

LAYING OF AUTOMATIC SUBMARINE CONTACT MINES (HAGUE, VIII)

Convention signed at The Hague October 18, 1907

Senate advice and consent to ratification March 10, 1908

Ratified by the President of the United States February 23, 1909

Procès-verbal of first deposit of ratifications (including that of the United States) at The Hague dated November 27, 1909

Entered into force January 26, 1910

Proclaimed by the President of the United States February 28, 1910

36 Stat. 2332; Treaty Series 541

[TRANSLATION]

VIII

CONVENTION RELATIVE TO THE LAYING OF AUTOMATIC SUBMARINE CONTACT MINES

His Majesty the German Emperor, King of Prussia; the President of the United States of America; the President of the Argentine Republic; His Majesty the Emperor of Austria, King of Bohemia, etc., and Apostolic King of Hungary; His Majesty the King of the Belgians; the President of the Republic of Bolivia; the President of the Republic of the United States of Brazil; His Royal Highness the Prince of Bulgaria; the President of the Republic of Chile; the President of the Republic of Colombia; the Provisional Governor of the Republic of Cuba; His Majesty the King of Denmark; the President of the Dominican Republic; the President of the Republic of Ecuador; His Majesty the King of Spain; the President of the French Republic; His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions Beyond the Seas, Emperor of India; His Majesty the King of the Hellenes; the President of the Republic of Guatemala; the President of the Republic of Haiti; His Majesty the King of Italy; His Majesty the Emperor of Japan; His Royal Highness the Grand Duke of Luxemburg, Duke of Nassau; the President of the United States of Mexico; His Majesty the King of Norway; the President of the Republic of Panama; the President of the Republic of Paraguay; Her Majesty the Queen of the Netherlands; the President of the Republic of Peru; His Imperial Majesty the Shah of Persia; His Majesty the King of Roumania; the Presi-

dent of the Republic of Salvador; His Majesty the King of Servia; His Majesty the King of Siam; the Swiss Federal Council; His Majesty the Emperor of the Ottomans; the President of the Oriental Republic of Uruguay; the President of the United States of Venezuela :

Inspired by the principle of the freedom of sea routes, the common highway of all nations;

Seeing that, although the existing position of affairs makes it impossible to forbid the employment of automatic submarine contact mines, it is nevertheless desirable to restrict and regulate their employment in order to mitigate the severity of war and to ensure, as far as possible, to peaceful navigation the security to which it is entitled, despite the existence of war;

Until such time as it is found possible to formulate rules on the subject which shall ensure to the interests involved all the guarantees desirable;

Have resolved to conclude a Convention for this purpose, and have appointed the following as their Plenipotentiaries:

His Majesty the Emperor of Germany, King of Prussia :

His Excellency Baron Marschall von Bieberstein, His Minister of State, His Ambassador Extraordinary and Plenipotentiary at Constantinople;

Dr. Johannes Kriege, His Envoy on extraordinary mission to the present Conference, His Privy Counselor of Legation and Jurisconsult to the Imperial Ministry of Foreign Affairs, Member of the Permanent Court of Arbitration.

The President of the United States of America :

His Excellency Mr. Joseph H. Choate, Ambassador Extraordinary;

His Excellency Mr. Horace Porter, Ambassador Extraordinary;

His Excellency Mr. Uriah M. Rose, Ambassador Extraordinary;

His Excellency Mr. David Jayne Hill, Envoy Extraordinary and Minister Plenipotentiary at The Hague;

Rear Admiral Charles S. Sperry, Minister Plenipotentiary;

Brigadier General George B. Davis, Judge Advocate General of the United States Army, Minister Plenipotentiary;

Mr. William I. Buchanan, Minister Plenipotentiary.

The President of the Argentine Republic :

His Excellency Mr. Roque Saenz Peña, former Minister of Foreign Affairs, Envoy Extraordinary and Minister Plenipotentiary of the Republic at Rome, Member of the Permanent Court of Arbitration;

His Excellency Mr. Luis M. Drago, former Minister of Foreign Affairs and Worship of the Republic, National Deputy, Member of the Permanent Court of Arbitration;

His Excellency Mr. Carlos Rodriguez Larreta, former Minister of Foreign Affairs and Worship of the Republic, Member of the Permanent Court of Arbitration.

