

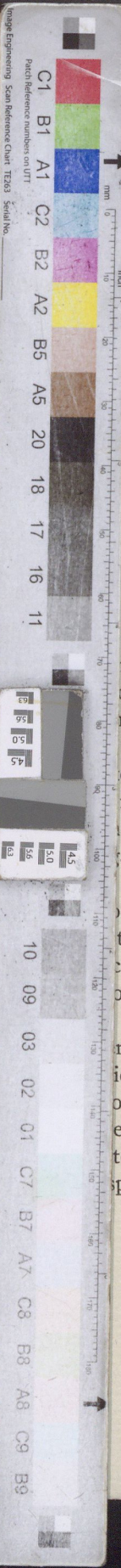
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and Mexican-American mixed claims commissions, in computation of direct and indirect damages. No definite drawn from these decisions, because of the confusion of damage due to complicated causes partially remote from great deal would be accomplished by defining these principles.

The aim in connection with all these problems is to place obligatory jurisdiction of the international community. This is the work of codification of these principles be efficient to leave the interpretation or application of the rules laid down by the judgment of the States would utterly exclude every hope of judicial international relations. On the other hand, it is well known that present time arbitration is a most usual procedure. It is an innovation liable to draw irremovable objections, to principles already accepted by a large majority of the States for the peaceful settlement of controversies, and to incorporate into the Code of State Responsibility. This important and should also be expedited by adopting a procedure similar to the Optional Protocol of the Permanent Court of International Justice covering the gradual development of obligatory international law in matters involving State responsibility might be formulated as follows:

- 1. For obligatory arbitration by a Settlement Board, only of cases where responsibility has been admitted, the amount of the indemnity is in dispute. Or,
- 2. For obligatory investigation by an Inquiry Commission, only of cases where the truth of the facts is in dispute, which, if established, would give rise to liability. Or,
- 3. For referring either to arbitration or to the Permanent Court of International Justice, only the cases involving government debts and others where there is no possibility of local means of redress under the municipal law.
- 4. For obligatory arbitration, or reference to the Permanent Court of International Justice of all cases of responsibility for damage to persons or property of aliens, provided that same do not also give rise to a claim of reparation to the State. Or, finally
- 5. For obligatory reference to international justice, of all cases of responsibility, irrespective of their nature.