limitations prescribed therein. Article XVI The party initiating the procedure of investigation and conciliation shall request the Council of the Organization of American States to convoke the Commission of Investigation and Conciliation. The Council for its part shall take immediate steps to convoke it. Once the request to convoke the Commission has been received, the controversy between the parties shall immediately be suspended, and the parties shall refrain from any act that might make conciliation more difficult. To that end, at the request of one of the parties, the Council of the Organization of American States may, pending the convocation of the Commission, make appropriate recommendations to the parties. Article XVII Each of the High Contracting Parties may appoint, by means of a bilateral agreement consisting of a simple exchange of notes with each of the other signatories, two members of the Commission of Investigation and Conciliation, only one of whom may be of its own nationality. The fifth member, who shall perform the functions of chairman, shall be selected immediately by common agreement of the members thus appointed. Any one of the contracting parties may remove members whom it has appointed, whether nationals or aliens; at the same time it shall appoint the successor. If this is not done, the removal shall be considered as not having been made. The appointments and substitutions shall be registered with the Pan American Union, which shall endeavor to ensure that the commissions maintain their full complement of five members. Each of the High Contracting Parties shall appoint, for three year periods, two of their nationals who enjoy the highest reputation for fairness, competence and integrity; b. The Pan American Union shall request of the candidates notice of their formal acceptance, and it shall place on the panel of conciliators the names of the persons who so notify it; c. The governments may, at any time, fill vacancies occurring among their appointees; and they may reappoint their members. Each party shall designate two members from the permanent panel of American conciliators, who are not of the same nationality as the appointing party. These four members shall in turn choose a fifth member, from the permanent panel, not of the nationality of either party. If, within a period of thirty days following the notification of their selection, the four members are unable to agree upon a fifth member, they shall each separately list the conciliators composing the permanent panel, in order of their preference, and upon comparison of the lists so prepared, the one who first receives a majority of votes shall be declared elected. The person so elected shall perform the duties of chairman of the Commission. Thereafter, the Commission may determine the place or places in which it is to function, taking into account the best facilities for the performance of its work. Article XXI When more than two states are involved in the same controversy, the states that hold similar points of view shall be considered as a single party. If they have different interests they shall be entitled to increase the number of conciliators in order that all parties may have equal representation. The chairman shall be elected in the manner set forth in Article XIX. Article XXII It shall be the duty of the Commission of Investigation and Conciliation to clarify the points in dispute between the parties and to endeavor to bring about an agreement between them upon mutually acceptable terms. The Commission shall institute such investigations of the facts involved in the controversy as it may deem necessary for the purpose of proposing acceptable bases of settlement. Article XXIII It shall be the duty of the parties to facilitate the work of the Commission and to supply it, to the fullest extent possible, with all useful documents and information, and also to use the means at their disposal to enable the Commission to summon and hear witnesses or experts and perform other tasks in the territories of the parties, in conformity with their laws. Article XXIV During the proceedings before the Commission, the parties shall be represented by

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plenipotentiary delegates or by agents, who shall serve as intermediaries between them and the Commission. The parties and the Commission may use the services of technical advisers and experts. Article XXV The Commission shall conclude its work within a period of six months from the date of its installation; but the parties may, by mutual agreement, extend the period. Article XXVI If, in the opinion of the parties, the controversy relates exclusively to questions of fact, the Commission shall limit itself to investigating such questions, and shall conclude its activities with an appropriate report. Article XXVII If an agreement is reached by conciliation, the final report of the Commission shall be limited to the text of the agreement and shall be published after its transmittal to the parties, unless the parties decide otherwise. If no agreement is reached, the final report shall contain a summary of the work of the Commission; it shall be delivered to the parties, and shall be published after the expiration of six months unless the parties decide otherwise. In both cases, the final report shall be adopted by a majority vote. Article XXVIII The reports and conclusions of the Commission of Investigation and Conciliation shall not be binding upon the parties, either with respect to the statement of facts or in regard to questions of law, and they shall have no other character than that of recommendations submitted for the consideration of the parties in order to facilitate a friendly settlement of the controversy. These minutes shall not be published unless the parties so decide. Article XXX Each member of the Commission shall receive financial remuneration, the amount of which shall be fixed by agreement between the parties. If the parties do not agree thereon, Each government shall pay its own expenses and an equal share of the common expenses of the Commission, including the aforementioned remunerations.