His Majesty the Emperor of Austria, King of Bohemia, etc., and Apostolic King of Hungary:

His Excellency Mr. Gaëtan Mérey de Kapos-Mére, His Privy Counselor, His Ambassador Extraordinary and Plenipotentiary;

His Excellency Baron Charles de Macchio, His Envoy Extraordinary and Minister Plenipotentiary at Athens.

His Majesty the King of the Belgians:

His Excellency Mr. Beernaert, His Minister of State, Member of the Chamber of Representatives, Member of the Institute of France and of the Royal Academies of Belgium and Roumania, Honor Member of the Institute of International Law, Member of the Permanent Court of Arbitration;

His Excellency Mr. J. van den Heuvel, His Minister of State, former Minister of Justice;

His Excellency Baron Guillaume, His Envoy Extraordinary and Minister Plenipotentiary at The Hague, Member of the Royal Academy of Roumania.

The President of the Republic of Bolivia:

His Excellency Mr. Claudio Pinilla, Minister of Foreign Affairs of the Republic, Member of the Permanent Court of Arbitration;

His Excellency Mr. Fernando E. Guachalla, Minister Plenipotentiary at London.

The President of the Republic of the United States of Brazil:

His Excellency Mr. Ruy Barbosa, Ambassador Extraordinary and Plenipotentiary, Member of the Permanent Court of Arbitration.

His Excellency Mr. Eduardo F. S. dos Santos Lisbôa, Envoy Extraordinary and Minister Plenipotentiary at The Hague.

His Royal Highness the Prince of Bulgaria:

Mr. Vrban Vinaroff, Major General of the General Staff, attached to His suite;

Mr. Ivan Karandjouloff, Director of Public Prosecution of the Court of Cassation.

The President of the Republic of Chile:

His Excellency Mr. Domingo Gana, Envoy Extraordinary and Minister Plenipotentiary of the Republic at London;

His Excellency Mr. Augusto Matte, Envoy Extraordinary and Minister Plenipotentiary of the Republic at Berlin;

His Excellency Mr. Carlos Concha, former Minister of War, former President of the Chamber of Deputies, former Envoy Extraordinary and Minister Plenipotentiary at Buenos Aires.

The President of the Republic of Colombia:

General Jorge Holguin;

Mr. Santiago Pérez Triana;

His Excellency General Marceliano Vargas, Envoy Extraordinary and Minister Plenipotentiary of the Republic at Paris.

The Provisional Governor of the Republic of Cuba:

Mr. Antonio Sanchez de Bustamante, Professor of International Law in the University of Habana, Senator of the Republic;

His Excellency Mr. Gonzalo de Quesada y Aróstegui, Envoy Extraordinary and Minister Plenipotentiary of the Republic at Washington;

Mr. Manuel Sanguily, former Director of the Institute of Secondary Instruction of Habana, Senator of the Republic.

His Majesty the King of Denmark:

His Excellency Mr. Constantin Brun, His Chamberlain, His Envoy Extraordinary and Minister Plenipotentiary at Washington;

Rear Admiral Christian Frederik Scheller;

Mr. Axel Vedel, His Chamberlain, Chief of Division in the Royal Ministry of Foreign Affairs.

The President of the Dominican Republic:

Mr. Francisco Henriquez y Carvajal, former Secretary of State in the Ministry of Foreign Affairs of the Republic, Member of the Permanent Court of Arbitration;

Mr. Apolinar Tejera, Rector of the Professional Institute of the Republic, Member of the Permanent Court of Arbitration.

The President of the Republic of Ecuador:

His Excellency Mr. Victor Rendón, Envoy Extraordinary and Minister Plenipotentiary of the Republic at Paris and at Madrid;

Mr. Enrique Dorn y de Alsúa, Chargé d'Affaires.

