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Congress, without which they have no validity and do not obligate the Republic.

14. To declare war, on a previous decree of the Congress, and to settle the peace, when it may be necessary, with the approval of the Congress.

15. In case of international war, he may arrest or expel from national territory individuals of the Nation with which the war is being waged, and, in general, aliens whose activities, in the judgment of the Executive, have been or may be prejudicial to the national interest.

5. Political Constitution of the Republic of Ecuador, 31 December 1946

(*Registro Oficial*, 31 December 1946; translation based on R. H. Fitzgibbon,
The Constitutions of the Americas, pp. 323–365.)

[Translation]

ARTICLE 4. The national territory includes, in addition to the continental Provinces situated in South America, the adjacent islands, the Archipelago of Colón or of the Galápagos, the territorial sea, the subsoil, and their respective air spaces.

The national territory is inalienable, and no treaty may be concluded which affects its integrity or impairs national sovereignty, without prejudice to the duties imposed by the international juridical community.

ARTICLE 5. The Republic of Ecuador respects the norms of international law, and proclaims the principle of cooperation and good neighborliness among States, and the solution by juridical means of international controversies.

ARTICLE 6. Ecuador will collaborate within the world community of nations for the defense of its common territorial, economic, and cultural interests, especially with the Ibero-American States, with which it is united by ties of solidarity and interdependence arising out of identity of origin and culture. It may, consequently, form with one or more of the said States associations which have as their object the defense of such interests.

ARTICLE 53. The Congress, divided into Chambers, has power: . . .

15th. To approve or disapprove of public treaties or other conventions, which cannot be ratified and whose ratifications cannot be exchanged without this approval.

17th. To permit or deny the transit of foreign troops through the territory of the Republic, and the transit or stopping of

surface or submarine warships in territorial waters for a greater time than that allowed by international practices. There is equal authority governing the transit, arrival, and stay of military airplanes. These dispositions do not apply to cases of forced arrival or landing.

19th. To open and close ports.

ARTICLE 55. The Full Congress has power: . . .

12th. To declare war and to make peace, in view of the information submitted by the President of the Republic.

ARTICLE 71. Treaties and conventions will be considered by the Full Congress in a single discussion, without prejudice to the provision of the 15th clause of Article 53, and the pertinent decree which will be issued will not be subject to the general regulation relative to the term within which decrees must be issued, for their sanction.¹⁰ In consequence the Executive may delay it, if he considers it appropriate, giving an account of his decision to the Congress, in public or secret as he judges best.

ARTICLE 92. The powers and duties of the President of the Republic are: . . .

7th. To direct the international relations and diplomatic negotiations of the Republic, to conclude treaties and ratify them with the previous approval of the Congress, and to exchange ratifications.

Article 99. The President of the Republic or the one who exercises the office . . . is . . . especially responsible for . . . provoking an unjust war. . . .

ARTICLE 146. The powers and duties of the Council of State are: . . .

14th. To permit or deny the transit of foreign troops through the territory of the Republic, and the transit or stopping of surface or submarine warships in territorial waters for a greater time than that allowed by international practices. There is equal authority governing the transit, arrival, and stay of military airplanes. The dispositions of this section do not apply to cases of forced arrival or landing.

ARTICLE 189. The Constitution is the supreme juridical norm of the Republic. Therefore any laws, decrees, regulations, ordinances, provisions, pacts, or public treaties which in any way are in contradiction to it or depart from its text are without effect.

¹⁰ Article 75 of the Constitution provides that laws and decrees will be promulgated by the Executive within the 15 days following his approval.—[Ed.]

Only the Congress has the power to interpret the Constitution in a generally binding manner, and to resolve doubts which arise concerning the meaning of one or more of its terms.

Likewise only the Congress has the function of declaring whether a law or legislative decree is or is not unconstitutional.

6. Constitution of the French Republic, 27 October 1946

(*Journal Officiel*, 28 October 1946.)

[Translation]

PREAMBLE. . . . Every man persecuted by reason of his action in behalf of liberty has the right to asylum in the territories of the Republic. . . .

The French Republic, faithful to its traditions, conforms to the rules of public international law. It will undertake no war with a view to conquest and will never use its forces against the liberty of any people.

On condition of reciprocity, France consents to limitations of sovereignty which are necessary for the organization and defence of peace. . . .

ARTICLE 26. Diplomatic treaties regularly ratified and published have the force of law even should they be contrary to internal French laws, and to ensure their application there is no need of other legislative dispositions than those which would have been necessary to ensure their ratification.

ARTICLE 27. Treaties relating to international organization, treaties of peace, treaties which engage the finances of the State, those which are relative to the status of persons and to the property rights of French citizens abroad, those which modify French internal laws, and also those which bring about a cession, exchange or addition of territory, are not definitive until after they have been ratified by virtue of a law.

No cession, exchange, or addition of territory is valid without the consent of the populations concerned.

ARTICLE 28. As diplomatic treaties regularly ratified and published have an authority superior to that of internal laws, their dispositions cannot be abrogated, modified, or suspended otherwise than after a regular denunciation of which notice has been given through diplomatic channels. When treaties covered by Article 27 are concerned, the denunciation must be authorized by the National Assembly, except in the case of treaties of commerce.

ARTICLE 31. The President is kept informed of international negotiations. He signs and ratifies treaties.