

## TABLE OF CONTENTS

	PAGE
GENERAL INTRODUCTION.....	1
<b>Part I. Nationality</b>	
<b>DRAFT OF CONVENTION ON NATIONALITY</b>	
English Text.....	13
French Translation.....	17
<b>TEXT WITH COMMENT</b>	
Introductory Comment.....	21
Article 1. Definitions.....	22
Article 2. State Power to Confer Nationality.....	24
Article 3. Nationality at Birth.....	27
Article 4. Limit on Nationality <i>Jure Sanguinis</i> .....	30
Article 5. Children of Diplomatic Officials.....	32
Article 6. Children of Other Officials.....	33
Article 7. Foundlings.....	34
Article 8. Children Born Out of Wedlock.....	35
Article 9. Nationality <i>Jure Soli</i> .....	37
Article 10. Dual Nationality.....	38
Article 11. Military Service by Persons of Dual Nationality.....	40
Article 12. Termination of Dual Nationality.....	41
Article 13. Effect of Naturalization.....	44
Article 14. Limit on Naturalization.....	51
Article 15. Consent to Naturalization.....	53
Article 16. Termination of Acquired Nationality.....	55
Article 17. Establishment of Nationality.....	58
Article 18. Collective Naturalization.....	60
Article 19. Nationality of Married Women.....	69
Article 20. Expulsion of Nationals.....	77
Article 21. Special Conventions on Nationality.....	78
Article 22. Settlement of Disputes.....	78
<b>APPENDIX No. 1—Analysis of Laws of Various Countries</b>	
I. Nationality at Birth.....	80
II. Naturalization and Expatriation.....	83
III. Nationality of Married Women.....	109
APPENDIX No. 2—"Bustamante Code," February 20, 1928.....	114
APPENDIX No. 3—Field's International Code (1876).....	115
APPENDIX No. 4—Resolution of the Institute of International Law (1896).....	118
APPENDIX No. 5—Report of the International Law Association (1924).....	119
APPENDIX No. 6—Draft Convention prepared for the League of Nations Committee of Experts for the Progressive Codification of International Law (1926).....	121
APPENDIX No. 7—Draft of the Kokusaiho-Gakkwai of Japan (1926).....	123
APPENDIX No. 8—Draft of the International Woman's Suffrage Alliance (1923).....	124
APPENDIX No. 9—Resolutions of the Institute of International Law (1928).....	125
APPENDIX No. 10—Schedule of Points Drawn up by the League of Nations Preparatory Committee, February 15, 1928.....	127

TABLE OF CONTENTS

Part II. Responsibility of States for Damage Done in Their Territory to the Person or Property of Foreigners

DRAFT OF CONVENTION ON RESPONSIBILITY OF STATES	PAGE
English text . . . . .	133
French translation . . . . .	136
INTRODUCTORY COMMENT . . . . .	140
TEXT AND COMMENT	
Article 1. Definition of responsibility . . . . .	140
Article 2. Responsibility depends on international law . . . . .	142
Article 3. Injuries by political sub-divisions . . . . .	145
Article 4. Duty of states to maintain governmental organization . . . . .	146
Article 5. Duty of states to afford means of redress . . . . .	147
Article 6. Local remedies . . . . .	149
Article 7. Acts of state officers . . . . .	157
Article 8. Contract obligations . . . . .	167
Article 9. Denial of justice . . . . .	173
Article 10. Due diligence . . . . .	187
Article 11. Acts of individuals . . . . .	188
Article 12. Acts of insurgents . . . . .	193
Article 13. Revolutions . . . . .	195
Article 14. Acts of other states . . . . .	196
Article 15. Nationality of claims . . . . .	198
Article 16. No responsibility to nationals . . . . .	200
Article 17. Calvo clause . . . . .	202
Article 18. Settlement of disputes . . . . .	215
APPENDIX No. 1—Conclusions of a subcommittee of the League of Nations Committee of Experts for the Progressive Codification of International Law . . . . .	219
APPENDIX No. 2—Responses of various governments to Questionnaire No. 4 of the League of Nations Committee of Experts for the Progressive Codification of International Law . . . . .	220
APPENDIX No. 3—Project of the Institute of International Law, Lausanne, 1927 . . . . .	228
APPENDIX No. 4—Draft Rules prepared by the Kokusaiho-Gakkwai of Japan . . . . .	231
APPENDIX No. 5—Projects of the American Institute of International Law, submitted to the International Commission of Jurists at Rio de Janeiro, April, 1927 . . . . .	232
APPENDIX No. 6—Project submitted to the Sixth International Conference of American States, by the International Commission of Jurists, January, 1928 . . . . .	233
APPENDIX No. 7—Convention on Status of Aliens adopted by the Sixth International Conference of American States, Havana, February 20, 1928 . . . . .	234
APPENDIX No. 8—Draft of Professor Karl Strupp, 1927 . . . . .	235
APPENDIX No. 9—Schedule of Points Drawn up by the League of Nations Preparatory Committee, February 15, 1928 . . . . .	236

