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Neutrality

Breaking of Diplomatic Relations

War

With Notes

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notification made at Washington by the Swiss minister on April 20, 1917, the Federal Council believes that it appertains only to it to decide in what conditions it might appear opportune to appeal to the assistance of foreign powers. Receive, etc.

ADOR.

TURKEY.

Notification of neutrality, August 18, 1914.

[Journ. Off., Aug. 18, 1914, p. 7479.]

The Imperial Ottoman Government has made known to the Government of the Republic through its ambassador at Paris that the Sublime Porte is resolved to maintain a strict neutrality in the present war.

Neutrality regulations, September 28, 1914.

[British Parl. Pap., Misc. No. 13 (1914).]

[Inclosure No. 1, in No. 147.—Translation.]

The ministry of foreign affairs, with a view to the observance of their duties of neutrality throughout the hostilities, brings the following regulations to the notice of the British Embassy:

1. Entry to Turkish ports, roadsteads, and territorial waters, is forbidden to warships belonging to belligerent powers, except in the case of damage, or by reason of the state of the sea. In these cases they may only remain strictly the length of time actually necessary for the repair of the said damage, or to wait until the state of the sea has improved.

2. Every belligerent vessel, which shall ask permission to enter a Turkish port or roadstead for purposes of refueling or re-victualing, may be authorized to do so, on condition that the authorization of the local Turkish authority is obtained, after having declared the reasons for her arrival; that she does not remain more than 24 hours in the said port or roadstead; and that there be not more than three vessels under the same flag simultaneously in the same port or roadstead.

3. The ports of Smyrna and Beirut are prohibited to the said ships, as are the inland waters, access to which is barred either by submarine mines or by other defensive means.

4. If the warship does not leave Turkish waters within the period provided for above, the Turkish Government will take such steps as they may deem necessary to render the vessel incapable of putting to sea during the war.

5. Warships are expected to respect the sovereign rights of the Turkish Empire, to refrain from all acts prejudicial to Turkish

neutrality, and not to commit any hostile acts in Turkish territorial waters, including capture and the right of search.

6. If enemy belligerent warships happen to be simultaneously in the same Turkish port or roadstead, at least 24 hours must elapse between the departure of one belligerent warship and that of the other enemy belligerent warship, the order of departure being decided by that of arrival, unless the vessel which arrived first be obliged to remain for reasons foreseen above in No. 1. Similarly a belligerent warship may only leave a Turkish port or roadstead 24 hours after the departure of a merchant vessel under an enemy flag.

7. In nonprohibited Turkish ports and roadsteads belligerent warships may only repair damages to such an extent as is consonant with the safety of navigation, and may not increase their military strength in any manner whatsoever. The Turkish authorities will verify the nature of the repairs to be made; these must be carried out as quickly as possible.

8. The said vessels may only revictual up to their normal supply in peace time. Nevertheless, in the exceptional circumstances of the present war, the Turkish authorities may, in the first instance, reduce this supply, according to the requirements of the districts, to what is strictly necessary to reach the nearest neutral foreign port, and may refuse all supplies in the case of a second return by vessels of a like belligerent nation.

9. Such vessels may only take in sufficient fuel to reach the nearest harbor in their own country, or of a country the administration of which is intrusted to their Government, or of an allied country, at the discretion of the local Turkish authority. The preceding restrictions concerning supplies will be applicable to fuel.

10. The Turkish sanitary, pilotage, customs, port, and lighthouse regulations must be observed and respected by belligerent warships.

11. It is forbidden to bring prizes into any of the (nonprohibited) Turkish ports or roadsteads, save in the case of impossibility of navigation or roughness of the sea, lack of fuel or provisions, in which case permission must be asked from the local Turkish authorities; the latter will grant it after verification of the aforesaid cause. The prize shall be required to leave as soon as the said cause shall have ceased to exist; the taking in of fuel and provisions shall be carried out in accordance with the conditions laid down for warships.

No prize court may be established by a belligerent either on Turkish territory or on a vessel in Turkish territorial waters.

12. Belligerents are forbidden to make Turkish harbors and roadsteads a base for naval operations against their adversaries; to erect on land or in territorial waters any wireless telegraphy

station or installation destined to serve as a means of communication with belligerent forces by land or sea; to establish depots of fuel either on Turkish territory or on ships stationed in Turkish territorial waters.

