

昭和七年

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REEL No. A-0207

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アジア歴史資料センター

一三三、滿洲ニ關スル日清條約附屬取極

(二月十四日發表)

明治三十八年滿洲ニ關スル條約及同上附屬協定締結ノ際我方ヨリ一定ノ約束事項ヲ條約文中ニ挿入セムコトヲ主張シタル處清國側ニ於テ對内關係上之ヲ條約文トシテ公ニスルコトヲ困難トスル事情アリタルニ依リ日清兩國全權委員ノ記名調印セル日清兩國文ノ會議録中ニ記入スルニ止メ之ヲ公表セザリシモノ合計十六個條アリ尙右會議録所載ノ取極十六個條ノ要領英譯文ハ明治三十九年二月帝國政府ヨリ英米兩國政府ニ對シ極秘トシテ内報セリ然ルニ坊間本件會議録所載ノ取極十六個條ノ存否等ニ付種々誤解ヲ抱クモノアルヤニ認メラルルノミナラズ從來支那要人等ニシテ明カニ之ヲ否定セルモノ尠カラス又最近支那新聞ハ支那外交當局ニ於テ正式ニ本件會議録ノ存在ヲ否認セル旨報シ居ル關係モアルニ付茲ニ右十六個條日本文、支那文及前記英米兩國政府ニ内報セラレタル要領英譯文ヲ公表スルモノナリ

第一、日本文

一、長春吉林間鐵道ハ清國自ラ資金ヲ調ヘテ築造スヘク不足ノ額ハ日本國ヨリ借入ルコトヲ承諾

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一〇四
ス其ノ金額ハ資金ノ約半額ナリトス借款辦法ハ時ニ及テ清國山海關内外鐵道局ト清英組合トノ借款契約ニ仿照シテ參酌商訂スヘク二十五箇年ヲ以テ年賦完済ノ期ト爲ス
清國政府ハ吉林地方ニ於テ別國人ニ鐵道敷設權ヲ與ヘ若クハ別國人ト共同シテ鐵道ヲ敷設スルコトハ斷シテ之ナシ

二、奉天府新民屯間ニ日本國ノ敷設セル軍用鐵道ハ兩國政府ヨリ委員ヲ派遣シ公平ニ代價ヲ協議シテ清國ニ賣渡スヘシ清國ハ之ヲ改築シテ自營鐵道ト爲シ遼河以東ニ要スル資金ハ日本ノ會社ヨリ其ノ半額ヲ借入レ十八箇年ヲ以テ年賦完済ノ期ト爲シ其ノ借款辦法ハ清國山海關内外鐵道局ト清英組合トノ借款契約ニ仿照シ參酌商訂スヘキコトヲ承諾ス此ノ他各地ニ於ケル軍用鐵道ハ撤兵ノ際總テ取除クヘキモノトス
三、清國政府ハ南滿洲鐵道ノ利益ヲ保護スルノ目的ヲ以テ該鐵道ヲ未タ回收セサル以前ニ於テハ該鐵道附近ニ之ト併行スル幹線又ハ該鐵道ノ利益ヲ害スヘキ枝線ヲ敷設セサルコトヲ承諾ス
四、清國ハ滿洲北部ニ於テ露國カ引續キ所有スル鐵道ニ關シ露國ヲシテ清露條約ニ照シ努メテ遵行セシムルタメ充分ノ措置ヲ執リ若シ露國ニシテ條約ニ違反セル行動ヲナサハ清國ヨリ露國ニ嚴重ニ照會シテ之ヲ匡サシムヘキ精神ナルコトヲ聲明ス

五、將來日露兩國ニ於テ接續鐵道業務規定ノ爲商議スル時機ニ至ラハ日本國ハ豫メ之ヲ清國ニ通知スヘシ清國ハ其ノ時機ニ至リ委員ヲ派遣シテ該商議ニ加ハラント欲スルノ意ヲ露國ニ通牒ノ上同時ニ該商議ニ參與スヘシ
六、鐵道ニ附屬スル奉天省內ノ礦物ハ既ニ採掘ニ着手シタルト否トニ拘ハラズ公平且詳細ノ章程ヲ取極メ以テ相互遵守ニ便ナラシムヘシ
七、奉天省內ニ於ケル陸上電信線及旅順烟台間海底電信線ニ關スル接續交渉事務ハ隨時必要ニ從ヒ兩國協議シテ處置スヘシ
八、開市場設立ニ關スル規則ハ清國ニ於テ自ラ定ムヘシ但シ北京駐在日公使ト協議スルヲ要ス
九、松花江航行ノ件ニ關シ露國ニ於テ異議ナキトキハ清國ニ於テモ之ヲ商議ノ上承諾スヘキコト
十、清國全權委員ハ滿洲ヨリ日露兩國撤兵ノ後直ニ進シテ該地方ニ於テ其ノ主權ニヨリ完全ナル經營ヲ爲シ以テ治安ヲ期シ且其ノ主權ニヨリ同地方ニ於テ利ヲ與シ弊ヲ除キ着實ニ整頓ヲ行ヒ内外臣民ヲシテ生活及營業ノ安全ヲ得テ等シク清國政府ヨリ完全ノ保護ヲ享ケシムヘキコトヲ聲明ス其ノ整頓ノ方法ニ就テハ總テ清國政府自ラ適宜ノ措置ヲ行フヘキモノトス

十一、清國ト日本國トハ素ヨリ友誼敦厚ナリ今同日露兩國不幸ニシテ和ヲ失シ清國領土ニ於テ交戦スルニ至リタルモ今ヤ既ニ平和成立シ滿洲ニ於テハ戰爭ナキニ至レリ而シテ撤退以前ノ日本軍隊ハ依然占領ノ權アリト雖近來日本國臣民カ滿洲ニ在リテ時々清國地方官ノ行政ニ干預シ又ハ清國公私財産ヲ毀損スルコトアル旨ヲ清國政府ニ於テ聲明ス日本國全權委員モ亦若シ果シテ軍事必要以外ニ於テ此ノ如キコトアラハ至當ノ行爲ニアラスト認ムルヲ以テ此ノ聲明ノ意思ヲ日本國政府ニ轉達シテ速ニ相當ノ處置ヲ執リ奉天省ニ在ル日本國臣民ヲ取締リ益交誼ヲ敦クシ軍事必要以外ニ於テ再ヒ清國ノ行政ニ干預シ又ハ公私ノ財産ヲ毀損スルコトナカラシムヘキ旨ヲ聲明ス

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十二、軍亦用以外ニ於テ日本國臣民カ故意ニ破壞シ若クハ使用セル清國公私ノ各種財産ニ對シテハ兩國政府ニ於テ夫々調査ノ上公平ニ償還セシムヘシ

十三、清國地方官未タ日本軍隊ノ撤兵ヲ了セサル地方ニ於テ兵ヲ派シ土匪ヲ討伐スルトキハ必ス豫メ其ノ地方駐在日本軍司令官ト協議シ以テ誤解ヲ免レシムヘシ

十四、日本國全權委員ハ長春ヨリ旅順大連租借地境界ニ至ル鐵道守備兵ハ其ノ撤退以前ニ在リテ漫ニ清國地方行政權ニ牽礙セス又擅ニ鐵道區域外ニ出テサルヘキコトヲ聲明ス

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十五、營口ニ駐在スヘキ清國地方官ハ日本軍隊該地撤退以前ト雖本條約確定ノ後北京駐在日本國公使清國外務部ト協議シテ可成速ニ赴任ノ期日ヲ定メ該地ニ赴キ事務ヲ執ラシムヘシ該地ニハ尙多數ノ日本軍隊アルヲ以テ檢疫及防疫規則ヲ兩國ニ於テ協議制定シ以テ疫病ノ傳染ヲ免レシムヘシ

十六、營口海關收入ハ正金銀行ニ保管シ置キ撤兵ノ時清國地方官ニ交付スルコト營口常關收入及其ノ他各地ノ收稅ハ凡テ地方公共ノ費用ニ充テラルルモノニシテ撤兵ノ時其ノ收支計算表ヲ清國地方官ニ交付スルコト

第二、支 那 文

一、由長春至吉林省城鐵路由中國自行籌款築造不敷之數允向日本國貸借約以半數爲度其借款辦法屆時仿照中國山海關內外鐵路局向中英公司借款合同參酌商訂以二十五年爲分還完畢之期

二、由奉天省城至新民府日本國所築造行軍軌路應由兩國政府派員公平議價售與中國另由中國改爲自造鐵路允在遼河以東所需款項向日本公司貸借一半之數分十八年爲借款還清之期其借款辦法屆

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時仿照中國山海關內外鐵路局向中英公司借款合同參酌商訂此外各處軍用軌路俟屆撤兵時應一律

撤去

三、中國政府為維持東省鐵路利益起見於未收回該路之前允於該路附近不築並行幹路及有損於該路利益之枝路

四、中國政府聲明俄國在滿洲北方仍舊經營之鐵路須由中國確切措辦以期務令俄國按照中俄原約實力遵行俄國設有違礙條約之舉動應由中國嚴實駁正為旨

五、俟將來日俄商議聯絡鐵路章程時由日本先行知會中國中國屆期可將欲派員會議之意知會俄國同時與議

六、奉省附屬鐵路之鑛產無論已開未開均應妥訂公允詳細章程以便彼此遵守

七、嗣後凡有關於奉天省陸綫暨旅順海綫交接事件可隨時隨事彼此商定辦法

八、開埠章程應由中國自定但須與駐京日本公使妥商

九、如松花江行船之件俄國無異議則中國亦可商允

十、中國全權大臣聲明自願俟東三省日俄兩國撤兵後即將撤兵地方按自治全權妥籌經理以期治安並按自治全權在東三省地方與利除弊認真整頓使中外民商得安居樂業同享中國政府安實保護之益至

應如何整頓辦法悉由中國政府自行酌辦

十一、中國政府聲明中國與日本國素敦睦此次日俄不幸失和知係在中疆土構兵現日俄既經修好在東三省已無戰事日本國待撤之兵隊雖仍有佔守通例乃近日日本國臣民在奉天省時有干預中國地方

官吏治暨損壞中國公私產業等情其係並非軍用必需果有此項事件在日本全權大臣亦視為非所應為

允將此聲明各意傳達日本政府迅速設法約束在奉天省之日本臣民益加敦睦其係並非軍用必需者勿

致再有干預中國吏治暨損壞官民產業各事

十二、凡軍用必需以外所有日本臣民若有意損壞取用中國官民各項產業應由兩國政府查明乘公分別

飭令補還

十三、中國地方官在未撤兵地方派兵勦匪須先商酌日本駐紮武官以免誤會

十四、日本國全權大臣聲明駐留由長春至旅大借地界之護路兵隊在未撤以前不至輒行牽礙中國地方

治理之權亦不擅出沿鐵路界限以外

十五、向駐營口之地方官雖在日本軍隊由該處撤退以前候此約一定後應由駐京日本公使會同外務部

從速訂立日期俾使原有之中國地方官迅速赴任視事至因該埠日本軍隊尚多務須商同訂立防疫防疫章程以免傳染

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十六、所有營口洋關所徵稅項現歸日本國正金銀行收存應俟屆撤兵時交中國地方官查收至於營口常關所徵稅項以及各地方捐款原係充作地方公共各事之用亦俟屆撤兵時將收支單開交中國地方官備案

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第三、英譯文(次項英文發表文ニテ仍マ省略ス)

SUPPLEMENTARY AGREEMENT TO THE SINO-JAPANESE TREATY

CONCERNING MANCHURIA OF 1905. (PUBLISHED ON

JANUARY 14TH, 1932.)

In 1905, when the Treaty concerning Manchuria and the supplementary agreement to it were concluded, the Japanese Government insisted on the insertion in the text of the Treaty definite engagements on certain matters. Since, however, the Chinese Government found it difficult for internal political reasons to consent to the publication of such engagements, it was agreed that these should be merely recorded in the Minutes of the Conference, which were drawn up both in Japanese and Chinese and signed by the Japanese and Chinese plenipotentiaries. These unpublished under-

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standings totalled sixteen in number. An English version summarising these provisions was submitted, in February, 1906, to the British and the United States Governments in strict confidence by the Japanese Government.

Inasmuch as there seems to be some doubt as to the existence of these understandings in the Minutes of the Conference, and as people even in positions of influence in China have openly denied it, this Government think the present a fit occasion to publish the above-mentioned communication made to the Governments of Great Britain and the United States.

Whereas the protocols of the Conference recently held between the Plenipotentiaries of Japan and China with regard to Manchuria are to be kept strictly secret in deference to the desire of the Chinese Government, only such portions of those Protocols as possess the character of executory agreements are given in the following summary:

1. The railway between Changchun and Kirin will be constructed by China with capital to be raised by herself. She, however, agrees to borrow from Japan the insufficient amount of capital, which amount being about one-half of the total sum required. The contract concerning the loan shall, in due time, be concluded, following *mutatis mutandis*, the loan contract entered into between the board of the

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Imperial Railways of North China and the Anglo-Chinese syndicate. The term of the loan shall be twenty-five years, redeemable in yearly instalments.