The President of the French Republic:

His Excellency Mr. Léon Bourgeois, Ambassador Extraordinary of the Republic, Senator, former President of the Council of Ministers, former Minister of Foreign Affairs, Member of the Permanent Court of Arbitration;

Baron d'Estournelles de Constant, Senator, Minister Plenipotentiary of class I, Member of the Permanent Court of Arbitration;

Mr. Louis Renault, Professor of the Faculty of Law of the University of Paris, Honorary Minister Plenipotentiary, Jurisconsult of the Ministry of Foreign Affairs, Member of the Institute of France, Member of the Permanent Court of Arbitration;

His Excellency Mr. Marcellin Pellet, Envoy Extraordinary and Minister Plenipotentiary of the French Republic at The Hague.

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions Beyond the Seas, Emperor of India:

His Excellency the Right Honorable Sir Edward Fry, G.C.B., Member of the Privy Council, His Ambassador Extraordinary, Member of the Permanent Court of Arbitration;

His Excellency the Right Honorable Sir Ernest Mason Satow, G.C.M.G., Member of the Privy Council, Member of the Permanent Court of Arbitration;

His Excellency the Right Honorable Donald James Mackay Baron Reay, G.C.S.I., G.C.I.E., Member of the Privy Council, former President of the Institute of International Law;

His Excellency Sir Henry Howard, K.C.M.G., C.B., His Envoy Extraordinary and Minister Plenipotentiary at The Hague.

His Majesty the King of the Hellenes:

His Excellency Mr. Cléon Rizo Rangabé, His Envoy Extraordinary and Minister Plenipotentiary at Berlin;

Mr. Georges Streit, Professor of International Law in the University of Athens, Member of the Permanent Court of Arbitration.

The President of the Republic of Guatemala:

Mr. José Tible Machado, Chargé d'Affaires of the Republic at The Hague and at London, Member of the Permanent Court of Arbitration;

Mr. Enrique Gómez Carillo, Chargé d'Affaires of the Republic at Berlin.

The President of the Republic of Haiti:

His Excellency Mr. Jean Joseph Dalbémar, Envoy Extraordinary and Minister Plenipotentiary of the Republic at Paris;

His Excellency Mr. J. N. Léger, Envoy Extraordinary and Minister Plenipotentiary of the Republic at Washington;

Mr. Pierre Hudicourt, former Professor of Public International Law, Attorney at Law at Port au Prince.

His Majesty the King of Italy:

His Excellency Count Joseph Tornielli Brusati di Vergano, Senator of the Kingdom, Ambassador of His Majesty the King at Paris, Member of the Permanent Court of Arbitration, President of the Italian Delegation;

His Excellency Commendatore Guido Pompilj, Deputy to the Parliament, Under Secretary of State in the Royal Ministry of Foreign Affairs;

Commendatore Guido Fusinato, Counselor of State, Deputy to the Parliament, former Minister of Education.

His Majesty the Emperor of Japan:

His Excellency Mr. Keiroku Tsudzuki, His Ambassador Extraordinary and Plenipotentiary;

His Excellency Mr. Aimaro Sato, His Envoy Extraordinary and Minister Plenipotentiary at The Hague.

His Royal Highness the Grand Duke of Luxemburg, Duke of Nassau:

His Excellency Mr. Eyschen, His Minister of State, President of the Grand Ducal Government;

Count de Villers, Chargé d'Affaires of the Grand Duchy at Berlin.

The President of the United Mexican States:

His Excellency Mr. Gonzalo A. Esteva, Envoy Extraordinary and Minister Plenipotentiary of the Republic at Rome;

His Excellency Mr. Sebastian B. de Mier, Envoy Extraordinary and Minister Plenipotentiary of the Republic at Paris;

His Excellency Mr. Francisco L. de la Barra, Envoy Extraordinary and Minister Plenipotentiary of the Republic at Brussels and at The Hague.

His Majesty the King of Norway:

His Excellency Mr. Francis Hagerup, former President of the Council, former Professor of Law, His Envoy Extraordinary and Minister Plenipotentiary at The Hague and at Copenhagen, Member of the Permanent Court of Arbitration.

The President of the Republic of Panama:

Mr. Belisario Porras.

The President of the Republic of Paraguay:

His Excellency Mr. Eusebio Machaïn, Envoy Extraordinary and Minister Plenipotentiary of the Republic at Paris;

Count G. du Monceau de Bergendal, Consul of the Republic at Brussels.