Chapter four - Judicial procedure Article XXXI In conformity with Article 36, paragraph 2, of the Statute of the International Court of Justice, the High Contracting Parties declare that they recognize, in relation to any other American State, the jurisdiction of the Court as compulsory ipso facto, without the necessity of any special agreement so long as the present Treaty is in force, in all disputes of a juridical nature that arise among them concerning: The interpretation of a treaty; b. Any question of international law; c. The existence of any fact which, if established, would constitute the breach of an international obligation; d. The nature or extent of the reparation to be made for the breach of an international obligation. Article XXXII When the conciliation procedure previously established in the present Treaty or by agreement of the parties does not lead to a solution, and the said parties have not agreed upon an arbitral procedure, either of them shall be entitled to have recourse to the International Court of Justice in the manner prescribed in Article 40 of the Statute thereof. The Court shall have compulsory jurisdiction in accordance with Article 36, paragraph 1, of the said Statute. Article XXXV If the Court for any other reason declares itself to be without jurisdiction to hear and adjudge the controversy, the High Contracting Parties obligate themselves to submit it to arbitration, in accordance with the provisions of Chapter Five of this Treaty. Article XXXVI In the case of controversies submitted to the judicial procedure to which this Treaty refers, the decision shall devolve upon the full Court, or, if the parties so request, upon a special chamber in conformity with Article 26 of the Statute of the Court. The parties may agree, moreover, to have the controversy decided ex aequo et bono.

Chapter five - Procedure of arbitration Article XXXVIII Notwithstanding the provisions of Chapter Four of this Treaty, the High Contracting Parties may, if they so agree, submit to arbitration differences of any kind, whether juridical or not, that have arisen or may arise in the future between them. Within a period of two months after notification of the decision of the Court in the case provided for in Article XXXV, each party shall name one arbiters of recognized competence in questions of international law and of the highest integrity, and shall transmit the designation to the Council of the Organization. At the same time, each party shall present to the Council a list of ten jurists chosen from among those on the general panel of members of the Permanent Court of Arbitration of The Hague who do not belong to its national group and who are willing to be members of the Arbitral Tribunal. The Council of the Organization shall, within the month following the presentation of the lists, proceed to establish the Arbitral Tribunal in the following manner: The choice shall devolve upon a jurist on the aforesaid general panel of the Permanent Court of Arbitration of The Hague who has not been included in the lists drawn up by the parties; e If the lists contain only one name in common, that person shall be a

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member of the Tribunal, and another name shall be chosen by lot from among the eighteen jurists remaining on the above-mentioned lists. The presiding officer shall be elected in accordance with the procedure established in the preceding clause; f If the lists contain no names in common, one arbiter shall be chosen by lot from each of the lists; and the fifth arbiter, who shall act as presiding officer, shall be chosen in the manner previously indicated; g If the four arbiters cannot agree upon a fifth arbiter within one month after the Council of the Organization has notified them of their appointment, each of them shall separately arrange the list of jurists in the order of their preference and, after comparison of the lists so formed, the person who first obtains a majority vote shall be declared elected. Article XLI The parties may by mutual agreement establish the Tribunal in the manner they deem most appropriate; they may even select a single arbiter, designating in such case a chief of state, an eminent jurist, or any court of justice in which the parties have mutual confidence. Article XLII When more than two states are involved in the same controversy, the states defending the same interests shall be considered as a single party. If they have opposing interests they shall have the right to increase the number of arbiters so that all parties may have equal representation. The presiding officer shall be selected by the method established in Article XL. If the special agreement cannot be drawn up within three months after the date of the installation of the Tribunal, it shall be drawn up by the International Court of Justice through summary procedure, and shall be binding upon the parties. Article XLV If one of the parties fails to designate its arbiter and present its list of candidates within the period provided for in Article XL, the other party shall have the right to request the Council of the Organization to establish the Arbitral Tribunal. It shall select a name by lot from the list presented by the petitioning party. It shall choose, by absolute majority vote, two jurists from the general panel of the Permanent Court of Arbitration of The Hague who do not belong to the national group of any of the parties. The three persons so designated, together with the one directly chosen by the petitioning party, shall select the fifth arbiter, who shall act as presiding officer, in the manner provided for in Article XL. Article XLVI The award shall be accompanied by a supporting opinion, shall be adopted by a majority vote, and shall be published. The dissenting arbiter or arbiters shall have the right to state the grounds for their dissent. The award, once it is duly handed down and made known to the parties, shall settle the controversy definitively, shall not be subject to appeal, and shall be carried out immediately. XLVII Any differences that arise in regard to the interpretation or execution of the award shall be submitted to the decision of the Arbitral Tribunal that rendered the award. Article XLVIII Within a year after notification thereof, the award shall be subject to review by the same Tribunal at the request of one of the parties, provided a previously existing fact is discovered unknown to the Tribunal and to the party requesting the review, and provided the Tribunal is of the opinion that such fact might have a decisive influence on the award. Article XLIX Every member of the Tribunal shall receive financial remuneration, the amount of which shall be fixed by agreement between the parties. If the parties do not agree on the amount, the Council of the Organization shall determine the remuneration. Each Government shall pay its own expenses and an equal share of the common expenses of the Tribunal, including the aforementioned remunerations. Chapter six - Fulfillment of decisions Article L If one of the High Contracting Parties should fail to carry out the obligations imposed upon it by a decision of the International Court. Chapter seven - Advisory opinions Article LI The parties concerned in the solution of a controversy may, by agreement, petition the General Assembly or the Security Council of the United Nations to request an advisory opinion of the International Court of Justice on any juridical question. The petition shall be made through the Council of the Organization of American States. The original instrument shall be deposited in the Pan American Union, which shall transmit an authentic certified copy to each Government for the purpose of ratification. The instruments of ratification shall be deposited in the archives of the Pan American Union, which shall notify the signatory governments of the deposit. Such notification shall be considered as an exchange of ratifications. Article LIV Any American State which is not a signatory to the present Treaty, or which has made reservations thereto, may adhere to it, or may withdraw its reservations in whole or in part, by transmitting an official instrument to the Pan American Union, which shall notify the other High Contracting Parties in the manner herein established. Should any of

