

## RIGHTS AND DUTIES OF STATES (INTER-AMERICAN)

*Convention signed at Montevideo December 26, 1933*

*Senate advice and consent to ratification, with a reservation, June 15,  
1934<sup>1</sup>*

*Ratified by the President of the United States, with a reservation, June  
29, 1934<sup>1</sup>*

*Ratification of the United States deposited with the Pan American  
Union July 13, 1934*

*Entered into force December 26, 1934<sup>2</sup>*

*Proclaimed by the President of the United States January 18, 1935*

*Article 8 reaffirmed by protocol of December 23, 1936<sup>3</sup>*

49 Stat. 3097; Treaty Series 881

### CONVENTION ON RIGHTS AND DUTIES OF STATES

The Governments represented in the Seventh International Conference of American States:

Wishing to conclude a Convention on Rights and Duties of States, have appointed the following Plenipotentiaries:

#### Honduras:

MIGUEL PAZ BARAONA

AUGUSTO C. COELLO

LUIS BOGRÁN

SPRUILLE BRADEN

MISS SOPHONISBA P.

BRECKINRIDGE

#### United States of America:

CORDELL HULL

ALEXANDER W. WEDDELL

J. REUBEN CLARK

J. BUTLER WRIGHT

#### El Salvador:

HÉCTOR DAVID CASTRO

ARTURO RAMÓN ÁVILA

J. CIPRIANO CASTRO

#### Dominican Republic:

TULIO M. CESTERO

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<sup>1</sup> For text of U.S. reservation made at time of signing and maintained in the Senate's resolution of advice and consent and in the President's ratification, see p. 149.

<sup>2</sup> Date of deposit of second instrument of ratification.

<sup>3</sup> TS 923, *post*, p. 343.

*Haiti:*

JUSTIN BARAU  
FRANCIS SALGADO  
ANTOINE PIERRE-PAUL  
EDMOND MANGONÉS

BASILIO VADILLO  
GENARO V. VASQUEZ  
ROMEO ORTEGA  
MANUEL J. SIERRA  
EDUARDO SUÁREZ

*Argentina:*

CARLOS SAAVEDRA LAMAS  
JUAN F. CAFFERATA  
RAMÓN S. CASTILLO  
CARLOS BREBIA  
ISIDORO RUIZ MORENO  
LUIS A. PODESTÁ COSTA  
RAÚL PREBISCH  
DANIEL ANTOKOLETZ

*Panama:*

J. D. AROSEMENA  
EDUARDO E. HOLGUÍN  
OSCAR R. MULLER  
MAGÍN PONS

*Venezuela:*

CÉSAR ZUMETA  
LUIS CHURION  
JOSÉ RAFAEL MONTILLA

*Bolivia:*

CASTO ROJAS  
DAVID ALVÉSTEGUI  
ARTURO PINTO ESCALIER

*Uruguay:*

ALBERTO MAÑÉ  
JUAN JOSÉ AMÉZAGA  
JOSÉ G. ANTUÑA  
JUAN CARLOS BLANCO  
Señora Sofía A. V. de DEMICHELI  
MARTÍN R. ECHEGOYEN  
LUIS ALBERTO DE HERRERA  
PEDRO MÁNINI RÍOS  
MATEO MARQUES CASTRO  
RODOLFO MEZZERA  
OCTAVIO MORATÓ  
LUIS MORQUIO  
TEÓFILO PIÑEYRO CHAIN  
DARDO REGULES  
JOSÉ SERRATO  
JOSÉ PEDRO VARELA

*Guatemala:*

ALFREDO SKINNER KLEE  
JOSÉ GONZÁLEZ CAMPO  
CARLOS SALAZAR  
MANUEL ARROYO

*Brazil:*

AFRANIO DE MELLO FRANCO  
LUCILLO A DA CUNHA BUENO  
FRANCISCO LUIS DA SILVA CAMPOS  
GILBERTO AMADO  
CARLOS CHAGAS  
SAMUEL RIBEIRO

*Ecuador:*

AUGUSTO AGUIRRE APARICIO  
HUMBERTO ALBORNOZ  
ANTONIO PARRA  
CARLOS PUIG VILASSAR  
ARTURO SCARONE

*Nicaragua:*

LEONARDO ARGÜELLO  
MANUEL CORDERO REYES  
CARLOS CUADRA PASOS

*Colombia:*

ALFONSO LÓPEZ  
RAIMUNDO RIVAS  
JOSÉ CAMACHO CARREÑO

*Paraguay:*

JUSTO PASTOR BENÍTEZ  
GERÓNIMO RIART  
HORACIO A. FERNÁNDEZ  
Señorita MARÍA F. GONZÁLEZ

*Mexico:*

JOSÉ MANUEL PUIG CASAURANC  
ALFONSO REYES

*Chile:*

MIGUEL CRUCHAGA TOCORNAL  
 OCTAVIO SEÑORET SILVA  
 GUSTAVO RIVERA  
 JOSÉ RAMÓN GUTIÉRREZ  
 FÉLIX NIETO DEL RÍO  
 FRANCISCO FIGUEROA SÁNCHEZ  
 BENJAMÍN COHEN

