

N° 3045.

ÉTATS-UNIS D'AMÉRIQUE,
RÉPUBLIQUE ARGENTINE,
BOLIVIE,
BRÉSIL, CHILI, etc.

Convention concernant la condition
des étrangers sur les territoires
des parties contractantes, adoptée
par la VI^e Conférence internatio-
nale américaine. Signée à La Ha-
vane, le 20 février 1928.

UNITED STATES OF AMERICA,
ARGENTINE REPUBLIC,
BOLIVIA, BRAZIL, CHILE, etc.

Convention regarding the Status of
Aliens in the respective Terri-
tories of the Contracting Parties,
adopted by the VIth International
Conference of American States.
Signed at Habana, February 20,
1928.

No. 3045. — CONVENTION¹ REGARDING THE STATUS OF ALIENS IN THE RESPECTIVE TERRITORIES OF THE CONTRACTING PARTIES, ADOPTED BY THE VIth INTERNATIONAL CONFERENCE OF AMERICAN STATES. SIGNED AT HABANA, FEBRUARY 20, 1928².

Spanish official text communicated by the Secretaries of State for Foreign Affairs of the Republic of Guatemala and of the Republic of Panama. The registration of this Convention took place October 1, 1932.

This Convention was transmitted to the Secretariat by the Department of State of the Government of the United States of America, August 20, 1930.

The Governments of the Republics⁴ represented at the Sixth International Conference of American States, held in the city of Habana, Republic of Cuba, in the year 1928 ;

Have decided to conclude a Convention for the purpose of determining the status of aliens within their respective territories and to that end have appointed the following Plenipotentiaries :

PERU :

Jesús Melquiades SALAZAR, Víctor MAÚRTUA, Enrique CASTRO OYANGUREN, Luis Ernesto DENEGRI.

URUGUAY :

Jacobo VARELA ACEVEDO, Juan José AMÉZAGA, Leonel AGUIRRE, Pedro Erasmo CALLORDA.

PANAMA :

Ricardo J. ALFARO, Eduardo CHIARI.

ECUADOR :

Gonzalo ZALDUMBIDE, Víctor ZEVALLOS, Colón Eloy ALFARO.

MEXICO :

Julio GARCÍA, Fernando GONZÁLEZ ROA, Salvador URBINA, Aquiles ELORDUY.

¹ Ratifications deposited in the archives of the Pan-American Union at Washington :

UNITED STATES OF AMERICA	May 21, 1930.
GUATEMALA	*
PANAMA	May 21, 1929.
BRAZIL.	September 3, 1929.
NICARAGUA	March 20, 1930.
MEXICO	*

² Texte reproduit d'après le « Treaty Series » des Etats-Unis d'Amérique, N° 815 : 1930.

² The text is reprinted from the United States Treaty Series, No. 815 : 1930

* The dates of deposit of these ratifications will be published, as soon as possible, in the Annex to this Series.

SALVADOR :

Gustavo GUERRERO, Héctor David CASTRO, Eduardo ALVAREZ.

GUATEMALA :

Carlos SALAZAR, Bernardo ALVARADO TELLO, Luis BELTRANENA, José AZURDIA.

NICARAGUA :

Carlos CUADRA PAZOS, Joaquín GÓMEZ, Máximo H. ZEPEDA.

BOLIVIA :

José ANTEZANA, Adolfo COSTA DU RELS.

VENEZUELA :

Santiago KEY AYALA, Francisco Gerardo YANES, Rafael Angel ARRAIZ.

COLOMBIA :

Enrique OLAYA HERRERA, Jesús M. YEPES, Roberto URDANETA ARBELÁEZ, Ricardo GUTIÉRREZ LEE.

HONDURAS :

Fausto DÁVILA, Mariano VÁSQUEZ.

COSTA RICA :

Ricardo CASTRO BEECHE, J. Rafael OREAMUNO, Arturo TINOCO.

CHILE :

Alejandro LIRA, Alejandro ALVAREZ, Carlos SILVA VILDÓSOLA, Manuel BIANCHI.

