

INTERNATIONAL UNION FOR THE PUBLICATION OF CUSTOMS TARIFFS

*Convention, regulations of execution, and procès-verbal of signature
signed at Brussels July 5, 1890*

Senate advice and consent to ratification December 13, 1890

Ratified by the President of the United States December 17, 1890

Proclaimed by the President of the United States December 17, 1890

Entered into force April 1, 1891

*Specified provisions (arts. 8-10 of convention and arts. 7, 8, and 10 of
regulations) and procès-verbal of signature replaced by protocol
of December 16, 1949¹*

26 Stat. 1518; Treaty Series 384

[TRANSLATION]

CONVENTION CONCERNING THE FORMATION OF AN INTERNATIONAL UNION FOR THE PUBLICATION OF CUSTOMS TARIFFS

Between

The Argentine Republic, Austria-Hungary, Belgium, Bolivia, Chili, the Independent State of the Congo, the Republic of Costa Rica, Denmark and her colonies, France and her colonies, Great Britain and sundry British colonies, British India, the Dominion of Canada, the colonies of West Australia, the Cape of Good Hope, Natal, New South Wales, New Zealand, Queensland, Tasmania, Newfoundland and Victoria, Greece, Guatemala, the Republic of Hayti, Italy and her colonies, Mexico, the Netherlands and their colonies, Nicaragua, Paraguay, Peru, Portugal and her colonies, Roumania, Russia, Salvador, the Kingdom of Siam, Spain and her colonies, Switzerland, Turkey, the United States of America, Uruguay and Venezuela.

The undersigned, being duly authorized, have concluded the following convention, subject to the approval of their Governments:

ARTICLE 1st. An association under the title of "International Union for the publication of Customs Tariffs" shall be formed by the countries above enumerated, and by all such as may hereafter adhere to the present convention.

¹ 8 UST 1669; TIAS 3922.

ART. 2. The object of the Union is to publish, at the common expense, and to make known, as speedily and accurately as possible, the customs tariffs of the various States of the globe and the modifications that may, in future, be made in those tariffs.

ART. 3. To this end, an International Bureau shall be organized at Brussels, whose duty it shall be to cause these tariffs, together with such legislative or executive provisions as may introduce modifications therein, to be translated and published.

ART. 4. This publication shall be made in a collection entitled: "International Customs Bulletin (organ of the International Union for the publication of Customs Tariffs)." The Commercial languages most in use shall be adopted for this purpose.

ART. 5. The persons composing the International Bureau shall be appointed through the agency of the Ministry of Foreign Affairs of Belgium, which shall advance the necessary funds and see that the institution is properly managed.

ART. 6. In communications addressed by the International Bureau to the adhering Governments, the French language shall be used.

ART. 7. A report concerning the labors and the financial condition of the International Bureau shall be annually addressed to the adhering Governments.

ART. 8. The annual budget of the expenditures of the International Bureau shall be fixed at the maximum of 125,000 francs.

The sum of 50,000 francs shall be placed, the first year, at the disposal of the Minister of Foreign Affairs of Belgium, to enable him to meet the expenses of the organization of the Bureau.

Such States and colonies as may hereafter avail themselves of the privilege of adhering, for which provision is made in article 14, shall pay their quotas of the said sum of 50,000 francs, on the basis of apportionment fixed in article 9.

States and colonies withdrawing from the Union at the expiration of the first term of seven years shall forfeit their rights as joint owners of the common fund.

In case of a liquidation, the common fund shall be divided among the States and colonies forming the Union on the basis of apportionment fixed by article 9.

ART. 9. With a view to the equitable adjustment of the quotas of the contracting States, those States shall be divided, according to the amount of their commerce, into six classes, the quota payable by each of which shall be in the proportion of a certain number of units, to wit:

1st class. Countries whose commerce regularly amounts to upwards of four thousand millions of francs: 55 units.

2nd class. Countries whose commerce regularly amounts to from two to four thousand millions of francs: 40 units.

3d class. Countries whose commerce regularly amounts to from five hundred millions to two thousand millions of francs: 25 units.

4th class. Countries whose commerce regularly amounts to from one hundred to five hundred millions of francs: 20 units.

5th class. Countries whose commerce regularly amounts to from fifty to one hundred millions of francs: 15 units.

6th class. Countries whose commerce regularly amounts to less than 50 millions of francs: 5 units.

ART. 10. In the case of countries whose language is not used by the International Bureau, the above figures shall be reduced two-fifths, respectively. The following reductions shall therefore be made:

The quota of the first class shall be reduced to 33 units.

