

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]	For the Cape of Good Hope, MARTIN GOSSELIN	[SEAL]
LÉON BIEBÜYCK	[SEAL]	A. E. BATEMAN	[SEAL]
KEBERS	[SEAL]	For Natal, MARTIN GOSSELIN	[SEAL]
For Bolivia, JOAQUIN CASO	[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]
For Spain and her Colonies, J. G. DE AGÜERA	[SEAL]	A. E. BATEMAN	[SEAL]
For the United States of America, EDWIN H. TERRELL, <i>ad refer-</i>	[SEAL]	For Newfoundland, MARTIN GOSSELIN	[SEAL]
<i>endum</i>		A. E. BATEMAN	[SEAL]
For France and her Colonies, A. BOURÉE	[SEAL]	For Victoria, GRAHAM BERRY	[SEAL]
For Great Britain and sundry British Colonies, MARTIN GOSSELIN	[SEAL]	For Greece, P. MULLE	[SEAL]
A. E. BATEMAN	[SEAL]	For Guatemala, ALEXIS CAPOUILLET	[SEAL]
For British India, MARTIN GOSSELIN	[SEAL]	For the Republic of Hayti, G. DE DEKEN	[SEAL]
A. E. BATEMAN	[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.