*Peru:*

ALFREDO SOLF Y MURO  
 FELIPE BARREDA LAOS  
 LUIS FERNÁN CISNEROS  
*Cuba:*  
 ANGEL ALBERTO GIRAUDY  
 HERMINIO PORTELL VILÁ  
 ALFREDO NOGUEIRA

Who, after having exhibited their Full Powers, which were found to be in good and due order, have agreed upon the following:

**ARTICLE 1**

The state as a person of international law should possess the following qualifications: *a*) a permanent population; *b*) a defined territory; *c*) government; and *d*) capacity to enter into relations with the other states.

**ARTICLE 2**

The federal state shall constitute a sole person in the eyes of international law.

**ARTICLE 3**

The political existence of the state is independent of recognition by the other states. Even before recognition the state has the right to defend its integrity and independence, to provide for its conservation and prosperity, and consequently to organize itself as it sees fit, to legislate upon its interests, administer its services, and to define the jurisdiction and competence of its courts.

The exercise of these rights has no other limitation than the exercise of the rights of other states according to international law.

**ARTICLE 4**

States are juridically equal, enjoy the same rights, and have equal capacity in their exercise. The rights of each one do not depend upon the power which it possesses to assure its exercise, but upon the simple fact of its existence as a person under international law.

**ARTICLE 5**

The fundamental rights of states are not susceptible of being affected in any manner whatsoever.

**ARTICLE 6**

The recognition of a state merely signifies that the state which recognizes it accepts the personality of the other with all the rights and duties determined by international law. Recognition is unconditional and irrevocable.

**ARTICLE 7**

The recognition of a state may be express or tacit. The latter results from any act which implies the intention of recognizing the new state.

**ARTICLE 8**

No state has the right to intervene in the internal or external affairs of another.

**ARTICLE 9**

The jurisdiction of states within the limits of national territory applies to all the inhabitants.

Nationals and foreigners are under the same protection of the law and the national authorities and the foreigners may not claim rights other or more extensive than those of the nationals.

**ARTICLE 10**

The primary interest of states is the conservation of peace. Differences of any nature which arise between them should be settled by recognized pacific methods.

**ARTICLE 11**

The contracting states definitely establish as the rule of their conduct the precise obligation not to recognize territorial acquisitions or special advantages which have been obtained by force whether this consists in the employment of arms, in threatening diplomatic representations, or in any other effective coercive measure. The territory of a state is inviolable and may not be the object of military occupation nor of other measures of force imposed by another state directly or indirectly or for any motive whatever even temporarily.

**ARTICLE 12**

The present Convention shall not affect obligations previously entered into by the High Contracting Parties by virtue of international agreements.

**ARTICLE 13**

The present Convention shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The Minister of Foreign Affairs of the Republic of Uruguay shall transmit 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, which shall notify the signatory govern-

ments of said deposit. Such notification shall be considered as an exchange of ratifications.

#### ARTICLE 14

The present Convention will enter into force between the High Contracting Parties in the order in which they deposit their respective ratifications.

#### ARTICLE 15

The present Convention shall remain in force indefinitely but may be denounced by means of one year's notice given to the Pan American Union, which shall transmit it to the other signatory governments. After the expiration of this period the Convention shall cease in its effects as regards the party which denounces but shall remain in effect for the remaining High Contracting Parties.

#### ARTICLE 16

The present Convention shall be open for the adherence and accession of the States which are not signatories. The corresponding instruments shall be deposited in the archives of the Pan American Union which shall communicate them to the other High Contracting Parties.

In witness whereof, the following Plenipotentiaries have signed this Convention in Spanish, English, Portuguese and French and hereunto affix their respective seals in the city of Montevideo, Republic of Uruguay, this 26th day of December, 1933.

