

N° 116.

**BRÉSIL ET ROYAUME-UNI
DE GRANDE BRETAGNE ET
D'IRLANDE**

Traité relatif à l'établissement d'une
Commission de Conciliation, signé
à Rio de Janeiro le 4 avril 1919.

**BRAZIL
AND UNITED KINGDOM
OF GREAT BRITAIN AND
IRELAND**

Treaty providing for the establish-
ment of a Peace Commission,
signed at Rio de Janeiro, April 4,
1919.

No. 116. — TREATY BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND BRAZIL PROVIDING FOR THE ESTABLISHMENT OF A PEACE COMMISSION, SIGNED AT RIO DE JANEIRO, APRIL 4, 1919¹.

Textes officiels anglais et portugais, communiqués par le Ministère des Affaires Étrangères de Sa Majesté Britannique et par le Ministère des Affaires Étrangères des États-Unis du Brésil. L'enregistrement de ce traité a eu lieu le 1^{er} juin 1921.

HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND OF THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA, and THE ACTING PRESIDENT OF THE REPUBLIC OF THE UNITED STATES OF BRAZIL, desirous of once more giving expression to the traditional friendship existing between the two countries, and uniting to promote the cause of civilisation by peaceful means, have resolved to enter into a special Treaty for the amicable settlement of any future difficulties which may arise between the two countries, and for that purpose have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND OF THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA : Sir Arthur Robert PEEL, K. C. M. G., his Envoy Extraordinary and Minister Plenipotentiary at Rio de Janeiro ; and

THE ACTING PRESIDENT OF THE REPUBLIC OF THE UNITED STATES OF BRAZIL: M. DOMICIO DA GAMA, Minister of State for Foreign Affairs ;

Who, being duly authorised, have agreed on the following articles :—

Article 1.

The two High Contracting Parties agree to submit to the investigation of a permanent Commission, which will give its report thereon, all difficulties of an international character which may arise between them and cannot be directly resolved by diplomatic means, and which do not fall within the terms of the Arbitration Convention in force between the two countries ; and they further agree not to declare war the one against the other, nor to commence hostilities, until the result of such investigation shall be submitted.

Article 2.

The above-mentioned Commission shall be composed of five members, each of them nominated for five years, in the following manner : Each Government shall select two members, only one of them being a national of the country nominating him. The fifth shall be chosen by mutual agreement between the two Governments, it being understood that he shall not belong to any of the nationalities already represented on the Commission.

This fifth member shall exercise the function of President.

In the event of its appearing to His Majesty's Government that the British interests affected by the dispute to be investigated are not mainly those of the United Kingdom, but are mainly

¹ Les ratifications ont été échangées à Rio de Janeiro, le 11 mars 1921.

those of some one or more of the self-governing Dominions, namely, the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, and Newfoundland. His Majesty's Government shall be at liberty to substitute as the member chosen by them to serve on the international Commission for such investigation and report, another person selected from a list of persons to be named, one for each of the self-governing Dominions, but only one shall act, namely, that one who represents the Dominion immediately interested.

The expenses of the Commission shall be paid by the two Governments in equal proportions.

The Commission shall be constituted and shall be prepared to operate within six months after the exchange of ratifications of the present Treaty.

At the end of each period of five years the members shall be reappointed or others substituted. Vacancies shall be filled according to the manner of the original appointment.

The Commission shall formulate its own rules of procedure.

Article 3.

In case the High Contracting Parties shall have failed to adjust any such question of an international nature by diplomatic methods, they shall refer it to the said Commission for investigation and report.

The Commission may be convened by either of the High Contracting Parties, and will operate preferably in the country which offers the greater facilities for examination of the question, for which purpose the High Contracting Parties shall furnish all assistance.

The report of the Commission shall be presented within one year after the date on which the Commission shall declare its investigation to have begun, unless a prorogation is agreed to by both parties.

This report, which is of a purely consultative nature and does not bind the High Contracting Parties on the subject in question, shall be prepared in triplicate, each of the Governments receiving one copy and the third being preserved in the archives of the Commission.

Article 4.

After presentation of the report to both Governments they shall have six months in which to negotiate an agreement in accordance with the Commission's report, and if, at the end of this further period, they do not succeed in coming to an understanding, they shall submit the dispute to arbitration in conformity with the terms of the Convention¹ concluded between the two High Contracting Parties on the 18th June, 1909.

Article 5.

The present Treaty shall be ratified by the two High Contracting Parties in the manner prescribed by their national constitutions, and the ratifications shall be exchanged as soon as possible. The Treaty shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years, and it shall thereafter remain in force until twelve months after one of the High Contracting Parties has given notice to the other of an intention to terminate it.

The strict and loyal fulfilment of the preceding clauses is confided to the honour of the signatory nations.

In witness thereof the respective Plenipotentiaries have signed the present Treaty, and have affixed thereunto their seals.

Done in duplicate in the English and Portuguese languages, at Rio de Janeiro, on the fourth day of April in the year nineteen hundred and nineteen.

(L. S.) ARTHUR ROBERT PEEL.

(L. S.) DOMICIO DA GAMA.

¹ British and Foreign State Papers, vol. 102, page 72.