13. The above provisions in no way supersede the regulations governing the Straits, which remain as established by international treaty.

14. General international law is applicable in all questions not provided for in the above regulations.

CONSTANTINOPLE, *September 28, 1914.*

*Proclamation of war against Great Britain, Russia, and France,
November 14, 1914.*¹

[Translated from the *Corriere della Sera*, Nov. 16, 1914.]

**Official Note Issued by the Turkish Government in Reply to the Circular
Addressed by Sir Edward Grey to the Powers.**

England complains that Turkey, without any preliminary notice, bought two warships from Germany. It should be borne in mind, however, that before war was declared the English Government ordered the seizure of two dreadnaughts that were being built for Turkey in British yards, and that one of these dreadnaughts, the *Sultan Osman*, was seized half an hour before the appointed time when the Turkish flag was to have been raised over the ship; and that finally no indemnity was paid for these confiscations.

It is natural, therefore, that Turkey, finding itself deprived of the two warships that were considered indispensable for the defense of the Empire, hastened to remedy the loss by acquiring the two ships offered in a friendly spirit by the German Government.

England complains of the closing of the Dardanelles. But the responsibility for this act falls on the British Government, as will appear from the following reasons, which determined the Turkish Government to take the final decision: In spite of the neutrality of Turkey, England, under the pretext that German officers were serving on Turkish ships, declared officially that Turkish war vessels would be considered as hostile craft, and would be attacked by the British fleet anchored at the entrance of the Straits.

In view of this hostile declaration Turkey found itself compelled to close the Dardanelles in order to insure the safety of the capital. And as to the claims of England, it is evident that

¹ "AMSTERDAM, *November 13, 1914.*

A telegram from Constantinople received here via Berlin states that the Porte has published an iradé containing Turkey's declaration of war against the allied powers—REUTER." (London Times, Nov. 14, 1914, p. 7, c.)

the presence of German officers on the Turkish warships was a question of internal politics and should not, therefore, have given rise to any protest on the part of a foreign power.

(The note goes on to say that England, though asked to intervene in behalf of Turkey during the Balkan war, did everything that was in its power to bring about the downfall of the Turkish Empire. And when Adrianople was recaptured by the Turkish Army, the British prime minister did not hesitate to threaten Turkey with collective punishment on the part of the great powers if the city were not evacuated by the Turkish forces. The note continues as follows:)

The designs of the British are not limited to the countries of Europe; they extend to the Gulf of Persia. England has carried out its plan of impairing the sovereign rights of Turkey and of opening up a way of access into Arabia, for a long time coveted by the English.

Faithful to its policy of hostility England has ever opposed the attempts at reforms in Turkey. It exerted all its influence to prevent the powers from furnishing expert technical help to the Turkish Government. The Kaiser alone, disregarding the intrigues of Great Britain, authorized S. E. Liman von Sanders, Pasha, to reorganize the Turkish Army, that army which is challenging the British forces.

(After having recalled the Franco-British convention of 1904, which "passed a sentence of death on Morocco and on Egypt," and the agreement with Russia in reference to Persia, the note concludes:)

England for more than a century has been striving to destroy the freedom of the Moslem so as to open up their countries to the greedy exploitation of the British merchants. The English Government, pursuing its program of hatred against the Moslem States, has succeeded in giving to its policy a religious color which insures to it the support and the adhesion of the English people, puritanic and fanatical.

Let us be grateful to God who has given us the opportunity of victoriously defending the welfare of Islam against its three ruthless enemies, England, Russia, and France.

*Proclamation of a Holy War, the "Fetva," November 15, 1914.*¹

[Translated from the *Corriere della Sera*, Nov. 16, 1914.]

CONSTANTINOPLE, November 15, 1914.