TABLE OF CONTENTS

Part III. Territorial Waters

DRAFT OF CONVENTION ON TERRITORIAL WATERS	PAGE
English text .....	243
French translation .....	246
INTRODUCTORY COMMENT .....	249
<b>TEXT AND COMMENT</b>	
Article 1. Territorial waters .....	249
Article 2. Marginal seas .....	250
Article 3. Inland waters .....	262
Article 4. High sea .....	265
Article 5. Bays .....	265
Article 6. Bays bordered by two or more states .....	274
Article 7. Islands .....	275
Article 8. Straits .....	280
Article 9. Straits bordered by two or more states .....	281
Article 10. Straits connecting high seas .....	281
Article 11. Assimilation of small areas to marginal sea .....	287
Article 12. Delimitation by established usage .....	288
Article 13. Sovereignty over territorial waters .....	288
Article 14. Innocent passage .....	295
Article 15. Jurisdiction over vessels in innocent passage .....	297
Article 16. Civil jurisdiction .....	297
Article 17. Other jurisdiction in territorial waters .....	299
Article 18. Jurisdiction in ports .....	307
Article 19. Jurisdiction over vessels of war or other public vessels .....	328
Article 20. High sea adjacent to marginal sea .....	333
Article 21. "Hot pursuit" .....	358
Article 22. Definition of vessel .....	362
Article 23. Settlement of disputes .....	364
APPENDIX No. 1—Amended Draft Convention communicated to various Govern- ments by the League of Nations Committee of Experts for the Progressive Codi- fication of International Law, with Questionnaire No. 2, January 22, 1926 .....	366
APPENDIX No. 2—Projet de règlement relatif à la Mer Territoriale en temps de paix. L'Institut de Droit International, 1928 .....	368
APPENDIX No. 3—Project No. 10 on "National Domain," submitted to the International Commission of Jurists at Rio de Janeiro, April 1927, by the Ameri- can Institute of International Law .....	370
APPENDIX No. 4—Project No. 12 on "Jurisdiction," submitted to the Inter- national Commission of Jurists at Rio de Janeiro, April 1927, by the American Institute of International Law .....	372
APPENDIX No. 5—Project No. 18 on "Freedom of Transit," submitted to the International Commission of Jurists at Rio de Janeiro, April 1927, by the Ameri- can Institute of International Law .....	373
APPENDIX No. 6—Draft Convention on Law of Maritime Jurisdiction in Time of Peace, International Law Association, 1926 .....	373
APPENDIX No. 7—Drafts prepared by the Kokusaiho-Gakkwai (l'Association de Droit International du Japon) in conjunction with the Japanese branch of the In- ternational Law Association .....	376
APPENDIX No. 8—Schedule of Points Drawn up by the League of Nations Prepara- tory Committee, February 15, 1928 .....	378

