

N° 1958.

ÉTATS-UNIS D'AMÉRIQUE
ET FINLANDE

Traité d'arbitrage, signé à Washing-
ton, le 7 juin 1928.

UNITED STATES OF AMERICA
AND FINLAND

Treaty of Arbitration, signed at
Washington, June 7, 1928

No. 1958. — TREATY¹ OF ARBITRATION BETWEEN THE UNITED STATES OF AMERICA AND FINLAND. SIGNED AT WASHINGTON, JUNE 7, 1928.

*Texte officiel anglais communiqué par le ministre des Affaires étrangères de Finlande. L'enregistrement de ce traité a eu lieu le 25 février 1929.
Ce traité a été transmis au Secrétariat par le " Department of State " du Gouvernement des Etats-Unis d'Amérique le 8 mars 1929.*

THE PRESIDENT OF THE REPUBLIC OF FINLAND AND THE PRESIDENT OF THE UNITED STATES OF AMERICA,

Determined to prevent so far as in their power lies any interruption in the peaceful relations that have always existed 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 for ever 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 REPUBLIC OF FINLAND :

Mr. L. ASTRÖM, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Finland to the United States of America ;

THE PRESIDENT OF THE UNITED STATES OF AMERICA :

Mr. Frank B. KELLOGG, Secretary of State of the United States ;

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

Article I.

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 Convention²

¹ L'échange des ratifications a eu lieu à Washington le 14 janvier 1929.

² DE MARTENS, *Nouveau Recueil général de Traités*, troisième série, tome III, page 360.

¹ TRADUCTION. — TRANSLATION.N^o 1958. — TRAITÉ D'ARBITRAGE² ENTRE LES ÉTATS-UNIS D'AMÉRIQUE ET LA FINLANDE. SIGNÉ A WASHINGTON, LE 7 JUIN 1928.

English official text communicated by the Finnish Minister for Foreign Affairs. The registration of this Treaty took place February 25, 1929.

This Treaty was transmitted to the Secretariat by the Department of State of the Government of the United States of America, March 8, 1929.

LE PRÉSIDENT DE LA RÉPUBLIQUE DE FINLANDE et LE PRÉSIDENT DES ETATS-UNIS D'AMÉRIQUE,

Fermement décidés à empêcher, en tant qu'il est en leur pouvoir, toute interruption des relations pacifiques qui ont toujours existé entre les deux nations ;

Désireux d'affirmer à nouveau leur attachement à la politique qui consiste à soumettre à une décision impartiale toutes les controverses susceptibles de règlement judiciaire qui pourraient s'élever entre eux ; et

Soucieux, par leur exemple, non seulement de prouver qu'ils condamnent la guerre, en tant qu'instrument de politique nationale dans leurs relations mutuelles, mais aussi d'avancer le moment où la perfection des accords internationaux pour le règlement pacifique des différends entre nations aura éliminé à tout jamais les possibilités de guerre entre les diverses Puissances ;

Ont décidé de conclure un traité d'arbitrage et ont nommé à cet effet pour leurs Plénipotentiaires :

LE PRÉSIDENT DE LA RÉPUBLIQUE DE FINLANDE :

M. L. ASTRÖM, envoyé extraordinaire et ministre plénipotentiaire de la République de Finlande auprès des Etats-Unis d'Amérique ;

LE PRÉSIDENT DES ETATS-UNIS D'AMÉRIQUE :

M. Frank B. KELLOGG, secrétaire d'Etat des Etats-Unis d'Amérique ;

Qui, après s'être communiqué leurs pleins pouvoirs respectifs, reconnus en bonne et due forme, sont convenus des articles suivants :

Article premier.

Tous les différends portant sur des questions d'ordre international au sujet desquels les Hautes Parties contractantes se contestent, réciproquement, en vertu d'un traité ou autrement, un droit qui n'a pu être réglé par la voie diplomatique — quand ces différends n'auront pu être tranchés en les renvoyant devant une commission de conciliation appropriée, alors qu'ils sont susceptibles d'une solution judiciaire de par leur nature même, si on leur applique les principes du droit ou de l'équité — seront soumis à la Cour permanente d'arbitrage établie à La Haye par la Convention³

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² The exchange of ratifications took place at Washington, January 14, 1929.

³ *British and Foreign State Papers*, Vol. 100, page 298.

of October 18, 1907, or to some other competent tribunal, as shall be decided in each case by special agreement, which special agreement shall provide for the organisation of such tribunal if necessary, define its powers, state the question or questions at issue, and settle the terms of reference.

The special agreement in each case shall be made on the part of Finland in accordance with its constitutional laws, and 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.

Article II.

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 the observance of the obligations of Finland in accordance with the Covenant of the League of Nations.

Article III.

The present treaty shall be ratified by Finland in accordance with its constitutional laws and by the President of the United States of America by and with the advice and consent of the Senate thereof.

The ratifications shall be exchanged at Washington as soon as possible, and the treaty shall take effect on the date of the exchange of the 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.

In faith whereof the respective Plenipotentiaries have signed this treaty in duplicate in the English language, and hereunto affix their seals.

Done at Washington the seventh day of June in the year of our Lord one thousand nine hundred and twenty-eight.

(L. S.) Frank B. KELLOGG.

(L. S.) L. ASTRÖM.