

SUBMARINE WARFARE

Procès-verbal signed at London November 6, 1936

Treaty Information Bulletin No. 86,
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PROCÈS-VERBAL RELATING TO THE RULES OF SUBMARINE WARFARE SET FORTH IN PART IV OF THE LONDON NAVAL TREATY OF 1930

Whereas the Treaty for the Limitation and Reduction of Naval Armaments signed in London on the 22nd April, 1930,¹ has not been ratified by all the signatories;

And whereas the said Treaty will cease to be in force after the 31st December, 1936, with the exception of Part IV thereof, which sets forth rules as to the action of submarines with regard to merchant ships as being established rules of international law, and remains in force without limit of time;

And whereas the last paragraph of Article 22 in the said Part IV states that the High Contracting Parties invite all other Powers to express their assent to the said rules;

And whereas the Governments of the French Republic and the Kingdom of Italy have confirmed their acceptance of the said rules resulting from the signature of the said Treaty;

And whereas all the signatories of the said Treaty desire that as great a number of Powers as possible should accept the rules contained in the said Part IV as established rules of international law;

The Undersigned, representatives of their respective Governments, bearing in mind the said Article 22 of the Treaty, hereby request the Government of the United Kingdom of Great Britain and Northern Ireland forthwith to communicate the said rules, as annexed hereto, to the Governments of all the Powers which are not signatories of the said Treaty, with an invitation to accede thereto definitely and without limit of time.

Rules

“(1) In their action with regard to merchant ships, submarines must conform to the rules of International Law to which surface vessels are subject.

¹ TS 830, *ante*, vol. 2, p. 1055.

“(2) In particular, except in the case of persistent refusal to stop on being duly summoned, or of active resistance to visit or search, a warship, whether surface vessel or submarine, may not sink or render incapable of navigation a merchant vessel without having first placed passengers, crew and ship’s papers in a place of safety. For this purpose the ship’s boats are not regarded as a place of safety unless the safety of the passengers and crew is assured, in the existing sea and weather conditions, by the proximity of land, or the presence of another vessel which is in a position to take them on board.”

Signed in London, the 6th day of November, nineteen hundred and thirty-six.

For the Government of the United States
of America:

ROBERT WORTH BINGHAM

For the Government of the Common-
wealth of Australia:

S. M. BRUCE

For the Government of Canada:

VINCENT MASSEY

For the Government of the French
Republic:

CHARLES CORBIN

For the Government of the United King-
dom of Great Britain and Northern
Ireland:

ANTHONY EDEN

J. RAMSAY MACDONALD

SAMUEL HOARE

For the Government of India:

R. A. BUTLER

For the Government of the Irish Free
State:

JOHN W. DULANTY

For the Government of the Kingdom
of Italy:

DINO GRANDI

For the Government of Japan:

SHIGERU YOSHIDA

For the Government of New Zealand:

W. J. JORDAN

For the Government of the Union of
South Africa:

C. T. TE WATER

[In addition to France and Italy, 37 other states accepted the rules during 1936, 1937, and 1938.]