The quota of the second class shall be reduced to 24 units.

The quota of the third class shall be reduced to 15 units.

The quota of the fourth class shall be reduced to 12 units.

The quota of the fifth class shall be reduced to 9 units.

The quota of the sixth class shall be reduced to 3 units.

ART. 11. The sum total of the annual expenditure, divided by the sum of the units assigned to the various contracting States, in pursuance of the foregoing provisions, shall give the unit of expenditure. This unit, multiplied by the number of units assigned to each of these States, shall show the amount of the quota payable by it for the support of the International Bureau.

ART. 12. In order to enable the Institution to edit the International Customs Bulletin as accurately as possible, the contracting parties shall send it, directly and without delay, two copies:

(a) of their customs law and their customs tariff, carefully brought up to date.

(b) of all provisions that shall ultimately modify said law and tariff.

(c) of the circulars and instructions that shall be addressed by the said Governments to their custom-houses concerning the application of the tariff or the classification of goods, and that can be made public.

(d) of their treaties of commerce, international conventions and domestic laws having a direct bearing upon the existing tariffs.

ART. 13. A set of regulations providing for the execution of this convention, having the same force as the convention itself, shall determine the manner of publication of the Bulletin of the Union in everything relating to the budget of the International Bureau and to the internal organization of the service.

ART. 14. The States and colonies that have not yet taken part in this convention shall have the privilege of acceding thereto hereafter.

Notice of accession shall be given, in writing, to the Belgian Government, which shall, in turn, communicate such notice to all the other contracting Governments. Accession shall imply adhesion to all the clauses contained in, and the enjoyment of all advantages provided for by, this convention.

ART. 15. This convention shall go into operation on the first day of April 1891, and shall remain in force for seven years.

If, twelve months before the expiration of the first seven years, no notice of a desire for the cessation of the effects of this convention shall have been given, the Union shall continue to exist for seven years longer, and so on, in periods of seven years each.

Notice of a desire for the cessation of the effects of this convention shall be addressed to the Belgian Government. Such notice shall have no effect save as regards the country giving it, and the convention shall remain in force so far as the other countries of the Union are concerned.

The Governments shall at all times be at liberty to make in this convention, by mutual agreement, such improvements as may be deemed expedient or necessary.

In testimony whereof, the undersigned have signed this Convention, and have thereunto affixed their seals.

Done at Brussels, July the fifth, one thousand eight hundred and ninety.

For the Argentine Republic, CARLOS CALVO Y CAPDEVILA [SEAL]	For the Dominion of Canada, CHARLES TUPPER [SEAL]
For Austria-Hungary, EPERJESY [SEAL]	For West Australia,
For Belgium, LAMBERMONT [SEAL] LÉON BIEBÜYCK [SEAL] KEBERS [SEAL]	For the Cape of Good Hope, MARTIN GOSSELIN [SEAL] A. E. BATEMAN [SEAL]
For Bolivia, JOAQUIN CASO [SEAL]	For Natal, MARTIN GOSSELIN [SEAL] A. E. BATEMAN [SEAL]
For Chili, N. PEÑA VICUÑA [SEAL]	For New South Wales, SAUL SAMUEL [SEAL]
For the Independent State of the Congo, EDM. VAN EETVELDE [SEAL]	For New Zealand, FRANCIS DILLON BELL [SEAL]
For the Republic of Costa Rica, MANUEL M. DE PERALTA [SEAL]	For Queensland,
For Denmark and her Colonies, SCHACK DE BROCKDORFF [SEAL]	For Tasmania, MARTIN GOSSELIN [SEAL] A. E. BATEMAN [SEAL]
For Spain and her Colonies, J. G. DE AGÜERA [SEAL]	For Newfoundland, MARTIN GOSSELIN [SEAL] A. E. BATEMAN [SEAL]
For the United States of America, EDWIN H. TERRELL, <i>ad refer-</i> [SEAL] <i>endum</i>	For Victoria, GRAHAM BERRY [SEAL]
For France and her Colonies, A. BOURÉE [SEAL]	For Greece, P. MULLE [SEAL]
For Great Britain and sundry British Colonies, MARTIN GOSSELIN [SEAL] A. E. BATEMAN [SEAL]	For Guatemala, ALEXIS CAPOUILLET [SEAL]
For British India, MARTIN GOSSELIN [SEAL] A. E. BATEMAN [SEAL]	For the Republic of Hayti, G. DE DEKEN [SEAL]
	For Italy and her Colonies, F. DE RENZIS [SEAL]

