

International Law Studies – Volume 16

International Law Topics: Neutrality Proclamations and Regulations with Notes

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## NEUTRALITY PROCLAMATIONS AND REGULATIONS.

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### ARGENTINE REPUBLIC.

*Declaration of neutrality in the European war, August 5, 1914.*

[Boletín del Ministro de Relaciones Exteriores y Culto, vol. 43, p. 3.]

BUENOS AYRES, *August 5, 1914.*

In view of the communications received by the executive power from the imperial and royal legation of Austria-Hungary on July 26, making known the rupture of relations between that country and Serbia; from the diplomatic representatives of Russia and Germany under dates of August 2 and 3, respectively, making known the state of war existing between the two countries; from the German legation on August 4, declaring that the Empire finds itself in a state of war with France; from the legation of His Britannic Majesty on the present date declaring that the United Kingdom finds itself at war with the German Empire; from the legation of Belgium of the present date giving notice that the German troops have penetrated into its territory and that its Government has decided to resist by force, and considering:

That the state of war existing between nations friendly to the Argentine Republic imposes the necessity of determining the criterion and the rules of conduct which it is proper to adopt to maintain the neutrality of the Republic during the conflict,

That the principles of international law consecrated by the opinion of authors and by the practice of nations have been condensed in the clauses of the convention signed at The Hague October 18, 1907,

That although this convention, signed by the Argentine plenipotentiaries, has not yet been approved by the congress, this circumstance does not diminish the value which it possesses as a body of doctrine for determining the duties and the rights of neutral nations in case of war,

That it is indispensable in order to conform to the sentiments of the Argentine Government, to assure the greatest uniformity of treatment toward all the belligerent nations,

*The Vice President of the Argentine nation decrees:*

ARTICLE 1. While the state of war between the nations above mentioned or between any of them shall continue, the Government of the Argentine Republic will maintain the strictest neutrality.

ART. 2. To render this provision effective there will be followed in all cases, the rules of law and the manner of procedure set forth in the convention relative to the rights and duties of neutral powers signed at The Hague October 18, 1907.<sup>1</sup>

ART. 3. The ministers, each in that which concerns him, will adopt the measures and will give the instructions, necessary for the execution of the present decree.

ART. 4. This decree will be communicated, published, and inscribed in the national register.

PLAZA JOSÉ LOUIS MURATURE.

## BRAZIL.

### *General Rules of Neutrality, August 4, 1914.*

ART. 1st. National and foreign residents in the United States of Brazil must abstain from any participation in aid of the belligerents or any act that may be deemed hostile to one of the nations at war.

ART. 2nd. The belligerents are not allowed to promote in Brazil the enlistment of their nationals, or of Brazilian citizens, or of subjects of other nations, for service in their forces on land or sea.

ART. 3rd. The Government of Brazil does not consent that privateers be armed and equipped in the ports of the Republic.

ART. 4th. The exportation of arms and ammunitions of war from Brazil to any port of the belligerent nations, under the Brazilian flag, or that of any other nation, is absolutely forbidden.

ART. 5th. The States of the Union and their agents are not permitted to export or to participate in exporting any kind of war material for any of the belligerents, severally or collectively.

ART. 6th. A belligerent is not permitted to have a naval base of operations against the enemy at any point in the littoral of Brazil, or its territorial waters, nor to have in said waters wireless telegraph stations to communicate with belligerent forces in the theatre of the war.

ART. 7th. In case the military operations or the sea-ports of any of the belligerents are situated at less than twelve days from the United States of Brazil, reckoning travel at twenty-three miles an hour, no warship of the other belligerent or belligerents will be allowed to stay in Brazilian ports, harbors or roadsteads longer than twenty-four hours, except in case of ships putting in on account of urgent need.

The case of urgent need justifies the staying of the warship or privateer at the port longer than twenty-four hours:

1. If the repairs needed to render the ship seaworthy cannot be made within that time;

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<sup>1</sup> Navy Department, 1911, Hague and Geneva Conventions, p. 118; Naval War College, International Law Situations, 8: 213.