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the High Contracting Parties make reservations concerning the present Treaty, such reservations shall, with respect to the state that makes them, apply to all signatory states on the basis of reciprocity. The denunciation shall be addressed to the Pan American Union, which shall transmit it to the other Contracting Parties. The denunciation shall have no effect with respect to pending procedures initiated prior to the transmission of the particular notification. Article VLIII As this Treaty comes into effect through the successive ratifications of the High Contracting Parties, the following treaties, conventions and protocols shall cease to be in force with respect to such parties: Article LIX The provisions of the foregoing Article shall not apply to procedures already initiated or agreed upon in accordance with any of the above-mentioned international instruments.

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Chapter 4 : OAS :: SLA :: Department of International Law (DIL) :: Inter-American Treaties

General convention of inter-American conciliation. Signed at Washington January 5, ; entered into force November 15, 46 Stat. ; TS ; 2 Bevans ; LNTS Additional protocol to the general convention of inter-American conciliation. Signed at Montevideo December 26, ; entered into force March 10,

The High Contracting Parties, solemnly reaffirming their commitments made in earlier international conventions and declarations, as well as in the Charter of the United Nations, agree to refrain from the threat or the use of force, or from any other means of coercion for the settlement of their controversies, and to have recourse at all times to pacific procedures. The High Contracting Parties recognize the obligation to settle international controversies by regional procedures before referring them to the Security Council of the United Nations. Consequently, in the event that a controversy arises between two or more signatory states which, in the opinion of the parties, cannot be settled by direct negotiations through the usual diplomatic channels, the parties bind themselves to use the procedures established in the present Treaty, in the manner and under the conditions provided for in the following articles, or, alternatively, such special procedures as, in their opinion, will permit them to arrive at a solution. The order of the pacific procedures established in the present Treaty does not signify that the parties may not have recourse to the procedure which they consider most appropriate in each case, or that they should use all these procedures, or that any of them have preference over others except as expressly provided. Once any pacific procedure has been initiated, whether by agreement between the parties or in fulfillment of the present Treaty or a previous pact, no other procedure may be commenced until that procedure is concluded. The aforesaid procedures may not be applied to matters which, by their nature, are within the domestic jurisdiction of the state. If the parties are not in agreement as to whether the controversy concerns a matter of domestic jurisdiction, this preliminary question shall be submitted to decision by the International Court of Justice, at the request of any of the parties. The aforesaid procedures, furthermore, may not be applied to matters already settled by arrangement between the parties, or by arbitral award or by decision of an international court, or which are governed by agreements or treaties in force on the date of the conclusion of the present Treaty. The High Contracting Parties bind themselves not to make diplomatic representations in order to protect their nationals, or to refer a controversy to a court of international jurisdiction for that purpose, when the said nationals have had available the means to place their case before competent domestic courts of the respective state. Neither recourse to pacific means for the solution of controversies, nor the recommendation of their use, shall, in the case of an armed attack, be ground for delaying the exercise of the right of individual or collective self-defense, as provided for in the Charter of the United Nations. The procedure of good offices consists in the attempt by one or more American Governments not parties to the controversy, or by one or more eminent citizens of any American State which is not a party to the controversy, to bring the parties together, so as to make it possible for them to reach an adequate solution between themselves. Once the parties have been brought together and have resumed direct negotiations, no further action is to be taken by the states or citizens that have offered their good offices or have accepted an invitation to offer them; they may, however, by agreement between the parties, be present at the negotiations. The procedure of mediation consists in the submission of the controversy to one or more American Governments not parties to the controversy, or to one or more eminent citizens of any American State not a party to the controversy. In either case the mediator or mediators shall be chosen by mutual agreement between the parties. The functions of the mediator or mediators shall be to assist the parties in the settlement of controversies in the simplest and most direct manner, avoiding formalities and seeking an acceptable solution. No report shall be made by the mediator and, so far as he is concerned, the proceedings shall be wholly confidential. In the event that the High Contracting Parties have agreed to the procedure of mediation but are unable to reach an agreement within two months on the selection of, the mediator or mediators, or no solution to the controversy has been reached within five months after mediation has begun,