For Mexico, EDM. VAN DEN WYNGAERT	[SEAL]	For Roumania, J. VACARESCO	[SEAL]
For Nicaragua, J. F. MEDINA	[SEAL]	For Russia, G. KAMENSKY	[SEAL]
For Paraguay, HENRI OOSTENDORP	[SEAL]	For El Salvador, EMILE ELOY	[SEAL]
For the Netherlands and their Colonies, H. TESTA	[SEAL]	For Siam, FREDERICK VERNEY	[SEAL]
L. E. UYTENHOVEN	[SEAL]	For Switzerland, E. PACCAUD	[SEAL]
For Peru, JOAQUÍN LEMOINE	[SEAL]	For Turkey, ET. CARATHÉODORY	[SEAL]
For Portugal and her Colonies, HENRIQUE DE MACEDO	[SEAL]	For Uruguay, FCO. SUSVIELA GUARCH	[SEAL]
PEREIRA CONTINHO	[SEAL]	For Venezuela, LUIS LOPEZ MENDEZ	[SEAL]
AUGUSTO CESAR FERREIRA DE MESQUITA	[SEAL]		

REGULATIONS FOR THE EXECUTION OF THE CONVENTION CREATING AN INTERNATIONAL BUREAU FOR THE PUBLICATION OF CUSTOMS TARIFFS

(Article 13 of the Convention)

ARTICLE 1st. The international Customs Bulletin shall be published in five languages, with German, English, Spanish, French and Italian.

ART. 2. Each State belonging to the Union shall have the privilege of causing to be translated and publishing at its own expense, the whole or any part of the Bulletin in any language that it may see fit, provided that such language be not one of those adopted by the International Bureau.

Each of the States of the Union shall likewise have the right to reproduce mere extracts from tariffs, or, by way of exception, portions of the Bulletin, either in a local official organ or in its parliamentary documents.

It is understood moreover, that each State is to be at liberty, as has hitherto been the case, to publish all the tariffs in the original language or in a translation, provided that the text published be not the work of the International Bureau.

ART. 3. The International Bureau pledges itself to take the utmost care in the translation of the customs laws and of the official publications that serve to interpret said laws, but it is understood that the Governments interested assume no responsibility with regard to the accuracy of these translations, and that, in case of dispute, the original text shall be their sole guide.

A notice to this effect shall be printed in large type at the foot of the first page of each number.

ART. 4. The size of the Bulletin shall be determined by the Bureau.

ART. 5. Each Government shall make known in which of the languages adopted by the International Bureau it desires to receive the copies of the Bulletin which are to be furnished to it in return for the amount payable by it for the support of the institution.

Any government may take a certain number of copies in one language, and the remainder in other languages.

ART. 6. The International Bureau can supply the Bulletin to no Governments save those belonging to the Union.

ART. 7. The amount of the quota payable by each State shall be returned to it in subscriptions to the Bulletin of the Union, computed at the rate of 15 francs each.

ART. 8. The expenditures are computed approximately as follows:

	Francs
(a) Salaries of the officers and employés of the International Bureau, including an addition thereto of 15 per cent.....	75,000
(b) Cost of printing and sending the Bulletin of the Union.....	30,000
(c) Rent and keeping in order of the building occupied by the International Bureau, fuel, light, material, office expenses, etc.....	20,000
Total	125,000

ART. 9. It shall be the duty of the Minister of Foreign Affairs of Belgium to take such measures as may be necessary for the organization of the International Bureau, and for putting it in working order, keeping within the limits fixed by the Convention and by these regulations.

ART. 10. The Superintendent of the International Bureau is hereby authorized, subject to the approval of the Minister of Foreign Affairs of Belgium, to use, during the current fiscal year, such sums, appropriated for the past year, as may not have been then used. These sums shall, the case arising, go to form a reserve fund for the payment of contingent expenses. The said reserve shall in no case exceed 25,000 francs. The surplus will, perhaps, render it possible to reduce the price of subscription to the Bulletin, without increasing the number of copies guaranteed by the contracting States; this surplus may also serve to meet the expense that would be occasioned by the addition of a new language to those enumerated in article 1.

This last measure shall not be carried out without the unanimous consent of the States and Colonies belonging to the Union.

Done at Brussels, July the 5th, one thousand eight hundred and ninety, to be appended to the Convention of this day's date.

