

an agreement regarding the three primary articles; second, to discuss separately the point relative to citizenship.

In this form, the Delegation of Chili, that I have the honor to represent, could subscribe the primary agreement, and not the second, and, therefore, if the two matters are incorporated in the agreement, we could not subscribe it. I have the honor to propose, consequently, that the three articles be considered as an agreement already concluded, and that later we discuss the subject of citizenship.

I have said that according to our Constitution, we cannot establish that political rights be granted to individuals born outside Chilean territory, because it declares that one in such condition cannot be, for example, President of the Republic. Admitting, then, the article, we would accept something contrary to our Constitution, that is, we would agree that all political rights might be granted to individuals born outside Chilean territory, altho they might not be sons of Chilean parents.

It will be seen, then, by the Conference that the Delegation from Chili labors under a material impossibility, and this same difficulty must occur to many other countries here represented. Therefore, I submit to this Honorable Assembly the following proposition:

"The Conference resolves to separate the three primary articles of the project on the right of aliens, already adopted, for the purpose of forming with the same an independent project of Convention."

*His Excellency Mr. Bermejo, Delegate from the Argentine Republic.*—I only wish to state that the principle contained in art. 4th is found in the Constitutions of all the South American States, that is, the principle of the place of birth to determine nationality: then, the special laws of each country, among which those ruling in the country I represent, establish a number of provisions to determine nationality, granting to the sons of citizens born in foreign soil the right to adopt it. The foundation for this doctrine is equally just, as I think has been proven, both from the point of view of self interest and the principles of Law; it is a doctrine which ought to be accepted.

However, I think that the establishment of the other principles which form part of the project must be adopted and that we ought not to form two separate projects of this whole, because I insist on my assertion that they form a harmonious whole, that they are inseparable; thus, it is considered by the authorities I have cited at the former sessions.

On my part I have no objection whatever—knowing as I do that we are not in an academic meeting, but in a diplomatic meeting—in withdrawing that part and that the discussion be postponed as requested.

*Secretary Macedo.*—The proposition of His Excellency Mr. Matte is under discussion.

*His Excellency Mr. Bermejo.*—As the intention is to limit the project, that is, to constitute it with the first three articles, the whole project is actually accepted without restrictions; but the last two articles, which have been rejected without, are considered as forming no part of the project. So that, if it is decided to postpone indefinitely the discussion of the last two articles, the project will be sanctioned without them.

*His Excellency Mr. Calvo, Delegate from Costa*

*Rica.*—I find myself in the same position as that of Mr. Matte, Delegate from Chili; and I should not like to abstain from voting. I therefore second his motion that a Convention be formed with the three first articles and that the other two be eliminated.

Many of the Hon. Delegates are in the same position, and I think that a decision might thereby be reached with regard to this point.

*Secretary Macedo.*—The Committee begs leave of the Conference to withdraw the last two articles of the report, the 4th. and the 5th. Is this request granted?

The votes having been taken, it was unanimously granted.

*His Excellency Mr. Matte.*—There is no room now for my proposition as the Committee has withdrawn the two articles in question; I only wish to call the attention of the Assembly to the advisability of having this resolution in the form of a convention. This was the intention of the proposition I had the honor to submit, so that the three articles already approved would be in the form of a Convention.

*His Excellency Mr. Bermejo.*—Regarding the form of a Convention and not of a Declaration for the project, the Committee is agreeable. I do not consider the project of any importance, because I think that a recommendation containing this principle has the moral authority of a treaty. The fact that in this declaration only some of the American States, not all, take part, the United States of America having abstained from an intervention, induced me to believe more fully that a recommendation of general principles was sufficient.

With regard to the suggestion of the Honorable Mr. Matte, that a convention should be formed, on my part there are no objections, since the principles having been accepted, I think that my country will be willing to accept also an agreement to respect them.

*His Excellency Mr. Carbo, Delegate from Ecuador.*—Mr. President, I move that the Committee on Engrossing be entrusted with the redaction of a form of convention to the project just approved.

*Secretary Macedo.*—The Conference is asked whether the motion of His Excellency Mr. Carbo will be taken into consideration immediately. It will. It is now under discussion. No one requests the floor. It is asked if the motion is approved.