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the parties shall have recourse without delay to any one of the other procedures of peaceful settlement established in the present Treaty. The High Contracting Parties may offer their mediation, either individually or jointly, but they agree not to do so while the controversy is in process of settlement by any of the other procedures established in the present Treaty. The procedure of investigation and conciliation consists in the submission of the controversy to a Commission of Investigation and Conciliation, which shall be established in accordance with the provisions established in subsequent articles of the present Treaty, and which shall function within the limitations prescribed therein. The party initiating the procedure of investigation and conciliation shall request the Council of the Organization of American States to convoke the Commission of Investigation and Conciliation. The Council for its part shall take immediate steps to convoke it. Once the request to convoke the Commission has been received, the controversy between the parties shall immediately be suspended, and the parties shall refrain from any act that might make conciliation more difficult. To that end, at the request of one of the parties, the Council of the Organization of American States may, pending the convocation of the Commission, make appropriate recommendations to the parties. Each of the High Contracting Parties may appoint, by means of a bilateral agreement consisting of a simple exchange of notes with each of the other signatories, two members of the Commission of Investigation and Conciliation, only one of whom may be of its own nationality. The fifth member, who shall perform the functions of chairman, shall be selected immediately by common agreement of the members thus appointed. Any one of the contracting parties may remove members whom it has appointed, whether nationals or aliens; at the same time it shall appoint the successor. If this is not done, the removal shall be considered as not having been made. The appointments and substitutions shall be registered with the Pan American Union, which shall endeavor to ensure that the commissions maintain their full complement of five members. Without prejudice to the provisions of the foregoing article, the Pan American Union shall draw up a permanent panel of American conciliators, to be made up as follows: In the event that a controversy should arise between two or more American States that have not appointed the Commission referred to in Article XVII, the following procedure shall be observed: The person so elected shall perform the duties of chairman of the Commission. In convening the Commission of Investigation and Conciliation, the Council of the Organization of American States shall determine the place where the Commission shall meet. Thereafter, the Commission may determine the place or places in which it is to function, taking into account the best facilities for the performance of its work. When more than two states are involved in the same controversy, the states that hold similar points of view shall be considered as a single party. If they have different interests they shall be entitled to increase the number of conciliators in order that all parties may have equal representation. The chairman shall be elected in the manner set forth in Article XIX. It shall be the duty of the Commission of Investigation and Conciliation to clarify the points in dispute between the parties and to endeavor to bring about an agreement between them upon mutually acceptable terms. The Commission shall institute such investigations of the facts involved in the controversy as it may deem necessary for the purpose of proposing acceptable bases of settlement. It shall be the duty of the parties to facilitate the work of the Commission and to supply it, to the fullest extent possible, with all useful documents and information, and also to use the means at their disposal to enable the Commission to summon and hear witnesses or experts and perform other tasks in the territories of the parties, in conformity with their laws. During the proceedings before the Commission, the parties shall be represented by plenipotentiary delegates or by agents, who shall serve as intermediaries between them and the Commission. The parties and the Commission may use the services of technical advisers and experts. The Commission shall conclude its work within a period of six months from the date of its installation; but the parties may, by mutual agreement, extend the period. If, in the opinion of the parties, the controversy relates exclusively to questions of fact, the Commission shall limit itself to investigating such questions, and shall conclude its activities with an appropriate report. If an agreement is reached by conciliation, the final report of the Commission shall be limited to the text of the agreement and shall be published after its transmittal to the parties, unless the parties decide otherwise. If no agreement is reached, the final report shall contain a