Sixty thousand persons or thereabouts participated to-day in a mass meeting organized by several patriotic associations. The

¹ "Turkey, having declared a holy war on Serbia and its allies, treaties, conventions, and agreements concluded between Turkey and Serbia cease to have effect, thus the treaty of Mar. 1, 1914, terminates from the 1st of December." (Serbian Official Journal, Jan. 8, 1915; Rev. Gén., Doc. 22 : 103.)

different corporations that took part in the event marched to Fatickh Square, in the old Stamboul, where an immense crowd had assembled. In the mosque of Fatickh the "Fetva" proclaiming the Holy War was read by a special delegation of the Sheik ul Islam. The text of the "Fetva" drawn in the form of answers and questions as required by the rules of Islam is as follows:

"If several enemies unite against Islam, if the countries of Islam are sacked, if the Moslem populations are massacred or made captive, and if in this case the Padishah in conformity with the sacred words of the Koran proclaims the Holy War, is a participation in this war a duty for all Moslems, old and young, cavalry and infantry? Must the Mohammedans of all countries of Islam hasten with their bodies and possessions to the Djat?" (Jihad) (Holy War).

Answer. "Yes."

"The Moslem subjects of Russia, of France, of England, and of all the countries that side with them in their land and sea attacks dealt against the Caliphate for the purpose of annihilating Islam, must these subjects, too, take part in the Holy War against the respective governments from which the depend?"

Answer. "Yes."

"Those who at a time when all Moslems are summoned to fight, avoid the struggle and refuse to join in the Holy War, are they exposed to the wrath of God, to great misfortunes, and to the deserved punishment?"

Answer. "Yes."

"If the Moslem subjects of the said countries should take up arms against the Government of Islam, would they commit an unpardonable sin, even if they have been driven to the war by threats of extermination uttered against themselves and their families?"

Answer. "Yes."

"The Moslems who in the present war are under England; France, Russia, Servia, Montenegro, and those who give aid to these countries by waging war against Germany and Austria, allies of Turkey, do they deserve to be punished by the wrath of God as being the cause of harm and damage to the Caliphate and to Islam?"

Answer. "Yes."

*Circular relating to hostilities in Egypt and the Suez Canal,
May, 1915.*

[Rev. Gén., Doc. 22 : 214.]

Considering that the British Government not only has failed to observe, in reference to the powers, the engagements to which it is bound by the convention of 1888, stipulating that no war vessel can remain in the Suez Canal, but also it is now fortifying

the canal, while, on the other hand, the French Government, in view of hostile action against the Ottoman Empire, has landed troops in Egypt, the Imperial Ottoman Government, by reason of these facts, considers itself under the imperious necessity of taking military measures for the protection of the imperial territory, of which Egypt forms a part, and of extending hostilities to the Suez Canal. If such measures cause any injury whatever to neutral vessels, it is thus evident that the responsibility will be upon the French and British Governments.

*Notification of declaration of war against Roumania, 8 p. m., August 31, 1916.*¹

[Rev. Gén., Doc. 23 : 199.]

The Council of Ottoman Ministers met on August 28, 1916, and decided to declare war on Roumania. This decision was immediately sanctioned by an iradé of the Sultan.

UNITED STATES.

BREAKING DIPLOMATIC RELATIONS AND WAR DECLARATIONS.

Note breaking diplomatic relations with Germany, February 3, 1917.

The Secretary of State to the German Ambassador.

No. 2307.]

DEPARTMENT OF STATE,

Washington, February 3, 1917.

EXCELLENCY: In acknowledging the note with accompanying memoranda, which you delivered into my hands on the afternoon of January 31, and which announced the purpose of your Government as to the future conduct of submarine warfare, I would direct your attention to the following statements appearing in the correspondence which has passed between the Government of the United States and the Imperial German Government in regard to submarine warfare.

This Government on April 18, 1916, in presenting the case of the *Sussex*, declared—

If it is still the purpose of the Imperial Government to prosecute relentless and indiscriminate warfare against vessels of commerce by the use of submarines without regard to what the Government of the United States must consider the sacred and indisputable rules of international law and the universally recognized dictates of humanity, the Government of the United States is at last forced to the conclusion that there is but one course it can pursue. Unless the Imperial Government should now immediately declare and effect an abandonment of its present methods of submarine warfare against passenger and freight-carrying vessels, the Government of the United States can have no choice but to sever diplomatic relations with the German Empire altogether.

¹ The declaration was delivered to the Roumanian minister at Constantinople, 8 p. m., Aug. 31, 1916. (Am. Journ. Int. Law, 11, 168.)