For the Argentine Republic,
CARLOS CALVO Y CAPDEVILA

For Austria-Hungary,
EPERJESY

For Belgium,
LAMBERMONT
LÉON BIEBÛYCK
KEBERS

For Bolivia,
JOAQUIN CASO

For Chili,
N. PEÑA VICUÑA

For the Independent State of the Congo,
EDM. VAN EETVELDE

For the Republic of Costa Rica,
MANUEL M. DE PERALTA

For Denmark and her Colonies,
SCHACK DE BROCKDORFF

For Spain and her Colonies,
J. G. DE AGUËRA

For the United States of America,
EDWIN H. TERRELL—*ad referendum*

For France and her Colonies,
A. BOURÉE

For Great Britain and sundry British Colonies, MARTIN GOSSELIN A. E. BATEMAN	For the Republic of Hayti, G. DE DEKEN
For British India, MARTIN GOSSELIN A. E. BATEMAN	For Italy and her Colonies, F. DE RENZIS
For the Dominion of Canada, CHARLES TUPPER	For Mexico, EDM. VAN DEN WYNGAERT
For West Australia,	For Nicaragua, J. F. MEDINA
For the Cape of Good Hope, MARTIN GOSSELIN A. E. BATEMAN	For Paraguay, HENRI OOSTENDORP
For Natal, MARTIN GOSSELIN A. E. BATEMAN	For the Netherlands and their Colonies, H. TESTA L. E. UYTENHOOVEN
For Newfoundland, MARTIN GOSSELIN A. E. BATEMAN	For Peru, JOAQUÍN LEMOINE
For New South Wales, SAUL SAMUEL	For Portugal and her Colonies, HENRIQUE DE MACEDO PEREIRA CONTINHO AUGUSTO CESAR FERREIRA DE MESQUITA
For New Zealand, FRANCIS DILLON BELL	For Roumania, J. VACARESCO
For Queensland,	For Russia, G. KAMENSKY
For Tasmania, MARTIN GOSSELIN A. E. BATEMAN	For Salvador, EMILE ELOY
For Newfoundland, MARTIN GOSSELIN A. E. BATEMAN	For Siam, FREDERICK VERNEY
For Victoria, GRAHAM BERRY	For Switzerland, E. PACCAUD
For Greece, P. MULLE	For Turkey, ET. CARATHÉODORY
For Guatemala, ALEXIS CAPOUILLET	For Uruguay, FCO. SUSVIELA GUARCH
	For Venezuela, LUIS LOPEZ MENDEZ

PROCÈS-VERBAL OF SIGNATURE

The undersigned delegates, having met this day for the purpose of signing the Convention and regulations providing for the formation of an International Union for the publication of customs tariffs, have exchanged the following declarations:

1. As regards the classification of the countries of the Union according to the quotas payable by them for the support of the International Bureau (arts. 9, 10, and 11 of the Convention):

The delegates declare that, so long as the Convention shall remain in force, the adhering countries shall be classified as follows, and that the

quotas payable by them shall be in proportion to the number of units stated below:

FIRST CLASS		FOURTH CLASS—continued	
	Units		Units
England and her Colonies not specially hereinafter mentioned.....	55	Greece.....	12
Belgium.....	55	Japan.....	12
France and her Colonies.....	55	Mexico.....	20
Netherlands and their Colonies.....	33	New Zealand.....	20
Russia.....	33	Persia.....	12
United States of America.....	55	Queensland.....	20
		Roumania.....	12
		Uruguay.....	20
		Venezuela.....	20
SECOND CLASS		FIFTH CLASS	
Austria-Hungary.....	24	Bolivia.....	15
British India.....	40	Costa Rica.....	15
Italy and her Colonies.....	40	Guatemala.....	15
Spain and her Colonies.....	40	Hayti.....	15
		Natal.....	15
THIRD CLASS		Peru.....	15
Argentine Republic.....	25	Servia.....	9
Brazil.....	15	Siam.....	9
Canada.....	25	South African Republic.....	9
Denmark and her Colonies.....	15		
New South Wales.....	25	SIXTH CLASS	
Portugal and her Colonies.....	15	Australia (West).....	5
Switzerland.....	25	Dominican Republic.....	5
Turkey.....	15	Honduras (Republic).....	5
Victoria.....	25	Independent State of Congo.....	3
		Newfoundland.....	5
FOURTH CLASS		Nicaragua.....	5
Cape of Good Hope.....	20	Paraguay.....	5
Chili.....	20	Salvador.....	5
Colombia.....	20	Tasmania.....	5
Ecuador.....	20		
Egypt.....	12		

As to the amounts of the quotas that have appeared in the table of apportionment, they are reproduced below by way of information, as the contribution of each State can not be determined with absolute precision until all the adhesions shall have become definitive. It is nevertheless, understood that these figures shall in no case be increased while this convention remains in force.