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summary of the work of the Commission; it shall be delivered to the parties, and shall be published after the expiration of six months unless the parties decide otherwise. In both cases, the final report shall be adopted by a majority vote. The reports and conclusions of the Commission of Investigation and Conciliation shall not be binding upon the parties, either with respect to the statement of facts or in regard to questions of law, and they shall have no other character than that of recommendations submitted for the consideration of the parties in order to facilitate a friendly settlement of the controversy. The Commission of Investigation and Conciliation shall transmit to each of the parties, as well as to the Pan American Union, certified copies of the minutes of its proceedings. These minutes shall not be published unless the parties so decide. Each member of the Commission shall receive financial remuneration, the amount of which shall be fixed by agreement between the parties. If the parties do not agree thereon, each government shall pay its own expenses and an equal share of the common expenses of the Commission, including the aforementioned remunerations. In conformity with Article 36, paragraph 2, of the Statute of the International Court of Justice, the High Contracting Parties declare that they recognize, in relation to any other American State, the jurisdiction of the Court as compulsory ipso facto, without the necessity of any special agreement so long as the present Treaty is in force, in all disputes of a juridical nature that arise among them concerning: When the conciliation procedure previously established in the present Treaty or by agreement of the parties does not lead to a solution, and the said parties have not agreed upon an arbitral procedure, either of them shall be entitled to have recourse to the International Court of Justice in the manner prescribed in Article 40 of the Statute thereof. The Court shall have compulsory jurisdiction in accordance with Article 36, paragraph 1, of the said Statute. If the parties fail to agree as to whether the Court has jurisdiction over the controversy, the Court itself shall first decide that question. If the Court, for the reasons set forth in Articles V, VI and VII of this Treaty, declares itself to be without jurisdiction to hear the controversy, such controversy shall be declared ended. If the Court for any other reason declares itself to be without jurisdiction to hear and adjudge the controversy, the High Contracting Parties obligate themselves to submit it to arbitration, in accordance with the provisions of Chapter Five of this Treaty. In the case of controversies submitted to the judicial procedure to which this Treaty refers, the decision shall devolve upon the full Court, or, if the parties so request, upon a special chamber in conformity with Article 26 of the Statute of the Court. The parties may agree, moreover, to have the controversy decided ex aequo et bono. The procedure to be followed by the Court shall be that established in the Statute thereof. Notwithstanding the provisions of Chapter Four of this Treaty, the High Contracting Parties may, if they so agree, submit to arbitration differences of any kind, whether juridical or not, that have arisen or may arise in the future between them. At the same time, each party shall present to the Council a list of ten jurists chosen from among those on the general panel of members of the Permanent Court of Arbitration of The Hague who do not belong to its national group and who are willing to be members of the Arbitral Tribunal. The choice shall devolve upon a jurist on the aforesaid general panel of the Permanent Court of Arbitration of The Hague who has not been included in the lists drawn up by the parties; e If the lists contain only one name in common, that person shall be a member of the Tribunal, and another name shall be chosen by lot from among the eighteen jurists remaining on the above-mentioned lists. The presiding officer shall be elected in accordance with the procedure established in the preceding clause; f If the lists contain no names in common, one arbiter shall be chosen by lot from each of the lists; and the fifth arbiter, who shall act as presiding officer, shall be chosen in the manner previously indicated; g If the four arbiters cannot agree upon a fifth arbiter within one month after the Council of the Organization has notified them of their appointment, each of them shall separately arrange the list of jurists in the order of their preference and, after comparison of the lists so formed, the person who first obtains a majority vote shall be declared elected. The parties may by mutual agreement establish the Tribunal in the manner they deem most appropriate; they may even select a single arbiter, designating in such case a chief of state, an eminent jurist, or any court of justice in which the parties have mutual confidence. When more than two states are involved in the same controversy, the states defending the same interests shall be considered as a single party. If they have opposing interests they shall