The vote having been taken, the motion was unanimously approved, with the exception of the delegates from the United States and Hayti, which abstain from voting.

*Secretary Macedo.*—The Chair rules that the documents on the rights of aliens be referred to the Committee on Engrossing.

SESSION OF JANUARY 28, 1902.  
(AFTERNOON.)

*Secretary Macedo.*—In compliance with the resolution of the 22nd. instant, the reports of the Committee on Engrossing, on the resolutions approved by the Conference are filled in the office of the Secretary, and are at the disposal of their Excellencies the Delegates, who may revise and make such suggestions as they may deem advisable.

<sup>1</sup> See page 74.

The report on the rights of aliens reads as follows:

*Engrossing Committee.*—The undersigned have the honor to submit the following text for the report approved by the Conference on the Declaration of rights of Aliens:

Art. 1. Aliens shall enjoy all civil rights pertaining to citizens, and make use thereof in the substance form or procedure, and in the recourses which result therefrom, under exactly the same terms as the said citizens, except as may be otherwise provided by the Constitution of each country.

Art. 2. The States do not owe, nor recognize, in favor of foreigners, any obligations or responsibilities other than those established by their Constitutions and laws in favor of their citizens.

Therefore, the States are not responsible for damages sustained by aliens through acts of rebels or individuals, and in general for damages originating from fortuitous cases of any kind, considering as such the acts of war, whether civil or national, ex-

cept in the case of failure on the part of the constituted authorities to comply with their duties.

Art. 3. Whenever an alien shall have claims or complaints of a civil, criminal or administrative order against a State, or its citizens, he shall present his claims to a competent Court of the country, and such claims shall not be made through diplomatic channels, except in the cases where there shall have been, on the part of the Court, a manifest denial of justice, or evident violation of the principles of international law.

Hall of Committees of the Second International American Conference.—Mexico, January 28, 1902.  
—(Signed).—*Alberto Elmore.*—*Rosendo Pineda.*

The Convention relative to rights of aliens expressed in exactly the same terms of the above report, was signed on the 29th. day of January, 1902, by the Delegations of the Argentine Republic, Bolivia, Colombia, Costa Rica, Chili, Dominique, Ecuador, Salvador, Guatemala, Honduras, Mexico, Nicaragua, Paraguay, Peru and Uruguay.

NUMBER 17.

## Future International American Conferences.

SESSION OF JANUARY 27, 1902.

*Secretary Macedo.*—The Committee on Future Pan-American Conferences has presented its report, that the Chair orders published and distributed among their Excellencies the Delegates. Said report states:

### FUTURE International American Conferences.

The expediency of holding periodically International American Conferences has been recognized by the Republics of this Hemisphere. Many advantages have been derived from these assemblies, inasmuch as the exchange of ideas and the diffusion of knowledge among the countries represented in them, contribute to foster closer relations among these Republics through the resulting Treaties and Conventions. The progress achieved at these reunions is towards the realization of mutual ideals and the unification of their legislations, in which manner all these nations harmonize their desires of mutual welfare. This work must necessarily be a gradual one, and therefore recommendations of one Conference may be amplified by those of a subsequent one, or if such recommendations should have met with difficulties in their applications, such obstacles may be removed by the next Conference, in such a form as experience may indicate, and which it may consider as the most appropriate.

The guiding aim, then, is to be found in the continuity and unity of interests of the American Republics, and especially the stimulus of the commercial relations between them and in encouraging the development of natural resources.

It is worthy of special recommendation, that each one of the governments prepare a report for the next Conference, in which all the measures taken in carrying into effect the recommendations and resolutions of this Conference shall be stated, as well as those of the former. It is sufficient to cite in this respect, as an illustration of the value of such re-

ports, the one prepared by the Honorable Mexican Delegation, containing a recapitulation, not only of most useful information, but also many valuable suggestions; and that of the Honorable Argentine Delegation, relating to the progress of their country and the measures taken by their government by virtue of the resolutions of the First Conference.

It is the prevailing opinion of this Conference, that reunions of the American Republics should take place at short intervals, and this Committee believes that it would be advisable that they meet every five years.

