

den zuständigen Stellen geändert werden. Trotzdem fragt es sich, ob die Türkei im vorliegenden Falle das ihr nach Völkerrecht zustehende Recht der Festnahme ausüben durfte, nachdem ihre Behörden es unterlassen hatten, den auf die Bestimmungen der Verordnung vertrauenden Kapitän vor der Einfahrt in den Hafen davon zu verständigen, daß bezüglich seines Schiffes eine Ausnahme gemacht werden würde.

A. N. Makarov.

Die Verhandlungen über die Kriegsschulden der Alliierten im Anschluss an die Johnson Act

(Verzug bei Anerkennungszahlungen und hinsichtlich der russischen Kriegsschulden — Transferfrage — Sachlieferungen.)

In der Frage der Kriegsschulden der Alliierten an die Vereinigten Staaten, über deren verschiedene rechtliche Beurteilung durch die Gläubigermacht und die beiden Hauptschuldner, Großbritannien und Frankreich, im vorletzten Heft dieser Zeitschrift (Bd. IV S. 139 ff.) berichtet worden ist, haben sich die Gegensätze verschärft. Diejenigen Mächte, die bisher Teil- oder Anerkennungszahlungen geleistet hatten, haben diese nunmehr eingestellt¹⁾.

Für diese Wendung dürfte die sog. Johnson Act entscheidend gewesen sein. Die auf einen Entwurf des Senators Hiram Johnson zurückgehende »Act To prohibit financial transactions with any foreign government in default on its obligations to the United States«, die der Präsident der Vereinigten Staaten am 13. April 1934 unterzeichnet hat, lautet: ²⁾

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter it shall be unlawful within the United States or any place subject to the jurisdiction of the United States for any person to purchase or sell the bonds, securities, or other obligations of, any foreign government or political subdivision thereof or any organization or association acting for or on behalf of a foreign government or political subdivision thereof, issued after the passage of this Act, or to make any loan to such foreign government, political subdivision, organization, or association, except a renewal or adjustment of existing indebtedness while such government, political subdivision, organization, or association, is in default in the payment of its obligations, or any part thereof, to the Government of the United States. Any person violating the provisions of this Act shall upon con-

¹⁾ Von den 15 Staaten, deren Zahlungen am 15. Juni 1934 fällig waren, hat lediglich Finnland Zahlung — und zwar Vollzahlung — geleistet. Vgl. New York Times, June 16, 1934, p. 5.

²⁾ Public — No. 151 — 73d Congress [S. 682].

viction thereof be fined not more than \$ 10,000 or imprisoned for not more than five years, or both.

SEC. 2. As used in this Act the term "person" includes individual, partnership, corporation, or association other than a public corporation created by or pursuant to special authorization of Congress, or a corporation in which the Government of the United States has or exercises a controlling interest through stock ownership or otherwise.

Noch bevor der Entwurf Gesetz geworden war, zeigten sich bereits seine Auswirkungen. In Erwartung der Annahme des Entwurfs, der bereits vom Senat verabschiedet war und von der Regierung unterstützt wurde, untersagte der amerikanische Schatzsekretär am 23. März 1934 auf Grund der Vollmachten der *Gold Reserve Act of 1934* New Yorker Bankiers die Beteiligung an einem von Holländern geführten Bankenkonsortium, das eine französische Anleihe aufzulegen beabsichtigte³⁾.

Die Auslegungsschwierigkeiten, die alsbald nach Inkrafttreten des Gesetzes auftauchten, gaben dem Staatsdepartement Veranlassung, ein Rechtsgutachten des Attorney General einzuholen, das dieser am 5. Mai 1934 erstattete⁴⁾. Zu beantworten hatte er u. a. die Frage: welche Regierungen, politische Unterabteilungen oder Vereinigungen befinden sich hinsichtlich ihrer Verpflichtungen gegenüber den Vereinigten Staaten im Verzuge? Hierzu erklärte der Attorney General u. a.:

"Default" is a common word which conveys at once a known meaning, but as applied to particular situations, it is often a matter of uncertainty whether or not or when a "default" has occurred...

In view, therefore, of the flexibility of the term, and bearing in mind that a penal statute is to be strictly construed against the imputation of criminality to an act which is not *malum in se*, I think it is required that we seek carefully from authorized sources the probable intent of Congress. In connection therewith your letter indicates particular concern as to Great Britain and other countries which have made so-called token payments, and as to the Soviet Government which has not yet, as you informed me, recognized as binding upon it the obligations incurred by prior governments in Russia. I shall, therefore, indicate to the extent that I properly can, my views in these instances.