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have the right to increase the number of arbiters so that all parties may have equal representation. The presiding officer shall be selected by the method established in Article XL. The parties shall in. If the special agreement cannot be drawn up within three months after the date of the installation of the Tribunal, it shall be drawn up by the International Court of Justice through summary procedure, and shall be binding upon the parties. The parties may be represented before the Arbitral Tribunal by such persons as they may designate. If one of the parties fails to designate its arbiter and present its list of candidates within the period provided for in Article XL, the other party shall have the right to request the Council of the Organization to establish the Arbitral Tribunal. The award shall be accompanied by a supporting opinion, shall be adopted by a majority vote, and shall be published. The dissenting arbiter or arbiters shall have the right to state the grounds for their dissent. The award, once it is duly handed down and made known to the parties, shall settle the controversy definitively, shall not be subject to appeal, and shall be carried out immediately. Any differences that arise in regard to the interpretation or execution of the award shall be submitted to the decision of the Arbitral Tribunal that rendered the award. Within a year after notification thereof, the award shall be subject to review by the same Tribunal at the request of one of the parties, provided a previously existing fact is discovered unknown to the Tribunal and to the party requesting the review, and provided the Tribunal is of the opinion that such fact might have a decisive influence on the award. Every member of the Tribunal shall receive financial remuneration, the amount of which shall be fixed by agreement between the parties. If the parties do not agree on the amount, the Council of the Organization shall determine the remuneration. Each Government shall pay its own expenses and an equal share of the common expenses of the Tribunal, including the aforementioned remunerations. If one of the High Contracting Parties should fail to carry out the obligations imposed upon it by a decision of the International Court. The parties concerned in the solution of a controversy may, by agreement, petition the General Assembly or the Security Council of the United Nations to request an advisory opinion of the International Court of Justice on any juridical question. The petition shall be made through the Council of the Organization of American States. The present Treaty shall be ratified by the High Contracting Parties in accordance with their constitutional procedures. The original instrument shall be deposited in the Pan American Union, which shall transmit an authentic certified copy to each Government for the purpose of ratification. The instruments of ratification shall be deposited in the archives of the Pan American Union, which shall notify the signatory governments of the deposit. Such notification shall be considered as an exchange of ratifications. This Treaty shall come into effect between the High Contracting Parties in the order in which they deposit their respective ratifications. Any American State which is not a signatory to the present Treaty, or which has made reservations thereto, may adhere to it, or may withdraw its reservations in whole or in part, by transmitting an official instrument to the Pan American Union, which shall notify the other High Contracting Parties in the manner herein established. Should any of the High Contracting Parties make reservations concerning the present Treaty, such reservations shall, with respect to the state that makes them, apply to all signatory states on the basis of reciprocity. The denunciation shall be addressed to the Pan American Union, which shall transmit it to the other Contracting Parties. The denunciation shall have no effect with respect to pending procedures initiated prior to the transmission of the particular notification. As this Treaty comes into effect through the successive ratifications of the High Contracting Parties, the following treaties, conventions and protocols shall cease to be in force with respect to such parties: The provisions of the foregoing Article shall not apply to procedures already initiated or agreed upon in accordance with any of the above-mentioned international instruments.

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Chapter 5 : World Treaty Library

General convention of inter-American conciliation: General treaty of inter-American arbitration. Protocol of progressive arbitration. Final act.

