

International Law Studies – Volume 25

International Law Documents: Regulation of Maritime Warfare

U.S. Naval War College (Editor)

The thoughts and opinions expressed are those of the authors and not necessarily of the U.S. government, the U.S. Department of the Navy or the Naval War College.

vided with a license issued by the Republic of the United States.—Spain, Dec., 1898.

CONVERSION

State control.

ART. 1. A merchant ship converted into a warship can not have the rights and duties securing to such vessels unless it is placed under the direct authority, immediate control, and responsibility of the power whose flag it flies.—VII, H. C. 1907.

ART. 3. *Transformation des navires publics et privés et bâtiments de guerre.*—Aucun navire transformé en bâtiment de guerre ne peut avoir les droits et les obligations attachés à cette qualité, s'il n'est placé sous l'autorité directe, le contrôle immédiat et la responsabilité de la puissance dont il porte le pavillon.—Institut, 1913.

Distinguishing marks.

ART. 2. Merchant ships converted into warships must bear the external marks which distinguish the warships of their nationality.—VII, H. C. 1907.

ART. 4. Les navires transformés en bâtiments de guerre doivent porter les signes extérieurs distinctifs des bâtiments de guerre de leur nationalité.—Institut, 1913.

Command.

ART. 3. The commander must be in the service of the State and duly commissioned by the competent authorities. His name must figure on the list of the officers of the fighting fleet.—VII, H. C. 1907.

ART. 5. Le commandant doit être au service de L'Etat et dûment commissionné par les autorités compétentes; son nom doit figurer sur la liste des officiers de la flotte militaire.—Institut, 1913.

ART. 4. The crew must be subject to military discipline.—VII, H. C. 1907.

ART. 6. L'équipage doit être soumis aux règles de la discipline militaire.—Institut, 1913.

Observance of law of war.

ART. 5. Every merchant ship converted into a warship must observe in its operations the laws and customs of war.—VII, H. C. 1907.

ART. 7. Tout navire transformé en bâtiment de guerre est tenu d'observer dans ses opérations les lois et coutumes de la guerre.—Institut, 1913.

Notification.

ART. 6. A belligerent who converts a merchant ship into a warship must, as soon as possible, announce such conversion in the list of warships.—VII, H. C. 1907.

ART. 8. Le belligérant qui transforme un navire en bâtiment de guerre doit, le plus tôt possible, mentionner cette transformation sur la liste des bâtiments de sa flotte militaire.—Institut, 1913.

Place.

ART. 9. La transformation d'un navire en bâtiment de guerre ne peut être faite par un belligérant que dans ses propres eaux, dans celles d'un Etat allié également belligérant, dans celles de l'adversaire, ou enfin dans celles d'un territoire occupé par les troupes de l'un de ces Etats.—Institut, 1913.

Status.

ART. 112. The conversion into a man-of-war is connected with the requirements of Convention VII, second Hague Conference.—Ger. O. 1909.

ART. 15. With regard to conversion of merchant ships into men-of-war, the provisions of the treaty No. 7 of 1912, a treaty relating to conversion of merchant ships into men-of-war shall be followed.—Jap. Reg. 1914.

NOTE.—The treaty referred to is Convention VII, Hague, 1907.

Conversion of war vessel.

ART. 10. *Transformation des bâtiments de guerre en navires publics ou privés.*—Un bâtiment de guerre ne peut, tant que durent les hostilités, être transformé en navire public ou en navire privé.—Institut, 1913.

CONVOY

Suspected vessel.

ART. 98. If the commanding officer of the Japanese man-of-war has reason to suspect that the confidence of the commander of the convoy has been abused, the Japanese commanding officer shall communicate his suspicions to the commander of the convoy. In this case it is for the commander of the convoy alone to conduct an investigation. However, if the commander of the convoy requests the assistance of the commanding officer of the Japanese man-of-war, the latter may dispatch an officer under him as a witness. The result of such investigation will be stated in a report by the convoying ship, of which a copy is to be furnished to the officer of the Japanese man-of-war.—Jap. Reg. 1914.

Suspected vessel, capture.

ART. 99. If in the opinion of the commander of the convoy there are facts which justify the capture of one or more vessels, and if the protection of the convoy has been withdrawn from such, the commanding officer of the Japanese man-of-war shall capture it or them.—Jap. Reg. 1914.