

March 21st, 1941.

No. 312.

Sir,

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With reference to Mr. Butler's despatch No. 74 of January 18th last, I have the honour to inform you that ratifications were exchanged at Washington on March 11th, 1941, of the Treaty concluded between the Union of South Africa and the United States on April 2nd, 1940, amending in the application to the Union the Treaty for the Advancement of Peace between the United States and Great Britain signed at Washington on September 15th, 1914.

2. The text of an announcement to the press issued by the State Department on the occasion of the exchange of ratifications is transmitted herewith.

I have the honour to be,
with the highest respect,
Sir,
Your most obedient,
humble servant,

(SGD) HALIPAX

The Right Honourable
Anthony Eden, M.C., M.P.,
etc., etc., etc.

WGH:RGES:NT

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Encl. to 200/2/11

*Dep. Sec. to F.O.
12/11/41*

DEPARTMENT OF STATE

FOR THE PRESS

MARCH 11, 1941
No. 100

EXCHANGE OF RATIFICATIONS OF TREATY BETWEEN THE UNITED STATES AND THE UNION OF SOUTH AFRICA AMENDING IN THEIR APPLICATION TO THE UNION OF SOUTH AFRICA CERTAIN PROVISIONS OF THE TREATY FOR THE ADVANCEMENT OF PEACE BETWEEN THE UNITED STATES AND GREAT BRITAIN SIGNED AT WASHINGTON, SEPTEMBER 15, 1914.

General Statement:

The Secretary of State, Mr. Cordell Hull, and the Minister of the Union of South Africa, Mr. Ralph William Close, exchanged ratifications on March 11, 1941 at 3:30 p.m. of a treaty between the United States and the Union of South Africa, signed by them on April 2, 1940, amending in their application to the Union of South Africa the provisions which concern the organization of Commissions for the settlement of disputes contained in the Treaty for the Advancement of Peace between the United States and Great Britain signed at Washington September 15, 1914. The Senate of the United States gave its advice and consent to the ratification of the treaty on November 26, 1940 and the President ratified it on December 20, 1940. After ratification had been recommended by the Government of the Union of South Africa, the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, ratified the treaty in respect of the Union of South Africa.

Commission to be established under the treaty.

The treaty of 1914 between the United States and Great Britain provided for the establishment of an international commission of five members, the duties of which were to make investigations and reports to the Governments with reference to disputes arising between the United States and Great Britain (meaning any part of the British Empire). One member of the Commission was chosen from its own citizens by the Government of the United States and one member from its own citizens by the Government of Great Britain, one member was chosen by each Government from some third country, and a fifth member was chosen by agreement between the two Governments from a country of which no other member of the Commission is a citizen. The treaty also provides that in the event the interests affected by any dispute about to be investigated should be mainly interests of one of the self-governing dominions of the British Empire the dominion concerned might furnish a list of persons from which a member of the Commission would be appointed to serve in place of the British national member.

The amendatory treaty with the Union of South Africa provides for the establishment of a separate commission between the United States and the Union of South Africa instead of a Commission established in the way provided under the treaty of 1914 in cases in which the interests involved might be mainly interests of the Union of South Africa. The Commission will

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consist of five members, the same number as the Commission established under the treaty of 1914 with Great Britain. One national and one non-national member will be appointed by the United States, and one national and one non-national member will be appointed by the Union of South Africa. The fifth member will be chosen by agreement between the Government of the United States and the Government of the Union of South Africa from a country of which no other member of the Commission is a citizen.

General provisions of treaty of 1914 unchanged.

The substantive provisions of the treaty of 1914 between the United States and Great Britain as to the type of disputes to be submitted to the Commission and other matters are made an integral part of the treaty between the United States and the Union of South Africa for observance and fulfillment between the two countries. The relations between the United States and the United Kingdom under the treaty of 1914 and the constitution of the Commission to investigate and report on disputes that might arise between them are not affected by the amendatory treaty.

Amendatory treaties with other British Dominions.

Amendatory treaties similar to the one between the United States and the Union of South Africa were signed with Canada, Australia, and New Zealand on September 6, 1940. They have been ratified by the President by and with the advice and consent of the Senate, but ratifications have not yet been exchanged.

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