

N° 607.

ETATS-UNIS D'AMÉRIQUE
EMPIRE BRITANNIQUE,
FRANCE ET JAPON

Traité relatif à leurs possessions et dominions insulaires dans l'Océan Pacifique et Déclaration annexée, avec une communication identique adressée aux Gouvernements des Pays-Bas et du Portugal, signé à Washington le 13 décembre 1921.

UNITED STATES OF AMERICA,
BRITISH EMPIRE,
FRANCE AND JAPAN

Treaty relating to their Insular Possessions and Insular Dominions in the Pacific Ocean, accompanying Declaration and an identic communication to the Netherlands and Portuguese Governments, signed at Washington, December 13, 1921.

No. 607. — TREATY¹ BETWEEN THE UNITED STATES OF AMERICA THE BRITISH EMPIRE, FRANCE, AND JAPAN RELATING TO THEIR INSULAR POSSESSIONS AND INSULAR DOMINIONS IN THE PACIFIC OCEAN, SIGNED AT WASHINGTON, DECEMBER 13, 1921.

French and English official texts communicated by His Britannic Majesty's Foreign Office. The registration of this Treaty took place April 16, 1924.

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 President of His Privy Council ;
The Right Honourable Baron Lee OF FAREHAM, G.B.E., K.C.B., First Lord of His Admiralty ;
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 Sir 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 ;

¹ The exchange of ratifications took place at Washington August 17, 1923.

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 :

M. René VIVIANI, Deputy, Former President of the Council of Ministers ;

M. Albert SARRAULT, Deputy, Minister of the Colonies ;

M. Jules J. JUSSEMAND, 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, Jushii, 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 ;

M. Masanoa 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 *procès-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 13th day of December 1921.

	CHARLES EVANS HUGHES	(L. S.)
	HENRY CABOT LODGE.	(L. S.)
	OSCAR W. UNDERWOOD.	(L. S.)
	ELIHU ROOT.	(L. S.)
	ARTHUR JAMES BALFOUR.	(L. S.)
	LEE OF FAREHAM.	(L. S.)
	A. C. GEDDES.	(L. S.)
(L. S.)	R. L. BORDEN.	
(L. S.)	G. F. PEARCE.	
(L. S.)	JOHN W. SALMOND.	
(L. S.)	ARTHUR JAMES BALFOUR.	
(L. S.)	V. S. SRINIVASA SASTRI.	
(L. S.)	RENÉ VIVIANI.	
(L. S.)	A. SARRAULT.	
(L. S.)	JUSSERAND.	
(L. S.)	T. KATO.	
(L. S.)	K. SHIDEHARA.	
(L. S.)	TOKUGAWA IYESATO.	
(L. S.)	M. HANIHARA.	

DECLARATION.

WASHINGTON, *December 13, 1921.*

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

timent, de la part des Etats-Unis d'Amérique, aux mandats et n'empêchera pas la conclusion entre les Etats-Unis d'Amérique et les Puissances mandataires respectivement, d'accords ayant trait aux îles sous mandat.

2. Que ne seront pas comprises parmi les contestations visées au second paragraphe de l'article premier les questions qui, d'après les principes du droit international, relèvent exclusivement de la souveraineté des Puissances respectives.

Washington, le treize décembre mil neuf cent vingt et un.

CHARLES EVANS HUGHES.
HENRY CABOT LODGE.
OSCAR W. UNDERWOOD.
ELIHU ROOT.
ARTHUR JAMES BALFOUR.
LEE OF FAREHAM.
A. C. GEDDES.
R. L. BORDEN.
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JOHN W. SALMOND.
ARTHUR JAMES BALFOUR.
V. S. SRINIVASA SASTRI.
RENÉ VIVIANI.
A. SARRAULT.
JUSSERAND.
T. KATO.
K. SHIDEHARA.
TOKUGAWA IYESATO.
M. HANIHARA.

PROTOCOL OF DEPOSIT OF RATIFICATIONS OF THE TREATY BETWEEN THE UNITED STATES OF AMERICA, THE BRITISH EMPIRE, FRANCE, AND JAPAN RELATING TO THEIR INSULAR POSSESSIONS AND INSULAR DOMINIONS IN THE PACIFIC OCEAN, CONCLUDED AT WASHINGTON, DECEMBER 13, 1921.

In conformity with Article 4 of the Treaty between the UNITED STATES OF AMERICA, the BRITISH EMPIRE, FRANCE and JAPAN, relating to their insular possessions and insular dominions in the region of the Pacific Ocean, concluded at Washington on December 13, 1921, the undersigned representatives of the United States of America, the British Empire, France and Japan, this day met at the Department of State at Washington, to proceed with the deposit with the Government of the United States of America of the instruments of ratification of the said treaty by the Governments they represent.

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.
R. L. BORDEN.
G. F. PEARCE.
JOHN W. SALMOND.
ARTHUR JAMES BALFOUR.
V. S. SRINIVASA SASTRI.
RENÉ VIVIANI.
A. SARRAULT.
JUSSERAND.
T. KATO.
K. SHIDEHARA.
TOKUGAWA IYESATO.
M. HANIHARA.

¹ TRADUCTION. — TRANSLATION.

