

inform this Committee that the last general elections show by an overwhelming majority that Puerto Rico does not desire to detach itself from the United States of America, of which it is not in fact a colony but a potential state.”

On the date of the signing by the Committee of its Final Act thirteen governments had replied to the inquiry submitted by the Council of the Organization, three pronouncing in favor of the competence of the Committee to study the case of Puerto Rico and ten opposing, with eight governments failing to answer. In this situation the Committee adopted unanimously a resolution entitled: “VI. Study of the Case of Puerto Rico,”¹⁰ which, after reciting the circumstances of the case of Puerto Rico, transmits to the Council of the Organization all of the antecedents and reports with reference to Puerto Rico “in order that the Council may deal with them as it considers proper”; and it declares:

that, in view of the present economic, political, and social situation in Puerto Rico, the Committee hopes that this nation will have an opportunity to express itself definitely and freely so as to decide its own destiny.

The Final Act was signed on July 21 and the meeting came to an end. In accordance with the resolution of the Bogotá Conference the Committee submitted its report to the individual American governments “for their information and study,” and the report became thereupon an item on the agenda of the next Meeting of Consultation of Ministers of Foreign Affairs.¹¹

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UNITED STATES TREATY DEVELOPMENTS

In July, 1948, the Department of State inaugurated a loose-leaf service entitled *United States Treaty Developments*.¹ The compilation is designed to meet the long-felt needs of the Department and of international lawyers, historians and research workers for a continuously up-to-date reference service providing factual information on developments affecting international agreements entered into by the United States. The project, which was urged upon the Department of State by a committee of the American Society of International Law under the able guidance of Professor Willard B. Cowles,² is being compiled under the direction of Mr. Bryton Barron of the Office of the Legal Adviser, Department of State.

¹⁰ *Op. cit.* (note 7, *supra*), p. 10.

¹¹ *Informe de la Comisión Americana de Territorios Dependientes, La Habana, 1949; Memoria de la Comisión Americana de Territorios Dependientes, La Habana, 1949.*

¹ *United States Treaty Developments.* Department of State Publication 2851. Washington: U. S. Government Printing Office. 1st Release (dated August, 1947), July, 1948, \$4.00; 2nd Release (dated June, 1948), April, 1949, \$3.25; 3rd Release (dated December, 1948), October, 1949, \$3.50; 4th Release (dated June, 1949) (in proof).

² See Proceedings, American Society of International Law, 1946, pp. 184-190; *id.*, 1947, pp. 172, 203; *id.*, 1948, pp. 119, 162.

The need for establishing such a service was set forth by Professor Cowles as follows:

. . . Information as to when a treaty was signed, ratified, and the instruments of ratification exchanged is found in one place; later adherences in another; implementing acts of Congress in a third; administrative regulations, effectuating a treaty directly or pursuant to acts of Congress in a fourth or fifth; and, in order to ascertain how a treaty provision has subsequently been interpreted by judicial or quasi-judicial bodies, it is necessary to go to places different from any of these. . . . To obtain comprehensive data concerning a particular article of a specific treaty from these diverse sources under present methods, is a time-consuming task; and at the end . . . the researcher . . . is likely to be uncertain whether he has obtained all pertinent data. . . .

. . . the time has come for the Department of State to publish annotations to the treaties currently in a loose-leaf service.³

United States Treaty Developments is intended to include all pertinent data with reference to particular United States treaties except the texts, which are readily available elsewhere. The type of information provided with respect to each agreement to which it is pertinent includes notes as to date and place of signature, effective date, duration, citations to text, signatories (except of multipartite instruments, in which case only parties are listed), ratifications, adherences, accessions, acceptances, reservations, amendments, extensions, terminations (as a whole or as to particular provisions), authorizing and implementing legislation, Executive action, administrative interpretations and regulations, opinions of the Attorney General, court decisions, other relevant action, and, in some cases, bibliographical references to relevant official publications of the United States Government or of the United Nations.

The sheets are arranged chronologically by dates of signature of the agreements, or, if an instrument is not signed, "by the date customarily used in citing it." Each agreement is cited to the Department of State *Treaty Series*, *Executive Agreement Series*, or *Treaties and Other International Acts Series* and, where printed therein, to the *Statutes at Large*, to the Miller and Malloy treaty collections, the *League of Nations Treaty Series*, and the *United Nations Treaty Series*. A valuable, detailed, cumulative Index, by countries and subjects, fills over 180 pages at present, and the utility of the compilation is enhanced by numerical lists of the *Treaty*, *Executive Agreement*, and *Treaties and Other International Acts Series*.

