

N° 3953.

RÉPUBLIQUE DOMINICAINE
ET HAÏTI

Accord de frontière, signé à Saint-Domingue,
le 27 février 1935; protocole additionnel
au Traité du 21 janvier 1929 sur la délimi-
tation de la frontière entre les deux pays,
signé à Port-au-Prince, le 9 mars 1936, et
mémoire y annexé, signé à Port-au-Prince,
le 15 février 1936.

DOMINICAN REPUBLIC AND HAÏTI

Boundary Agreement, signed at Santo
Domingo, February 27th, 1935; Additional
Protocol to the Treaty of January 21st, 1929,
regarding the Delimitation of the Frontier
between the Two Countries, signed at
Port au Prince, March 9th, 1936, and
Memorandum annexed thereto, signed at
Port au Prince, February 15th, 1936.

TRADUCTION. — TRANSLATION.

No. 3953. BOUNDARY AGREEMENT BETWEEN THE DOMINICAN REPUBLIC AND THE REPUBLIC OF HAITI. SIGNED AT SANTO DOMINGO, FEBRUARY 27TH, 1935.

Dr. Stenio VINCENT, PRESIDENT OF THE REPUBLIC OF HAITI, and Dr. Rafael L. TRUJILLO MOLINA, Commander-in-Chief, PRESIDENT OF THE DOMINICAN REPUBLIC, on October 18th, 1933, in the cities of Dajabón and Ouanaminthe, began direct and personal negotiations with a view to putting an end to the difficulties which had arisen regarding the tracing of the frontier between the two Republics, as determined by the Treaty of January 21st, 1929.

These conversations were successfully pursued at Port au Prince during President Trujillo Molina's visit in November 1934, only one difficulty remaining to be settled; to-day, in the conversations which have taken place in this capital between President Vincent, guest of honour of the Dominican Government and people, and President Trujillo Molina, this last difficulty has also been solved, thus happily settling the old and vexatious question of frontiers, while fully respecting the above-mentioned international instrument which binds the two peoples.

The difficulties which had arisen, and which are set forth in No. 89 of the minutes of the Haitian Dominican Frontier Commission, are the following :

- (1) The determination of the source of the river Libón ;
- (2) The determination of the course that the frontier should follow from transit station 805 on the road from Restauración to Bánica until it arrives at the river Artibonite ;
- (3) The course that the frontier should follow between San Pedro and Fort Cachimán ;
- (4) The course that the frontier should follow between the source of the river Carrizal, Rancho de las Mujeres and Cañada Miguel ;
- (5) The course that the frontier should follow between Gros Mare and the source of the river Pedernales.

It has been agreed that these difficulties shall be settled as follows :

First difficulty : Take as source or point of origin of the river Libón the point at which the rivers Marigoyenne and Tenebras unite, the waters below that point being regarded as the river Libón. Therefore the frontier shall run directly from frontier pillar No. 48 on Mount Grimé up to the said point.

Second difficulty : The second difficulty is settled by the agreement on the Protocol of La Miel.

Third difficulty : The third difficulty has been settled in the following manner : from the point marked SP4 by the Haitian-Dominican Frontier Delimitation Commission in the neighbourhood of San Pedro on the river Macasías, the line shall follow the watershed, descending to Tumba la Rosa, passing by Dame Jeanne Cassée and the cemetery to the point already fixed at Fort Cachimán. From this last point it shall run to the river Carrizal, leaving the main road in Haitian territory, and shall follow the course of the river Carrizal upstream to its source.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

Fourth difficulty : From the source of the Carrizal to Mare Zephir (Rancho de las Mujeres), the line shall pass by Maison Madame Salómon, and from there to Cañada Miguel.

Fifth difficulty : The line shall start from Gros Mare and run to the clearly defined gorge at Mare Orange ; thence to the Source Bonite, which shall be regarded as the source of the river Pedernales. The intermediate frontier pillars shall be set up later.

The settlement of these five difficulties, which were those which remained in suspense and prevented the delimitation of the frontier line agreed upon by the Treaty of January 21st, 1929, settles the dispute concerning the execution of the said Treaty.

With a view to consolidating the peace and bonds of friendship which should govern the relations of the two peoples, the two Governments have considered the desirability of rectifying the 1929 line in the sector between the point where the main road from Bánica to Restauración crosses the river Libón at Passe Maguane and the point where this road crosses the river Artibonite opposite the village of Bánica ; such rectification shall not, however, in any way diminish or at any time prejudice transit facilities for nationals of the Dominican Republic provided for in the said frontier section of the Treaty of January 21st, 1929.

The two Governments have therefore agreed to conclude an Additional Protocol the basis of which shall be the establishment as frontier line, between the said points of Passe Maguane and Bánica, of a road along the banks of the rivers Libón and Artibonite built at the joint expense of the two Governments in accordance with specifications for construction which shall be settled in the said Protocol.

This Protocol, which shall establish equal rights for Haitians and Dominicans over the waters of the rivers Artibonite and Libón, shall be drawn up after the engineers appointed by the two Governments have prepared on the spot the technical plans for the line of the above-mentioned road.

SANTO DOMINGO, Capital of the Dominican Republic, February 27th, 1935.

ADDITIONAL PROTOCOL

TO THE TREATY OF JANUARY 21ST, 1929, REGARDING THE DELIMITATION OF THE FRONTIER BETWEEN THE DOMINICAN REPUBLIC AND THE REPUBLIC OF HAITI. SIGNED AT PORT AU PRINCE, MARCH 9TH, 1936.

Doctor Rafael Leonidas TRUJILLO MOLINA, Commander-in-Chief, President of the Dominican Republic,

and

Doctor Stenio VINCENT, President of the Republic of Haiti.

Whereas the five difficulties which according to its Act No. 89 of October 28th, 1930, were left in suspense by the Delimitation Commission set up for the execution of the Dominican-Haitian Frontier Treaty of January 21st, 1929, have been settled by our Agreement of February 27th, 1935 ;

Whereas a peaceful solution has been given to the execution of the Frontier Treaty of January 21st, 1929, by the above-mentioned Agreement which came into force on June 2nd, 1935, without its being necessary to have resort to the indirect solutions provided for in Article 7 of the said Treaty ;

Whereas the actual delimitation of the frontier line on the spot as provided for by the Treaty of January 21st, 1929, has been completed and the boundary pillars have been set up on the spot with the agreement and approval of the representatives of the two Governments ;

Whereas the ideals of absolute peace and the bonds of indissoluble friendship which should regulate the relations between the two peoples, the Dominican Republic and the Republic of Haiti, require a revision of the frontier line agreed to in 1929 in the sector between the point at which the main road leading from Bánica to Restauración crosses the river Libón (Maguane ford, at the point marked 22 R. L.) and the point at which the said road crosses the river Artibonite opposite the Dominican town of Bánica ;

Whereas, for the purpose of strengthening the bonds of friendship between the two countries, the Government of the Dominican Republic accepts a revision of this sector of the frontier line under

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