On November 7, 1933, the President issued the following statement:

"For some weeks representatives of the British Government have been conferring with representatives of this government on the subject of the British debt to this country growing out of the World War...

It has, therefore, been concluded to adjourn the discussions until certain factors in the world situation — commercial and monetary — become more clarified. In the meantime, I have as Executive noted the representations of the British Government. I am also assured by that Government that it continues to acknowledge the debt without, of course, prejudicing its right again to present the matter of its readjustment, and that on December 15, 1933, it will give tangible expression

3) New York Times, March 24, 1934, p. 1.

4) Text: The Department of State Press Releases, Weekly Issue No. 240, p. 259 ff.

of this acknowledgment by the payment of seven and one half million dollars in United States currency.

In view of these representations, of the payment, and of the impossibility, at this time, of passing finally and justly upon the request for a readjustment of the debt, I have no personal hesitation in saying that *I shall not regard the British Government as in default.*"

On the same day the Chancellor of the Exchequer addressed the House of Commons to the same effect, concluding with the President's statement that he would not regard the British Government as in default.

A statement of similar import had been made by the President in June, 1933, shortly before certain installments upon the debts were due. It is unnecessary to repeat here the statement then made or to treat further of later statements by the President and their acceptance in good faith, except to say that Great Britain and certain other countries made partial payments on installments due in June, 1933, and in December, 1933, with the expectation and belief that they would thereby avoid a default.

In his annual message to Congress delivered at a joint meeting of the two Houses on January 3, 1934, the President stated:

"I expect to report to you later in regard to debts owed the Government and people of this country by the governments and peoples of other countries. Several nations, acknowledging the debt, have paid in small part; other nations have failed to pay. One nation — Finland — has paid the installments due this country in full" (Cong. Rec. v. 78, p. 5).

It does not appear, however, that any further report in regard to these debts was transmitted to Congress prior to the enactment of the statute.

I find no record of the expression of any views in the Senate upon the meaning of the word "default" when the bill was under consideration, but the matter was considered in the House . . .

Mr. McReynolds was in charge of the bill during its consideration by the House and, therefore, under the rules applied by the courts in considering such proceedings, his apparent view that Great Britain and other countries similarly situated were not to be deemed in default, is entitled to especial weight.

Moreover, the President, by signing the bill, participated equally with the Houses of Congress and his view as to the meaning of words employed in it is of great significance. I cannot assume that he believed Great Britain to be in default, within the meaning of the word as used in the bill, in view of his express statements on the subject; and from such information as I now have before me it would appear that Czechoslovakia, Italy, Latvia and Lithuania fall in the same category with Great Britain. I conclude, therefore, that these five countries are not, at the present time, in default under the terms of the Act in question.

Beyond this a specific answer as to what governments, political subdivisions, organizations or associations are in default on their obligations to the United States would seem to require a survey of data not immediately available to this office, but in general it may be said, in the words of the statute, that a "foreign government, political sub-

division, organization or association is in default" if it has failed "in the payment of its obligations, or any part thereof, to the government of the United States", according to its promise or undertaking to pay a fixed amount at a definite time, unless such default has been postponed or waived in some competent manner or by a transaction having that effect in law or good morals. Should any authoritative statement, in harmony with this opinion, be issued in the form of an administrative declaration that named countries are or are not in default, I should be inclined to follow it in so far as the Department of Justice is charged with the responsibility of instituting prosecutions in cases of violation, thereby removing misapprehension and uncertainty to those who desire to avoid conflict with the statutory interdiction; and should the question come before the courts it is reasonable to believe that they would honor any such administrative determination.

