

- (4) PROPOSAL FOR ESTABLISHMENT OF A COURT OF ARBITRAL JUSTICE BY AND FOR GERMANY, THE UNITED STATES, AUSTRIA-HUNGARY, FRANCE, GREAT BRITAIN, ITALY, JAPAN, THE NETHERLANDS, RUSSIA.

His Majesty, the German Emperor, King of Prussia, etc.:

Considering that the Second Peace Conference, in the Final Act of October 18, 1907, recommended to the Signatory Powers the adoption of the draft, appended to said act, of a convention for the establishment of a Court of Arbitral Justice and the putting it into force as soon as an agreement should be reached on the choice of the judges and the organization of the court;

Being desirous of contributing toward the realization of the recommendation thus expressed;

Deeming that, if it is impossible as yet to reach a general agreement for putting into force the draft thus recommended, it is nevertheless useful to establish a Court of Arbitral Justice for such powers as may be willing to co-operate in its establishment and which may operate pending subsequent permanent rules;

Being persuaded that such a measure, essentially provisional, does not in any way prejudice any agreement which may be reached later for the permanent organization of the Court of Arbitral Justice, and that such an agreement is particularly likely to be reached at the Third Peace Conference;

Have decided to conclude a convention to insure the putting into force of the aforementioned draft, and have appointed as their plenipotentiaries, to wit:

Who, after depositing their full powers, found to be in due and proper form, have agreed upon the following provisions:

ARTICLE I

The contracting powers agree to put into force the draft, appended to the Final Act of the Second Peace Conference, of a convention relating to the establishment of a Court of Arbitral Justice, making thereto the necessary additions as stated below. The said draft, thereby made the standing rules binding the con-