PROTOCOLE DE DÉPÔT DES RATIFICATIONS DU TRAITÉ CONCLU A WASHINGTON
LE 13 DÉCEMBRE 1921, ENTRE LES ÉTATS-UNIS D'AMÉRIQUE, L'EMPIRE BRITANNIQUE, LA FRANCE, ET LE JAPON RELATIVEMENT A LEURS POSSESSIONS
ET DOMINIONS INSULAIRES DANS L'OcéAN PACIFIQUE.

Conformément à l'article 4 du Traité entre les ETATS-UNIS D'AMÉRIQUE, l'EMPIRE BRITANNIQUE, la FRANCE et le JAPON, relativement à leurs possessions et dominions insulaires de l'Océan Pacifique, conclu à Washington le 13 décembre 1921, les représentants soussignés des Etats-Unis d'Amérique, de l'Empire britannique, de la France et du Japon se sont rencontrés ce jour, au département d'Etat à Washington, afin de procéder au dépôt, au nom des gouvernements qu'ils représentent, des instruments de ratification du dit Traité, auprès du Gouvernement des Etats-Unis d'Amérique.

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

The representative of the United States of America declared that the instrument of ratification of the United States is deposited with the reservation and understanding, recited in the ratification, that :

“ The United States understands that under the statement in the preamble or under the terms of this treaty there is no commitment to armed force, no alliance, no obligation to join in any defence. ”

The instruments of ratification produced, having been found upon examination to be in due form, are entrusted to the Government of the United States of America to be deposited in the archives of the Department of State.

In witness whereof, the present *procès-verbal*, of which a certified copy will be sent by the Government of the United States of America to each one of the Powers signatory to the said treaty, is signed :

Done at Washington, August 17, 1923, at 12 o'clock.

For the United States :

CHARLES EVANS HUGHES. (L. S.)

For the British Empire :

H. G. CHILTON. (L. S.)

For France :

ANDRÉ DE LABOULAYE. (L. S.)

For Japan :

M. HANIHARA. (L. S.)

COMMUNICATION ¹ IDENTIQUE ADRESSÉE AUX GOUVERNEMENTS NÉERLANDAIS (4 FÉVRIER 1922) ET PORTUGAIS (6 FÉVRIER 1922), AU NOM DE LA FRANCE, ET AUSSI « MUTATIS MUTANDIS », AU NOM DES AUTRES PUISSANCES SIGNATAIRES DU TRAITÉ DES QUATRE PUISSANCES RELATIVEMENT A LEURS POSSESSIONS DANS L'OcéAN PACIFIQUE.

LA FRANCE a conclu en 1921 avec l'EMPIRE BRITANNIQUE, les ETATS-UNIS et le JAPON, un Traité ayant pour objet la conservation générale de la paix et le maintien de leurs possessions, dominions insulaires dans l'Océan Pacifique.

Ils sont tombés d'accord pour le respect intégral de ces droits respectifs.

Bien que la Hollande ne soit pas signataire au dit Traité et qu'ainsi les possessions des Pays-Bas dans la région du Pacifique ne soient pas incluses dans le dit protocole, le Gouvernement français a le souci de prévenir une interprétation contraire à l'esprit de ce traité et s'empresse de déclarer qu'il est fermement résolu à respecter les droits des Pays-Bas touchant leurs possessions insulaires des régions du Pacifique.

¹ Transmise par le Ministère des Affaires étrangères des Pays-Bas.

¹ Transmitted by the Netherlands Ministry for Foreign Affairs.

Le Représentant des Etats-Unis d'Amérique déclare que l'instrument de ratification des Etats-Unis est déposé, sous la réserve et avec l'interprétation mentionnées dans la ratification, selon lesquelles :

« Les Etats-Unis interprètent la stipulation du préambule ou les termes du Traité comme n'impliquant pas l'obligation de fournir des troupes ni de contracter alliance, ni l'obligation de participer à aucune guerre défensive. »

Les instruments de ratification produits ayant été examinés et trouvés en bonne et due forme, sont confiés au Gouvernement des Etats-Unis d'Amérique, pour être déposés aux archives du département d'Etat.

En foi de quoi, le présent procès-verbal, dont une copie certifiée conforme sera envoyée par le Gouvernement des Etats-Unis d'Amérique à chacune des Puissances signataires du dit Traité est signé :

Fait à Washington, le 17 août 1923, à midi.

Pour les Etats-Unis d'Amérique :

CHARLES EVANS HUGHES (L. S.)

Pour l'Empire Britannique :

H. G. CHILTON. (L. S.)

Pour la France :

ANDRÉ DE LABOULAYE. (L. S.)

Pour le Japon :

M. HANIHARA. (L. S.)

IDENTIC COMMUNICATION MADE TO THE NETHERLANDS (FEBRUARY 4, 1922) AND PORTUGUESE (FEBRUARY 6, 1922), GOVERNMENTS ON BEHALF OF THE BRITISH EMPIRE, AND ALSO " MUTATIS MUTANDIS " ON BEHALF OF THE OTHER POWERS SIGNATORY TO THE QUADRUPLE PACIFIC TREATY OF DECEMBER 13, 1921.

The BRITISH EMPIRE has concluded on the 13th December 1921, with the UNITED STATES OF AMERICA, FRANCE and JAPAN a Treaty with a view to the preservation of general peace and the maintenance of their rights to their insular possessions and 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, His Britannic Majesty's Government, 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 her insular possessions in the region of the Pacific Ocean.