

STATUS OF ALIENS (INTER-AMERICAN)

Convention signed at Havana February 20, 1928

Senate advice and consent to ratification, with exception of articles 3 and 4, April 16, 1930

Ratified by the President of the United States, with exception of articles 3 and 4, May 7, 1930

Ratification of the United States deposited with the Pan American Union May 21, 1930

Entered into force September 3, 1929; for the United States May 21, 1930

Proclaimed by the President of the United States June 6, 1930

46 Stat. 2753; Treaty Series 815

CONVENTION

The Governments of the Republics represented at the Sixth International Conference of American States, held in the city of Havana, Republic of Cuba, in the year 1928;

Have decided to conclude a convention for the purpose of determining the status of aliens within their respective territories and to that end have appointed the following plenipotentiaries:

Perú: Jesús Melquiades Salazar, Víctor Maúrtua, Enrique Castro Oyanguren, Luis Ernesto Denegri.

Uruguay: Jacobo Varela Acevedo, Juan José Amézaga, Leonel Aguirre, Pedro Erasmo Callorda.

Panamá: Ricardo J. Alfaro, Eduardo Chiari.

Ecuador: Gonzalo Zaldumbide, Víctor Zevallos, Colón Eloy Alfaro.

Mexico: Julio García, Fernando González Roa, Salvador Urbina, Aquiles Elorduy.

Salvador: Gustavo Guerrero, Héctor David Castro, Eduardo Alvarez.

Guatemala: Carlos Salazar, Bernardo Alvarado Tello, Luis Beltranena, José Azurdia.

Nicaragua: Carlos Cuadra Pazos, Joaquín Gómez, Máximo H. Zepeda.

Bolivia: José Antezana, Adolfo Costa du Rels.

Venezuela: Santiago Key Ayala, Francisco Gerardo Yanes, Rafael Angel Arraiz.

Colombia: Enrique Olaya Herrera, Jesús M. Yepes, Roberto Urdaneta Arbeláez, Ricardo Gutiérrez Lee.

Honduras: Fausto Dávila, Mariano Vázquez.

Costa Rica: Ricardo Castro Beeche, J. Rafael Oreamuno, Arturo Tinoco.

Chile: Alejandro Lira, Alejandro Alvarez, Carlos Silva Vildósola, Manuel Bianchi.

Brazil: Raúl Fernandes, Lindolfo Collor, Alarico da Silveira, Sampaio Correa, Eduardo Espínola.

Argentina: Honorio Pueyrredón, (Later resigned), Laurentino Olascoaga, Felipe A. Espil.

Paraguay: Lisandro Díaz León.

Haiti: Fernando Dennis, Charles Riboul.

Dominican Republic: Francisco J. Peynado, Gustavo A. Díaz, Elías Brache, Angel Morales, Tulio M. Cestero, Ricardo Pérez Alfonseca, Jacinto R. de Castro, Federico C. Alvarez.

United States of America: Charles Evans Hughes, Noble Brandon Judah, Henry P. Fletcher, Oscar W. Underwood, Dwight W. Morrow, Morgan J. O'Brien, James Brown Scott, Ray Lyman Wilbur, Léo S. Rowe.

Cuba: Antonio S. de Bustamante, Orestes Ferrara, Enrique Hernández Cartaya, José Manuel Cortina, Arístides Agüero, José B. Alemán, Manuel Márquez Sterling, Fernando Ortiz, Néstor Carbonell, Jesús María Barraqué.

Who, after depositing their full powers, which were found to be in good and due form, have agreed upon the following provisions:

ARTICLE 1

States have the right to establish by means of laws the conditions under which foreigners may enter and reside in their territory.

ARTICLE 2

Foreigners are subject as are nationals to local jurisdiction and laws, due consideration being given to the limitations expressed in conventions and treaties.

ARTICLE 3¹

Foreigners may not be obliged to perform military service; but those foreigners who are domiciled, unless they prefer to leave the country, may be compelled, under the same conditions as nationals, to perform police, fire-protection, or militia duty for the protection of the place of their domicile against natural catastrophes or dangers not resulting from war.

ARTICLE 4¹

Foreigners are obliged to make ordinary or extraordinary contributions, as well as forced loans, always provided that such measures apply to the population generally.