Who, after having deposited their full powers, found in good and due form by the Conference, have agreed upon the following: Article 1 The High Contracting Parties bind themselves to submit to arbitration all differences of an international character which have arisen or may arise between them 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 and which are juridical in their nature by reason of being susceptible of decision by the application of the principles of law. There shall be considered as included among the questions of juridical character: The provisions of this treaty shall not preclude any of the Parties, before resorting to arbitration, from having recourse to procedures of investigation and conciliation established in conventions then in force between them. Article 2 There are excepted from the stipulations of this treaty the following controversies: Article 3 The arbitrator or tribunal who shall decide the controversy shall be designated by agreement of the Parties. In the absence of an agreement the following procedure shall be adopted: Each Party shall nominate two arbitrators, of whom only one may be a national of said Party or selected from the persons whom said Party has designated as members of the Permanent Court of Arbitration at The Hague. The other member may be of any other American nationality. These arbitrators shall in turn select a fifth arbitrator who shall be the president of the court. Should the arbitrators be unable to reach an agreement among themselves for the selection of a fifth American arbitrator, or in lieu thereof, of another who is not, each Party shall designate a non-American member of the Permanent Court of Arbitration at The Hague, and the two persons so designated shall select the fifth arbitrator, who may be of any nationality other than that of a Party to the dispute. Article 4 The Parties to the dispute shall formulate by common accord, in each case, a special agreement which shall clearly define the particular subject-matter of the controversy, the seat of the court, the rules which will be observed in the proceedings, and the other conditions to which the Parties may agree. If an accord has not been reached with regard to the agreement within three months reckoned from the date of the installation of the court, the agreement shall be formulated by the court. Article 6 When there are more than two States directly interested in the same controversy, and the interests of two or more of them are similar, the State or States who are on the same side of the question may increase the number of arbitrators on the court, provided that in all cases the Parties on each side of the controversy shall appoint an equal number of arbitrators. There shall also be a presiding arbitrator selected in the same manner as that provided in the last paragraph of Article 3, the Parties on each side of the controversy being regarded as a single Party for the purpose of making the designation therein described. Article 7 The award, duly pronounced and notified to the Parties, settles the dispute definitively and without appeal. Differences which arise with regard to its interpretation or execution shall be submitted to the decision of the court which rendered the award. Article 8 The reservations made by one of the High Contracting Parties shall have the effect that the other Contracting Parties are not bound with respect to the Party making the reservations except to the same extent as that expressed therein. Article 9 The present treaty shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The original treaty and the instruments of ratification shall be deposited in the Department of State of the United States of America which shall give notice of the ratifications through diplomatic channels to the other signatory Governments and the treaty shall enter into effect for the High Contracting Parties in the order that they deposit their ratifications. Any American State not a signatory of this treaty may adhere to the same by transmitting the official instrument setting forth such adherence to the Department of State of the United States of America which will notify the other High Contracting Parties thereof in the manner heretofore mentioned. In witness whereof the above mentioned Plenipotentiaries have signed this treaty in English, Spanish, Portuguese, and French and hereunto affix their respective seals. Done at the city of Washington, on

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this fifth day of January, The Delegation of Venezuela signs the present Treaty of Arbitration with the following reservations: There shall be excepted from this Treaty those matters which, according to the Constitution or the laws of Venezuela, are under the jurisdiction of its courts; and, especially, those matters relating to pecuniary claims of foreigners. In such matters, arbitration shall not be resorted to except when, legal remedies having been exhausted by the claimant, it shall appear that there has been a denial of justice. There shall also be excepted those matters controlled by international agreements now in force. Grisanti [seal] [seal] Chile does not accept obligatory arbitration for questions which have their origin in situations or acts antedating the present treaty nor does it accept obligatory arbitration for those questions which, being under the exclusive competency of the national jurisdiction, the interested parties claim the right to withdraw from the cognizance of the established judicial authorities, unless said authorities decline to pass judgment on any action or exception which any natural or juridical foreign person may present to them in the form established by the laws of the country. Planet [seal] The Delegation of Bolivia, in accordance with the doctrine and policy invariably maintained by Bolivia in the field of international jurisprudence, gives full adherence to and signs the General Treaty of Inter-American Arbitration which the Republics of America are to sanction, formulating the following express reservations: There may be excepted from the provisions of the present agreement, questions arising from acts occurring or conventions concluded before the said treaty goes into effect, as well as those which, in conformity with international law, are under the exclusive jurisdiction of the state. It is also understood that, for the submission to arbitration of a territorial controversy or dispute, the zone to which the said arbitration is to apply must be previously determined in the arbitral agreement.

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Chapter 6 : American Treaty on Pacific Settlement (Pact of Bogotá) - The Faculty of Law

General convention of inter-American conciliation General treaty of inter-American arbitration. Protocol of progressive arbitration. Final act.