Als bald nach Bekanntgabe des Gutachtens, mit dem sich das Staatsdepartement einverstanden erklärte⁵⁾, ließen Großbritannien, Frankreich, Italien, Belgien und die Tschechoslowakei durch ihre diplomatischen Vertreter in Washington sondieren, wie nach der Johnson Act die Rechtslage am nächsten Zahlungstermin sein werde, da sich das Gutachten über diese Frage nicht ausdrücklich ausgelassen hatte. Am 10. bzw. 11. Mai wurde ihnen im Staatsdepartement eröffnet, es könne keine Gewähr dafür gegeben werden, daß Anerkennungszahlungen, zu deren Annahme die amerikanische Regierung bereit sei, auch in Zukunft die Anwendung der Bestimmungen der Johnson Act über Zahlungsverzug ausschließen würden⁶⁾. Auf der Pressekonferenz vom 11. Mai erklärte Präsident Roosevelt, er könne hypothetische Fragen nicht entscheiden, er werde vielmehr in jedem Einzelfall, in dem eine Regierung eine Anerkennungszahlung anbiete, sich darüber schlüssig werden, ob er wiederum als seine persönliche Meinung aussprechen könne, daß die betreffende Regierung sich nicht in Verzug befinde⁷⁾. Ob dies nach Inkrafttreten der Johnson Act mit der gleichen Wirkung geschehen kann, die nach dem Gutachten des Attorney General den in bezug auf die vor Erlaß des Gesetzes fälligen Zahlungen abgegebenen Erklärungen des Präsidenten zukam⁸⁾, erscheint sehr zweifelhaft. Möglich wäre vielleicht eine Erklärung des Präsidenten, bei Anerkennungszahlungen die Frage des Verzuges selbst offen lassen und abwarten zu wollen, wie die Gerichte im Einzelfall entscheiden würden, wenn eine Regierung, die künftig Anerkennungszahlungen leiste, auf dem amerikanischen Kapitalmarkt als Kreditnehmer auftrete. Für die in dem Gutachten als zur Zeit nicht in Verzug befindlich bezeichneten Regierungen würde, auch wenn sie in

5) I. c. p. 259.

6) New York Times, May 11, 1934, p. 1, May 12, 1934, p. 5.

7) New York Times, May 12, 1934, p. 5.

8) Auch hiergegen lassen sich Bedenken erheben. Vgl. die in New York Times, May 7, 1934, p. 11 mitgeteilten Äußerungen der Senatoren Borah und George.

nächster Zeit neue Kredite in den Vereinigten Staaten aufzunehmen nicht beabsichtigen, die Wirkung des Gesetzes auf die bereits ausgegebenen Anleihen freilich eintreten, sofern die Gerichte den Fall des Verzugs annehmen. Eine derartige Zusicherung scheint jedoch auch nicht zu erreichen gewesen zu sein ⁹⁾. Die Schuldnerstaaten konnten nicht umhin, aus den vorsichtig zurückhaltenden Erklärungen der Gläubigermacht den Schluß zu ziehen, daß jede Regierung, die am nächsten Fälligkeitstermin keine Vollzahlung leiste, als in Verzug geraten betrachtet werde.

Bei dieser durch die Johnson Act geschaffenen Rechtslage — Gleichstellung der Schuldner, die Anerkennungszahlungen leisten, mit Schuldnern, die überhaupt nicht zahlen — erschien den Schuldnerstaaten die Fortsetzung der Anerkennungszahlungen zwecklos.

Die britische Regierung ließ daher am 4. Juni in Washington eine Note überreichen ¹⁰⁾, in der es heißt:

In their Note of the 6th November last, His Majesty's Government expressed their readiness to resume negotiations on the general question whenever, after consultation with the President, it might appear that this could usefully be done, and His Majesty's Government are glad to note that the President, in his message to Congress on the 1st June, has again stated that each of the debtor Governments concerned has full and free opportunity to discuss this problem with the Government of the United States. But unfortunately, recent events have shown that discussions on the whole question with a view to a final settlement cannot at present usefully be renewed. In these circumstances His Majesty's Government would have been quite prepared to make a further payment on the 15th June in acknowledgement of the debt and without prejudice to their right again to present the case for its readjustment, on the assumption that they would again have received the President's declaration that he would not consider them in default. They understand, however, that in consequence of recent legislation no such declaration would now be possible, and, if this be the case, the procedure adopted by common agreement in 1933 is no longer practicable.

His Majesty's Government are, in fact, faced with a choice between only two alternatives, viz., to pay in full the sum of 262 million dollars as set forth in the communication from the United States Treasury, dated the 25th May, or to suspend all interim payments pending the final revision of the settlement which has been delayed by events beyond the control of the two Governments. Deeply as they regret the circumstances which have forced them to take such a decision, His Majesty's Government feel that they could not assume the responsibility of adopting a course which would revive the whole system of inter-governmental war debts payments. As already pointed out the resumption of full

⁹⁾ Vgl. New York Times, May 31, 1934, p. 9.