Her Majesty the Queen of the Netherlands:

Mr. W. H. de Beaufort, Her former Minister of Foreign Affairs, Member of the Second Chamber of the States-General;

His Excellency Mr. T. M. C. Asser, Her Minister of State, Member of the Council of State, Member of the Permanent Court of Arbitration;

His Excellency Jonkheer J. C. C. den Beer Poortugael, Lieutenant General Retired, former Minister of War, Member of the Council of State;

His Excellency Jonkheer J. A. Röell, Her Aide-de-Camp on Special Service, Vice Admiral Retired, former Minister of the Navy;

Mr. J. A. Loeff, Her former Minister of Justice, Member of the Second Chamber of the States-General.

The President of the Republic of Peru:

His Excellency Mr. Carlos G. Candamo, Envoy Extraordinary and Minister Plenipotentiary of the Republic at Paris and at London, Member of the Permanent Court of Arbitration.

His Imperial Majesty the Shah of Persia:

His Excellency Samad Khan Momtazos Saltaneh, His Envoy Extraordinary and Minister Plenipotentiary at Paris, Member of the Permanent Court of Arbitration;

His Excellency Mirza Ahmed Khan Sadigh Ul Mulk, His Envoy Extraordinary and Minister Plenipotentiary at The Hague.

His Majesty the King of Roumania :

His Excellency Mr. Alexandre Beldiman, His Envoy Extraordinary and Minister Plenipotentiary at Berlin;

His Excellency Mr. Edgar Mavrocordato, His Envoy Extraordinary and Minister Plenipotentiary at The Hague.

The President of the Republic of Salvador :

Mr. Pedro I. Matheu, Chargé d'Affaires of the Republic at Paris, Member of the Permanent Court of Arbitration;

Mr. Santiago Perez Triana, Chargé d'Affaires of the Republic at London.

His Majesty the King of Servia :

His Excellency General Sava Grouitch, President of the Council of State;

His Excellency Mr. Milovan Milovanovitch, His Envoy Extraordinary and Minister Plenipotentiary at Rome, Member of the Permanent Court of Arbitration;

His Excellency Mr. Michel Militchevitch, His Envoy Extraordinary and Minister Plenipotentiary at London and at The Hague.

His Majesty the King of Siam :

Mom Chatidej Udom, Major General;

Mr. C. Corragioni d'Orelli, His Counselor of Legation;

Luang Bhuvanarth Narübal, Captain.

The Swiss Federal Council :

His Excellency Mr. Gaston Carlin, Envoy Extraordinary and Minister Plenipotentiary of the Swiss Confederation at London and at The Hague;

Mr. Eugène Borel, Colonel of the General Staff, Professor in the University of Geneva;

Mr. Max Huber, Professor of Law in the University of Zürich.

His Majesty the Emperor of the Ottomans :

His Excellency Turkhan Pasha, His Ambassador Extraordinary, Minister of the Evkaf;

His Excellency Rechid Bey, His Ambassador at Rome;

His Excellency Mehemed Pasha, Vice Admiral.

The President of the Oriental Republic of Uruguay :

His Excellency Mr. José Batlle y Ordoñez, former President of the Republic, Member of the Permanent Court of Arbitration;

His Excellency Mr. Juan P. Castro, former President of the Senate, Envoy Extraordinary and Minister Plenipotentiary of the Republic at Paris, Member of the Permanent Court of Arbitration.

The President of the United States of Venezuela :

Mr. José Gil Fortoul, Chargé d'Affaires of the Republic at Berlin.

Who, after having deposited their full powers, found in good and due form, have agreed upon the following provisions:

ARTICLE 1

It is forbidden:

1. To lay unanchored automatic contact mines, except when they are so constructed as to become harmless one hour at most after the person who laid them ceases to control them;
2. To lay anchored automatic contact mines which do not become harmless as soon as they have broken loose from their moorings;
3. To use torpedoes which do not become harmless when they have missed their mark.

ARTICLE 2

It is forbidden to lay automatic contact mines off the coast and ports of the enemy, with the sole object of intercepting commercial shipping.

ARTICLE 3

When anchored automatic contact mines are employed, every possible precaution must be taken for the security of peaceful shipping.

The belligerents undertake to do their utmost to render these mines harmless within a limited time, and, should they cease to be under surveillance, to notify the danger zones as soon as military exigencies permit, by a notice addressed to ship owners, which must also be communicated to the governments through the diplomatic channel.