#### RESERVATIONS

The Delegation of the United States of America, in signing the Convention on the Rights and Duties of States, does so with the express reservation presented to the Plenary Session of the Conference on December 22, 1933, which reservation reads as follows:

The Delegation of the United States, in voting "yes" on the final vote on this committee recommendation and proposal, makes the same reservation to the eleven articles of the project or proposal that the United States Delegation made to the first ten articles during the final vote in the full Commission, which reservation is in words as follows:

"The policy and attitude of the United States Government toward every important phase of international relationships in this hemisphere could scarcely be made more clear and definite than they have been made by both word and action especially since March 4. I [Secretary of State Cordell Hull, chairman of U.S. delegation] have no disposition therefore to indulge in any repetition or rehearsal of these acts and utterances and shall not do so. Every observing person must by this time thoroughly understand that under the Roosevelt Administration the United States Government is as much opposed as any other government to interference with the freedom, the sovereignty, or other internal affairs or processes of the governments of other nations.

"In addition to numerous acts and utterances in connection with the carrying out of these doctrines and policies, President Roosevelt, during recent weeks, gave out a public state-

ment expressing his disposition to open negotiations with the Cuban Government for the purpose of dealing with the treaty which has existed since 1903. I feel safe in undertaking to say that under our support of the general principle of non-intervention as has been suggested, no government need fear any intervention on the part of the United States under the Roosevelt Administration. I think it unfortunate that during the brief period of this Conference there is apparently not time within which to prepare interpretations and definitions of these fundamental terms that are embraced in the report. Such definitions and interpretations would enable every government to proceed in a uniform way without any difference of opinion or of interpretations. I hope that at the earliest possible date such very important work will be done. In the meantime in case of differences of interpretations and also until they (the proposed doctrines and principles) can be worked out and codified for the common use of every government, I desire to say that the United States Government in all of its international associations and relationships and conduct will follow scrupulously the doctrines and policies which it has pursued since March 4 which are embodied in the different addresses of President Roosevelt since that time and in the recent peace address of myself on the 15th day of December before this Conference and in the law of nations as generally recognized and accepted".

The delegates of Brazil and Peru recorded the following private vote with regard to article 11: "That they accept the doctrine in principle but that they do not consider it codifiable because there are some countries which have not yet signed the Anti-War Pact of Rio de Janeiro<sup>4</sup> of which this doctrine is a part and therefore it does not yet constitute positive international law suitable for codification".

Honduras:

M. PAZ BARAONA  
AUGUSTO C. COELLO  
LUIS BOGRÁN

United States of America:

ALEXANDER W. WEDDELL  
J. BUTLER WRIGHT

El Salvador:

HÉCTOR DAVID CASTRO  
ARTURO R. AVILA

Dominican Republic:

TULIO M. CESTERO

Haiti:

J. BARAU  
F. SALGADO  
EDMOND MANGONÉS  
A. PRRE. PAUL

Argentina:

CARLOS SAAVEDRA LAMAS  
JUAN F. CAFFERATA  
RAMÓN S. CASTILLO  
I. RUIZ MORENO  
L. A. PODESTÁ COSTA  
D. ANTOKOLETZ

Venezuela:

LUIS CHURION  
J. R. MONTILLA

Uruguay:

A. MAÑÉ  
JOSÉ PEDRO VARELA  
MATEO MARQUES CASTRO  
DARDO REGULES  
SOFÍA ALVAREZ VIGNOLI DE DEMI-CHELI  
TEÓFILO PIÑEYRO CHAIN  
LUIS A. DE HERRERA  
MARTÍN R. ECHEGOYEN  
JOSÉ G. ANTUÑA  
J. C. BLANCO  
PEDRO MANINI RÍOS  
RODOLFO MEZZERA  
OCTAVIO MORATÓ  
LUIS MORQUIO  
JOSÉ SERRATO

Paraguay:

JUSTO PASTOR BENÍTEZ  
MARÍA F. GONZÁLEZ

Méjico:

B. VADILLO  
M. J. SIERRA  
EDUARDO SUÁREZ

Panama:

J. D. AROSEMENA  
MAGIN PONS  
EDUARDO E. HOLGUIN

<sup>4</sup> Treaty signed at Rio de Janeiro Oct. 10, 1933 (TS 906), *ante*, p. 135.