2. The military railway constructed by Japan between Mukden and Hsinmintun shall be sold to China at a price to be fairly determined in consultation by Commissioners appointed for the purpose by the two Governments. China engages to reconstruct the line, making it her own railway, and to borrow from a Japanese corporation or corporations one half of the capital required for the portion of the line east of Liao-ho for a term of eighteen years repayable in yearly instalments, and a contract shall be concluded, for the purpose following, *mutatis mutandis*, the loan contract entered into between the Board of the Imperial Railways of North China and the Anglo-Chinese Syndicate.

All the other military railways in different localities shall be removed with the evacuation of the regions.

3. The Chinese Government engage, for the purpose of protecting the interest of the South Manchuria Railway, not to construct, prior to the recovery by them of the said railway, any main line in the neighborhood of and parallel to that railway, or any branch line which might be prejudicial to the interest of the above-mentioned railway.

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4. China declares that she will adopt sufficient measures for securing Russia's faithful observance of the Russo-Chinese treaties with regard to the railways which Russia continues to possess in the northern part of Manchuria, and that it is her intention, in case Russia acts in contravention of such treaty stipulations, to approach her strongly with a view to have such action fully rectified.

5. When in the future, negotiations are to be opened between Japan and Russia for regulation of the connecting railway services (Article VIII of the Treaty of Peace between Japan and Russia), Japan shall give China previous notice. China shall communicate to Russia her desire to take part in the negotiations through commissioners to be despatched by her on the occasion, and Russia consenting shall participate in such negotiations.

6. With regard to the mines in the Province of Fengtien, appertaining to the railway, whether already worked or not, fair and detailed arrangements shall be agreed upon for mutual observance.

7. The affairs relating to the connecting services as well as those of common concern in respect of the telegraph lines in the Province of Fengtien and the cables between Port Arthur and Yentai shall be arranged from time to time as necessity may arise in consultation between the two countries.

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8. The regulations respecting the places to be opened in Manchuria, shall be made by China herself, but the Japanese Minister at Peking must be previously consulted regarding the matter.

9. If no objection be offered on the part of Russia respecting the navigation of the Sungari (by Japanese vessels), China shall consent to such navigation after negotiations.

10. The Chinese Plenipotentiaries declare that immediately after the withdrawal of the Japanese and Russian troop from Manchuria, China will proceed to take, in virtue of her sovereign right, full administrative measures to guarantee peace in that region and endeavor, by the same right, to promote good and remove evil as well as steadily to restore order, so that the residents of that region, natives and foreigners, may equally enjoy the security of life and occupation under the perfect protection of the Chinese Government. As to the means of restoring order, the Chinese Government are to take by themselves all adequate measures.

11. While relations of intimate friendship subsisted as at the present time between China and Japan, Japan and Russia had unfortunately engaged in war and fought in the territory of China. But peace has now been reestablished and hostilities in Manchuria have ceased. And while it is undeniable that Japanese troops, before their withdrawal, have the power of exercising the rights accruing from mili-

tary occupation, the Chinese Government declare that certain Japanese subjects in Manchuria have recently been observed to sometimes interfere with the local Chinese administration and to inflict damage to public and private property of China.

The Japanese Plenipotentiaries, considering that, should such interference and infliction of damage have been carried beyond military necessity, they are not proper acts, declare that they will communicate the purport of the above declaration of the Chinese Government to the Government of Japan, so that proper steps may be taken for controlling Japanese subjects in the Province of Fengtien and promote the friendly relations between the two nations, and also for preventing them in future, from interfering with the Chinese administration or inflicting damage to public or private property without military necessity.

12. In regard to any public or private property of China which may have been purposely destroyed or used by Japanese subjects without any military necessity, the Governments of the two countries shall respectively make investigations and cause fair reparation to be made.

13. When the Chinese local authorities intend to despatch troops for the purpose of subduing native bandits in the regions not yet completely evacuated by Japanese troops, they shall not fail to previously consult with the Commander of the Japanese troops stationed in those regions so that all misunderstandings may be avoided.

14. The Japanese Plenipotentiaries declare that the Railway Guards stationed between Changchun and the boundary line of the leased territory of Port Arthur and Taiten, shall not be allowed, before their withdrawal, to unreasonably interfere with the local administration of China or to proceed without permission beyond the limits of the railway.

15. Chinese local authorities, who are to reside at Inkou, shall be allowed, even before the withdrawal of the Japanese troops, to proceed to that place and transact their official business. The date of their departure is to be determined, as soon as possible after the definite conclusion of this Treaty, by the Japanese Minister to China in consultation with the Waiwupu. As there is still in that place a considerable number of Japanese troops, quarantine regulations as well as regulations for the prevention of contagious diseases, shall be established by the authorities of the two countries in consultation with each other so that epidemics may be avoided.

16. The revenue of the Maritime Customs at Yingkou shall be deposited with the Yokohama Specie Bank and delivered to the Chinese local authorities at the time of evacuation. As to the revenue of the native Customs at that place and the taxes and imposts at all other places, which are to be appropriated for local expenditures, a statement of receipts and expenditures shall be delivered to the Chinese local authorities at the time of evacuation.

二四、米國大使通牒（一月八日附）ニ對スル
帝國外相回答（一月十六日附）

（一月十六日發表）

以書翰啓上致候陳者本月八日附貴翰御來示ノ次第ニ付テハ帝國政府ニ於テ最慎重ナル考慮ヲ相加ヘ候

帝國政府ハ華府諸條約並ニ不戰條約ノ完全ナル履行ヲ確保センコトヲ期スルモノニシテ右帝國政府ノ努力ニ對シテハ常ニ米國政府ノ全幅ノ支持アルヘキヲ確信シタリシカ今回改メテ右確信ノ誤ラサリシコトヲ確メ得タルハ帝國政府ノ欣幸トスル所ニ有之候

貴大使ノ特ニ言及セラレタル所謂門戶開放ノ政策ハ屢々言明セル如ク帝國政府ニ於テ極東ニ關スル政策ノ樞軸ト認ムル所ナリ唯々憾ムラクハ支那全土ニ亘ル不安定ナル事態ノ爲右政策ノ效果著シク減殺セラレ居ル次第ナルモ帝國政府ハ其ノ力ノ及フ限り滿蒙ニ於テモ支那本部ニ於ケルト同様ニ門戶開放ノ政策ヲ維持セムコトヲ期スルモノニ有之候

帝國政府ハ貴翰中米國政府乃至米國人民ノ條約上ノ權利ヲ侵害シ若クハ千九百二十八年八月二十

七日ノ條約ニ違反スル手段ニ基キテ成立セル事項ノ合法性ヲ認ムルコトヲ得ストノ御申出ヲ了承
セリ純理ヨリ論スレハ特定ノ場合手段ノ妥當ナラサルコトカ常ニ必然的ニ結果ヲ無効ナラシムル
ヤ否ヤハ疑問ノ餘地アルヘキモ帝國政府ニ於テハ素ヨリ何等妥當ナラサル手段ニ訴フルノ意思ナ
キヲ以テ實際上ハ斯ノ如キ問題ハ發生セサル義ト思料致候

唯タ茲ニ一言致度ハ支那ニ關スル諸條約ノ適用ニ付テハ常ニ同國國情ノ變化ニ對シテ相當ノ考慮
ヲ加フルヲ要シ殊ニ現下同國ノ不安紊亂ノ情況ハ華府條約ノ締結ニ際シ當事國ノ曾テ豫想セサリ
シ所ナル事ニ有之當時ニ於テモ支那ノ國情不満足ナリシハ勿論ナルモ現今ノ如ク不統一ヲ暴
露セサリシ次第ナリ固ヨリ之レカ爲メ關係諸條約ノ拘束力乃至内容ニ何等影響アル次第ニ非サル
モ條約ノ適用ニ當リテハ必スヤ現實ノ事態ニ即シテ之ヲ行フヲ要スルヲ以テ前記ノ如キ支那ノ國
情ハ此ノ點ニ關シ深甚ナル斟酌ヲ必要トスヘキヤニ思料セラルル次第ニ有之候

尙帝國政府ハ滿蒙ノ行政當局ニ變更アリタルハ全ク該地方人民カ必要已ムヲ得サルノ處置トシテ
自ラ之ヲ行ヒタルニ過キサル所以ヲ指摘セントスルモノニ有之候今回ノ我軍事行動ト性質ヲ異ニ
スル戰時占領ノ場合ニ於テモ普通地方官憲ハ其ノ職ニ留ルヲ例トスル處今次事件ニ際シ滿蒙ニ於
ケル支那官憲ハ大方逃亡又ハ辭職シ其ノ結果政治機能ノ破壞ヲ來シタル次第ニシテ帝國政府ハ支

那國民ノミカ他國民ト異リ民族自決ノ權能ヲ缺キ其ノ官憲ノ逃亡ニ際シ自ラ政權ヲ組織シテ秩序
ノ維持ニ任シ得サルノ理由無キヲ信スルモノニ有之候

帝國政府カ滿蒙ニ對シ何等領土の企圖ヲ有セサルハ改メテ言明ノ必要ナキ處貴大使モ御承知有之
ヘキ通リ滿蒙ニ於ケル安寧福祉ノ維持並ニ該地方ノ一般通商ニ對スル解放ハ帝國ニ取リ最大ノ關
心事タルト共ニ至上ノ重要問題ナリ米國政府カ極東問題ノ重要性ヲ看過セラレサルノ態度ハ從來
モ種々ノ機會ニ於テ之ヲ明カニセラレタル所ナルカ現下帝國ノ存立ニ關スル重大ノ時局ニ際シ同
政府カ友好的精神ヲ以テ事態ノ正當ナル認識ヲ得ルカ爲細心ノ注意ヲ拂ハレツツアルヲ知ルハ帝
國政府ノ欣快トスル所ニ有之候

以上ノ次第ヲ本國政府ニ御傳達相成様貴大使ニ御依頼申進スルト共ニ茲ニ重ネテ閣下ニ向ツテ敬
意ヲ表シ候 昭和七年一月十六日

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THE REPLY OF THE MINISTER FOR FOREIGN AFFAIRS, TO THE NOTE
OF THE AMERICAN AMBASSADOR.

January 16, 1932.

Monsieur l'Ambassadeur:

I have the honor to acknowledge the receipt of Your Excellency's Note dated the 8th January, which has had the most careful attention of this Government.

The Government of Japan were well aware that the Government of the United States could always be relied on to do everything in their power to support Japan's efforts to secure the full and complete fulfilment in every detail of the Treaties of Washington and the Kellogg Treaty for the Outlawry of War. They are glad to receive this additional assurance of the fact.

As regards the question which Your Excellency specifically mentions of the policy of the so-called "Open Door", the Japanese Government, as has so often been stated, regard that policy as a cardinal feature of the politics of the Far East, and only regret that its effectiveness is so seriously diminished by the unsettled conditions which prevail throughout China. In so far as they can secure it, the policy of the Open Door will always be maintained in Manchuria, as in China Proper.

They take note of the Statement by the Government of the United States that the latter cannot admit the legality of matters which might impair the treaty rights of the United States or its citizens or which might be brought about by means contrary to the Treaty of 27 August, 1928. It might be the subject of an academic doubt, whether in a given case the impropriety of means necessarily and always avoids the ends secured, but as Japan has no intention of adopting improper means, that question does not practically arise.

It may be added that the Treaties which relate to China must necessarily be applied with due regard to the state of affairs from time to time prevailing in that country, and that the present unsettled and distracted state of China is not what was in the contemplation of the High Contracting Parties at the time of the Treaty of Washington. It was certainly not satisfactory then: but it did not display that disunion and those antagonisms which it does to-day. This cannot affect the binding character of the stipulations of Treaties: but it may in material respects modify their application, since they must necessarily be applied with reference to the state of facts as they exist.

My Government desire further to point out that any replacement which has occurred in the personnel of the administration of Manchuria has been the necessary

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act of the local population. Even in cases of hostile occupation—which this was not—it is customary for the local officials to remain in the exercise of their functions. In the present case they for the most part fled or resigned: it was their own behavior which was calculated to destroy the working of the apparatus of government. The Japanese Government cannot think that the Chinese people, unlike all others, are destitute of the power of self-determination and of organizing themselves in order to secure civilized conditions when deserted by the existing officials.

While it need not be repeated that Japan entertains in Manchuria no territorial aims or ambitions, yet, as Your Excellency knows, the welfare and safety of Manchuria and its accessibility for general trade are matters of the deepest interest and of quite extraordinary importance to the Japanese people. That the American Government are always alive to the exigencies of Far Eastern questions has already been made evident on more than one occasion. At the present juncture, when the very existence of our national policy is involved, it is agreeable to be assured that the American Government are devoting in a friendly spirit such sedulous care to the correct appreciation of the situation.

