

Showdown between Britain and Iran: Is Mediation Possible?

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Global Research, March 30, 2007
30 March 2007

Region: [Middle East & North Africa](#)
Theme: [Law and Justice](#), [US NATO War](#)
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Recourse to 1899 Hague Convention for the Pacific Settlement of International Disputes

Article 2 of the 1899 Hague Convention for the Pacific Settlement of International Disputes provides that in case of serious disagreement or conflict, before an appeal to arms, the contracting powers agree to have recourse, as far as circumstances allow, to the good offices or mediation of one or more friendly powers. In other words, the United Kingdom and Iran have already agreed to have recourse to the good offices or mediation by one or more of the contracting powers to the 1899 Hague Convention in order to settle the Sailors dispute. The contracting parties to both the 1899 and the 1907 Hague Conventions for the Pacific Settlement of Disputes are listed below after my previous post of 29 March 2007.

In addition, Article 3 of the 1899 Hague Convention established the right of states not parties to the dispute, on their own initiative, and as far as circumstances may allow, to offer their good offices or mediation to the States at variance. This right could be exercised by third parties even during the course of ongoing hostilities, when the tide of battle was turning against a belligerent, which is not yet the case here. Most importantly, the exercise of this right by a third state could not be regarded by one of the states in conflict (UK and Iran) as an unfriendly act of intervention.

Therefore, what we need to do now is start a world-wide campaign to get at least one State contracting party to the Hague Conventions for the Pacific Settlement of International Disputes (listed below) to exercise its "good offices" by proposing to both the United Kingdom and Iran that they invoke Article 9 of the Convention in order to organize an International Commission of Inquiry to resolve their dispute over the Sailors. I would encourage all of you to pressure your respective governments to do the same. Otherwise, a major regional war could erupt in the Gulf that could readily degenerate into World War III. Remember the Guns of August!

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