

Institution: The International Commission of Inquiry between Great Britain and Russia arising out of the North Sea incident  
 Type: Agreement of Submission  
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His Britannic Majesty's Government and the Imperial Russian Government having agreed to intrust to an International Commission of Inquiry, assembled conformably to Articles IX to XIV of the Hague convention of the 29th (17th) July, 1899, for the pacific settlement of international disputes, the task of elucidating by means of an impartial and conscientious investigation the questions of fact connected with the incident which occurred during the night of the 21st-22d (8th-9th) October, 1904, in the North Sea (on which occasion the firing of the guns of the Russian fleet caused the loss of a boat and the death of two persons belonging to a British fishing fleet, as well as damages to other boats of that fleet and injuries to the crews of some of those boats), the undersigned, being duly authorized thereto, have agreed upon the following provisions:

#### ARTICLE I

The International Commission of Inquiry shall be composed of five members (commissioners), of whom two shall be officers of high rank in the British and Imperial Russian navies, respectively. The Governments of France and of the United States of America shall each be requested to select one of their naval officers of high rank as a member of the commission. The fifth member shall be chosen by agreement between the four members above mentioned.

In the event of no agreement being arrived at between the four commissioners as to the selection of the fifth member of the commission, His Imperial and Royal Majesty the Emperor of Austria, King of Hungary, shall be invited to select him.

Each of the two High Contracting Parties shall likewise appoint a legal assessor to advise the commissioners, and an agent officially empowered to take part in the labors of the commission.

#### ARTICLE II

The commission shall inquire into and report on all the circumstances relative to the North Sea incident, and particularly on the question as to [930] where the responsibility lies and the degree of blame attaching to the subjects of the two High Contracting Parties or to the subjects of other countries in the event of their responsibility being established by the inquiry.

#### ARTICLE III

The commission shall settle the details of the procedure which it will follow for the purpose of accomplishing the task with which it has been intrusted.

#### ARTICLE IV

The two High Contracting Parties undertake to supply the International Commission of Inquiry, to the utmost extent which they may find possible, with all the means and facilities necessary, in order to enable it to acquaint itself thoroughly with and appreciate correctly the matters in dispute.

#### ARTICLE V

The commission shall assemble at Paris as soon as possible after the signature of this agreement.

#### ARTICLE VI

The commission shall present its report to the two High Contracting Parties signed by all the members of the commission.

#### ARTICLE VII

The commission shall take all its decisions by a majority of the votes of the five commissioners.

#### ARTICLE VIII

The two High Contracting Parties undertake each to bear, on reciprocal terms, the expenses of the inquiry made by it previous to the assembly of the commission. The expenses incurred by the International Commission, after the date of its assembly, in organizing its staff and in conducting the investigations which it will have to make, shall be shared equally by the two Governments.

In witness whereof the undersigned have signed the present declaration and have affixed thereto their seals.

Done in duplicate at St. Petersburg, November 25 (12), 1904.

(Signed) Charles Hardinge.

(Signed) Comte Lamsdorff.