I shall be obliged if Your Excellency will transmit this communication to your Government, and I avail, etc.

〔参考〕 在京米國大使通牒（二月八日附）内容

錦州方面ニ於ケル最近ノ軍事行動ニ伴ヒ千九百三十一年九月十八日以前存在シタル南滿洲ニ於ケル支那共和國政府ノ最後ニ殘存セル行政的權力ハ破壊セラレタリ米國政府ハ最近國際聯盟ニ依リ權限ヲ附與セラレタル中立委員會ノ事業カ日支間ニ現存スル確執ノ終局的解決ヲ容易ナラシムヘキコトヲ依然確信ス然シテ現下ノ狀態並之ニ含まレタル自ラノ權利義務ニ鑑ミ米國政府ハ茲ニ日本帝國政府及支那共和國政府ノ雙方ニ對シ米國政府ハ支那共和國ノ主權、獨立又ハ領土の若クハ行政的保全及一般ニ門戸開放ノ名ニテ知ラルル支那ニ關スル國際的政策ニ關スルモノヲ含ム米國又ハ其ノ人民ノ支那ニ於ケル條約上ノ權利ヲ侵害スルカ如キ一切ノ事實上ノ狀態ノ合法性ヲ容認シ得サルコト及日支兩國政府若クハ其ノ代理者ノ締結スル一切ノ條約又ハ協定ニシテ前記權利ヲ侵害スルモノハ之ヲ承認スル意思ナキコト並日支兩國及米國カ當事國タル千九百二十八年八月二十七日ノ巴里條約ノ約束及義務ニ違反セル手段ニ依リ成立セシメラルコトアルヘキ一切ノ狀態、條約又ハ協定ヲ承認スルノ意思ナキコトヲ通告スルヲ以テ其ノ責務ト認ムルモノナリ

二五、上海事件ニ關スル帝國政府聲明

二三四

上海事件ニ關シ帝國政府ハ一月二十九日左ノ通牒明セリ

一、帝國政府ハ國民政府ニ對シ客年十月九日附屬書ヲ以テ支那各地ニ於テ暴威ヲ逞フスル排日運動ハ組織上及實際上國民政府ト其ノ職能ヲ分ツコト困難ナル國民黨部ノ直接間接ノ指導下ニ國策遂行ノ手段トシテ行ハルル武力ニ依ラサル敵對行為ナルコトヲ指摘シ黨部及其ノ指導スル各種排日團體ノ策動ヲ控制スヘキハ勿論其ノ他排日運動ヲ取締リ並本邦人ノ生命財產及利益ヲ保護スルニ必要且有效ナル措置ヲ執ラムコトヲ要求シ尙其ノ以後ニ於テモ幾度トナク支那中央及地方官憲ニ對シ右要求ノ趣旨ヲ繰返シ其ノ深甚ナル注意ヲ喚起シ來レリ

二、然ルニ國民政府ニ於テハ彼上帝國政府ノ要求ニ應スルノ誠意ナク甚シキニ至リテハ支那官民ノ帝國及帝國臣民ニ對スル不法行為ヲ以テ愛國心ノ發露ナリトシ寧ロ之ヲ獎勵スルカ如キ態度ニ出テタル爲排日運動ハ愈深刻執拗ヲ加ヘ殊ニ近時廣東、青島、福州等ニ於テ帝國臣民殺害事件、帝國官吏侮辱事件等ヲ惹起シタルノミナラス支那諸新聞紙ノ我皇室ニ對スル不敬記事事件ヲサヘ發生スルニ至レリ

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三、就中上海ニ於テハ抗日會本部其ノ他各種ノ排日團體ノ跳梁最甚シク殊ニ最近民國日報ノ不敬記事事件及日蓮宗僧侶ニ對スル殺傷事件等ノ發生以來事態益惡化セルニ依リ在上海帝國總領事ハ同地方支那官憲ニ對シ排日運動ノ取締其ノ他ニ關スル要求ヲ提出シタル處右ハ極メテ公正妥當ナルモノナリシニ拘ラス支那側ニテハ往昔同答ヲ遷延スル一方上海ノ周圍ニ軍隊ヲ集中シテ我方ヲ威嚇スルカ如キ態度ヲ示シ爲ニ居留邦人ヲシテ極度ノ危慮ヲ抱カシメタリ

四、尤モ支那側ニテハ二十八日午後三時ニ至リ結局我方ノ要求ヲ容認スルニ至レル處我方ニ於テハ支那側從來ノ遣口ニ顧ミ之カ實行ヲ監視スルト共ニ不逞分子ノ策動ニ對スル警戒ヲ怠ラサリシカ一方共同租界工部局ニ於テモ同租界附近ノ支那軍隊等ニシテ不逞ノ行動ニ出ツルモノアリタルニ顧ミ同日午後四時戒嚴令ヲ布告セリ其ノ結果列國駐屯軍ハ協同防備計畫ニ基キ各配置ニ就クコトナリ我陸戰隊モ亦其ノ擔任區域タル北四川路兩側ニ對シ二十九日午前零時ヨリ配備ヲ開始セルニ支那正規軍隊ヨリ突如トシテ發砲挑戰セルニ依リ我軍之ニ應戰スルノ已ムナキニ至レルカ目下我方ハ支那當局ニ對シ同國軍隊ノ本邦人居留區域附近撤退方ヲ引續キ要求中ナリ

五、今次上海方面ニ於ケル我海軍ノ行動ハ既往ニ於テ主要列國カ同地方ニテ屢執リ來レル實力行

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二二六
動ト均シク全ク居留邦人ノ生命財産其ノ他我方權益ノ擁護ヲ目的トスル外他意ナキト共ニ今同
ノ派兵ハ從來我方カ英米佛等ノ上海駐屯軍ニ比シ少數ノ陸戰隊ヲ同地ニ駐メ居リタルヲ事態ニ
應シ増加セルニ過キサル處我方ニ於テハ固ヨリ列國協調ノ方針ヲ持シ現ニ出先帝國官憲ハ關係
各國領事官、共同租界工務局、各國駐屯軍ト密接ナル聯絡ヲ保チ居レル次第ニシテ我方ニ於テ
上海地方ニ對シ何等政治的野心ヲ有セサルハ勿論同地方ニ於ケル列國ノ權利利益ヲ侵害スルカ
如キ意圖ナキコトハ多言ヲ要セサル所ナリ

二二六、上海事件ニ關スル帝國及英米佛國間
往復公文

(二月四日發表)

(イ) 上海事件ノ解決方ニ關シ在本邦英國大使ヨリ二月二日附ヲ以テ左記公文(假譯)
ヲ送付シ來レリ又米國及佛國兩大使ヨリモ略同一内容ノ來翰アリタリ

以書翰啓上致候陳者本使ハ英國外務大臣ノ訓令ニ基キ閣下ニ對シ上海ニ於テ發生シタル不幸ナル
事態ノ解決ノ爲ノ左記提案ヲ通報シ且日本帝國政府カ直ニ之ヲ受諾セラレムコトヲ最切實ニ要請
致候尙本日後同時刻ヲ期シ支那政府ニ對シテモ同一ノ提案ヲ爲ス次第ニ有之候
英國政府ノ提案ハ左ノ如クニ有之候

- (一) 左記條件ニ依リ雙方一切ノ強力行爲ヲ中止スルコト
- (二) 是以上敵對行爲ノ爲ニスル何等ノ動員又ハ準備ヲ爲ササルコト
- (三) 日支雙方ノ交戰者ヲ上海ノ地域内ニ於ケル一切ノ接觸地點ヨリ撤退スルコト
- (四) 交戰者ノ間ヲ隔離スヘキ中立地帯ヲ設クルコトニ依リ共同租界ヲ保護スルコト此等地帯ハ中
立國人ニ於テ警備スヘク之カ取極ハ領事官憲ニ於テ定ムルコト

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(五) 上記諸條件カ受諾セラルルニ於テハ巴里條約及十二月九日ノ國際聯盟決議ノ精神ニ準據シ豫メ要求又ハ留保ヲ爲スコトナク且中立ノ監視者又ハ參加者ノ援助ノ下ニ兩國間ニ現存スル總テノ紛争ヲ解決スル爲メ交渉ヲ促進スルコト
右申進旁本使ハ茲ニ重ネテ閣下ニ向テ敬意ヲ表シ候 敬具 一九三二年二月二日

(ロ) 右英米佛各國大使來翰ニ對シ芳澤外務大臣ハ二月四日附ヲ以テ左記返翰ヲ送付セリ

以書翰啓上致候陳者貴國政府ノ訓令ニ基キ本月二日附貴翰ヲ以テ上海事件ニ關スル提議御通報ニ相成リ敬承致候該提議ニ對スル帝國政府ノ所見左ノ通ナルニ付右ニ御承知相成度

(一) 支那軍ノ挑戰並騷擾的行爲ヲ即時且完全ニ停止セシムルヲ要ス右ニシテ確保セラルルニ於テ帝國軍ニ於テモ戰闘行爲ヲ中止ス

若シ支那側(正規軍タルト便衣隊タルトヲ問ハス)ニシテ挑戰若クハ騷擾的行動アル場合帝國軍ノ取ルヘキ行動ニ付テハ完全ニ其ノ自由ヲ留保ス

(二) 支那側從來ノ不信ナル行動並現在ノ重大ナル形勢ニ鑑ミ我方トシテハ動員又ハ戰闘ノ準備ヲ爲ササルコトハ不可能ナリ

(三) 日支雙方交戦者ノ離隔及必要ニ應シ關北附近中立地帯ノ設定ニ關シ領事及軍隊指揮官ヲシテ取極メ交渉ニ當ラシムルニ異存ナシ

(四) 所謂兩國間ニ現存スル一切ノ紛争中ニハ滿洲事件ヲ含ムモノト解セラルル處同事件ハ上海事件トハ全然別個ノ問題ナルノミナラス滿洲事件ニ付テハ客年十二月十日ノ理事會決議モ存シ居リ且又同事件ノ解決ニ付第三國監視者又ハ參加者ノ援助ヲ受諾シ得サルハ帝國政府ノ既定方針ナルヲ以テ旁本項ハ我方ノ同意シ得サル所ナリ

右回答旁本大臣ハ茲ニ重ネテ閣下ニ向テ敬意ヲ表シ候 敬具

(Translation)

THE REPLY OF THE MINISTER FOR FOREIGN AFFAIRS TO THE BRITISH, AMERICAN AND FRENCH AMBASSADORS, FEBRUARY 4, 1932.

1.) The Japanese forces will cease hostile acts if it is assured that the Chinese forces would immediately and completely stop their menacing and disturbing activities. If on the contrary the Chinese (including both regulars and plain clothes soldiers)

persist in such activities, the Japanese Government must reserve full freedom of action for its military forces.

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2.) In view of the unreliability of the Chinese in the past and of the gravity of the present situation, the Japanese Government find it impossible to renounce mobilization or preparations for hostilities.

3.) The Japanese Government have no objection to their Consul and Commander entering into negotiations for an agreement concerning the separation of respective forces and the establishment of a neutral zone in the district of Chapei.

4.) While it is to be presumed that "all outstanding controversies" between Japan and China includes the Manchurian question, the Japanese Government regard this latter as an entirely separate question from the Shanghai affair and moreover it is covered by the resolution of December 10th last. Furthermore it is a settled policy of the Japanese Government not to accept the assistance of neutral observers or participants in the settlement of the question concerning Manchuria. For these reasons the condition in paragraph 5 of the Powers' note is not acceptable to the Japanese Government.

