

## PROTECTION OF SUBMARINE CABLES

*Declaration signed at Paris December 1, 1886*

*Senate advice and consent to ratification February 20, 1888*

*Ratified by the President of the United States March 1, 1888*

*Proclaimed by the President of the United States May 1, 1888*

*Entered into force May 1, 1888*

25 Stat. 1424; Treaty Series 380-2

[TRANSLATION]

### DECLARATION

The undersigned, Plenipotentiaries of the signatory Governments of the convention of March 14, 1884,<sup>1</sup> for the protection of submarine cables having recognized the expediency of defining the sense of the terms of Articles 2 and 4 of the said convention, have prepared by common accord the following declaration:

Certain doubts having arisen as to the meaning of the word "wilfully" inserted in Article 2 of the convention of the 14th of March, 1884, it is understood that the imposition of penal responsibility, mentioned in the said article, does not apply to cases of breaking or of injuries occasioned accidentally or necessarily in repairing a cable, when all precautions have been taken to avoid such breakings or damages.

It is likewise understood that Article 4 of the convention has no other object and is to have no other effect than to charge the competent tribunals of each country with the determination, conformably to their laws and according to circumstances, of the question of the civil responsibility of the owner of a cable, who, by the laying or repairing of such cable, causes the breaking or injury of another cable, and also of the consequences of that responsibility, if it is found to exist.

Done at Paris, December 1, 1886, and March 23, 1887, for Germany.

[For the United States:]  
ROBERT M. McLANE

[For Austria-Hungary:]  
GOLUCHOWSKI

[For Germany:]  
MÜNSTER

[For Belgium:]  
BEYENS

[For Argentina:]  
JOSÉ C. PAZ

[For Brazil:]  
ARINOS

<sup>1</sup> TS 380, *ante*, p. 89.

[For Costa Rica:]

R. FERNÁNDEZ

[For Denmark:]

MOLTKE-HVITFELDT

[For the Dominican Republic:]

EMANUEL DE ALMEDA

[For Spain:]

J. L. ALBAREDA

[For France:]

C. DE FREYCINET

[For the United Kingdom:]

LYONS

[For Guatemala:]

CRISANTO MEDINA

[For Greece:]

N. S. DELYANNI

[For Italy:]

L. L. MENABREA

[For Japan:]

HARA

[For Turkey:]

ESSAD

[For the Netherlands:]

A. DE STUERS

[For Portugal:]

COMTE DE VALBOM

[For Romania:]

V. ALECSANDRI

[For Russia:]

KOTZEBUE

[For El Salvador:]

E. PECTOR

[For Serbia:]

I. MARINOVITCH

[For Sweden and Norway:]

C. LEWENHAUPT

[For Uruguay:]

JUAN J. DIAZ