For the purpose of taking the necessary steps for the assembling of the next Conference, this Committee proposes the following project of resolution:

Whereas, the First International American Conference, which met in Washington in 1889, closed its sessions without having adopted any resolutions regarding future Conferences, and without having delegated its power to any one for that purpose;

Whereas, the frequent reunions of the American Republics would foster the friendly relations which happily unite them, and contribute to strengthen peace and the general well-being of each one and all of them;

Whereas, it is rather early at this moment to designate the place where the Third International American Conference is to meet.

RESOLVED, that the Third International American Conference shall meet within five years in the place which the diplomatic representatives accredited by the American Republics, in Washington, and the Secretary of State of the United States of America, may designate for the purpose, and in accordance with what at the meeting of the said representatives may be resolved, regarding the programme and other necessary details, for all of which they are hereby expressly authorized by the present resolution.

It is also resolved to recommend to each one of the Governments that they present to the next Conference a complete report of all that has been done by their respective countries in obedience with the recommendations adopted by the First and Second Conferences.

Mexico, January 25, 1902.—(Signed).—*J. B. Calvo*, President.—*F. Davila*.—*Chas. M. Pepper*.—*Jose F. Godoy*, Secretary.

SESSION OF JANUARY 28, 1902.  
(Afternoon.)

*Secretary Macedo*.—The report of the Committee on Future Pan American Conferences is now under discussion in general.

Same was approved in general without discussion, by unanimity of votes, with exception of the Delegation from Argentine.

*Secretary Macedo*.—It is now under discussion in detail.

*His Excellency Mr. Pablo Macedo, Delegate from Mexico*.—The first part of the report under discussion proposes that the Third International American Conference assemble within five years at the place designated for this purpose by the diplomatic representatives of the American Republics accredited in Washington and the Secretary of State of the United States.

I take the liberty of remarking that if we fix now the term of five years for the Conference, it might occasion some difficulties. It is impossible to foresee whether five years from now the special conditions of the American Continent will allow the successful assembling of an International Conference like the present. On the other hand, altho it is naturally desirable that a meeting of the representatives of the American Nations should occur as frequently as possible, the adoption of a fixed and short period of five years might not be advisable, because the advancement attained in five years by each Nation cannot be such so as to appreciate the results of the resolutions adopted.

For the above considerations, which have been similarly expressed by other Delegates, I would suggest to the Committee that the first part of the resolution should be amended to the effect that the Third International Conference will assemble on the date and at the place designated for the purpose by the diplomatic representatives of the American Republics accredited at Washington and by the Secretary of State of the United State.

*His Excellency Mr. Anadon, Delegate from the Argentine Republic*.—Mr. President: I intended to cast my vote in detail, without making any suggestion, as I did when voting on a whole, against the project which has been submitted; but the proposition just offered by my distinguished friend and colleague, Mr. Macedo, induces me to say a few words, since I am exactly of the same opinion he has so clearly and correctly expressed.

I stated to the honorables members of the Committee on Future Pan-American Conferences, of which I am also a member, that I thought it necessary to modify the term of five years, because I did not think enough good reasons to state now that the future International American Conference should assemble within that period, and not within eight, for instance; and some one of the members—I think it was the President, Mr. Calvo—promised me that

the point would be discussed among all the members of the Committee. This has not been so; the report has been presented and I had to vote against it, as a whole, simply because the part referring to the term of five years was the principal point in the project. I made the same suggestion of Mr. Macedo: that the Diplomatic Corps should be entrusted with fixing the date and place for the next Conference to meet.

*His Excellency Mr. Calvo, Delegate from Costa Rica*.—The Committee took into consideration the suggestions of His Excellency Mr. Anadon; but the members signing the project, as well as Mr. Lazo Arriaga, who is absent, before presenting the report, agreed to fix said term, and we have maintained this opinion, because we knew it was the opinion of almost all the Delegates of the Conference, including the members of the Mexican Delegation.

The Committee, however, has no interest whatever—I mean so far as I am concerned—in maintaining that the term should be five years or any other, and will not oppose in any way to have the project amended in regard to this point or to any other proposition made on the subject.