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二七、上海事件並陸兵派遣ニ關スル帝國政府聲明

上海事件並上海方面陸兵派遣ニ關シ帝國政府ハ二月七日左ノ通聲明セリ

一、東洋ノ平和ヲ確保シ世界ノ平和的發達ニ貢獻スルハ帝國政府ノ一貫セル外交方針ナリ不幸ニシテ近年隣邦ニ於ケル排外運動ノ暴威ハ其ノ不統一、不安定ナル政情ト相俟テ列國共通ノ憂ヲ醸スニ至リタルカ國土近接シ利害最錯綜セル帝國ハ列國中最大ノ犠牲的地位ニ立ツニ至レリ而シテ我方ニ於テ世界ノ大勢及善隣ノ關係ニ鑑ミ努メテ友好的態度ニ出ツルヤ支那側ニ於テハ却テ乘スヘシト爲シ頻リニ我權益ヲ蹂躪シ殊ニ國民政府ト殆ト一心同體ナル黨部指導ノ下ニ機會アル毎ニ其ノ惡辣深刻ナル排日運動ヲ擴大シ在留帝國臣民ニ對シ各種ノ暴行迫害ヲ加フルノ實狀ナリ

二、上海事件ハ斯カル情勢ノ下ニ勃發セルモノニシテ是ヨリ先青島、福州、廣東、厦門等ニ起リタル幾多ノ不敬記事事件乃至暴行事件等ト其ノ揆ヲニニス即チ此等ノ事件ヲ通シテ看取シ得ヘキ事實ハ支那官民ノ我國及國民ニ對スル侮辱的態度ト在留邦人ニ對スル暴行ナルカ上海事件ハ

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其ノ最顯著ナルモノニシテ民國日報社ハ去ル一月九日我皇室ニ對スル不敬記事ヲ掲ケ又同月十

八日我僧侶等五名ハ何等ノ理由ナクシテ支那暴民ノ爲襲撃ヲ受ケ内三名ハ重傷ヲ負ヒ一名ハ途ニ死亡スルニ至レリ茲ニ於テ過去長日月ノ間排日ニ苦ミ殊ニ最近其ノ最惡辣ナル情勢ニ對シ隱忍ニ隱忍ヲ重ネ來レル我居留民ノ憤懣ハ其ノ極ニ達シ事態極メテ重大化スルニ至レリ

三、此ノ情況ニ於テ在上海帝國總領事ハ帝國政府ノ訓令ニ基キ右暴行事件ヲ局地的ニ解決シ事態ノ擴大ヲ極力防止スヘキ方針ノ下ニ一月二十一日上海市長ニ對シ反日會ノ解散ヲ初メ四項ノ要求ヲ提出セルカ二十八日午後三時同市長ノ我方ニ對スル回答ハ右要求ヲ容レタルモノナリシヲ以テ我方トシテハ之ニ依リ事態ノ緩和ヲ期待スルト同時ニ支那側約束ノ履行ヲ監視スルノ地位ニ立ツニ至リタリ然ルニ之ヨリ先盛ニ上海附近ニ集中セラレタル第十九路軍ハ支那内政上ノ關係ヨリシテ必スシモ國民政府ノ命令ヲ奉セサルモノノ如ク前記上海市長ノ我要求應諾ニ拘ラス租界附近ニ於テ戰備ヲ整フル等ノ行動アリタル一方便衣隊其ノ他不逞分子ノ租界潛入モアリ市政府附近ノ形勢亦不穩トナリ流言蜚語甚シク此ノ間開北一帶ノ保安隊モ逃亡シタル爲居留民ヲシテ極度ノ不安ニ陥ラシメタリ共同租界當局ハ右不安状態ニ顧ミ二十八日午後四時戒嚴令ヲ發シ列國軍ハ豫テ協定セシ受持區域ノ警備ニ就クニ至レル處我陸戰隊ニ於テ其ノ受持區域タル開

北地方ノ警備ニ就カムトスルヤ支那側ハ我軍ニ向テ發砲シ攻勢的態度ニ出テタルヲ以テ我陸戰隊ハ止ムナク之カ對抗手段ヲ執リ茲ニ日支兩軍ノ衝突トナリ次テ今年ノ事態ヲ致セリ

四、右ニ依リ明カナルカ如ク前記暴行事件ト日支兩軍ノ衝突事件トハ全然別個ノ問題ニシテ衝突事件ニ至リテハ元來我方ノ意思ニ反スルモノナルヲ以テ極力形勢ノ惡化ヲ防止スルニ努メタル結果英米總領事ノ奔走モアリ二十九日日支兩軍間ニ一旦停戰協定ノ成立ヲ見タル次第ナル處翌三十日午前ニ至リ支那側ハ約ニ反シテ再ヒ發砲シ更ニ三十一日午後ノ停戰會議ニ於テ中立地帯ニ關スル協定成立スル迄停戰ヲ約セルニ拘ラス再ヒ攻戰ヲ開始シ其ノ後引續キ攻撃ヲ止メサルノミナラス増援軍ノ上海附近集中ヲ繼續シ我方ニ於テ上海ノ國際都市タルノ地位ニ顧ミ事態不擴大ノ方針ノ下ニ努メテ隱忍ノ態度ニ出ツルヤ支那側ニ於テハ却テ之ヲ以テ我軍ノ敗戰ナルヤニ宣傳シテ益攻撃的態度ヲ逞ウスル狀況ナリ

五、統制無キ支那ノ現状ニ顧ミ又過去ニ於ケル幾多ノ事例ニ照シ上海附近ニ集中セル支那ノ大軍ハ無責任ナル政治家等ノ煽動ニ依リ何時如何ナル暴舉ニ出ツルヤモ測リ難キ一方今ヤ我陸戰隊ハ十數倍ノ支那軍ヲ控ヘ不眠不休ノ努力ヲ續ケ居リ我居留民ハ極度ノ不安ニ驅ラレツアル狀況ナル處海軍兵力ノ陸上派遣ニハ自ラ一定ノ限度アルヲ以テ此ノ際陸軍兵力ノ派遣ニ依リ支那

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軍ノ脅威ヲ去リ一日モ速ニ上海ノ常態ヲ恢復シ列國民ノ不安ヲ除去スルヲ緊要ト認メ茲ニ所要陸兵ヲ上海方面ニ派遣シ以テ從來ノ海軍力ト協力セシメラルコトナレル次第ナリ

六、要之今次帝國陸軍ノ上海方面派遣ノ目的ハ既往ニ於ケル帝國ノ同方面ニ對スル累次ノ海兵派遣ト等シク多數ノ帝國臣民ト巨億ノ財產保護ノ萬全ヲ期シ併セテ租界防備ニ關スル國際的義務ヲ全スルニ存スルヲ以テ其ノ兵力ハ右目的ノ達成ノ爲必要ナル限度ニ止メ且其ノ行動ハ列國共同ノ利益ヲ確保スルノ方針ニ則ルヘク從テ支那側ニシテ敵對行動ヲ終止セサルカ又ハ右我軍ノ目的遂行上ノ行動ニ妨害ヲ加フルニ於テハ之ニ對シ必要ノ對抗手段ヲ行使スヘキモ我方ヨリ進ムテ攻勢ニ出ツルカ如キコトナキハ勿論ナリ將又我方ニ於テ上海地方ニ對シ何等政治的野心ヲ有セサルハ固ヨリ同地方ニ於ケル列國ノ權益ヲ侵害スルカ如キ意圖ナキコトハ既ニ聲明セル通ニシテ帝國政府ノ上海地方ニ對シ要望スル所ハ畢竟列國協調及相互扶助ノ精神ニ依リ關係各國ト共ニ同地方ノ安寧ト繁榮ノ増進ヲ計リ延テ東洋ノ平和ト福祉トニ貢獻スルニ存ス

STATEMENT OF THE JAPANESE GOVERNMENT CONCERNING THE SHANGHAI INCIDENT AND THE DESPATCH OF MILITARY FORCES, FEBRUARY 7, 1932.

1. It is the immutable policy of the Japanese Government to ensure by all means in their power the tranquillity of the Far East and to contribute to the peaceful progress of the world. Unfortunately of late years the internal discord and unsettled political conditions prevailing in China, coupled with rampant anti-foreign agitation, have given cause for serious concern to all the other Powers—especially to Japan, which because of her geographical proximity and the vast interests of hers which are involved, has been made to suffer in a far greater degree than any other. While the Japanese Government, in their solidarity for neighborly amity, and international good understanding, have exerted every effort to maintain a conciliatory attitude, China, taking advantage of our moderation, has resorted to frequent infringements of our rights and interests, to various acts of violence towards Japanese residents and to an intensification of the vicious anti-Japanese movement, which is without a parallel elsewhere, as it is under the direct or indirect guidance of the Nationalist Party, which is identified with the Nationalist Government itself.

2. It is in these circumstances that the Shanghai Incident has broken out. It is

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similar to the numerous outrages and insults that had previously been perpetrated at Tsingtao, Foochow, Canton, Amoy and elsewhere, in that they are all characterized by Chinese contempt for Japan and the Japanese and by acts of physical violence. The Shanghai Incident only happens to be the most flagrant case. On the 9th of January last a vernacular journal, the "Minkuo Daily News", published an article, insulting the honor of our Imperial House. Shortly afterwards, on the 18th, a party of Japanese priests and their companions, five persons in all, were the subjects of an unprovoked attack by Chinese desperadoes. As a result, three of the victims were severely wounded and one was killed. The shock of these events was sufficient to explode the longpent-up indignation felt by the Japanese residents in Shanghai, who had suffered for many years past from, and had exercised the utmost restraint in the face of, increasing Chinese atrocities and affronts.

3. Nothing the extreme gravity of the situation, the Japanese Consul General, under the instructions of the government, and in order to do all that was possible to prevent, by a local solution of the question, any aggravation of the case, presented to the Mayor of Shanghai on January 21st a set of four demands including one for the dissolution of anti-Japanese societies. At three o'clock in the afternoon of January 28th, the Mayor's reply acceding to the above demands was received. The

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Japanese authorities, hoping that the tension might then relax, decided to wait and watch the performance of their promise on the part of the Chinese. However, soldiers belonging to the 19th Army, then concentrated in the vicinity of Shanghai, began, for reasons connected with internal politics, to display signs of recalcitrance towards the Nanking authorities, and appeared to be making hostile preparations in spite of the Mayor's acceptance of our terms, thus creating a new source of danger. In the meantime Chinese soldiers in civilian costume and various lawless elements had stolen into the International Settlement, creating a source of danger to the quarter in the vicinity of the Municipal Offices. Many alarming rumors were in circulation and the residents were plunged into an agony of terror, the police of the Chapel district having taken flight. Thereupon, on the 28th, at 4 o'clock, the authorities of the Settlement proclaimed a state of siege, and the armed forces of the Powers were ordered out to duty in accordance with a plan that had been previously agreed upon. It was when the Japanese Marines were proceeding to their assigned sector in Chapel that the Chinese opened fire upon them, precipitating a conflict between Chinese and Japanese armed forces, of which the present situation is the outcome.

4. As is clear from what has been said, the incident of the Chinese assault upon

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Japanese priests and the Incident of the armed Sino-Japanese conflict were entirely separate affairs. With regard to the armed collision, as it was entirely contrary to every intention of ours, and as the British and American Consuls General offered a tender of their good offices, the Japanese authorities sought to effect a cessation of hostilities, and, in fact, succeeded on the 29th in arriving at an agreement for a truce. But on the following day the Chinese, in contravention of their pledge, opened fire once more. At a conference summoned on the 31st, it was agreed that the opposing forces should cease from all hostile action during the progress of negotiations for the establishment of a neutral zone. However, the Chinese, resuming the offensive, are continuing the concentration of troops in the neighborhood of Shanghai. So far, the Japanese navy, desiring, in view of the international character of Shanghai, not to aggravate the situation, has refrained from taking any drastic action, while the Chinese, spreading news of Japanese defeats, are manifesting even greater vehemence in their actions.

5. In the existing state of affairs in China, uncontrolled and uncontrollable, and in view of historical precedents in such cases, we can have no assurance as to the possible behavior of the vast armies congregated in the Shanghai area, should unscrupulous politicians care to incite them. Our marines, opposed to Chinese

forces outnumbering them by more than ten to one, are being wearied to exhaustion, while the predicament of the Japanese residents, facing imminent danger as they do, is beyond description. In order to meet the absolute necessity of at once despatching adequate military reinforcements, (as there are obvious limitations to the naval units which can be landed), so as to put an end to the menace of the Chinese armies, to restore Shanghai to normal conditions and to relieve the inhabitants of all nationalities from the strain of fear and disquiet, the decision was taken to order the necessary military forces to Shanghai.

6. It should be stated that this despatch of a military force carries no more significance than the despatch of marines in accordance with the practice on several previous occasions, and that the Japanese Government are prompted by no other motive than that of discharging their international duty and of safe-guarding the large number of Japanese nationals, and the Japanese property worth many hundreds of millions, involved in the affair.

The expeditionary force has been therefore limited to the strength absolutely required for the above purposes, and its action will be guided solely by the policy of protecting the common interests of all the Powers. Unless the Chinese, by continuing hostilities or by obstructing our army in attaining the above ends, compels

it to take necessary action, there is of course no intention whatever that it should enter upon an aggressive campaign. The Japanese Government have already declared that they cherish no political ambitions in the region of Shanghai, nor any thought of encroaching there upon the rights and interests of any other Powers. What they desire is to promote the safety and prosperity of that region by co-operation with other Powers and mutual assistance, and so to contribute to the peace and well-being of the Far East.