	Amount payable	Number of subscriptions
FIRST CLASS		
England and her Colonies not specially hereinafter mentioned.....	6833	456
Belgium.....	6833	456
France and her Colonies.....	6833	456
Netherlands and their Colonies.....	4100	274
Russia.....	4100	274
United States of America.....	6833	456
SECOND CLASS		
Austria-Hungary.....	2982	199
British India.....	4970	332
Italy and her Colonies.....	4970	332
Spain and her Colonies.....	4970	332

	Amount payable	Number of sub- scriptions
THIRD CLASS		
Argentine Republic.....	3106	207
Brazil.....	1863	124
Canada.....	3106	207
Denmark and her Colonies.....	1863	124
New South Wales.....	3106	207
Portugal and her Colonies.....	1863	124
Switzerland.....	3106	207
Turkey.....	1863	124
Victoria.....	3106	207
FOURTH CLASS		
Cape of Good Hope.....	2485	166
Chili.....	2485	166
Colombia.....	2485	166
Ecuador.....	2485	166
Egypt.....	1491	100
Greece.....	1491	100
Japan.....	1491	100
Mexico.....	2485	166
New Zealand.....	2485	166
Persia.....	1491	100
Queensland.....	2485	166
Roumania.....	1491	100
Uruguay.....	2485	166
Venezuela.....	2485	166
FIFTH CLASS		
Bolivia.....	1863	124
Costa Rica.....	1863	124
Guatemala.....	1863	124
Hayti.....	1863	124
Natal.....	1863	124
Peru.....	1863	124
Servia.....	1118	75
Siam.....	1118	75
South African Republic.....	1118	75
SIXTH CLASS		
Australia (West).....	621	42
Dominican Republic.....	621	42
Honduras (Republic).....	621	42
Independent State of the Congo.....	372	25
Newfoundland.....	621	42
Nicaragua.....	621	42
Paraguay.....	621	42
Salvador.....	621	42
Tasmania.....	621	42

2. As regards the payment of the quotas of the contracting parties:

The delegates declare that it shall take place at Brussels during the first quarter of each fiscal year in coin that is a legal tender in Belgium.

3. As regards the date at which the Convention is to go into operation, which has been fixed at April 1st, 1891:

The delegates declare that it shall, if possible, be preceded by a notification

of definitive adhesion on the part of the Governments interested; that this formality is, nevertheless, not indispensable, and that the countries by whose representatives this Convention has been signed shall be kept on the list of adherents unless they shall, on or before April 1st, 1891, have formally expressed the intention of withdrawing.

In testimony whereof, the delegates have affixed their signatures to the present procès-verbal.

Done at Brussels, July the 5th, one thousand eight hundred and ninety.

For the Argentine Republic, CARLOS CALVO Y CAPDEVILA	For New South Wales, SAUL SAMUEL
For Austria-Hungary, EPERJESY	For New Zealand, FRANCIS DILLON BELL
For Belgium, LAMBERMONT LÉON BIEBÜYCK KEBERS	For Queensland,
For Bolivia, JOAQUIN CASO	For Tasmania, MARTIN GOSSELIN A. E. BATEMAN
For Chili, N. PEÑA VIGUÑA	For Newfoundland, MARTIN GOSSELIN A. E. BATEMAN
For the Independent State of the Congo, EDM. VAN EETVELDE	For Victoria, GRAHAM BERRY
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For Denmark and her Colonies, SCHACK DE BROCKDORFF	For Guatemala, ALEXIS CAPOUILLET
For Spain and her Colonies, J. G. DE AGUERA	For the Republic of Hayti, G. DE DEKEN
For the United States of America, EDWIN H. TERRELL— <i>ad referendum</i>	For Italy and her Colonies, F. DE RENZIS
For France and her Colonies, A. BOURÉE	For Mexico, EDM. VAN DEN WYNGAERT
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For the Dominion of Canada, CHARLES TUPPER	For the Netherlands and their Colonies, H. TESTA L. E. UYTENHOOVEN
For West Australia,	For Peru, JOAQUÍN LEMOINE
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For Natal, MARTIN GOSSELIN A. E. BATEMAN	

For Roumania,
J. VACARESCO

For Russia,
G. KAMENSKY

For Salvador,
EMILE ELOY

For Siam,
FREDERICK VERNEY

For Switzerland,
E. PACCAUD

For Turkey,
ET. CARATHÉODORY

For Uruguay,
FCO. SUSVIELA GUARCH

For Venezuela,
LUIS LOPEZ MENDEZ