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VI. PROVISIONS RELATING TO INTERNATIONAL LAW IN CONSTITUTIONS ADOPTED SINCE 1945

1. Constitution of the Argentine Republic, 16 March 1949

(*Diario de Sesiones*, 16 March 1949; translation from A. J. Peaslee, *Constitutions of Nations*.)

[Translation]

ARTICLE 19. The Federal Government is bound to consolidate its relations of peace and commerce with foreign powers by means of treaties that are in conformity with the principles of public right laid down by this Constitution.

ARTICLE 22. This Constitution, the laws of the Nation dictated by Congress in consequence thereof, and the treaties with foreign powers are the supreme law of the Nation; and the authorities of each province are obliged to conform thereto, notwithstanding any rule to the contrary which the provincial laws or constitutions may contain, with the exception, so far as the Province of Buenos Aires is concerned, of the treaties ratified following the Pact of November 11, 1859.

ARTICLE 68. Congress shall have the power: . . .

(12) To regulate commerce with foreign nations and among the provinces;

(19) To approve or reject treaties signed with other nations and agreements with the Vatican, and to arrange the exercise of the ecclesiastical patronage in the whole Nation;

(21) To authorize the executive power to declare war or make peace;

(22) To authorize reprisals and to make rules concerning captures;

(23) To fix the strength of the armed forces in time of peace and of war, to provide regulations and rules for governing them, and to pass special legislation concerning expropriations and requisitions in time of war;

(24) To allow the introduction of foreign troops into the territory of the Nation and to allow national troops to leave the country, except for reasons of international courtesy, in which case the authorization of the executive power shall be sufficient.

ARTICLE 83. The President of the Nation has the following powers:

(14) He concludes and signs treaties of peace, of trade, of navigation, of alliance, of boundaries and neutrality,

agreements with the Pope, and other negotiations required for the maintenance of good relations with foreign nations, receives their ministers and admits their consuls.

ARTICLE 95. The Supreme Court of Justice and the inferior courts of the Nation shall have jurisdiction of all cases turning upon points governed by the Constitution; by the laws of the Nation, with the reservations specified in paragraph (11) of Article 68; and by treaties with foreign nations; of all suits referring to ambassadors, ministers plenipotentiary, and foreign consuls; in cases of admiralty, maritime and aeronautical jurisdiction; in suits, in which the Nation is a party; in cases arising in the federal capital and in places governed by the legislation of Congress; in suits between two or more provinces; between one province and the citizens of another province; and between the Nation or a province or its inhabitants and a foreign State. . .

ARTICLE 96. The Supreme Court of Justice shall have original and exclusive jurisdiction in cases arising between a Nation or a province or its inhabitants and a foreign State; in cases concerning ambassadors, ministers plenipotentiary or foreign consuls; and in cases between the Nation and one or more provinces or between the provinces.

2. Constitution of the United States of Brazil, 18 September 1946

(*Diario Oficial*, 15 October 1946; translation from R. H. Fitzgibbon,
The Constitutions of the Americas, pp. 60-106.)

[Translation]

ARTICLE 4. Brazil shall resort to war only in case of non-applicability or failure of resort to arbitration or pacific means of solution of the conflict, regulated by any international organ of security in which it may participate; and in no case shall it embark on a war of conquest, directly or indirectly by itself or in alliance with another State.

ARTICLE 5. The Union shall have power:

I. To maintain relations with foreign States and to negotiate treaties and conventions with them.

II. To declare war and to make peace.

V. To permit foreign forces to pass through national territory, or, for reasons of war, to remain therein temporarily.

ARTICLE 66. The national Congress shall have exclusive power:

I. To give final decision respecting treaties and conventions negotiated with foreign States by the President of the Republic.