*His Excellency Mr. Pablo Macedo*.—Mr. President: I have the honor to deliver to the Secretary the proposed amendment.

*Secretary Macedo*.—The amendment submitted modifies the first par of the resolution in the following terms. "The Third International American Conference will assemble at the place and on the date which the diplomatic representatives of the American Republics accredited at Washington and the Secretary of State of the United States should designate for the purpose and in conformity with, etc."

*His Excellency Mr. Calvo*.—I have not accepted the amendment; I simply requested that it should be submitted to the Conference and I beg that this be done.

*His Excellency Mr. Pepper, Delegate from the United States of America*.—I dislike very much to differ from my distinguished friend from Mexico and also my friend the honorable delegate from the Argentine Republic, but the chief and the main value I think is to fix a definite period. It seems that the period elapsing between the former and the present Conference was too long, on account of not having a definite period fixed for the next one. I am sure that the delegates here are satisfied that a definite period should be fixed. My colleague Mr. Buchanan suggests something that will perhaps meet the requirements and that is that the Conference should be held within five years, or seven at the outside; but to leave it vague and indefinite would surely work harm to the Conference.

*His Excellency Mr. Pablo Macedo*.—Mr. President: I recognize the advisability of fixing a date, because truly, these things must not be overlooked and, as Mr. Pepper has stated, the Governments must keep in mind the obligation they have contracted to meet again in a future Conference; but this does not destroy the argument of my objection.

What is to be done if when the five years have elapsed the conditions of the Continent, due to one of many hazards that may affect one or several of the nineteen Nations forming it, would not allow the meeting of these Nations? The Third Conference would then be considered indefinitely postponed, according to the text of the recommendation and even that of the preamble.

SESSION OF JANUARY 28, 1902.

*Secretary Macedo*.—In compliance with the resolution of the 22nd. inst.,<sup>1</sup> the reports of the Engrossing Committee on the resolutions approved by the Conference are filed in the Secretary's office and are at the disposal of Their Excellencies the Delegates who may revise them and make such suggestions as they may deem advisable.

The report on Future Pan-American Conferences reads as follows:

*Engrossing Committee*.—The undersigned have the honor to propose the following text for the report on Future International American Conferences:

The International Conference of Mexico in consideration of the reasons contained in the report of the Committee on Future International American Conferences,

Resolves: That the Third International American Conferences shall meet within five years, in the place which the Secretary of State of the United States of America and the diplomatic representatives accredited by the American Republics in Washington may designate for the purpose, and in accordance with what at the meeting of the said representatives may be resolved regarding the program and other necessary details, for all of which they are hereby expressly authorized by the present resolution.

If due to any circumstances it were not possible for the Third Conference to assemble within five years, the Secretary of State of the United States of America and the diplomatic representatives accredited in Washington may designate another date for its reunion.

It is also resolved to recommend to each one of the Governments that they present to the next Conference a complete report of all that has been done by the respective countries in obedience to the recommendations adopted by the First and Second Conferences.

Hall of Committees of the Second International American Conference. Mexico, January 29, 1902.—(Signed) *Alberto Elmore*.—*Rosendo Pineda*.

The resolution on Future International American Conferences expressed exactly under the same terms of the above report, was signed on the 29th day of January, 1902, by the Delegations of the Argentine Republic, Bolivia, Colombia, Costa Rica, Chili, Dominican Republic, Ecuador, El Salvador, United States of America, Guatemala, Hayti, Honduras, Mexico, Nicaragua, Paraguay, Peru and Uruguay.

<sup>1</sup> See page 74.

NUMBER 18.

### Commission on production and consumption of Coffee.

SESSION OF DECEMBER 30, 1902.

*His Excellency Mr. Lazo Arriaga, Delegate from Guatemala*.—There is a subject, Messrs. Delegates, which in my opinion is of such importance for America that I think it advisable to call the attention of the Conference to it: I refer to the crisis through which the important coffee trade is just passing.

Fifteen American Nations produce this berry and the four southern nations altho not producers of it are however consumers, and this matter is also of interest to them, because their commercial relations with other countries are considerably affected on account of the conditions of the coffee growing industry.

But this problem is of a more serious character;