

International Law Studies – Volume 16

International Law Topics: Neutrality Proclamations and Regulations with Notes

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**SALVADOR.**

*Note explaining attitude of neutrality, December 4, 1914.*

[Libro Rosado de El Salvador, Año VI, Nos. X, XI y XII, Octubre-Noviembre-Diciembre, 1914, pp. 77-78.]

SAN SALVADOR, *4th of December, 1914.*

MR. MINISTER: I have the honor to acknowledge receipt of Your Excellency's courteous note, dated the first of this month, in which, acting on instructions from the Department of State in Washington, you ask me to deliver to the legation under the worthy direction of Your Excellency, a complete collection of all public documents, decrees, proclamations, declarations, and orders relative to the present European war which have been issued by the Government of this Republic.

In answer I wish to state to Your Excellency that my Government has not issued any publication, proclamation, declaration, or decrees whatever regarding the European conflict. Its action has been limited to giving instructions to the maritime officials of our ports in order that they may maintain the greatest vigilance in regard to the use of stations of wireless telegraphy by belligerent vessels coming into its waters.

Besides this, my Government has merely addressed to its diplomatic representative accredited to the Department of State in Washington a note dated November 16th last, in reply to the inquiry made to this Government through the agency of the Department, by Count von Bernstorff, Ambassador of Germany near Your Excellency's Government, to the effect that there be laid before him a copy of the proclamation of neutrality by Salvador in the European conflict. In this note of reply this chancery indicated the following to its diplomatic representative in Washington, in order that thus he should bring it to the knowledge of the Ambassador of Germany and of any other legation of the neutral or belligerent countries which might interrogate him in regard to the same question: .

"The use of proclamations of neutrality was introduced when international law had not as yet determined with precision the principles by which the rights and obligations that a state of war creates between neutrals and belligerents were to be governed. Since then it has been observed in cases where a neutral had either a very active commerce with the belligerents or frontiers in common with them; or in cases where warlike supplies may be furnished or when a neutral owned a commercial fleet which might be affected in its communication with belligerents. Our country does not find itself in any of these situations in the present war; and as the state of neutrality and the relations which it establishes are legal conditions which arise from the war itself and from the international principles by which it is regulated, Salvador, by its neutral character, is obliged

strictly to observe these principles of neutrality, principles which this country does not need to promulgate in the form of a proclamation; all such principles are amply expounded in the fourteen diplomatic conventions subscribed to in the Second Conference of The Hague in 1907 and in the Naval Convention of London, the 26th of February, 1909. Consequently Salvador's line of conduct as a neutral country is clearly marked out in the above-mentioned treaties of The Hague and in the Convention of London. For this reason you will please convey to His Excellency the Ambassador of Germany, and to whatever other diplomatic agent should ask information of you on this subject, that the Government of Salvador has decided to preserve intact the principles and rules of the above-mentioned treaties, in conformity with its character as a neutral country, in the present European conflict, though it has not thought necessary to make a proclamation expressly to this effect."

I take this occasion to convey to Your Excellency the expression of my highest and most distinguished consideration.

FRANCISCO MARTINEZ S.

To His Excellency the Honorable Boaz W. Long, Minister Plenipotentiary of the United States of North America.

## SIAM.

### *Declaration of neutrality, August 6, 1914.*

By command of His Majesty the King Maha Vajiravudh Phra Mongkut Klao.

To all to whom these presents shall come, *know ye:*

Whereas the III Convention of The Hague, 18th October, 1907, relative to the opening of hostilities, article 2 says: "The existence of the state of war must be notified to the neutral powers without delay, and shall not take effect in regard to them until after the receipt of the notification, which may, however, be given by telegraph. Neutral powers, nevertheless, can not rely on the absence of notification if it is clearly established that they were in fact aware of the existence of a state of war;" and

Whereas a state of war now exists in Austria-Hungary, France, Germany, Great Britain, Russia, and Servia; and

Whereas we are happily at peace and on terms of friendship with each of these sovereigns and chiefs of state and with their respective subjects and the inhabitants of their respective dominions; and

Whereas we desire that our subjects shall continue to enjoy, and shall be secured in the enjoyment of, the infinite blessings of peace; to which end we are determined to maintain a strict and impartial neutrality in the state of war above mentioned;

Now, therefore, we do issue this our royal proclamation, and we do hereby order and command all our subjects to observe