ARTICLE 5

States should extend to foreigners, domiciled or in transit through their territory, all individual guaranties extended to their own nationals, and the enjoyment of essential civil rights without detriment, as regards foreigners, to legal provisions governing the scope of and usages for the exercise of said rights and guaranties.

ARTICLE 6

For reasons of public order or safety, states may expel foreigners domiciled, resident, or merely in transit through their territory.

States are required to receive their nationals expelled from foreign soil who seek to enter their territory.

ARTICLE 7

Foreigners must not mix in political activities, which are the exclusive province of citizens of the country in which they happen to be; in cases of such interference, they shall be liable to the penalties established by local law.

ARTICLE 8

The present convention does not affect obligations previously undertaken by the contracting parties through international agreements.

ARTICLE 9

After being signed, the present convention shall be submitted to the ratification of the signatory states. The Government of Cuba is charged with transmitting 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, the Union to notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications. This convention shall remain open to the adherence of nonsignatory states.

¹ Excepted from ratification by the United States.

In witness whereof, the aforementioned plenipotentiaries sign the present convention in Spanish, English, French, and Portuguese, in the city of Habana, the 20th day of February, 1928.

Peru:

JESÚS M. SALAZAR
VÍCTOR M. MAÚRTUA
LUIS ERNESTO DENEGRI
E. CASTRO OYANGUREN

Uruguay:

VARELA
PEDRO ERASMO CALLORDA

Panama:

R. J. ALFARO
EDUARDO CHIARI

Ecuador:

GONZALO ZALDUMBIDE
VÍCTOR ZEVALLOS
C. E. ALFARO

Mexico:

JULIO GARCIA
FERNANDO GONZÁLEZ ROA
SALVADOR URBINA
AQUILES ELORDUY

Salvador:

J. GUSTAVO GUERRERO
HÉCTOR DAVID CASTRO
ED. ALVAREZ

Guatemala:

CARLOS SALAZAR
B. ALVARADO
LUIS BELTRANENA
J. AZURDIA

Nicaragua:

CARLOS CUADRA PAZOS
MÁXIMO H. ZEPEDA
JOAQUIN GÓMEZ

Bolivia:

JOSÉ ANTEZANA
A. COSTA DU R.

Venezuela:

SANTIAGO KEY AYALA
FRANCISCO G. YANES
RAFAEL ANGEL ARRAIZ

Colombia:

ENRIQUE OLAYA HERRERA
R. GUTIÉRREZ LEE
J. M. YEPES

Honduras:

F. DÁVILA
MARIANO VÁZQUEZ

Costa Rica:

RICARDO CASTRO BEECHE
J. RAFAEL OREAMUNO
A. TINOCO JIMÉNEZ

Chile:

ALEJANDRO LIRA
ALEJANDRO ALVAREZ
C. SILVA VILDÓSOLA
MANUEL BIANCHI

Brazil:

RAÚL FERNANDES
LINDOLFO COLLOR

Argentina:

LAURENTINO OLASCOAGA
FELIPE A. ESPIL
CARLOS ALBERTO ALCORTA

Paraguay:

LISANDRO DIAZ LEÓN
JUAN VICENTE RAMIREZ

Haiti:

FERNANDO DENNIS

Dominican Republic:

FRACO. J. PEYNADO
TULIO M. CESTERO
JACINTO R. DE CASTRO
ELÍAS BRACHE
R. PÉREZ ALFONSECA

United States of America:

CHARLES EVANS HUGHES
NOBLE BRANDON JUDAH
HENRY P. FLETCHER
OSCAR W. UNDERWOOD
MORGAN J. O'BRIEN
JAMES BROWN SCOTT
RAY LYMAN WILBUR
LEO S. ROWE

Cuba:

ANTONIO S. DE BUSTAMANTE
ORESTES FERRARA
E. HERNÁNDEZ CARTAYA
ARISTIDESDE AGÜERO BETHENCOURT
M. MÁRQUEZ STERLING
NÉSTOR CARBONELL

Reservation of the Delegation of the United States of America

The delegation of the United States of America signs the present convention making express reservation to Article 3 of the same, which refers to military service of foreigners in case of war.