

Convention between the United States and Sweden for settlement of disputes by arbitration. Signed at Washington, May 2, 1908; ratification advised by the Senate, May 6, 1908; ratified by the President, July 6, 1908; ratified by Sweden, June 13, 1908; ratifications exchanged at Washington, August 18, 1908; proclaimed September 1, 1908.

May 2, 1908.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention between the United States of America and the Kingdom of Sweden providing for the submission to arbitration of all questions of a legal nature or relating to the interpretation of treaties, which may arise between the two countries and which it may not have been possible to settle by diplomacy, was concluded and signed by their respective Plenipotentiaries at Washington on the second day of May, one thousand nine hundred and eight, the original of which Convention, being in the English and French languages is word for word as follows:

Arbitration with Sweden.
Preamble.

The President of the United States of America and His Majesty the King of Sweden desiring in pursuance of the principles set forth in articles 15-19 of the Convention for the pacific settlement of international disputes, signed at The Hague July 29, 1899, to enter into negotiations for the conclusion of an Arbitration Convention, have named as their Plenipotentiaries, to wit:

The President of the United States of America, Elihu Root, Secretary of State of the United States of America; and

His Majesty the King of Sweden, W. A. F. Ekengren, His Chargé d'Affaires ad interim at Washington;

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

ARTICLE I.

Differences which may arise of a legal nature or relating to the interpretation of treaties existing between the two Contracting Parties and which it may not

Le Président des Etats Unis d'Amérique et Sa Majesté le Roi de Suède désirant, en application des principes énoncés dans les articles 15-19 de la Convention pour le règlement pacifique des conflits internationaux, signée à la Haye en date du 29 juillet 1899, entrer en négociations pour la conclusion d'une Convention d'Arbitrage, ont nommé pour leurs Plénipotentiaires, savoir:

Le Président des Etats Unis d'Amérique, Elihu Root, Secrétaire d'Etat des Etats Unis d'Amérique; et

Sa Majesté le Roi de Suède, W. A. F. Ekengren, Son Chargé d'Affaires ad intérim à Washington;

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

ARTICLE I.

Les différends d'ordre juridique ou relatifs à l'interprétation des traités existant entre les Hautes Parties contractantes, qui viendraient à se produire entre elles

Contracting powers.

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Plenipotentiaries.

Submitting certain disputes to the permanent court of arbitration at The Hague.

have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third Parties.

et qui n'auraient pu être réglés par la voie diplomatique seront soumis à la Cour permanente d'arbitrage établie par la Convention du 29 juillet 1899, à La Haye, à la condition, toutefois, qu'ils ne mettent en cause ni les intérêts vitaux, ni l'indépendance ou l'honneur des Etats contractants, et qu'ils ne touchent pas aux intérêts de tierces Puissances.

ARTICLE II.

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Special agreements defining matters in dispute, etc.

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that on the part of the United States such special agreements will be made by the President of the United States, by and with the advice and consent of the Senate thereof, and on the part of Sweden by the King in such forms and conditions as He may find requisite or appropriate.

Dans chaque cas particulier, les Hautes Parties contractantes, avant de s'adresser à la Cour permanente d'arbitrage, signeront un compromis spécial, déterminant nettement l'objet du litige, l'étendue des pouvoirs des Arbitres et les délais à observer en ce qui concerne la constitution du tribunal arbitral et la procédure. Il est entendu que, pour ce qui concerne les Etats Unis, les compromis spéciaux seront faits par le Président des Etats Unis avec l'avis et consentement du Sénat et, pour ce qui concerne la Suède, par le Roi, dans les formes et aux conditions qu'il jugera nécessaires ou convenables.

ARTICLE III.

ARTICLE III.

Exchange of ratifications.

The present Convention shall be ratified by the President of the United States of America by and with the advice and consent of the Senate thereof; and by His Majesty the King of Sweden. The ratifications shall be exchanged at Washington as soon as possible, and the Convention shall take effect on the date of the exchange of its ratifications.

La présente Convention sera ratifiée par le Président des Etats Unis, après y avoir été autorisé par le Sénat américain, et par Sa Majesté le Roi de Suède. Les ratifications seront échangées à Washington aussitôt que faire se pourra et la Convention entrera en vigueur le jour de l'échange des ratifications.

ARTICLE IV.

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Duration.

The present Convention is concluded for a period of five years, dating from the day of the exchange of its ratifications.

La présente Convention est conclue pour une durée de cinq années, à partir de l'échange des ratifications.

Signatures.

Done in duplicate at the City of Washington, in the English and French languages, this second day of May, 1908.

Fait à Washington, en double exemplaire, en langues anglaise et française, le deuxième jour de Mai, 1908.

ELIHU ROOT
W. A. F. EKENGREN

[SEAL.]
[SEAL.]

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the eighteenth day of August, one thousand nine hundred and eight; Ratification.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof. Proclamation.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this first day of September in the year of our Lord one thousand nine hundred [SEAL] and eight and of the Independence of the United States of America the one hundred and thirty-third.

THEODORE ROOSEVELT

By the President:

ALVEY A. ADEE

Acting Secretary of State