## Guatemala:

M. ARROYO

## Brazil:

LUCILLO A. DA CUNHA BUENO  
GILBERTO AMADO

## Ecuador:

A. AGUIRRE APARICIO  
H. ALBORNOZ  
ANTONIO PARRA V.  
C. PUIG V.  
ARTURO SCARONE

## Nicaragua:

LEONARDO ARGÜELLO  
M. CORDERO REYES  
CARLOS CUADRA PASOS

## Colombia:

ALFONSO LÓPEZ  
RAIMUNDO RIVAS

## Chile:

MIGUEL CRUCHAGA  
J. RAMÓN GUTIÉRREZ  
F. FIGUEROA  
F. NIETO DEL RÍO  
B. COHEN

## Peru:

(with the reservation set forth)  
ALFREDO SOLF Y MURO

## Cuba:

ALBERTO GIRAUDY  
HERMINIO PORTELL VILÁ  
Ing. NOGUEIRA

## FIRST CAIRO CONFERENCE, 1943

*Communiqué released December 1, 1943<sup>1</sup>*

1943 For. Rel. (Conferences at Cairo  
and Tehran) 448

President Roosevelt, Generalissimo Chiang Kai-Shek and Prime Minister Churchill, together with their respective military and diplomatic advisers, have completed a conference in North Africa. The following general statement was issued:

"The several military missions have agreed upon future military operations against Japan. The three great Allies expressed their resolve to bring unrelenting pressure against their brutal enemies by sea, land and air. This pressure is already rising.

"The three great Allies are fighting this war to restrain and punish the aggression of Japan. They covet no gain for themselves and have no thought of territorial expansion. It is their purpose that Japan shall be stripped of all the islands in the Pacific which she has seized or occupied since the beginning of the first World War in 1914, and that all the territories Japan has stolen from the Chinese, such as Manchuria, Formosa, and the Pescadores, shall be restored to the Republic of China. Japan will also be expelled from all other territories which she has taken by violence and greed. The aforesaid three great powers, mindful of the enslavement of the people of Korea, are determined that in due course Korea shall become free and independent.

"With these objects in view the three Allies, in harmony with those of the United Nations at war with Japan, will continue to persevere in the serious and prolonged operations necessary to procure the unconditional surrender of Japan."

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<sup>1</sup> The First Cairo Conference met from Nov. 22 to Nov. 26, 1943.

## TEHRAN CONFERENCE, 1943

*Declaration made by President Roosevelt, Prime Minister Churchill,  
and Premier Stalin at Tehran December 1, 1943, and released  
December 6, 1943<sup>1</sup>*

1943 For. Rel. (Conferences at Cairo  
and Tehran) 640

### DECLARATION OF THE THREE POWERS<sup>2</sup>

WE—The President of the United States, The Prime Minister of Great Britain, and the Premier of the Soviet Union, have met these four days past in this, the capital of our ally, Iran, and have shaped and confirmed our common policy.

We express our determination that our nations shall work together in war and in the peace that will follow.

As to war—Our military staffs have joined in our round table discussions, and we have concerted our plans for the destruction of the German forces. We have reached complete agreement as to the scope and timing of the operations which will be undertaken from the East, West and South.

The common understanding which we have here reached guarantees that victory will be ours.

And as to peace—We are sure that our concord will make it an enduring peace. We recognize fully the supreme responsibility resting upon us and all the United Nations, to make a peace which will command the good will of the overwhelming mass of the peoples of the world, and banish the scourge and terror of war for many generations.

With our diplomatic advisers we have surveyed the problems of the future. We shall seek the cooperation and the active participation of all nations, large and small, whose peoples in heart and mind are dedicated, as are our own peoples, to the elimination of tyranny and slavery, oppression and intolerance. We will welcome them, as they may choose to come, into a world family of democratic nations.

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<sup>1</sup> The Tehran Conference met from Nov. 27 to Dec. 1, 1943.

<sup>2</sup> For an explanation of minor differences in various texts of this document, see 1943 For. Rel. (Conferences at Cairo and Tehran) 639. In a note (p. 641) the *Foreign Relations* editors say, "The three Heads of Government do not appear to have signed any copy of this document, which was intended primarily as a press release."

No power on earth can prevent our destroying the German armies by land, their U-boats by sea, and their war plants from the air.

Our attack will be relentless and increasing.

Emerging from these friendly conferences we look with confidence to the day when all peoples of the world may live free lives, untouched by tyranny, and according to their varying desires and their own consciences.

We came here with hope and determination. We leave here, friends in fact, in spirit and in purpose.

## TEHRAN CONFERENCE, 1943

*Declaration signed at Tehran December 1, 1943, and released December 6, 1943<sup>1</sup>*

1943 For. Rel. (Conferences at Cairo and Tehran) 646

Dec. 1, 1943

### DECLARATION OF THE THREE POWERS REGARDING IRAN

The President of the United States, the Premier of the U.S.S.R., and the Prime Minister of the United Kingdom, having consulted with each other and with the Prime Minister of Iran, desire to declare the mutual agreement of their three Governments regarding their relations with Iran.

The Governments of the United States, the U.S.S.R., and the United Kingdom recognize the assistance which Iran has given in the prosecution of the war against the common enemy, particularly by facilitating the transportation of supplies from overseas to the Soviet Union.

