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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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Notification of blockade of Montenegro, August 10, 1914.

[Journal Officiel de la Republique Francaise, Aug. 12, 1914, p. 7337.]

The Government of the (French) Republic was informed on August 10, 1914, by the Imperial and Royal Government of Austria-Hungary "that from August 10, at noon, the coast of Montenegro will be held in a state of effective blockade by the Austro-Hungarian naval forces."

The present notification is brought to the knowledge of those interested under all reservation of rights.

BELGIUM.

Protest against proposed German violation of neutrality August 3, 1914.

[Belgian gray book.]

No. 22.—Note communicated by Monsieur Davignon, Belgian Minister for Foreign Affairs, to Herr von Below Saleske, German Minister.

BRUSSELS, August 3, 1914.—(7 a. m.)

The German Government stated in their note of August 2, 1914, that according to reliable information French forces intended to march on the Meuse via Givet and Namur, and that Belgium, in spite of the best intentions, would not be in a position to repulse, without assistance, an advance of French troops.

The German Government, therefore, considered themselves compelled to anticipate this attack and to violate Belgian territory. In these circumstances, Germany proposed to the Belgian Government to adopt a friendly attitude toward her, and undertook, on the conclusion of peace, to guarantee the integrity of the Kingdom and its possessions to their full extent. The note added that if Belgium put difficulties in the way of the advance of German troops, Germany would be compelled to consider her as an enemy, and to leave the ultimate adjustment of the relations between the two States to the decision of arms.

This note has made a deep and painful impression upon the Belgian Government.

The intentions attributed to France by Germany are in contradiction to the formal declarations made to us on August 1, in the name of the French Government.

Moreover, if, contrary to our expectation, Belgian neutrality should be violated by France, Belgium intends to fulfil her international obligations and the Belgian army would offer the most vigorous resistance to the invader.

The treaties of 1839,¹ confirmed by the treaties of 1870,² vouch for the independence and neutrality of Belgium under the guaran-

¹ British and Foreign State Papers, 27 : 990 et seq.

² Ibid., 60 : 13.

tee of the powers, and notably of the Government of His Majesty the King of Prussia.

Belgium has always been faithful to her international obligations, she has carried out her duties in a spirit of loyal impartiality and she has left nothing undone to maintain and enforce respect for her neutrality.

The attack upon her independence with which the German Government threaten her constitutes a flagrant violation of international law. No strategic interest justifies such a violation of law.

The Belgian Government, if they were to accept the proposals submitted to them, would sacrifice the honor of the nation and betray their duty toward Europe.

Conscious of the part which Belgium has played for more than 80 years in the civilization of the world, they refuse to believe that the independence of Belgium can only be preserved at the price of the violation of her neutrality.

If this hope is disappointed the Belgian Government are firmly resolved to repel, by all the means in their power, every attack upon their rights.

Note breaking diplomatic relations with Germany.

[Belgian Gray Book.]

No. 31. Monsieur Davignon, Belgian Minister for Foreign Affairs, to Herr von Below Saleske, German Minister.

(Translation.)

BRUSSELS, *August 4, 1914.*

SIR: I have the honor to inform your Excellency that from to-day the Belgian Government are unable to recognize your diplomatic status and cease to have official relations with you. Your excellency will find inclosed the passports necessary for your departure with the staff of the legation.

(Signed) DAVIGNON.

Notification to guaranteeing powers of violation of neutrality by Germany August 4, 1914.

[Belgian Gray Book.]

No. 40.—Monsieur Davignon, Belgian Minister for Foreign Affairs, to British, French, and Russian Ministers at Brussels.

BRUSSELS, *August 4, 1914.*

SIR: The Belgian Government regret to have to announce to your excellency that this morning the armed forces of Germany entered Belgian territory in violation of treaty engagements.

The Belgian Government are firmly determined to resist by all the means in their power.

Belgium appeals to Great Britain, France, and Russia to cooperate as guaranteeing powers in the defense of her territory.

There should be concerted and joint action to oppose the forcible measures taken by Germany against Belgium, and, at the same time, to guarantee the future maintenance of the independence and integrity of Belgium.

Belgium is happy to be able to declare that she will undertake the defense of her fortified places.

General notification of violation of neutrality by Germany August 5, 1914.

[Belgian Gray Book.]

No. 44.—M. Davignon, Belgian Minister for Foreign Affairs, to the Belgian heads of missions in all countries having diplomatic relations with Belgium.

