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International Law Documents

Neutrality

Breaking of Diplomatic Relations

War

With Notes

U.S. Naval War College (Editor)

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Government, the U.S. Department of the Navy or the Naval War College.

SWEDEN.*Decree relating to mined area, July 14, 1916.*

[British Parl. Pap., Misc. No. 8 (1917).]

By a decree dated the 14th July, Swedish Government gives notice that mine field laid down in Kogrundsranan, which is new fairway round Falsterbo mine¹ field, situated between latitude north $55^{\circ} 26'$, and north $55^{\circ} 28'$, and between longitude east $12^{\circ} 47' 8''$, and east $12^{\circ} 50' 5''$. Fairway may only be navigated by Swedish warships or any other ships in the service of Swedish State, Swedish merchant vessels engaged in regular coastwise traffic through sound, Swedish merchant ships bound to Swedish Baltic ports carrying cargo only to such port or in ballast and vice versa, finally, Swedish boats, including vessels less than 20 tons register, going from one Swedish port to another. All merchant vessels desiring to pass through mine field must anchor before arriving mine field, in order to obtain permission to pass. Notice comes in force to-morrow. There are several other provisions of less importance connected with pilotage, etc.

Decree relating to the sojourn of war submarine vessels, amendatory to decree of December 20, 1912,¹ July 19, 1916.

[British Parl. Pap., Misc. No. 8 (1917).]

We, Gustaf, etc.,

Submarines belonging to foreign powers and equipped for use in warfare² may not navigate or lie in Swedish territorial waters within 3 nautical minutes (5,556 meters) from land or from extreme outlying skerries, which are not continuously washed over by the sea, under peril of being attacked by armed force without previous warning; exception is, however, made for the passage through Oresund between parallels of latitude drawn in the north, through Viking Light (latitude, north $56^{\circ} 8' 7''$), and, in the south, through Klagshamm Light (latitude, north $55^{\circ} 31' 2''$).

In the event of a submarine being compelled through bad weather or shipwreck to enter the forbidden area, the above regulation is not applicable, always provided that the vessel while within the mentioned area, shall remain above the surface and

¹ Similar to Danish decree, Dec. 20, 1912 (International Law Topics, 1916, p. 49), and Norwegian decree, Dec. 18, 1912, *supra*, p. 184.

² Replying to a British protest of Aug. 30, 1916, which questioned whether "the periscope or even the conning tower of a commercial submarine can be distinguished from those of a belligerent submarine," the Swedish minister of foreign affairs said in a note of Sept. 9, 1916: "In accordance with the regulations issued in connection with the decree on the treatment of submarines, every submarine is treated as a belligerent submarine unless its employment for commercial purposes is definitely proved by known facts." (British Parl. Pap., Misc. No. 8 (1917).)

fly its national flag as well as the international signal indicating the cause of its presence. The vessel shall leave the area as soon as possible after the reason for its presence there has ceased to exist.

This decree shall come into force on the 28th July, 1916.
Saro, July 19, 1916.

GUSTAF.

SWITZERLAND.

Declaration of neutrality, December 12, 1917.

[Official Bulletin, No. 186, p. 2.]

Swiss Minister of Foreign Affairs to United States Chargé Affaires.

DECEMBER 12, 1917.

MR. CHARGÉ D'AFFAIRES: In a note of the 3d instant¹ you were kind enough to inform the political department that you had been charged by the Department of State to inform the Federal Council that the presence of American troops in Europe, taking part in the war against the Imperial German Government, had led the Government of the union to inform the Swiss Confederation that, the same as its cobelligerents in Europe, the United States will not fail to observe toward Switzerland the principle of neutrality and inviolability of its territory as long as this neutrality is maintained by the confederation and respected by the enemy.

In the name of the Federal Council I have the honor, in acknowledging this declaration, to beg you to transmit to your Government the thanks of the Federal Council for this new proof of the sentiments of friendship that the United States has always manifested toward Switzerland.

The Federal Council can only renew the declaration of neutrality that it had the honor to notify to Washington April 20, 1917, insisting particularly on its firm and unwavering determination to maintain and defend its neutrality and inviolability of its territory by all means at its disposal against any person.

At the same time the Federal Council has the honor to declare that by virtue of its sovereignty and in accordance with the declaration of the powers who signed the treaties of Vienna and Paris of 1815, in particular that of the 20th of November, the Swiss Confederation, to whom it appertains to take the necessary measures for the defense of its territory, will maintain its neutrality by its own forces and will repel a violation of its frontier if this occurs.

Referring to these acts and to its declaration of neutrality of August 4, 1914,² as well as to later declarations, especially the

¹ *Infra* p. 233.

² *International Law Topics*, 1916, p. 70.