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二八、上海附近支那軍撤退要求通牒

(二月十九日發表)

在上海村井總領事ハ二月十八日午後九時吳上海市長ニ對シ左記公文ヲ提出セリ

二月二十八日夜貴國第十九路軍及便衣隊カ日本陸戰隊ヲ攻撃シテヨリ以來南北方面ニ於テ日支兩軍ノ對抗アリ二十九日夕刻兩軍間ニ戰鬪行爲停止ノ約成リタルモ貴國軍隊側ニ於テ屢約ニ背キテ我方ヲ射擊又ハ砲撃シ我方ニ於テモ之レニ應戰セサルヲ得サル實情ニアリ且又貴國軍隊ノ計畫的ナル挑戰ニ依リ吳淞及江灣方面ニ軍事行動ヲ見ルニ至リタリ此ノ間貴方ニ於テハ第十九路軍ノ勝利ニ關スル無稽ノ虛報ヲ各方面ニ流布スル一方我方ノ公正ナル行動ニ凡ユル誹謗ヲ加ヘタル結果第十九路軍ハ租界ノ防衛及居留民ノ保護以外他意ナキ我軍ニ對シテ更ニ新ナル攻撃ヲ加ヘツツアリ便衣隊亦各所ニ出沒シテ依然惡辣狂暴ナル行動ヲ止メス在留日本人ハ勿論上海租界ハ之カ爲非常ナル脅威ヲ受ケ居ル次第ニシテ本總領事ハ此ノ際速ニ兩國軍隊ノ衝突ニ依ル不幸ナル事態ノ終局ヲ見ルコト極メテ必要ナリト認メ左記ノ條件ニ依リ速ニ戰鬪行爲ヲ終結セシムルコトトシタク茲ニ貴國軍隊ニ對シ右要望受諾ト共ニ之カ切實實行方御轉達アリタシ若シ貴國軍隊ニ於テ右要

一四一

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望ヲ應諾セサルニ於テハ日本軍隊ハ之レニ對シ行動ノ自由ヲ有スルモノナル次第爲念申添ユ

一、中國軍隊ハ二月二十日午前七時迄ニ第一線ノ撤退ヲ完了シ二月二十日午後五時迄ニ黃浦江左岸共同租界西北端、曹家渡鎮、周家橋鎮及浦淞鎮ヲ連スル線以北租界ノ北部境界線以北並黃浦江右岸爛泥渡及張家樓鎮ヲ連スル線以北ニシテ租界ノ境界線ヨリ二十軒ノ地域(獅子林砲臺ヲ含ム)ノ外ニ撤退ヲ完了シ右地域内ニ於テ砲臺其ノ他ノ軍事施設ヲ撤去シ並新ニ之ヲ設ケサルコト

上海附近ニ於テ前記撤退地域ニ屬セサル地域ニアル日本人ノ生命財産ハ中國側ニ於テ完全ニ保護スルコト右保護完全ナラサル時ハ日本側ニ於テ適當ノ手段ヲ執ルヘシ

便衣隊ハ中國側ニ於テ一切有效ニ禁止スルコト

二、日本軍ハ中國軍ノ撤退ヲ確認シタル後ニ於テハ虹口附近ニ於ケル工部局道路地域(虹口公園ノ周圍ヲ含ム)ヲ保持スルニ止ムルコト日本軍ハ中國軍ノ撤退開始以後ハ射擊爆撃及追撃ノ動作ヲ行ハサルコト但シ飛行機ニ依ル偵察ハ此ノ限リニアラス

三、中國軍ノ第一線撤退完了後日本軍ハ其ノ實行ヲ確認スル爲護衛兵ヲ有スル調査員ヲ撤退地域ニ派遣ス

四、上海附近(撤兵地域ヲ含ム)ニアル外國人ノ保護ニ付追テ商議ヲ行フコト

追テ第十九路軍カ今回ノ行動ヲ執ルニ至リタルハ二月十五日附貴市長宛本總領事書翰中ニモ言及シタル通電貴市長カ一月二十日附本總領事ノ要求ニ對スル一月二十八日附貴市長ノ御回答中ニ表示セラレタル抗日會ノ即時解散及其ノ他排日運動ノ禁止ニ關スル約束ヲ切實ニ實行スルノ誠意ト能力トヲ有セザリシニ依ルモノト認メラレテ本總領事ハ貴市長ニ對シ前記貴市長ノ約束ヲ迅速且完全ニ實行セラレン事ヲ茲ニ重ネテ要求スルモノナリ

本總領事ハ大ナル關心ヲ以テ貴市長ノ本件實行ヲ監視スルモノニシテ若シ實績擧ラサルニ於テハ我方ニ於テ適當ナル手段ヲ執ラサルヲ得サルニ至ルヘキモノナル事ヲ茲ニ併セテ聲明ス

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二九、國聯盟十二國理事通牒ニ關スル
帝國政府聲明

(二月二十三日發表)

上海事件ニ關スル國際聯盟十二國理事ノ通牒ニ關シ帝國政府ハ二月二十三日左ノ通牒ヲ發表セリ
一、十二國理事カ日本ニ對シ申入レヲナシタルハ恰モ日本カ隱忍サヘスレハ上海ノ危急ナル事態ヲ直ニ終熄セシメ得ヘシトナスカ如キ寓意ヲ含ムモノニシテ帝國政府ノ諒解シ得サル所ナリ攻撃ヲナシツアルハ支那側ナルヲ以テ之ニ對シテ申入レヲナシテコソ有效ナルヘシ尠クモ日本ニ對シテノミ斯カル處置ニ出ツルハ謂レナキコトナリ日本水兵カ攻撃ヲ受ケ之ニ抵抗シタルコトヲ以テ非トスル趣旨ニ非サル限リ何故我方ニ向ツテ抵抗ヲ止メヨトナスヤ
二、十二國理事ノ申入レニシテ例ヘハ上海附近ニ安全地帯ヲ設定シ日支兩軍ノ離隔ヲ圖ルトカ又ハ衝突ヲ防クニ足ルノ保障ヲ提議スルトカ何等積極的提議ヲ含ムモノナランニハ其ノ意ノアル所ヲ諒解シ得ヘケンモ其ノ事ナクシテ單ニ日本軍ニ對シ武器ヲ捨ツルカ或ハ引揚ケンコトヲ期待スルハ必然的ニ共同租界ヲ支那兵ノ占領ニ委セントスルモノニシテ支那側ニ於テ斯カル暴舉ニ出ツルコトナカルヘシト云フモノアランモ過去ニ於テ既ニ二回迄モ支那側ハ之ヲ敢テシタル

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事實アリ而モ支那政府ハ上海ノ奪取ヲ以テ無責任ナル軍兵ノ所爲ナリトノ遁辭ヲ弄スルナルヘシ
三、申入レ中支那ハ終始紛争ヲ平和的ニ解決スルノ用意アルニ拘ラス日本ハ然ラストナセルハ最不當ナル點ナリ支那ハ平和的方法以外ニハ訴ヘスト宣言スヘケンモ事實ハ言葉ヨリモ雄辯ナリ支那側ノ攻撃的措置ハ平和的聲明アルノ故ヲ以テ之ヲ許シ日本ノ防禦的措置ハ戰鬪的ナリトテ之ヲ排斥スルカ如キハ毫モ理由ナキコトナリ日本カ支那軍ノ攻撃ニ依リ日々生命財產ノ損失ヲ受ケツツアル時ニ當リ支那ハ平和的方法ニテ一切ノ紛争ヲ解決スルノ用意アリト云フカ如キハ誠ニ驚キ入ルノ外ナシ十二國理事カ日本ハ國際聯盟規約ニ規定スル平和的解決方法ヲ無條件ニ採用スルコトヲ肯セザリシ云々ノ一節ハ帝國政府ノ諒解シ得サル所ニシテ日本ハ右ノ如キ紛争解決方法ニ無條件ニ參加シ來レルニ非スモ此等解決方法ハ其ノ間自衛措置ヲ執ルコトヲ妨ケサルハ勿論ニシテ聯盟ノ如何ナル決議モ之ヲ禁スルモノニ非ス日本ハ平和的解決方法ニ依ルカ爲メ單ニ理事會多數ノ決定ニ基キ規約條項ニモ規定シ居ラサル異例ヲ受諾スルノ義務ナン平和的解決ニ關スル如何ナル條約モ正當ナル自衛ノ權利ヲ毫モ妨ケルモノニ非サルコトハ一般ニ認めラレタル公理ナリ十二國理事カ内實遺憾トスル點ハ日本カ無條件ニ問題ノ解決ヲ彼等ノ手中心

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委ネサリシト云フニ在ルモノノ如キ處右ハ日本ニ於テ拒絶スルノ法律上並道義上ノ權利アリ日本ハ問題ノ解決ヲ彼等ノ手中ニ委ヌルコトヲ嘗テ約束シタルコトモナク又十二國理事ノ判斷、好意ニハ滿腔ノ信頼ヲ置クモノナルカ日本ハ自國力遠隔ノ何レノ國ヨリモ當然且必然ニ遙ニ良ク事實ヲ諒解シ得ル地位ニ在ルヲ信スルヲ以テナリ

一四六

四、今回ノ申入レハ聯盟規約第十條ヲ引用シ居レル處日本ノ措置ハ嚴ニ防衛的ナルヲ以テ何等同條規定ニ觸ルルモノニ非ス此ノ點ハ五年前列國カ上海防備ノ爲強大ナル増援軍ヲ派遣シタルトキニ於テモ英米軍カ南京ヲ砲撃シタルトキニ於テモ其ノ他幾多類似ノ場合ニ於テモ何レノ國ヨリモ本規約條項ニ付問題カ提起セラレタルコトナキニ徴スルモ明白ナリ同條ハ極メテ妥當ナル規定ナルモ國家自衛權ヲ排除スルモノニハ非ス又此ノ規定アルカ爲ニ支那ニ對シ他國ヲ攻撃スルノ自由ヲ有スルモ他國ハ其ノ攻撃ヲ排除シ得スト云フカ如キ特權ヲ附與スルモノニ非サルコト云フ迄モナシ

五、各國ノ對支出兵ニ於ケル如ク日本ノ出兵ニ際シテモ日本ハ聯盟ノ一員タル支那ノ領土保全又ハ獨立ヲ侵害セムトスルモノニ非サルハ勿論ナリ從テ十二國申入レ中ニ於テ規約第十條ニ反シ爲サレタル所ハ之ヲ有效ト認ムルヲ得スト云ヒ居レルモ帝國政府ハ其ノ何ヲ意味スルヤ全然解

スルヲ得ス然レトモ此ノ機會ニ於テ再ヒ帝國政府ハ支那ニ於テ何等領土的又ハ政治的意圖ヲ有セサルコトヲ強調セントスルモノナリ

六、帝國政府ハ支那ニ對シ正義寛容ヲ示ス義務カ九國條約當然ノ結果トシテ生ストノ論ヲ容ルルヲ得ス一切ノ國ニ對シテ正義寛容ヲ示スヘキ義務アルコトハ條約ヲ俟ツ迄モナキコトニシテ日本ハ欣然此ノ義務ヲ受諾スルモ同時ニ他國モ亦日本ニ正義寛容ヲ示サルレハ欣幸ナリ日本ハ固ヨリ九國條約上ノ一切ノ義務ヲ遵守スル用意アルモ同條約調印國以外ノ國ヲモ交ヘテ又調印國ノ或モノヲ含マシテ其ノ規定ニ付キ論議スルハ不便且不適當ナリト思考ス

七、最後ニ帝國政府ハ支那ヲ以テ聯盟規約ニ所謂「組織アル國家」ト思考セス又思考シ得サルコトヲ強調セムトスルモノナリ過去ニ於テ支那ハ各國ノ約束ニ依リ恰モ組織アル國家ナルカノ如キ取扱ヲ受ケ來レルハ事實ナリ然シテ凡ソ擬制ハ永續スルモノニ非ス又擬制ヲ認ムルカ爲實際ニ重大ナル危険カ醸サルル場合ニハ最早之ヲ許容スルコトヲ得ス今ヤ必然的ニ擬制ヲ棄テテ現實ニ直面スヘキ時期到來シタリ從來一般ニ支那ノ幸福、繁榮、統一ヲ欲スルノ餘リ世界ハ現實ニ反シテ支那ヲ遇スルニ統一國家ヲ以テシタリ然レトモ其ノ人民ハ部分的ニハ結合アルモ全體トシテ組織セラレ居ラス若シ日本ニシテ支那ニ何等利害關係ナキモノトセハ同地カ「組織ア

一四七

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ル國民」ニ依リ占據セラレ居ルモノトスル擬制ヲ尊重シ行クコトヲ得ヘケンモ日本ハ同地ニ巨多ノ利害關係ヲ有スルヲ以テ此ノ上支那ニ於ケル混沌タル状態ヲ以テ秩序アル状態ナリトシテ取扱フコト不可能ナリ支那各地方ニ存在スル權力ハ其ノ地方地方ニ於テ實際上ノ力ヲ行使シ居ルノ事實ノミニ其ノ基礎ヲ有スルモノニシテ該地域ヲ越テテ支配ヲ行フノ資格ナシ此ノ不正規ナル事態ハ支那問題ニ對シ聯盟規約ヲ適用スルニ當リ最深ク考慮セサル可カラス支那ニ於テハ單一ナル統一國家ノ代リニ諸種ノ粗笨ナル組織體存ス日本政府ハ固ヨリ此ノ現實ノ事態ヲ直視スルコトニ依リ生スル各般ノ推論及結果ヲ整理調和スルコトノ極メテ困難ナルヲ認ム右ハ困難ナルモ必要事ナリ吾人ハ眞實ニ直面セサルヘカラス而シテ支那ニ何等統制アル政府ナク又全支ニ對シ完全ナル支配ヲ主張シ得ル權力ナキコトカ根本的事實ナリ