BRAZIL :

Raúl FERNANDES, Lindolfo COLLOR, Alarico DA SILVEIRA, Sampaio CORREA, Eduardo ESPÍNOLA.

ARGENTINA :

Honorio PUEYRREDÓN (later resigned), Laurentino OLASCOAGA, Felipe A. ESPIL.

PARAGUAY :

Lisandro DÍAZ LEÓN.

HAITI :

Fernando DENNIS, Charles RIBOUL.

DOMINICAN REPUBLIC :

Francisco J. PEYNADO, Gustavo A. DÍAZ, Elías BRACHE, Angel MORALES, Tulio M. CESTEROS, Ricardo PÉREZ ALFONSECA, Jacinto R. DE CASTRO, Federico C. ALVAREZ.

UNITED STATES OF AMERICA :

Charles EVANS HUGHES, Noble BRANDON JUDAH, Henry P. FLETCHER, Oscar W. UNDERWOOD, Dwight W. MORROW, Morgan J. O'BRIEN, James BROWN SCOTT, Ray LYMAN WILBUR, Leo S. ROWE.

CUBA :

Antonio S. DE BUSTAMANTE, Orestes FERRARA, Enrique HERNÁNDEZ CARTAYA, José Manuel CORTINA, Arístides AGÜERO, José B. ALEMÁN, Manuel MÁRQUEZ STERLING, Fernando ORTIZ, Néstor CARBONELL, Jesús María BARRAQUÉ.

Who, after depositing their full powers, which were found to be in good and due form, have agreed upon the following provisions :

Article 1.

States have the right to establish by means of laws the conditions under which foreigners may enter and reside in their territory.

Article 2.

Foreigners are subject as are nationals to local jurisdiction and laws, due consideration being given to the limitations expressed in conventions and treaties.

Article 3.

Foreigners may not be obliged to perform military service ; but those foreigners who are domiciled, unless they prefer to leave the country, may be compelled, under the same conditions as nationals, to perform police, fire-protection, or militia duty for the protection of the place of their domicile against natural catastrophes or dangers not resulting from war.

Article 4.

Foreigners are obliged to make ordinary or extraordinary contributions, as well as forced loans always provided that such measures apply to the population generally.

Article 5.

States should extend to foreigners, domiciled or in transit through their territory all individual guaranties extended to their own nationals, and the enjoyment of essential civil rights without detriment, as regards foreigners, to legal provisions governing the scope of and usages for the exercise of said rights and guaranties.

Article 6.

For reasons of public order or safety, States may expel foreigners domiciled, resident, or merely in transit through their territory.

States are required to receive their nationals expelled from foreign soil who seek to enter their territory.

Article 7.

Foreigners must not mix in political activities, which are the exclusive province of citizens of the country in which they happen to be ; in cases of such interference, they shall be liable to the penalties established by local law.

Article 8.

The present Convention does not affect obligations previously undertaken by the contracting parties through international agreements.

Article 9.

After being signed, the present Convention shall be submitted to the ratification of the signatory States. The Government of Cuba is charged with transmitting authentic certified copies to the Governments for the aforementioned purpose of ratification. The instrument of ratification shall be deposited in the archives of the Pan American Union in Washington, the Union to notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications. This Convention shall remain open to the adherence of non-signatory States.

In witness whereof, the aforementioned Plenipotentiaries sign the present Convention in Spanish, English, French and Portuguese, in the city of Habana, the 20th day of February, 1928.

Peru :

Jesús M. SALAZAR, Víctor MAÚRTUA, Luis Ernesto DENEGRI, E. CASTRO OYANGUREN.

Uruguay :

VARELA, Pedro Erasmo CALLORDA.

Panama :

R. J. ALFARO, Eduardo CHIARI.

Ecuador :

Gonzalo ZALDUMBIDE, Víctor ZEVALLOS, C. E. ALFARO.

Mexico :

Julio GARCÍA, Fernando GONZÁLEZ ROA, Salvador URBINA, Aquiles ELORDUY.

Salvador :

J. GUSTAVO GUERRERO, Héctor David CASTRO, Ed. ALVAREZ.

Guatemala :

Carlos SALAZAR, B. ALVARADO, Luis BELTRANENA, J. AZURDIA.