¹⁰⁾ Papers Relating to the British War Debt. [United States No. 1 (1934). Cmd. 4609]. No. 2. — Vgl. auch die Erklärung des britischen Schatzkanzlers im Unterhause vom 5. Juni (Official Report — Parliamentary Debates — House of Commons, Vol. 290, No. 103, p. 754 f.

payments to the United States of America would necessitate a corresponding demand by His Majesty's Government from their own war debtors. It would recreate the conditions which existed prior to the world crisis and were in large measure responsible for it. Such a procedure would throw a bombshell into the European arena which would have financial and economic repercussions over all the five continents and would postpone indefinitely the chances of world recovery.

Accordingly, His Majesty's Government are reluctantly compelled to take the only other course open to them. But they wish to reiterate that, while suspending further payments until it becomes possible to discuss the ultimate settlement of intergovernmental war debts with a reasonable prospect of agreement, they have no intention of repudiating their obligations and will be prepared to enter upon further discussion of the subject at any time when in the opinion of the President such discussion would be likely to produce results of value.

Die dem amerikanischen Staatssekretär vom italienischen Botschafter übergebene Note ¹¹⁾ erklärt noch entschiedener:

The Italian Government, which has always been and is still willing to acknowledge its obligation in view of a final settlement, would have been prepared to reaffirm its good will by another token payment. It has been informed, however, that, under a law recently enacted, the nations which do not make full payment of the amounts due on the 15th of June will be considered as being in default.

In these circumstances and since, for the reasons mentioned above, the payment and transfer of the full amount due on the said date cannot be effected, the Italian Government regrets to have to abandon the intention of making a token payment.

und die Note des tschechoslowakischen Gesandten vom 11. Juni ¹²⁾ bemerkt:

When the full compliance with the assumed obligations appeared impossible, the Czechoslovak Government endeavored to sustain the existing obligations and to show its utmost good-will in offering partial payments within the limits of the budgetary and economic equilibrium. As these partial payments in the light of the latest legislative provisions in this matter have lost their symbolic and practical meaning, the Czechoslovak Government finds itself in the necessity of discontinuing payment of due instalments until the above-mentioned factors in the world economic and financial condition permit its resumption.

Von den andern Staaten, die bisher Teilzahlungen geleistet hatten, hat nur Litauen die Zahlungseinstellung nicht ausdrücklich mit den Wirkungen der Johnson Act begründet ¹³⁾.

Wenn Staatssekretär Hull in seiner Antwortnote an den britischen

¹¹⁾ The Department of State-Press Releases, Weekly Issue No. 246, p. 400 f.

¹²⁾ I. c. p. 397 f. Entsprechend die Note des lettischen Generalkonsuls vom 13. Juni, I. c. p. 401 f.

¹³⁾ Vgl. die litauische Note vom 14. Juni, ebd. S. 403 f.

Botschafter vom 12. Juni ¹⁴⁾) als amerikanischen Standpunkt in der Frage der Teilzahlungen Folgendes angibt:

The Attorney General has advised me that, in his opinion, the debtor governments which, under the ruling of his Office of May 5, 1934, are not at present considered in default because of partial payments made on earlier instalments, would have to pay only the amount of the instalment due June 15, 1934 — for Great Britain \$ 85,670,765. 05 — in order to remain outside the scope of the act.

so ist festzustellen, daß dies mit den vorhergehenden Verlautbarungen der amerikanischen Regierung nicht in Einklang gebracht werden kann. Es ist bezeichnend, daß die britische Regierung in ihrer Antwortnote vom 27. Juni ¹⁵⁾) auf diese überraschende Äußerung mit keinem Wort eingeht.

Die Johnson Act hat aber auch die Stellungnahme derjenigen Staaten beeinflußt, die bisher keine Teil- oder Anerkennungszahlungen geleistet hatten. Die erwähnten Sondierungen Frankreichs und Belgiens in Washington deuten darauf hin, daß diese Staaten die Aufnahme von Zahlungen mindestens in Erwägung zogen. Noch Anfang Juni verlautete ¹⁶⁾), daß im französischen Kabinett diejenige Richtung, die für eine Abschlagszahlung eintrete, die Mehrheit bilde. Mit dem Hinweis auf das britische Beispiel vermochte sich die zahlungsunwillige Richtung freilich leicht durchzusetzen ¹⁷⁾).

Daneben ist die Johnson Act von Bedeutung für das besondere Problem der russischen Kriegsschulden.

¹⁴⁾ Papers Relating to the British War Debt. [United States No. 2 (1934). Cmd. 4627]. No. 1.

¹⁵⁾ S. die in Anm. 14 genannten »Papers« unter No. 2.

¹⁶⁾ New York Times, June 4, 1934, p. 1.