八、以上帝國政府ハ十二國理事ノ人道ニ基テ高潔ナル申入レニ對シ簡單ニ其ノ所見ヲ述ヘタル次第ニシテ之ヲ要約再言スレハ十二國カ日本ニ訴ヘタルハ恰モ既ニ開カレ居ル扉ヲ無理ニコデ開ケント努ムルニ等シク該申入レハ寧ロ攻撃ヲ加ヘツツアル支那軍ニ對シテ爲サルヘキモノナルコト、斯カル申入レカ眞ニ有益且實際的ナランカ爲ニハ安全地帯設置ト云フカ如キ具體的提案ヲ包含セサル可ラサルコト、日本ハ支那ト異リ平和的方法ニ依リ問題解決ノ意思ナシトスル點

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ノ謬ナルコト、而シテ最後ニ支那ノ問題ハ事實及現實ノ基礎ニ於テノミ考察セラルヘキモノナルコト、而シテ事實支那ハ統一ナル國家ヲ構成シ居ラサルコト等ヲ述ヘタルハ心算ナリ更ニ帝國政府ハ關係國ヲシテ此ノ異常ナル措置ニ出テシメタル嵩高ナル目的ト人道的努力トヲ深ク諒トスルモノナルコトヲ繰返サントス帝國政府ハ此等關係諸國カ更ニ考慮ヲ費スニ於テハ敏上帝國政府ノ述ヘタル所ト所見ヲ一ニスルニ至ランコトヲ信スルモノニシテ帝國政府ハ關係諸國ニ於テ支那側ヲシテ過去五ヶ月間ノ戰鬪行爲ヲ惹起セルカ如キ挑發的行爲ヲ止メシムル爲其ノ極度ノ努力ヲ息メサランコトヲ深ク希望ス

一部世上ニ於テハ日本ニ對シ戰爭ヲ獎勵シ且之ヲ希望スルモノナルカノ如キ惡評ヲ負ハサントスルモノアルモ日本ハ之ヲ強ク斥クルモノニシテ日本國民ハ戰爭及之ニ伴フ避ケ難キ慘禍ヲ厭フコトニ於テ何國ニモ劣ラサルモノナリ若シ十二國ノ努力ニ依リ支那側ヲシテ平和的態度ヲ執ラシムルニ至ラハ何國ヨリモ先ツ最之ヲ欣フハ日本國民ナラン

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STATEMENT OF THE JAPANESE GOVERNMENT CONCERNING
THE APPEAL OF THE TWELVE POWERS.

1. The Japanese Government cannot understand why the Appeal of the Twelve

Powers should be addressed to Japan,—as though she were able, by the exercise of some unspecified act of forbearance, immediately to bring about the cessation of the alarming situation at Shanghai. It is to the Chinese, as the attacking party, to whom the appeal might be effectively made. At the very least, it is impossible to see why it should be made to Japan alone. It does not appear to be suggested that Japan was wrong in resisting the attack made on her Marines. And unless that is assumed, why is she called upon to discontinue that resistance?

2. If the Note had any positive suggestion to offer, such as the establishment of a "safety-zone" adjoining Shanghai, with a view to the effective separation of the Chinese from the Japanese forces, or indeed any other guarantee for the cessation of conflict, the appeal would be intelligible. But no such suggestion is made. The Japanese forces are expected to lay down their arms, or to withdraw to Japan, and to allow the Chinese troops to occupy the International Settlement—for that would be the inevitable result. If it is said that the Chinese would be afraid to put

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themselves thus definitely in the wrong, the answer is that they already have done so twice; moreover, the storm of Shanghai could always be attributed to irresponsible soldiery.

3. Strong exception must be taken to the assumption that China is willing to resort only to peaceful measures for the solution of the dispute, while Japan is not so disposed. China may undoubtedly formally declare her willingness to take none but peaceful measures; but deeds speak louder than words. There is no possible reason why the aggressive measures of China should be condoned because of her pacific declarations, while the defensive measures of Japan are branded as hostile. While Japan is daily sustaining losses of life and treasure through Chinese military attacks, it is distinctly surprising to be told that China is willing to settle all disputes by peaceful means!

The Japanese Government do not understand the observation that "Japan has not found it possible to have recourse unreservedly to the methods of pacific settlement provided for in the Covenant of the League of Nations." Japan has participated unreservedly in the process of settlement provided in the Covenant; it surely cannot be supposed that these methods exclude the interim measures of self-defence which are interdicted by no resolution of the League? or that these methods

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compel her to accept a departure from their own express provisions, in the shape of a majority decision? It is a universally accepted axiom that all Treaties of Pacific Settlement leave unimpaired the right of legitimate self-defence! The gravamen of the regret appears rather to be that Japan has not unreservedly put herself in the hands of her colleagues: and this, with great respect, she was legally and morally entitled to decline to do. Legally, because she was under no promise to do otherwise. Morally, because, although reposing the greatest confidence in their judgment and goodwill, she believes that she is naturally and necessarily in a far better position to appreciate the facts than any distant Power can possibly be.

4. The Appeal invokes Article 10 of the Covenant of the League of Nations. The measures of Japan, strictly defensive, do not infringe the provisions of that Article. That they do not do so is illustrated by the fact that neither when strong reinforcements were despatched by other Powers five years ago to defend Shanghai, nor when American and British forces bombarded Nanking, nor on various other occasions which will readily be recalled, was any question raised by any Powers concerning this provision of the Covenant. It is a very proper provision: but it does not exclude self-defence, nor does it make China a "chartered libertine", free to attack other countries without their having any right to repel the attack.

5. As Japan does not, any more than was contemplated on those occasions, contemplate any attack on the territorial integrity or independence of a Member of the League of Nations, it is superfluous to say that the bearing of the observation that attacks of such a character made in defiance of Article 10 of the Covenant cannot be recognized as valid and effective, is totally obscure to the Japanese Government. They take this occasion of once more firmly and emphatically declaring that Japan entertains no territorial or political ambitions whatsoever in China.

6. The Japanese Government are also unable to suppose that the duty of justice and moderation towards China is one which flows from the "Nine-Power" Treaty of Washington. The duty of justice and moderation towards all Powers is entirely independent of Treaty, and it is most willingly and gladly accepted by Japan, who is equally appreciative of the justice and moderation shown to herself by others. Japan is fully prepared to stand by all her obligations under the "Nine-Power" Treaty, but it is conceived that it would be inconvenient and improper to enter upon a discussion of its terms with Powers other than those who are Parties to that engagement, and in the absence of some who are Parties.

7. Finally it must be emphasized that the Japanese Government do not and cannot consider that China is an "organized people" within the meaning of the League

of Nations Covenant. China has, it is true, been treated in the past, by common consent, as if the expression connoted an organized people. But fictions cannot last for ever, nor can they be tolerated when they become grave sources of practical danger. The time has inevitably come when realities, rather than fictions, must be reckoned with. The general desire to see China happy, prosperous and united, has led the world to treat her as united in a way in which in sober fact she was not. Its population is not organized, except in patches. If Japan had no interests there, it might be possible to go on indefinitely respecting the fiction that the region is occupied by an "organized people." Japan, however, has enormous interests there. It is impossible any longer to treat chaos in China as if it were order. The authorities which subsist in various parts of China derive their title simply from the fact that they do exercise control within limited areas. But they can have no title to extend their control beyond them. This anomalous state of things cannot but profoundly modify the application to Chinese affairs of the Covenant of the League. Instead of a single organized people, we have here various rudimentary nuclei of organization. The Japanese Government do not pretend that it is easy to work out the implications and consequences of this situation. It is not easy, but it is necessary. We must face the facts: and the fundamental fact is that there is no unified

control in China, and no authority which is entitled to claim entire control in China.

8. The considerations have now been stated in short compass which this Government desire to adduce in answer to the appeal to them, an appeal of which they keenly feel the generosity and lofty humanity. It has been shown that the Powers, in appealing to Japan, are forcing an open door, and that it is the aggressive Chinese forces to whom the appeal should be addressed. It has been suggested that, to be really useful and practical, the appeal should comprise some specific plan such as the creation of a "safety-zone". The charge has been rebutted that Japan is less disposed than China to settle matters by peaceful means. Lastly, it has been shown that China cannot be dealt with on any other footing than that of fact and reality: and that the fact is that China does not constitute an "organized people". It remains for the Japanese Government to repeat their deep sense of the high purpose and philanthropic energy which have actuated the Powers in taking this unusual step. It is their sincere belief that on reflection those Powers will come to coincide with the views now advanced and it is earnestly hoped that they will not relax their utmost efforts to induce the Chinese to refrain from aggressive acts such as those which have precipitated the armed conflicts of the past five months.

Japan altogether repudiates the stigma which is attempted in some quarters to be attached to her, of favouring and desiring war. Her people yield to none in their detestation of war and its inevitable horrors. If the efforts of the Twelve Powers should succeed in bringing about a pacific attitude on the part of China, nowhere will more sincere delight be felt than in Japan.

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三〇、國際聯盟十二國理事通牒ニ對スル 帝國外相返翰

(二月二十三日發表)

上海事件ニ關スル國際聯盟十二國理事ノ通牒ニ關シ芳澤外相ハ二月二十三日附ヲ以テ理事會「ボンジュール」議長ニ對シ左記要旨ノ返翰ヲ送付セリ

我方ニ於テハ今次十二國理事ノ申入レニ對シ即時慎重ナル考慮ヲ加ヘタルカ十二國理事カ現下上海方面ノ事態ノ重大性ヲ痛感シ之カ救済策ヲ探求スル爲如何ナル勞ヲモ吝マサラントシツツアル心事ハ多トスル所ナリ

去リ作ラ本申入レハ必要ナキ方面ニ向テ爲サレタル嫌アリ蓋シ現下ノ武力的抗争ヲ中止スル途ハ一二支那側指導者ノ手中ニ在ル次第ニシテ日本ハ抗争ノ開始ヲ欲セザリシハ固ヨリ現在ニ於テモ最之ヲ嫌忌シツツアリ

尙我方ニ於テハ最近理事會全體ノ討議ニ代ヘ部分的構成ヲ有スル委員會ノ討議ヲ以テセントスル慣行ノ生レ來レルコトヲ遺憾トスルモノニシテ右慣行ハ聯盟規約ノ精神及文字ニ反スルモノナリ

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我方ニ於テハ今次關係理事ノ行動カ其ノ動機ニ於テ極メテ善良ナルモノアリ又其ノ事業ニハ多大ノ困難ヲ伴ヘルコトヲ認ムルニ吝カナラサルモ右ノ如キ異例カ頻繁ニ行ハルルコトハ聯盟ノ手續ニ合致セサルモノトシテ之ヲ承認シ難ク一般世上ニ於テハ斯カル討議ヲ理事會ノ行動ト混同センコトヲ底ル

何レニスルモ我方ニ於テハ十二國理事ノ希望ニ酬ユルヲ禮ト認メ別添聲明ヲ閣下ヨリ轉達セラレシコトヲ希望スルモノナルカ此等理事ノ人道ト平和トノ爲ニスル努力ハ之ヲ感謝ヲ以テ了承スルト共ニ日本トシテハ現下ノ抗爭終熄ヲ偏ヘニ希望スルモノナルコトヲ斷言ス

〔參考〕 國際聯盟十二國理事通牒

二月十六日國際聯盟十二國理事ヨリ帝國政府ニ寄セタル通牒(假譯)左ノ如シ

國際聯盟理事會議長ハ一月二十九日兩當事國ニ對シ其ノ同僚ノ名ニ於テ爲シタル要請中「國際關係ノ維持ハ獨リ相互ノ協力及尊重ニ依リテノミ保障セラレ得ヘク苟クモ恒久的性質ヲ有スル解決ハ決シテ軍事的ニセヨ又假令經濟的ニモセヨカノ使用ニ依リテハ獲得シ得ヘカラサルモノニシテ現在ノ情勢カ繼續スル限り益兩國國民間ノ不諒解ハ擴大シ其ノ結果ハ紛爭ノ解決ヲ一層困難ナラ

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シメ又重大ナル損害ヲ與フルトコロ單ニ直接關係アル兩當事國ニ對シテノミニ止ラサルヘキ旨述ヘタリ

今日日支兩國理事ヲ除ク各國理事ハ日本國政府ニ對シ現下ノ紛爭ニ於テ其ノ聯盟國タリ且常任理事國タルノ名カ日本ニ課スル特殊ノ責任ト節制ノ義務トヲ同政府ニ於テ認メラルル様緊急ナル要請ヲ爲スノ義務アリ

極東ニ於テ過去數ヶ月間ニ發展セル事態ハ兩當事國承諾ノ下ニ任命セラレタル調査委員會ニ依リ殘ル所ナク研究セラレヘシ然ルニ同委員會ノ組織後上海及同地方ニ於テ輿論ノ動搖ヲ増シタル諸事件發生シ今猶發生シツツアリ右等事件ハ多數國居留民ノ生命及利益ヲ危殆ナラシメ且世界カ其ノ通過シツツアル危機ニ際シ遭遇スル特別ノ困難ヲ更ニ大ナラシメタルモノナルカ右等事件ハ軍縮會議ニ對シ新ナル重大障害ヲ生スルノ虞アリ

