

No. 1410

GUATEMALA
and
ITALY

**Treaty of Peace, Friendship and Co-operation. Signed at
Guatemala City, on 10 September 1949**

Official texts: Spanish and Italian.

Registered by Guatemala on 18 September 1951.

GUATEMALA
et
ITALIE

**Traité de paix, d'amitié et de coopération. Signé à Guate-
mala, le 10 septembre 1949**

Textes officiels espagnol et italien.

Enregistré par le Guatemala le 18 septembre 1951.

[TRANSLATION — TRADUCTION]

No. 1410. TREATY¹ OF PEACE, FRIENDSHIP AND CO-OPERATION BETWEEN GUATEMALA AND ITALY. SIGNED AT GUATEMALA CITY, ON 10 SEPTEMBER 1949

The President of the Republic of Guatemala and the President of the Italian Republic, desiring to strengthen the bonds of peace and traditional friendship which have always existed between their respective peoples, have decided to conclude a Treaty of Peace, Friendship and Co-operation, and for this purpose have appointed as their Plenipotentiaries :

The President of the Republic of Guatemala :
Dr. Enrique Muñoz Meany ;

The President of the Italian Republic :
Dr. Salvatore Aldisio, Vice-President of the Senate, and Dr. Giuseppe Brusasca, Under-Secretary for Foreign Affairs,

who, having exchanged their full powers, found in good and due form, have agreed on the following provisions :

Article 1

The Republic of Guatemala and the Italian Republic declare that the state of war which existed between the two nations as from 11 December 1941 is terminated and that the traditional peace and friendship between their respective peoples and Governments are restored.

Article 2

The High Contracting Parties intend to promote, by all possible means, an expansion of the economic and cultural exchange between the two countries, in order to strengthen the bonds of friendship and sympathy between their peoples and to contribute most effectively to international co-operation.

Article 3

The Republic of Guatemala waives all reparations which it might be entitled, as an Allied Power during the Second World War, to claim from Italy.

¹ Came into force on 13 February 1951, by the exchange of the instruments of ratification at Rome, in accordance with article 8.

Article 4

In pursuance of the terms of the preceding article, the Republic of Guatemala will not take any measure, by way of reparations or war indemnities, against the property or the interests of Italian nationals resident in Guatemala.

This provision shall not, however, apply to persons of Italian nationality whose personal acts, irrespective of nationality, were punishable under the relevant legislation in force.

Article 5

Neither the Italian Republic nor Italian nationals shall have any right of action or be otherwise entitled to claim against the Republic of Guatemala in respect of any damage or prejudice sustained by them in their persons, property or interests as a result of the enforcement of any legislation enacted, execution of the law, levies of extraordinary war taxes, or the recovery of emergency war taxation levied, or any other action taken by the Government or authorities of Guatemala by reason of the state of war which existed between the two States.

Article 6

The High Contracting Parties hereby revalidate the Declaration, signed in Guatemala on 16 February 1889,¹ relating to the exchange of certificates of births, marriages and deaths, and the commercial *modus vivendi* concluded by notes exchanged in Guatemala on 6 June 1936.

The said commercial *modus vivendi* shall remain in force for a period of two years from the date on which the instruments of ratification of this Treaty are exchanged and in the course of the said two years a formal treaty of commerce and navigation shall be negotiated.

The High Contracting Parties reserve the right, in addition, to negotiate a consular convention and any other treaties which they may consider desirable.

Article 7

If hereafter there should arise between Guatemala and Italy any dispute of a legal nature which cannot be settled through the usual diplomatic channel, it shall be submitted, at the request of one of the Parties, to the International Court of Justice for a ruling, in accordance with the spirit and provisions of the Charter of the United Nations.

¹ De Martens : *Nouveau Recueil général de Traité*s, deuxième série, tome XVIII, p. 684.

Article 8

This Treaty shall be ratified by both High Contracting Parties in conformity with their respective constitutional processes and the instruments of ratification shall be exchanged in Rome as soon as possible.

IN WITNESS WHEREOF the respective Plenipotentiaries have signed the present Treaty and affixed their seals thereto.

DONE in Guatemala City in two originals, each in the Italian and Spanish languages, both texts being equally authentic, on the tenth of September one thousand nine hundred and forty-nine.

For the Government of the Republic of Guatemala :
(Signed) E. MUÑOZ MEANY

For the Government of the Italian Republic :
(Signed) Salvatore ALDISIO
(Signed) Giuseppe BRUSASCA