It includes profiles of non-profit organizations working worldwide in all fields of activity. The information contained in the profiles and search functionality of this free service are limited. The full-featured Yearbook of International Organizations YBIO includes over 67, organization profiles, additional information in the profiles, sophisticated search functionality and data export. For more information about YBIO, please click here or contact us. The UIA is a leading provider of information about international non-profit organizations. Contact Details Available with paid subscription only. Since then, April 14 has been celebrated as Pan-American Day. It also approved a resolution leading to the founding of the Pan American Highway System. The 7th International Conference of American States, , Montevideo Uruguay , adopted the Convention on Rights and Duties of States , establishing the equality of states and the principle that no state has the right to intervene in the internal affairs of another. At the Inter-American Conference for Maintenance of Peace a special conference , Buenos Aires, conventions were adopted incorporating the principle of consultation for the pacific settlement of controversies and in the event of an international war outside America that might menace the peace of the American republics. Subsequently, 3 meetings were called to devise strategy for the defence of the Western Hemisphere during World War II: The Treaty defines the principal obligations of the signatories in the event of armed attacks against an American state or acts of aggression short of armed attack; a security zone in which the treaty is operative was drawn and the Organ of Consultation was created. The Conference also approved: The 10th Inter-American Conference, , Caracas Venezuela , changed the direction and orientation of the policies and programs of the OAS by emphasizing economic, social, and cultural development. The 8th Meeting of Consultation under the Rio Treaty , , Punta del Este Uruguay , approved a resolution excluding the Government of Cuba from participation in the inter-American system. At a Meeting of American Chiefs of State, , Punta del Este Uruguay , the Declaration of the Presidents of America was signed, spelling out the means for the American nations to intensify inter-American cooperation. At its 3rd regular session, , Washington DC, the General Assembly created a Special Committee for the purpose of restructuring the inter-American system so that it might respond adequately to changing hemisphere and world conditions. The Inter-American Convention on Extradition was approved in New Article 8 bis provides that a member whose democratically elected government has been overthrown by force may be suspended from exercising the right to participate in sessions of OAS organs. Also, the eradication of extreme poverty is incorporated among essential purposes of the Organization. It gives new impetus and approach to the promotion of cooperation in the Americas aimed at achieving integral development and eliminating extreme poverty in the Hemisphere. Under the Protocol, the Councils on Economic and Social Affairs and Education, Science and Culture are replaced by the CIDI, and other measures taken to improve the delivery of technical cooperation to the member states. Aims a To strengthen the peace and security in the hemisphere; b To promote and consolidate representative democracy, with due respect for the principle of non-intervention; c To prevent possible causes of difficulties and to ensure the pacific settlement of disputes that may arise among the member states; d To provide for common action on the part of those states in the event of aggression; e To seek the solution of political, juridical, and economic problems that may arise among them; f To promote, by cooperative action, their economic, social, and cultural development; g To achieve an effective limitation of conventional weapons that will make it possible to devote the largest amount of resources to the economic and social development of the member states. Additional purpose, approved 14 Dec To eradicate extreme poverty which constitutes an obstacle to the full democratic development of the peoples of the hemisphere. Subject to the foregoing, the American States shall cooperate fully among themselves, independently of the nature of their political, economic, and social

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systems; f The American States condemn war of aggression: Additional principle incorporated 14 Dec Future Events Available with paid subscription only. Cooperation for development is based on the groundwork of earlier OAS programs. The Resolution has so far been applied 3 times: In May , an ad hoc Meeting of Foreign Ministers again condemned the disruption of the democratic system and called for additional measures to implement the trade embargo, increase humanitarian aid and monitor the human rights situation. They charged the OAS Secretary-General to facilitate dialogue among all Haitian sectors to bring about re-establishment of institutional democracy, to seek a peaceful resolution to the crisis and to consider bringing the situation to the attention of the UN Security Council as a means of bringing about global application of the trade embargo. Apr , following decision of President Alberto Fujimori of Peru to disband Congress and rule by decree, an ad hoc Meeting of Foreign Ministers convened immediately, approved 2 resolutions calling for restoration of constitutional government and dispatched a special mission. President Fujimori attended a session of the ad hoc Meeting, May , Bahamas, when he pledged prompt return to democratic rule. An ad hoc Meeting of Foreign Ministers, 14 Dec , reaffirmed the willingness of member states to continue cooperating to strengthen democratic institutions and absolute respect for human rights in Peru, declaring it would adjourn upon installation of the Democratic Constituent Congress. This Congress was installed, 30 Dec , and OAS was invited to send observers for municipal elections scheduled on 29 Jan and for the referendum on the new Constitution in October Following that meeting the Secretary General and other members of the mission returned to Guatemala. On taking note of these facts the ad hoc Meeting was adjourned. The Unit provides technical support to member governments and prepares documents for the official FTAA Negotiating Groups providing details on the status quo of economic relationships in the region. These negotiations supersede those of OAS Special Committee on Trade SCT , set up , to promote trade liberalization and economic integration among countries of the Western hemisphere. Inter-American Program for Education also includes: Instrumental in setting up:

Chapter 7 : GENERAL TREATY OF INTER-AMERICAN ARBITRATION

arbitration (inter-american)-january5, 74Â·1 Governments and the treaty shall enter into effect for the High Contracting Parties in the order that they deposit their ratifications.