十二國理事ハ日本カ主張セル苦情ヲ決シテ忘却セス十二國理事ハ國際社會ノ一員トシテ其ノ義務及責任ヲ常ニ細心ニ遵守シ來レル原聯盟國ノ當然有スヘキ一切ノ信頼ヲ過去數ヶ月間日本ニ對シ與ヘタリ然レトモ十二國理事ハ日本カ聯盟規約ニ約定セラレタル平和的解決方法ニ無留保ニ服スルコトヲ可能ナリト思考セラレサリシコトヲ遺憾トセサルヲ得ス十二國理事ハ國際紛爭ノ解決ハ

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決シテ平和的手段以外ニ依リ求メラルヘカラサル旨ノ巴里條約ノ嚴肅ナル約束ニ關シ日本ニ對シ
今一應注意ヲ喚起ス十二國理事ハ支那カ其ノ領土内ニ展開シアル鬭争ノ當初ヨリ對日紛議ヲ聯盟
ニ提出シ且平和的解決ヲ目的トスル聯盟側諸提案ヲ受諾スヘキ旨約セルコトヲ認メサルヘカラス
十二國理事ハ聯盟規約第十條ノ條文ニ依リハ聯盟國ハ聯盟各國ノ領土保全及現在ノ政治的獨立ヲ
尊重シ且之ヲ維持スヘキ旨約シ居ルコトヲ想起セント欲ス十二國理事ハ友誼上ヨリ右規定ニ關シ
注意ヲ喚起スルノ權利アリ十二國理事ノ意見ニ依リハ右規定ノ結果規約第十條ヲ無視シテ行ハレ
タル聯盟國領土ノ保全侵害及其ノ政治的獨立ノ毀損ハ決シテ聯盟國ニ依リ有效且實效的ト認メラ
レ得ス

日本ハ世界輿論ニ對シ其ノ對支關係ニ於テ其ノ態度ノ正當且穩便ナルコトヲ示スヘキ絶大ナル責
任ヲ有シ居レリ日本ハ既ニ一九二二年締約國カ明白ニ支那ノ主權、獨立並其ノ領土的及行政的保
全ヲ尊重スヘキ旨約セル九國條約ニ署名セルコトニ依リ上記責任ヲ最嚴肅ナル條文ニ依リ承認
セリ各國理事ハ日本ニ對シ其ノ崇高ナル名譽ノ觀念ニ訴ヘ其ノ特殊ノ地位並ニ世界各國カ平和ノ
組織及維持ニ參與セル一員トシテ同國ニ與ヘタル信任ニ伴ヒ其ノ負フヘキ義務ヲ認メントトヲ求

三一、國際聯盟支那調查委員豫備報告

(五月四日發表)

國際聯盟派遣ノ支那調查委員ハ昭和七年四月二十九日附ヲ以テ奉天ヨリ聯盟理事會ニ
左ノ報告(假譯)ヲ提出セリ

豫備報告

第一、

十二月十日ノ理事會決議第五項ニ遵據シ任命セララルタル調查委員會ハ四月二十一日奉天ニ到着シ
現ニ實地調査ニ從事シツツアリ委員會ハ極東到着以來日本及支那ノ一般的情況ニシテ委員會ノ任
務ニ關係ヲ有スルカ如キモノニ付調査ヲ爲シ來レリ委員會ハ東京、大阪、上海、南京、漢口、天
津、北平ヲ訪問シ兩國政府當局ト協議シ且利害關係ヲ有スル兩國多數ノ團體及各方面ノ代表者ト
モ會談ヲ遂ケタリ

北平ニ於テハ九月十九日以前ノ東北三省當局ノ代表者ニ會見シ奉天到着以來ハ日本總領事代理及
在滿日本軍司令官本莊將軍其他ト會談シタリ

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十二月十日ノ決議ニ關スル理事會議長ノ宣言ハ委員會カ現地到着後出來得ル限リ速ニ九月三十日ノ決議中ニ規定セラレ且十二月十日ノ決議中ニ反覆セラレ居ル一定ノ約束ヲ日支兩國政府カ履行シ又ハ履行セサルニ付關係ヲ有スルカ如キ現在ノ狀態ニ關シ豫備報告ヲ理事會ニ提出スヘキコトヲ命令シ居レリ右約束トハ

- (イ) 日本政府ハ「日本臣民ノ生命財産ノ安全カ有效ニ確保セラルルニ從ヒ日本軍隊ノ鐵道附屬地内撤收ヲ出來得ル限リ速ニ續行スル」コト
- (ロ) 支那政府ハ「日本軍隊ノ撤收カ續行セラレ且支那地方官憲及警察カ恢復セラルルニ應シ附屬地外日本臣民ノ生命財産ノ安全ニ對シ責任ヲ負フ」コト
- (ハ) 兩國政府ハ「一切ノ事件擴大又ハ事態惡化ヲ防止スル爲メ必要ナル一切ノ措置ヲ執ル」コト

之ナリ

委員會ハ未タ右等三點ニ關シ充分ナル情報ヲ提出シ得ヘキ地位ニ在ラス兩當事國ノ「一切ノ事件擴大又ハ事態惡化ノ防止」ノ約束ニ關スル考究ハ之ヲ後日ノ報告ニ留保セサルヲ得サルモ理事會ハ上記(イ)及(ロ)ニ言及セラレタル日本及支那ノ約束ニ關係アル如キ現在ノ狀態ニ付迅速ナル報

告ヲ待テツツアルニ願ミ茲ニ次ノ情報ヲ送付スルモノナリ
第二、滿洲ノ現狀

東北三省ノ軍事ノ現狀ニ關スル情報ハ日本陸軍當局ニ依リ供給セラレタリ右ハ五項ニ分レ前ノ三項ハ日本軍隊及之ト協力セル其他ノ部隊ニ關シ後ノ二項ハ之ニ對抗セル部隊ニ關スルモノナリ四ニ關スル情報ハ支那側ヨリモ入手セリ

右ニ採用セラレタル分類ニ依ルニ客年九月ノ理事會ノ豫想セサリシ一ノ新事態現ハレ居ルコト認メラルヘシ即チ今回ノ調査ノ題目タル事件ノ推移ニ當リ地方政權ノ改變アリ千九百三十一年十二月先ツ「治安維持委員會」カ日本側ノ援助ヲ以テ設立セラレタルカ是等委員會ハ其ノ後千九百三十二年三月九日「滿洲國政府」トシテ設立セラレタル政權ニ依リ代ラレタリ上記説明ハ日本陸軍當局ノ用フル「滿洲國軍」ナル語ヲ説明スル爲メ必要ナリ

一、日本軍

九月十八日現在南滿洲鐵道附屬地内日本軍隊數ハ一萬五百九十ト稱セラレ

十二月初現在數ハ南滿洲鐵道附屬地内四千同附屬地外八千九百計一萬二千九百ト稱セラレ

四月後半現在數ハ南滿洲鐵道附屬地内六千六百同附屬地外齊々哈爾、洮南遼源鐵道、奉天山

海關鐵道、哈爾濱以東東支鐵道及吉敦鐵道北段等客地方一萬五千八百計二萬二千四百ト稱セラ

二、「滿洲國軍」

日本陸軍當局カ「滿洲國軍」ト指稱スル軍隊ハ一部ハ九月十九日以前滿洲ニ駐屯シ其後改編セラレタル支那正規軍隊ヨリ一部ハ新ニ募集セラレタル兵士ヨリ成ル趣ナリ本部隊ハ日本陸軍當局ノ援助ヲ以テ創設セラレタルモノナリ退職又ハ現役ノ多數日本將校カ軍事顧問トシテ備聘セラレ居リ其ノ數ハ増加シツツアリ此等將校ノ或ル者トノ契約ハ一年ヲ期限トセリ日本參謀將校ハ長春ニ在ル「滿洲國政府軍政部」ノ顧問ニ任命セラレタリ

本軍隊ハ主トシテ奉天、長春、洮南、齊々哈爾濱、敦化及東支鐵道沿線ニ同東部線等ノ各地方ニ駐屯シ又行動シツツアリ東支東部線地方ニ於テハ現ニ「滿洲國政府」ノ權力ヲ承認セラル部隊ト對抗シ居レリ「滿洲國軍」ノ總數ハ三月末現在八萬五千ト稱セラレ

現實數ハ目下此等軍隊ニ關スル情報不確實ノ爲信憑シ難シ

三、地方警察部隊

本部隊ノ數ハ約十一萬九千ト稱セラレ内六萬ハ地方保衛團ナリ本警察部隊ハ大體ニ於テ九月

十九日以前存在セルモノノ繼續ナル趣ニテ其ノ改編ハ日本官憲ノ援助ヲ以テ行ハレツツアリ

四、日本軍隊及「滿洲國軍」ニ對抗セル部隊

委員會カ北平ニ於テ張學良元帥ヨリ聞ク所ニ依ルニ九月十八日現在關外ニ於ケル其ノ部隊ハ非戦闘員ヲ合メ奉天省六萬、吉林省八萬、黑龍江省五萬、計十九萬ニシテ此ノ内奉天省ノ分約五萬ハ其後關内ニ撤退シタル趣ナルヲ以テ關外ニ殘留スルモノ十四萬トナル筈ナリ

日本陸軍當局ハ現ニ關外ニ殘留スル軍隊ノ數ヲ十一萬トシ此ノ内六萬ハ「滿洲國軍」ニ參加シ三萬ハ吉林東北地方ニ殘留シ日本軍隊及「滿洲國軍」ニ對抗シツツアリ約二萬ハ所謂義勇軍ニ參加セルカ如シト述フ同當局ノ報スル狀況左ノ如シ

(イ)「滿洲國政府」ノ權力ヲ承認セラル舊支那軍所屬部分

(一) 哈爾濱東北ニ在ル部隊、推算兵力三萬(支那側ノ公式ニ述フル所ニ依ルニ李杜將軍ノ

指揮スル吉林自衛軍及丁超將軍ノ指揮スル東支護路軍ヨリ成ル趣)

(二) 奉天西北地方ニ在ル李海青將軍ノ指揮スル部隊推算兵力一萬

(三) 第九騎兵旅(熱河東北境駐屯)ノ殘存部隊、推算兵力三千

(ロ) 義勇軍

- (一) 奉天省西部主トシテ錦州南方ニ在ル所謂東北抗日義勇軍、推算兵力一萬五千乃至二萬五千
 - (二) 主トシテ奉天附近ニ行動スル吳家興指揮ノ所謂東北國民義勇軍、本部隊ハ日本軍隊ト數次交戦シタルカ其ノ現存兵力不明
 - (三) 熱河義勇軍、本隊ハ比較的訓練アル兵數約三千ノ部隊ニテ湯玉麟ノ指揮ニ屬シ騎兵(張學良ノ第一軍及第二軍)ノ殘存部隊ヲ含ミ熱河及奉天省境ニ於テ活動シ居ル旨報セラレ
 - (四) 若干ノ小規模ナル義勇軍、一部ハ山海關地方ニ於テ行動シ一部ハ敦化天寶山間ニ行動シ「滿洲國政府」ニ反抗セル正規部隊ト連絡アリ
 - 此等(一)乃至(四)ノ不正規部隊ノ總兵力ハ約四萬ト稱セラレ
 - 五、匪 賊
- 匪賊ハ本來政治的目的ノ爲組織セラレタルモノニ非サルカ混亂狀態ノ結果其ノ數増加セルモノノ如ク日本側報道ニ依ルニ滿洲一帶殊ニ東支鐵道以南ノ地ニ散在シ日本側推算ニテハ總數四萬ト稱セラレ右ニ加フルニ吉林市北方及東方ニ在ル約一萬二千ノ特殊匪賊部隊ハ上記四ノ

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(イ) (一)ニ掲ケタル哈爾濱東北ノ支那部隊ト協力シツアル趣ナリ
 上記各種部隊ノ間ニハ戰鬪頻發シ匪賊ノ襲撃、之ヲ鎮壓セントスル日本兵及「滿洲國」軍隊ノ企圖、新政體擁護及反對ノ各種部隊ノ間ノ戰鬪等行ハレ其ノ結果人命ノ損失、財産ノ破壊及一般的不安ノ念ヲ生シ居レリ

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委員會ハ此ノ際ハ故ラ上述セル事實及數字ニ付批判スルコトヲ差控フルモノナリ日本當局ハ現在ニテハ鐵道附屬地外ニ在ル「自國民ノ生命財産ノ安全」ヲ危險ニ陥ルルコトナクシテ撤兵スルコト不可能ナリト主張ス同當局ハ右撤兵ハ「滿洲國軍」ナル軍隊ノ改編ノ進捗ニ俟タサルヘカラスト思考スルモノノ如シ支那政府ハ目下滿洲ノ如何ナル地方ニ於テモ權力ヲ行使シ居ラス且最近ニ於ケル事態推移ニ徴シ同政府責任履行ノ實際問題ハ生セス滿洲全般ニ平和ト安全ヲ恢復シ相當程度ノ好感情ヲ招來シ得ヘキ可能且衡平ナル手段ニ付テハ委員會ハ其ノ最終報告ニ於テ之ヲ考究スヘシ

委員會ハ來週長春ヲ訪問シ引續キ其他滿洲各地ニ於ケル調査ヲ行フヘシ

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THE PRELIMINARY REPORT
OF THE
COMMISSION OF ENQUIRY OF THE LEAGUE OF NATIONS

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(despatched from Mukden to the Council of the League on April 29th, 1932)

I.