The Three Governments realize that the war has caused special economic difficulties for Iran, and they are agreed that they will continue to make available to the Government of Iran such economic assistance as may be possible, having regard to the heavy demands made upon them by their world-wide military operations and to the world-wide shortage of transport, raw materials, and supplies for civilian consumption.

With respect to the post-war period, the Governments of the United States, the U.S.S.R., and the United Kingdom are in accord with the Government of Iran that any economic problems confronting Iran at the close of hostilities should receive full consideration, along with those of other members of the United Nations, by conferences or international agencies held or created to deal with international economic matters.

The Governments of the United States, the U.S.S.R., and the United Kingdom are at one with the Government of Iran in their desire for the maintenance of the independence, sovereignty and territorial integrity of Iran.

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<sup>1</sup> The Tehran Conference met from Nov. 27 to Dec. 1, 1943.

They count upon the participation of Iran, together with all other peace-loving nations, in the establishment of international peace, security and prosperity after the war, in accordance with the principles of the Atlantic Charter,<sup>2</sup> to which all four Governments have subscribed.

WINSTON S. CHURCHILL

J. STALIN

FRANKLIN D. ROOSEVELT

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<sup>2</sup> EAS 236, *ante*, p. 686

## TEHRAN CONFERENCE, 1943

*Military conclusions initialed at Tehran December 1, 1943, and released March 24, 1947<sup>1</sup>*

1943 For. Rel. (Conferences at Cairo and Tehran) 652

### MILITARY CONCLUSIONS OF THE TEHERAN CONFERENCE

#### The Conference:

- (1) Agreed that the Partisans in Yugoslavia should be supported by supplies and equipment to the greatest possible extent, and also by commando operations:
- (2) Agreed that, from the military point of view, it was most desirable that Turkey should come into the war on the side of the Allies before the end of the year:
- (3) Took note of Marshal Stalin's statement that if Turkey found herself at war with Germany, and as a result Bulgaria declared war on Turkey or attacked her, the Soviet would immediately be at war with Bulgaria. The Conference further took note that this fact could be explicitly stated in the forthcoming negotiations to bring Turkey into the war:
- (4) Took note that Operation OVERLORD would be launched during May 1944, in conjunction with an operation against Southern France. The latter operation would be undertaken in as great a strength as availability of landing-craft permitted. The Conference further took note of Marshal Stalin's statement that the Soviet forces would launch an offensive at about the same time with the object of preventing the German forces from transferring from the Eastern to the Western Front:
- (5) Agreed that the military staffs of the three Powers should henceforward keep in close touch with each other in regard to the impending operations in Europe. In particular it was agreed that a cover plan to mystify and mislead the enemy as regards these operations should be concerted between the staffs concerned..

F. D. R.  
J. S.  
W. S. C.

TEHERAN, December 1, 1943.

<sup>1</sup> The Tehran Conference met from Nov. 27 to Dec. 1, 1943.

## SECOND CAIRO CONFERENCE, 1943

*Communiqué released December 6, 1943<sup>1</sup>*

1943 For. Rel. (Conferences at Cairo  
and Tehran) 831

Mr. Roosevelt, President of the United States of America, M. Ismet Inonu, President of the Turkish Republic, and Mr. Winston Churchill, Prime Minister of Great Britain, met in Cairo on December 4th, 5th and 6th, 1943. Mr. Anthony Eden, His Britannic Majesty's Principal Secretary of State for Foreign Affairs, M. Numan Menemencioglu, Minister of Foreign Affairs of Turkey, and Mr. Harry L. Hopkins, took part in their deliberations.

The participation in this conference of the Head of the Turkish State, in response to the cordial invitation addressed to him by the United States, British and Soviet Governments, bears striking testimony to the strength of the alliance which united Great Britain and Turkey, and to the firm friendship existing between the Turkish Republic, the United States of America, and the Soviet Union.

Presidents Roosevelt and Inonu and Prime Minister Churchill reviewed the general political situation and examined at length the policy to be followed, taking into account the joint and several interests of the three countries.

The study of all problems in a spirit of understanding and loyalty showed that the closest unity existed between the United States of America, Turkey and Great Britain in their attitude towards the world situation.

The conversations in Cairo have consequently been most useful and most fruitful for the future of the relations between the four countries there represented.

The identity of interest and of views of the American and British democracies, with those of the Soviet Union, and the traditional relations of friendship existing between these powers and Turkey, have been reaffirmed throughout the proceedings of the Cairo conference.

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<sup>1</sup> The Second Cairo Conference met from Dec. 4 to 6, 1943.