ARTICLE 4

Neutral Powers which lay automatic contact mines off their coasts must observe the same rules and take the same precautions as are imposed on belligerents.

The Neutral Power must inform ship-owners, by a notice issued in advance, where automatic contact mines have been laid. This notice must be communicated at once to the Governments through the diplomatic channel.

ARTICLE 5

At the close of the war, the Contracting Powers undertake to do their utmost to remove the mines which they have laid, each Power removing its own mines.

As regards anchored automatic contact mines laid by one of the belligerents off the coast of the other, their position must be notified to the other party by the Power which laid them, and each Power must proceed with the least possible delay to remove the mines in its own waters.

ARTICLE 6

The Contracting Powers which do not at present own perfected mines of the pattern contemplated in the present Convention, and which, consequently, could not at present carry out the rules laid down in Articles 1 and 3, undertake to convert the materiel of their mines as soon as possible, so as to bring it into conformity with the foregoing requirements.

ARTICLE 7

The provisions of the present Convention do not apply except between Contracting Powers, and then only if all the belligerents are parties to the Convention.

ARTICLE 8

The present Convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a procès-verbal signed by the Representatives of the Powers which take part therein and by the Netherland Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification addressed to the Netherland Government and accompanied by the instrument of ratification.

A duly certified copy of the procès-verbal relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be at once sent, by the Netherland Government, through the diplomatic channel, to the Powers invited to the Second Peace Conference, as well as to the other Powers which have adhered to the Convention. In the cases contemplated in the preceding paragraph, the said Government shall inform them at the same time of the date on which it has received the notification.

ARTICLE 9

Non-Signatory Powers may adhere to the present Convention.

The Power which desires to adhere notifies in writing its intention to the Netherland Government, transmitting to it the act of adhesion, which shall be deposited in the archives of the said Government.

This Government shall at once transmit to all the other Powers a duly certified copy of the notification as well as of the act of adhesion, stating the date on which it received the notification.

ARTICLE 10

The present Convention shall come into force, in the case of the Powers which were a party to the first deposit of ratifications, sixty days after the

date of the procès-verbal of this deposit, and, in the case of the Powers which ratify subsequently or adhere, sixty days after the notification of their ratification or of their adhesion has been received by the Netherland Government.

ARTICLE 11

The present Convention shall remain in force for seven years, dating from the sixtieth day after the date of the first deposit of ratifications.

Unless denounced, it shall continue in force after the expiration of this period.

The denunciation shall be notified in writing to the Netherland Government, which shall at once communicate a duly certified copy of the notification to all the Powers, informing them of the date on which it was received.

The denunciation shall only have effect in regard to the notifying Power, and six months after the notification has reached the Netherland Government.

ARTICLE 12

The Contracting Powers undertake to reopen the question of the employment of automatic contact mines six months before the expiration of the period contemplated in the first paragraph of the preceding Article, in the event of the question not having been already reopened and settled by the Third Peace Conference.

If the Contracting Powers conclude a fresh Convention relative to the employment of mines, the present Convention shall cease to be applicable from the moment it comes into force.

ARTICLE 13

A register kept by the Netherland Ministry for Foreign Affairs shall give the date of the deposit of ratifications made in virtue of Article 8, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (Article 9, paragraph 2) or of denunciation (Article 11, paragraph 3) have been received.

Each Contracting Power is entitled to have access to this register and to be supplied with duly certified extracts from it.

In faith whereof the Plenipotentiaries have appended their signatures to the present Convention.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherland Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the Powers which have been invited to the Second Peace Conference.