BRUSSELS, *August 5, 1914.*

SIR: By the treaty of April 18, 1839, Prussia, France, Great Britain, Austria, and Russia declared themselves guarantors of the treaty concluded on the same day between His Majesty the King of the Belgians and His Majesty the King of the Netherlands. The treaty runs: "Belgium shall form a State independent and perpetually neutral."¹ Belgium has fulfilled all her international obligations, she has accomplished her duty in a spirit of loyal impartiality, she has neglected no effort to maintain her neutrality and to cause that neutrality to be respected.

In these circumstances the Belgian Government have learnt with deep pain that the armed forces of Germany, a power guaranteeing Belgian neutrality, have entered Belgian territory in violation of the obligations undertaken by treaty.

It is our duty to protest with indignation against an outrage against international law provoked by no act of ours.

The Belgian Government are firmly determined to repel by all the means in their power the attack thus made upon their neutrality, and they recall the fact that, in virtue of article 10 of The Hague Convention of 1907 respecting the rights and duties of neutral powers and persons in the case of war by land, if a neutral power repels, even by force, attacks on her neutrality such action can not be considered as a hostile act.

I have to request that you will ask at once for an audience with the minister for foreign affairs and read this dispatch to his excellency, handing him a copy. If the interview can not be granted at once you should make the communication in question in writing.

DAVIGNON.

¹ Annex to treaties of Apr. 19, 1839, art. 7, British and Foreign State Papers, 27:994.

*Neutrality of Congo August 7, 1914.*¹

[Belgian Gray Book.]

No. 57.—Monsieur Davignon, Belgian Minister for Foreign Affairs, to the Belgian Ministers at Paris and London.

[Telegram—translation.]

BRUSSELS, August 7, 1914.

Belgium trusts that the war will not be extended to Central Africa. The governor of the Belgian Congo has received instructions to maintain a strictly defensive attitude. Please ask the French Government [British Government] whether they intend to proclaim the neutrality of the French Congo [British colonies in the conventional basin of the Congo], in accordance with article 11 of the general act of Berlin.² A telegraph from Boma reports that hostilities are probable between the French and Germans in the Ubangi.

DAVIGNON.

No. 58.—Monsieur Davignon, Belgian Minister for Foreign Affairs, to the Belgian Ministers at Paris and London.

[Translation.]

BRUSSELS, August 7, 1914.

SIR: With reference to my telegram of this morning, I have the honor to request you to bring to the notice of the French [British] Government the following information:

While instructions have been sent to the governor general of the Congo to take defensive measures on the common frontiers of the Belgian colony and of the German colonies of East Africa and the Cameroons, the Belgian Government have suggested to that officer that he should abstain from all offensive action against those colonies.

In view of the civilizing mission common to colonizing nations, the Belgian Government desire, in effect, for humanitarian reasons, not to extend the field of hostilities to Central Africa. They will, therefore, not take the initiative of putting such a strain on civilization in that region, and the military forces which they possess there will only go into action in the event of their having to repel a direct attack on their African possessions.

I should be glad to learn whether the French [British] Government share this view, and in that case whether it is their intention, during the present conflict, to avail themselves of article 11 of the general act of Berlin to neutralize such of their colonies as are contained in the conventional basin of the Congo.

I am addressing an identical communication to your colleague at London [Paris].

DAVIGNON.

¹ See British note, Aug. 17, 1914, p. 118.

² Feb. 26, 1885, British and Foreign State Papers, 76:12.

Departure of Belgian Minister from Luxemburg. 57

*Notification to Belgian Minister to depart from Luxemburg,
August 10, 1914.*

[Belgian Gray Book.]

No. 66.—Monsieur Davignon, Belgian Minister for Foreign Affairs, to the
Belgian Ministers at London, Paris, and St. Petersburg.¹

[Translation.]

BRUSSELS, *August 10, 1914.*

SIR: I have the honor to inform you of the circumstances which led to the departure of the Belgian representative from Luxemburg.

The general officer commanding the German troops in the Grand Duchy of Luxemburg informed the German minister in that town, on August 8, of the desire of the military authorities for the departure of the Belgian representative at the Grand Ducal Court.

Herr von Buch addressed to Monsieur Eyschen, president of the government, a note, of which the following is a translation:

LUXEMBURG, *August 8, 1914.*

YOUR EXCELLENCY: In consequence of the completely hostile attitude adopted by Belgium toward Germany, the military authorities find themselves obliged to insist upon the departure of the Belgian minister from Luxemburg.

His excellency the general officer commanding begs Count van den Steen de Jehay to arrange his journey home in such a way that he may be able, within 24 hours, to see Gen. von Ploetz at Coblenz, with a view to settling the details of the further stages of his journey. It is impossible for him to travel except via Treves-Coblenz.

VON BUCH.