Eventually, *United States Treaty Developments* is intended to "serve as a comprehensive guide to official material respecting all treaties and other international agreements to which the United States has become a party in nearly two centuries of treaty-making."⁴ At present, it contains annotations of some 700 instruments, about two-thirds of which were concluded

³ *Id.*, 1946, p. 184.

⁴ *United States Treaty Developments*, Preface.

between January 1, 1944, and December 31, 1948. The service "will be kept current as new agreements are published, and earlier agreements will be included as rapidly as possible, any recent development regarding an earlier agreement being made the occasion for bringing up to date the record with respect to that instrument."⁵ Thus, the latest release adds five pages of annotations to the Jay Treaty of November 19, 1794 (previously unlisted in the compilation) because of a recent judicial decision interpreting Article 2 of that treaty. The annotations include citations to fifteen Acts of Congress and ten Opinions of the Attorney General implementing the Jay Treaty, and twenty-nine court decisions interpreting its provisions. Revisions of annotations previously issued have already been made as to 275 agreements by the printing of new sheets to be substituted for the ones originally issued.

The service "is not intended to contain comprehensive notes, digests, or critical commentaries but merely to serve as a guide to materials of an authoritative nature."⁶ The decision not to include digests or elaborate annotations of pertinent judicial or administrative decisions has led to some criticism,⁷ but the Department of State has preferred to annotate the latter merely by citation to well-known sources while preparing more extended notes on data available only in the Department of State. It would be a convenience to have the texts of international agreements and more elaborate judicial annotations published along with the other materials in *United States Treaty Developments*; however, reasons of bulk and the limited funds available for the project justify concentration on the contribution which the Department of State is uniquely in a position to make. Although the annotations are in no sense comparable to the magnificent historical notes to be found in the Hunter Miller treaty edition, they are of greater utility to practitioners and scholars because they include citations to types of material deliberately excluded in the Miller edition.⁸

A few examples of the type of note of interest to international lawyers will suffice here. To the Treaty of Commerce signed at Belgrade, October 14, 1881, by the United States and Serbia (Treaty Series 319), is appended the information that the Kingdom of the Serbs, Croats and Slovenes considered treaties concluded by Serbia and the United States "as applicable to the whole territory of the Kingdom of the Serbs, Croats, and Slovenes"; that the adoption of the name "Yugoslavia" in 1929 did not affect existing treaties with the United States; and that, following the establishment of the Federal People's Republic of Yugoslavia in November, 1945, "Yugoslavia again confirmed its continued recognition of existing agreements with the United States" (citations here omitted). The Treaty of Peace with Italy, dated at Paris, February 10, 1947 (T.I.A.S. 1648), is annotated with

⁵ *Id.*

⁶ *Id.*

⁷ Proceedings, American Society of International Law, 1948, pp. 162-163.

⁸ *Cf. id.*, 1946, p. 185.

the information that the Government of Pakistan regards the Treaty "as binding on Pakistan since the instrument of ratification thereof was signed for India July 21, 1947, before the establishment of Pakistan as a separate state on August 15, 1947." Notes on the Constitution of the World Health Organization, signed by the United States at New York, July 22, 1946, indicate that it became effective as to the United States on June 21, 1948, as a result of a joint resolution of Congress approved June 14, 1948, although, because of a reservation of a right of withdrawal (not provided for in the Constitution of the WHO), the admission of the United States to membership was not approved by the World Health Assembly until July 2, 1948.

Appendices, which will also be kept up to date, include current information as to treaties pending in the Senate, treaties awaiting further action following approval by the Senate, treaties withdrawn from the Senate, pre-war bilateral agreements kept in force or revived in accordance with the treaties of peace following World War II, agreements in force between the United States and other American Republics, and a list of treaty provisions relating to rights of inheritance, acquisition, and ownership of property in force between the United States and foreign states, as well as the numerical Treaty and Executive Agreement lists and the cumulative index by country and subject. To these useful lists the addition of a list of treaties in force is contemplated.

The Department of State has provided an indispensable tool in *United States Treaty Developments*. The compilation has been prepared with informed imagination, skill and accuracy, with a view to providing a continuously useful and dependable working instrument. In addition to promoting efficiency by saving the time of many staff members of the Department of State, it is of incalculable and immediate utility to legal practitioners, scholars and teachers. The fact that the compilation is still incomplete, particularly prior to 1944, and the lag between a release and the terminal date of materials in that release is an annoyance which can be attributed to lack of staff and of funds. It is to be hoped that the Congress and the Department of State will provide adequately for the rapid completion and continued publication of this unrivaled service.

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