Nicaragua :

Carlos CUADRA PAZOS, Máximo H. ZEPEDA, Joaquín GÓMEZ.

Bolivia :

José ANTEZANA, A. COSTA DU R.

Venezuela :

Santiago KEY AYALA, Francisco G. YANES, Rafael Angel ARRAIZ.

Colombia :

Enrique OLAYA HERRERA, R. GUTIÉRREZ LEE, J. M. YEPES.

Honduras :

F. DÁVILA, Mariano VÁZQUEZ.

Costa Rica :

Ricardo CASTRO BEECHE, J. Rafael OREAMUNO, A. TINOCO JIMÉNEZ.

Chile :

Alejandro LIRA, Alejandro ALVAREZ, C. SILVA VILDOSÓLA, Manuel BIANCHI.

Brazil :

Raúl FERNANDES, Lindolfo COLLOR.

Argentine :

Laurentino OLASCOAGA, Felipe A. ESPIL, Carlos Alberto ALCORTA.

Paraguay :

Lisandro DÍAZ LEÓN, Juan Vicente RAMIRÉZ.

Haiti :

Fernando DENNIS.

Dominican Republic :

Fraco. J. PEYNADO, Tulio M. CESTERO, Jacinto R. DE CASTRO, Elias BRACHE,
R. PÉREZ ALFONSECA.

United States of America :

The Delegation of the United States of America signs the present Convention making express reservation to Article 3 of the same, which refers to military service of foreigners in case of war.

Charles EVANS HUGHES, Noble BRANDON JUDAH, Henry P. FLETCHER, Oscar
W. UNDERWOOD, Morgan J. O'BRIEN, James BROWN SCOTT, Ray LYMAN
WILBUR, Leo S. ROWE.

Cuba :

Antonio S. DE BUSTAMANTE, Orestes FERRARA, E. HERNÁNDEZ CARTAYA,
Aristides DE AGÜERO BETHENCOURT, M. MÁRQUEZ STERLING, Néstor
CARBONELL.

TEXTE PORTUGAIS. — PORTUGUESE TEXT.

N^o 3045. — CONVENÇÃO PARA DETERMINAR A CONDIÇÃO DOS ESTRANGEIROS NO TERRITORIO DAS PARTES CONTRACTANTES, ADOPTADA PELA VI^a CONFERENCIA INTERNACIONAL AMERICANA. ASSIGNADÁ NA CIDADE DA HAVANA, EM 20 DE FEVEREIRO DE 1928¹.

Os Governos das republicas representadas na Sexta Conferencia Internacional Americana, celebrada na cidade da Havana, Republica de Cuba, no anno de 1928.

Resolveram celebrar uma Convenção, com o fim de determinar a condição dos estrangeiros nos seus respectivos territorios, e com esse fim nomearam como Plenipotenciarios aos seguintes senhores :

Do PERU :

Jesús Melquiades SALAZAR, Víctor MAÚRTUA, Enrique CASTRO OYANGUREN, Luis Ernesto DENEGRI.

Do URUGUAY :

Jacobo VARELA ACEVEDO, Juan José AMÉZAGA, Leonel AGUIRRE, Pedro Erasmo CALLORDA.

Do PANAMÁ :

Ricardo J. ALFARO, Eduardo CHIARI.

Do ECUADOR :

Gonzalo ZALDUMBIDE, Víctor ZEVALLOS, Colón Eloy ALFARO.

Do MEXICO :

Julio GARCÍA, Fernando GONZÁLEZ ROA, Salvador URBINA, Aquiles ELORDUY.

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DE GUATEMALA :

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DE NICARAGUA :

Carlos CUADRA PAZOS, Joaquín GÓMEZ, Máximo H. ZEPEDA.

DE BOLIVIA :

José ANTEZANA, Adolfo COSTA DU RELS.

DE VENEZUELA :

Santiago KEY AYALA, Francisco Gerardo YANES, Rafael Angel ARRAIZ.

¹ The text is reprinted from the Final Act of the Sixth International Conference of American States.