Monsieur Eyschen forwarded this note the same day to Count van den Steen de Jehay, accompanied by a letter in the following terms:

LUXEMBURG, *August 8, 1914.*

SIR: I greatly regret to have to communicate to you the inclosed copy of a note from the German minister, informing me that the German military authorities demand your departure.

You will find in it the conditions which they attach thereto.

Herr von Buch told me that the military authorities advise you to travel by railway, as an attempt to carry out your journey by motor would expose you to being too frequently stopped for reasons connected with the control of the roads. But the choice is left to you.

The German minister will come to me for your answer.

I can not tell you how painful it is to me to fulfill my present task. I shall never forget the pleasant relations which have existed between us, and I hope that your journey may be carried out under the best possible conditions.

EYSCHEN.

The Belgian Government, considering that the Grand Ducal Government had no choice in their attitude, and that the course they had been obliged to adopt in no way implied any discourteous

¹ See German note, Aug. 2, 1914, p. 101.

intention toward the King of the Belgians or toward Belgium, decided that there was no reason, in these circumstances, for requesting the Luxemburg chargé d'affaires to leave Belgium.

DAVIGNON.

Note replying to declaration of war by Austria-Hungary, August 29, 1914.

[Belgian Gray Book.]

No. 73.—Monsieur Davignon, Belgian Minister for Foreign Affairs, to Baron Fallon, Belgian Minister at The Hague.

[Telegram.]

ANTWERP, August 29, 1914.

Please inform the Austrian legation through the minister for foreign affairs that I have received Austria-Hungary's declaration of war against Belgium, and add the following:

Belgium has always entertained friendly relations with all her neighbors without distinction. She had scrupulously fulfilled the duties imposed upon her by her neutrality. If she has not been able to accept Germany's proposals, it is because those proposals contemplated the violation of her engagements toward Europe, engagements which form the conditions of the creation of the Belgian Kingdom. She has been unable to admit that a people, however weak they may be, can fail in their duty and sacrifice their honor by yielding to force. The government have waited, not only until the ultimatum had expired, but also until Belgian territory had been violated by German troops, before appealing to France and Great Britain, guarantors of her neutrality, under the same terms as are Germany and Austria-Hungary, to cooperate in the name and in virtue of the treaties in defense of Belgian territory. By repelling the invaders by force of arms, she has not even committed an hostile act as laid down by the provisions of article 10 of The Hague Convention respecting the rights and duties of neutral powers.

Germany herself has recognized that her attack constitutes a violation of international law, and, being unable to justify it, she has pleaded her strategical interests.

Belgium formally denies the allegation that Austrian and Hungarian nationals have suffered treatment in Belgium contrary to the most primitive demands of humanity.

The Belgian Government, from the very commencement of hostilities, have issued the strictest orders for the protection of Austro-Hungarian persons and property.

DAVIGNON.

Notes breaking diplomatic relations with Turkey, November 6, 1914.

[Belgian Gray Book, No. 2.]

No. 62.—M. Davignon, Minister for Foreign Affairs, to M. van Ypersele de Strihou, Belgian Minister at Bucharest.

[Telegram.]

LE HAVRE, *November 6, 1914.*

The Turkish minister has asked for his passports. Notify the Belgian minister at Constantinople either directly or through the Roumanian Government to do the same and to leave Turkey with his staff and the consular officials.

DAVIGNON.

No. 64.—M. Davignon, Minister for Foreign Affairs, to all the Belgian Ministers in Foreign Countries.

LE HAVRE, *November 9, 1914.*

SIR: The French Government has informed the Belgian Government of the state of war existing between France and Turkey, and in these circumstances the presence at Havre of the Turkish minister with the Belgian Government became delicate. Understanding the situation in which he was placed by the course of events His Excellency Nousret Sadoullah Bey took the initiative by asking for his passports and by putting Turkish interests in Belgium under the protection of the minister of the Netherlands.

Under date November 6, I sent to his excellency the passports which he had asked for, and remarked that, according to the interpretation of the Belgian Government, the rupture of diplomatic relations in no way implied a state of war between the two countries.

The Belgian minister at Constantinople has received instructions to ask for his passports and to leave Turkey. The care of Belgian interests in Turkey has been entrusted to the ambassador of the United States of America.

DAVIGNON.

BOLIVIA.

Extract from the Presidential Message to the Bolivian Congress of 1915, relating to neutrality.

Making reference to these matters, we expressed not long ago the following ideas: "Neutrals as we are in the armed conflict of the great powers of the Old World, we are met by the duty of seeing that our neutrality be not perverted, as it threatened to be through a passive acceptance of the sacrifice of our economical and commercial interests. Much could be obtained in that and other orders by the joint, and also the individual action harmoniously developed by the nations of North, Central, and South