

Treaty on the Protection of Artistic and Scientific Institutions and Historic Monuments

Entry into force: 26 August 1935

Treaty Between the United States of America and the Other American Republics

The High Contracting Parties,

Animated by the purpose of giving conventional form to the postulates of the Resolution approved on December 16, 1933, by all the States represented at the Seventh International Conference of American States, held at Montevideo, which recommended to "the Governments of America which have not yet done so that they sign the 'Roerich Pact', initiated by the Roerich Museum in the United States, and which has as its object, the universal adoption of a flag, already designed and generally known, in order thereby to preserve in any time of danger all nationally and privately owned immovable monuments which form the cultural treasure of peoples",

Have resolved to conclude a treaty with that end in view, and to the effect that the treasures of culture be respected and protected in time of war and in peace,

Have agreed upon the following articles:

Article I

The historic monuments, museums, scientific, artistic, educational and cultural institutions shall be considered as neutral and as such respected and protected by belligerents.

The same respect and protection shall be due to the personnel of the institutions mentioned above.

The same respect and protection shall be accorded to the historic monuments, museums, scientific, artistic, educational and cultural institutions in time of peace as well as in war.

Article II

The neutrality of, and protection and respect due to, the monuments and institutions mentioned in the preceding article, shall be recognized in the entire expanse of territories subject to the sovereignty of each of the signatory and acceding States, Without any discrimination as to the State allegiance of said monuments and institutions. The respective Governments agree to adopt the measures of internal legislation necessary to insure said protection and respect.

Article III

In order to identify the monuments and institutions mentioned in article I, use may be made of a distinctive flag (red circle with a triple red sphere in the circle on a white background) in accordance with the model attached to this treaty.

Article IV

The signatory Governments and those which accede to this treaty, shall send to the Pan American Union, at the time of signature or accession, or at any time thereafter, a list of the monuments and institutions for which they desire the protection agreed to in this treaty.

The Pan American Union, when notifying the Governments of signatures or accessions, shall also send the list of monuments and institutions mentioned in this article, and shall inform the other Governments of any changes in said list.

Article V

The monuments and institutions mentioned in article I shall cease to enjoy the privileges recognized in the present treaty in case they are made use of for military purposes.

Article VI

The States which do not sign the present treaty on the date it is opened for signature, may sign or adhere to it at any time.

Article VII

The instruments of accession, as well as those of ratification and denunciation of the present treaty, shall be deposited with the Pan American Union, which shall communicate notice of the act of deposit to the other signatory or acceding States.

Article VIII

The present treaty may be denounced at any time by any of the signatory or acceding States, and the denunciation shall go into effect three months after notice of it has been given to the other signatory or acceding States.

In witness whereof, the Undersigned Plenipotentiaries, after having deposited their full powers found to be in due and proper form, sign this treaty on behalf of their respective governments, and affix thereto their seals, on the dates appearing opposite their signatures.

For the Argentine Republic:
Felipe A. Espil

For Bolivia:
Enrique Finot

For Brazil:
Oswaldo Aranha

For Chile:
M. Trucco

For Colombia:
M. Lopez Pumarejo

For Costa Rica:
Man. Gonzalez Z

For Cuba:
Guillermo Patterson

For The Dominican Republic:

Raf. Brache

For Ecuador:

C. E. Alfaro

For El Salvador:

Hector David Castro

For Guatemala:

Adrian Recinos

For Haiti:

A. Blanchet

For Honduras:

M. Paz Baraona

For Mexico:

F. Castillo Najera

For Nicaragua:

Henri de Bayle

For Panama:

R. J. Alfaro

For Paraguay:

Enrique Bordenave

For Peru:

M. De Freyre Y S.

For the United States of America:

Henry A. Wallace

For Uruguay:

J. Richling

For Venezuela:

Pedro M. Arcaya

And whereas the said Treaty has been duly ratified by the United States of America, whose instrument of ratification was deposited with the Pan American Union on July 13, 1935;

And whereas the said Treaty has been duly ratified also by the Republic of Cuba, whose instrument of ratification was deposited with the Pan American Union on August 26, 1935;

Now therefore be it known that I, Franklin D. Roosevelt, President of the United States of America, have caused the said Treaty to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

In testimony whereof, I have caused the Seal of the United States of America to be hereunto affixed.

DONE at the city of Washington this twenty-fifth day of October in the year of our Lord one thousand nine hundred and thirty-five, and of the Independence of the United

States of America the one hundred and sixtieth.

Franklin D. Roosevelt
By the President:

Cordell Hull
Secretary of State.

[As of January 1, 1990, the Convention had been ratified by ten nations: Brazil, Chile, Colombia, Cuba, Dominican Republic, El Salvador, Guatemala, Mexico, United States, Venezuela.]