¹⁷⁾ New York Times, June 6, 1934, p. 2. — Die französische Note vom 12. Juni (Le Temps, 15 juin 1934, p. 2; Press Releases No. 246, p. 398 f.) begnügt sich ebenso wie die belgische Note vom 8. Juni (Press Releases No. 246, p. 396) mit der Erklärung, daß in der Zwischenzeit kein Umstand eingetreten sei, der der Regierung Veranlassung geben könne, die eingestellten Zahlungen wieder aufzunehmen. — Erwähnt sei übrigens, daß das amtliche Communiqué über die entscheidende Sitzung des französischen Ministerrats vom 12. Juni staatsrechtlich nicht ohne Interesse ist. Es lautet (Le Temps, 13 juin 1934, p. 8):

«M. Louis Barthou, ministre des affaires étrangères, a exposé, en vue de l'échéance du 15 juin, la question des dettes contractées par la France aux Etats-Unis d'Amérique. Après avoir procédé à un complet échange de vues, le conseil a décidé de maintenir la position prise depuis le mois de décembre 1932.

M. Herriot a déclaré qu'il restait fidèle aux idées qu'il a constamment défendues pour arriver à un règlement des difficultés intervenues entre les deux pays.»

Die Bekanntgabe des Widerspruchs des Staatsministers Herriot steht mit dem Grundsatz der Geheimhaltung der Beratungen des Ministerrats und der gemeinsamen Verantwortlichkeit der Minister für einen die allgemeine Politik des Staates berührenden Beschluß nicht in Einklang. Vgl. Joseph-Barthélemy et Paul Duez, *Traité de droit constitutionnel* (Nouvelle Edition, Paris 1933), p. 659, 662 f., 707, 824.

Hierzu hat das Staatsdepartement Attorney General Cummings zwei Fragen gestellt¹⁸⁾. Die eine lautete:

(5). Is the present Soviet Government, as the successor to prior governments of Russia, to be regarded as in default, in view of the fact that no payment has been made on the bonds issued to the Government of the United States by the Provisional Government, on account of loans made to that Government by the United States during the period of the war, the Provisional Government having been the immediate predecessor of the Soviet Government?

Die Antwort ist folgende:

The proceedings in the House of Representatives indicate acceptance of the view that our Government regards the Soviet Government as responsible for the obligations incurred by prior Russian governments. (Cong. Rec. Vol. 78, p. 6192) The position of our Government in this respect accords with accepted principles of international law...¹⁹⁾

This view, in fact, was stated in Congress (Cong. Rec. Vol. 78, p. 6192) to have suggested the insertion of the provision in Sec. 2 of the statute excluding from its operation public corporations controlled by the United States, which are permitted to engage in the transactions prohibited to individuals and private corporations, if administratively determined to be desirable. I, therefore, regard the Soviet Government as in default, within the contemplation of the statute.

Die zweite Frage

(6). However the last question may be answered, can the Soviet Government be considered in default to the Government of the United States pending negotiations that are being had with a view to arriving at the amount of the indebtedness due from the Soviet Government to the Government of the United States?

wird folgendermaßen beantwortet:

Bearing in mind what I have just stated in response to your fifth question, I am aware of no principle of law under which a previously existing default is waived or overcome because of the mere pendency of negotiations "with a view to arriving at the amount of the indebtedness due", assuming that there is any uncertainty in this regard, although of course, the matter might be affected by the outcome of any such negotiations.

Eine Mitteilung des Staatsdepartements an die Presse vom 7. Mai²⁰⁾ fügte erläuternd hinzu:

The attention of an official of the State Department was called to some criticism of the Attorney General's opinion interpreting the Johnson Act, based upon the designation of the Russian indebtedness to our Government as the "Kerensky" debt. He said that while the Kerensky debt was mentioned in one of the questions propounded by the State

¹⁸⁾ S. Anm. 4.

¹⁹⁾ Als Beleg wird Moore, *International Law Digest*, v. 1, sec. 96, Halleck, *International Law* (3d ed.) v. 1, p. 90, Kent's *Commentaries* (12th ed.) v. 1, p. 26 und eine *Opinion des Attorney General Griggs* (22 Op. A. G. 583, 584) zitiert.

²⁰⁾ The Department of State — Press Releases, Weekly Issue No. 241, p. 278.

Department to the Attorney General, the latter's answer, which contains no specific reference to the Kerensky debt, is that the Soviet Government is responsible for the obligations incurred by prior Russian governments. The fact is that some, but not all, of those obligations were incurred during the Kerensky premiership, and that they are at this moment in default. It was further emphatically stated that the Attorney General's opinion leaves the Russian situation precisely at it was before the opinion was issued.