1. For Germany: Under reservation of Article 2.
MARSCHALL
KRIEGE
2. For the United States of America:
JOSEPH H. CHOATE
HORACE PORTER
U. M. ROSE
DAVID JAYNE HILL
C. S. SPERRY
WILLIAM I. BUCHANAN
3. For Argentina:
ROQUE SAENZ PEÑA
LUIS M. DRAGO
C. RÚEZ LARRETA
4. For Austria-Hungary:
MÉREY
BON MACCHIO
5. For Belgium:
A. BEERNAERT
VAN DEN HUEVEL
GUILLAUME
6. For Bolivia:
CLAUDIO PINILLA
7. For Brazil:
RUY BARBOSA
E. LISBÔA
8. For Bulgaria:
GÉNÉRAL-MAJOR VINAROFF
IV. KARANDJOULOFF
9. For Chile:
DOMINGO GANA
AUGUSTO MATTE
CARLOS CONCHA
10. For China:
11. For Colombia:
JORGE HOLGUIN
S. PEREZ TRIANA
M. VARGAS
12. For the Republic of Cuba:
ANTONIO S. DE BUSTAMANTE
GONZALO DE QUESADA
MANUEL SANGUILY
13. For Denmark:
A. VEDEL
14. For the Dominican Republic: With reservation on the first paragraph of the first article.
DR. HENRIQUEZ Y CARVAJAL
APOLINAR TEJERA
15. For Ecuador:
VICTOR M. RENDÓN
E. DORN Y DE ALSÚA
16. For Spain:
17. For France: Under reservation of Article 2.
MARCELLIN PELLET
18. For Great Britain: Under reservation of the following declaration:
"In affixing their signatures to the above Convention the British plenipotentiaries declare that the mere fact that this Convention does not prohibit a particular act or proceeding must not be held to debar His Britannic Majesty's Government from contesting its legitimacy."
EDW. FRY
ERNEST SATOW
REAY
HENRY HOWARD
19. For Greece:
CLÉON RIZO RANGABÉ
GEORGES STREIT
20. For Guatemala:
JOSÉ TIBLE MACHADO
21. For Haiti:
DALBÉMAR JN JOSEPH
J. N. LÉGER
PIERRE HUDICOURT
22. For Italy:
POMPILJ
G. FUSINATO
23. For Japan:
AIMARO SATO
24. For Luxemburg:
EYSCHEN
CTE. DE VILLERS
25. For Mexico:
G. A. ESTEVA
S. B. DE MIER
F. L. DE LA BARRA
26. For Montenegro:
27. For Nicaragua:
28. For Norway:
F. HAGERUP
29. For Panama:
B. PORRAS

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| <p>30. For Paraguay:
G. DU MONCEAU</p> <p>31. For the Netherlands:
W. H. DE BEAUFORT
T. M. C. ASSER
DEN BEER POORTUGAEL
J. A. RÖELL
J. A. LOEFF</p> <p>32. For Peru:
C. G. CANDAMO</p> <p>33. For Persia:
MOMTAZOS-SALTANEH M. SAMAD
KHAN
SADIQH UL MULK M. AHMED KHAN</p> <p>34. For Portugal:</p> <p>35. For Roumania:
EDG. MAVROCORDATO</p> <p>36. For Russia:</p> <p>37. For Salvador:
P. J. MATHEU
S. PEREZ TRIANA</p> | <p>38. For Servia:
S. GROUÏTCH
M. G. MILOVANOVITCH
M. G. MILITCHEVITCH</p> <p>39. For Siam: Under reservation of Article 1, paragraph 1.
MOM CHATIDEJ UDOM
C. CORRAGONI D'ORELLI
LUANG BHÜVANARTH NARÜBAL</p> <p>40. For Sweden:</p> <p>41. For Switzerland:
CARLIN</p> <p>42. For Turkey: Under reservation of the declarations recorded in the procès-verbal of the eighth plenary session of the Conference held on October 9, 1907.¹
TURKHAN</p> <p>43. For Uruguay:
JOSÉ BATLLE Y ORDOÑEZ</p> <p>44. For Venezuela:
J. GIL FORTOUL</p> |
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¹ The Turkish declarations read, in translation, as follows:

"The Imperial Ottoman delegation can not at the present time undertake any engagement whatever for perfected systems which are not yet universally known. . . . The Imperial Ottoman delegation believes that it should declare that, given the exceptional situation created by treaties in force at the straits of the Dardanelles and the Bosphorus, straits which are an integral part of the territory, the Imperial Government could not in any way subscribe to any undertaking tending to limit the means of defense that it may deem necessary to employ for these straits in case of war or with the aim of causing its neutrality to be respected. . . . The Imperial Ottoman delegation can not at the present time take part in any engagement as regards the conversion mentioned in Article 6."