Aus dem britisch-amerikanischen Notenwechsel verdienen im übrigen zwei Punkte hervorgehoben zu werden, die vom deutschen Schuldnerstandpunkt von hohem Interesse sind: die Fragen des Transfers und der Sachlieferungen.

Zur Frage des Transfers führt die britische Note vom 4. Juni aus, nachdem sie die Nichtverwendung des britischen Etatüberschusses für die Zahlung der Kriegsschulden gerechtfertigt hat:

But, although it is desirable that the internal budgetary position of the United Kingdom should not be misunderstood, it is really irrelevant to the question of inter-governmental debt, the payment of which has to be related to the balance of trade and not to the volume of internal revenue. The revenues of this country are sterling revenues, whereas the debt payments to America have to be made in dollars or in gold. In order to secure the means of payment, therefore, any sums available in sterling would have to be transferred across the exchange. The attempt to transfer amounts of this magnitude would, as its immediate effect, cause a sharp depreciation of sterling against the dollar which, as His Majesty's Government understand, would not be consistent with the monetary policy of the United States Government. And in the long run such international transfers would be impossible without a radical alteration in the economic policies of the United States of America. Payment of debts implies the willingness of the creditor to accept goods and services sufficient to cover the debts due to him, over and above the goods and services required to cover his exports: and to make it possible for the United States to receive payment of their claims, it would be necessary to effect a complete reversal of the existing favourable balance of trade between their country and the rest of the world.

Zur Frage der Sachlieferungen hatte die amerikanische Note vom 12. Juni angeregt:

Should His Majesty's Government wish to put forward proposals for the resumption of payments, this Government would be glad to entertain and discuss them informally. For instance, no proposal has ever been presented to this Government looking towards payments in kind to an extent that might be found mutually practicable and agreeable. Any proposals of this or a similar character which promise mutual benefit will be carefully considered for eventual submission to the American Congress.

Die britische Note vom 27. Juni gab darauf die sehr bemerkenswerte Antwort:

Secondly, as regards a suggestion of payments in kind, His Majesty's

Government would recall that the experience of German reparations showed that transfer difficulties are not solved by a system of deliveries in kind. As the committee presided over by General Dawes pointed out in 1924: "In their financial effects, deliveries in kind are not really distinguishable from cash payments". In fact, the economic objections to cash payments would apply with equal force to deliveries in kind unless those deliveries were to consist of indigenous products of the debtor country (excluding reexports), and unless they were to be accepted by the creditor country and consumed by it in addition to the goods taken from the debtor country in the normal course of trade. If the United Kingdom were not to receive payment for goods exported on commercial account, her exchange resources available for the purchase of cotton and other goods from America would be still further diminished. Therefore, while not unwilling to give further consideration to the possibilities in this direction, His Majesty's Government do not at present see any method of putting such a plan into practice which would be likely to commend itself to the Government of the United States of America.

Erwähnt sei zum Schlusse, daß der wieder einmal aufgetauchte Vorschlag, die Kriegsschuldenfrage durch Abtretung von Kolonien an die Vereinigten Staaten zu lösen, vom britischen Premierminister am 18. Juni als unter keinen Umständen annehmbar bezeichnet worden ist ²¹⁾. Friede.

CHRONIK DER STAATSVERTRÄGE

I.

Auf der 7. *panamerikanischen Konferenz von Montevideo* ¹⁾ ist am 26. Dezember 1933 eine **Konvention über die Rechte und Pflichten der Staaten** unterzeichnet worden ²⁾, die im Anhang abgedruckt ist.

Die *Vereinigten Staaten* haben die Konvention, deren Ratifikation noch aussteht, mit einem Vorbehalt unterzeichnet, der in dieser Zeitschrift Band IV, S. 333 im Wortlaut wiedergegeben ist. Die Delegierten *Brasiliens* und *Perus* formulierten zu Art. II folgenden Vorbehalt:

« Que aceptan la doctrina en principio; pero no la estiman conciliable porque hay países que aún no han firmado el pacto antibélico

²¹⁾ Official Report — Parliamentary Debates — House of Commons, Vol. 291, No. 112, p. 16.

¹⁾ S. diese Z. Bd. IV, S. 330 ff.

²⁾ Spanischer Text: *Revista de Derecho Internacional* 1934, Nr. 49, S. 115 ff.; Englischer Text: *Treaty Information* 1934, Bull. 54, S. 33.