The Commission of Enquiry, appointed in conformity with Paragraph 5 of the Council Resolution of December 10th, arrived in Mukden on April 21st, and is now occupied with its investigations on the spot. Since its arrival in the Far East the Commission has investigated the general conditions prevailing in Japan and China in so far as these may affect its work. It visited Tokio, Osaka, Shanghai, Nanking, Hankow, Tientsin and Peiping, conferred with members of both Governments and interviewed representatives of many interested groups and classes in both countries. In Peiping it met representatives of the authorities who had been in charge of the Three North-Eastern Provinces prior to September 19th. Since arriving in Mukden the Commission has interviewed, amongst others, the Acting Consul-General of Japan and General Honjo, Commander-in-Chief of the Japanese forces in Manchuria.

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The declaration of the President of the Council with reference to the Resolution of December 10th, directed the Commission to submit to the Council as soon as possible after its arrival on the spot a Preliminary Report on the existing situation in so far as this affects the fulfilment or otherwise by the Governments of China and Japan of certain undertakings embodied in the Resolution of September 30th, and reiterated in the Resolution of December 10th. These undertakings are:

(a) that the Japanese Government "will continue as rapidly as possible the withdrawal of its troops into the Railway Zone in proportion as the safety of the lives and property of Japanese nationals is effectively assured."

(b) that the Chinese Government "will assume responsibility for the safety of the lives and property of Japanese nationals outside that zone as the withdrawal of the Japanese troops continues and the Chinese local authorities and police are re-established."

(c) that both Governments "will take all necessary steps to prevent any extension of the scope of the incident or any aggravation of the situation."

The Commission is not yet in a position to submit full information on these

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three points. It must reserve for a later report the consideration of the undertaking of both parties "to prevent any extension of the scope of the incident or any aggravations of the situation," but as the Council is awaiting an early report on the existing situation in so far as it bears on the undertakings of Japan and China referred to above under (a) and (b), the following information is now transmitted.

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II.

Actual situation in Manchuria.

Information regarding the military situation in the Three North-Eastern Provinces has been provided by the Japanese military authorities. It is given under 5 heads, the first three relating to the Japanese troops and other forces co-operating with them, the last two relating to forces opposed to them. Information with regard to 4) has also been obtained from a Chinese source.

It will be noted that in the classification adopted a new feature appears which was not contemplated by the Council in September last. In the course of the events which are the subject of the present enquiry the local administration was transformed. "Committees for the Preservation of Peace and Order" were first

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established with Japanese help in the last month of 1931. These were subsequently superseded by an authority which was established on March 9, 1932, as the "Manchoukuo Government". This explanation is necessary in order to account for the use of the expression "Manchoukuo Army" by the Japanese military authorities.

1) Japanese Regular Forces.

On September 18th the number of Japanese troops in the South Manchuria Railway Zone is stated to have been 10,590.

The numbers given for the first part of December are: 4,000 inside and 8,900 outside the South Manchuria Railway Zone, making a total of 12,900.

For the latter part of April the numbers are given as 6,600 inside and 15,800 outside the South Manchuria Railway Zone in the regions of Tsitsihar, the Taonan-Liaoyuan Railway, the Mulden-Shanhaiwan Railway, the Chinese Eastern Railway east of Harbin, and the northern section of the Kirin-Tunhua Railway, making a total of 22,400.

2) "Manchoukuo Army"

The troops designated by the Japanese military authorities as the "Manchoukuo Army" are said to have been formed partly of Chinese regular troops stationed in Manchuria before September 19th and subsequently reorganised, and partly of

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freshly recruited soldiers. This force has been created with the help of the Japanese military authorities. Many Japanese officers, either retired or still belonging to the Japanese Army, have been engaged as military advisers and their number is increasing. Contracts with some of these officers have been made for one year. A Japanese staff officer has been appointed adviser to the "Department of Defence of the Manchoukuo Government" at Changchun.

These troops are stationed or operating chiefly in the regions of Mukden, Changchun, Taonan, Tsitsihar, Tsinhua, and along the Chinese Eastern Railway, particularly on the eastern branch, where they are engaged against forces not recognizing the authority of the "Manchoukuo Government". The total number of the "Manchoukuo Army" is stated to have been 85,000 men at the end of March. The actual number is not reliable owing to the uncertainty of the information regarding these troops at the present time.

3) Local police force.

The number of this force is given as about 119,000 of whom 60,000 are local guards. This police force is stated to be in the main a continuation of that existing before September 19th. Its reorganization is taking place with the help of Japanese officials.

4) Forces opposed to the Japanese troops and the "Manchoukuo Army".

The Commission was informed in Peiping by Marshal Chang Hsiueh-liang that his forces outside the Great Wall on September 18, including the non-fighting element numbered 60,000 for Fengtien Province, 80,000 for Kirin Province, and 50,000 for Heilungkiang, making a total of 190,000, of which about 50,000 from Fengtien Province were subsequently withdrawn inside the Wall. This would leave 140,000 outside the Wall.

The Japanese military authorities give the number of troops now remaining outside the Wall as 110,000 of which they state that 60,000 joined the "Manchoukuo Army" 30,000 remained in the north-east of Kirin in opposition to the Japanese troops and to the "Manchoukuo Army" and about 20,000 may have joined the so-called Volunteer Corps. The situation is described by them as the following:

(a) Portions of the former Chinese Army not recognizing the authority of the "Manchoukuo Government";

(1) A force north-east of Harbin, estimated at 30,000 (stated officially by the Chinese to be composed of the Kirin Self-Defence Army under the command of General Li Tu and of the Chinese Eastern Railway guards under the command of General Ting Chiao);

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(2) A force under General Li Hai-cheng in the region north-west of Mukden, estimated at 10,000;

(3) Remnants of the 9th Cavalry Brigade (on the north-eastern frontier of Jehol), estimated at 3,000;

(b) Volunteers;

(1) The so-called North-Eastern Army of anti-Japanese volunteers in the western parts of Fengtien Province, mainly south of Chinchow, estimated at between 15,000 and 25,000 men.

(2) The so-called National Volunteer Army of the North-East, under the command of Wu Cha-hsin, mainly operating around Mukden. The present strength of this force, which has had several encounters with the Japanese troops, is unknown.

(3) The Volunteer Army of Jehol.

This comparatively well-disciplined body of some 3,000 men of under the command of Tang Yu-lin, which comprises remnants of the cavalry of Chang Hsueh-hang's 1st and 2nd Army, is reported to be active on the border of Jehol and Fengtien provinces;

(4) Several minor Volunteer Corps operating partly in the Shanhaikwan region,

partly between Tunhua and Tienpashan, where they are in touch with regular forces hostile to the "Manchoukuo Government".

The total strength of these irregular forces under Paragraphs (1) to (4) is said to be about 40,000 men.

(5) Bandits.

The bandits, who are not organized primarily for political purposes, appear to have increased in number, due to the disturbed conditions. They are reported by the Japanese to be scattered throughout Manchuria, especially in the part south of the Chinese Eastern Railway. The Japanese estimate their total number as 40,000. In addition to these, a special bandit force of 12,000 north and east of the town of Kirin is said to be co-operating with the Chinese forces north-east of Harbin mentioned under 4) (a) (1).

Armed conflicts between these various forces are frequent. There are bandit raids; attempts of the Japanese soldiers and of the "Manchoukuo" troops to suppress these; and fighting between the various military forces attempting to maintain the new regime and those opposed to it. The result is loss of life, destruction of property, and general sense of insecurity.

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III

The Commission purposely refrains from commenting at this stage on the facts and figures above recorded. The Japanese Authorities maintain that they can not at present withdraw their troops without endangering "the safety of the lives and property of their nationals" outside the railway zone. They appear to consider that this withdrawal must depend on the progress of the reorganisation of the troops described as the "Manchoukuo Army". The Chinese Government does not now exercise authority in any parts of Manchuria, and as events have developed recently the practical question of the fulfilment of its responsibility has not arisen. The possible and equitable measures which may restore peace and security and create a reasonable measure of goodwill throughout Manchuria will be considered by the Commission in its final report.

The Commission will visit Changchun next week, and will continue its investigation in other parts of Manchuria.

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三一、上海停戦協定

(五月五日發表)

第一條

(本協定ニハ標題ナキモ便宜上假ニ右標題ヲ附ス)

日本國及中國ノ當局ハ既ニ戰闘中止ヲ命令シタルニ依リ昭和七年五月五日ヨリ停戦ガ確定セララルコト合意セラル雙方ノ軍ハ其ノ統制ノ及フ限リ一切ノ且凡ユル形式ノ敵對行爲ヲ上海ノ周圍ニ於テ停止スヘシ停戦ニ關シ疑ヲ生スルトキハ右ニ關スル事態ハ參加友好國ノ代表者ニ依リ確メラルベシ

第二條

中國軍隊ハ本協定ニ依リ取扱ハルル地域ニ於ケル正常狀態ノ恢復後ニ於テ追テ取極アル迄其ノ現駐地點ニ止マルヘシ前記地點ハ本協定第一附屬書ニ掲記セララル

第三條

日本國軍隊ハ昭和七年一月二十八日ノ事件前ニ於ケルカ如ク共同租界及虹口方面ニ於ケル租界外

一七七

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REEL No. A-0207

擴張道路ニ撤收スヘシ尤モ收容セラレヘキ日本國軍隊ノ數ニ鑑ミ若干ハ前記地域ニ隣接セル地方ニ當分ノ間駐屯セシメラルヘキモノトス前記地方ハ本協定第二附屬書ニ掲記セラル

第四條

相互ノ撤收ヲ認證スル爲參加友好國ヲ代表スル委員ヲ含ム共同委員會ヲ設置スヘシ右委員會ハ又撤收日本國軍ヨリ交代中國警察ヘノ引繼ノ取運ニ協力スヘク右中國警察ハ日本國軍ノ撤收スルトキ直ニ引繼ヲ受クヘシ右委員會ノ構成及手續ハ本協定第三附屬書ノ定ムル通ナルヘシ

第五條

本協定ハ其ノ署名ノ日ヨリ實施セラレヘシ
本協定ハ日本語、中國語及英吉利語ヲ以テ作成セラル意義ニ關スル疑又ハ日本語、中國語及英吉利語ノ本文ノ間ニ意義ノ相違アルトキハ英吉利語ノ本文ニ據ルヘシ
昭和七年五月五日上海ニ於テ之ヲ作成ス

- 陸軍中將 植田謙吉(署名)
- 特命全權公使 重光 葵(署名)
- 海軍少將 嶋田繁太郎(署名)

- 陸軍少將 田代皖一郎(署名)
- 外交次長 郭泰祺(署名)
- 陸軍中將 戴 戟(署名)
- 陸軍中將 黃 強(署名)

同席者トシテ

昭和七年三月四日ノ國際聯盟總會決議ニ從ヒ商議ニ助カスル友好國代表者
中國駐劄英國公使「サー、マイルズ、ウラダーバイン、ランブスン」
中國駐劄米國公使「ネルスン、トルンスラー、ジョンソン」
中國駐劄佛國公使「アンソリー、オーギュスト、ウイリダン」
中國駐劄伊國代理公使伯爵「ジェー、チアノ、デイ、コルテラツォー」

第二附屬書

本協定第二條ニ定ムル中國軍隊ノ地點左ノ如シ
附屬縮尺十五萬分ノ一郵政地圖上海地方參照

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安亭鎮ノ正南方蘇州河上ノ一點ヨリ北方安亭鎮ノ直ク東方ノ「クリーク」ノ西岸ニ沿ヒ望仙橋ニ至リ、次テ北方ニ「クリーク」ヲ越エ沙頭ノ東方四キロメートルノ一點ニ至リ、次テ西北方揚子江上ノ許浦口ニ至リ且之ヲ合ム

右ニ關シ疑ヲ生スルトキハ問題ノ地點ハ共同委員會ノ請求ニ依リ共同委員會ノ委員タル參加友好國ノ代表者ニ依リ確メラルヘシ

第二附屬書

本協定第三條ニ定ムル地方左ノ如シ

前記地方ハ甲、乙、丙及丁ト標記セル附屬地圖ニ區別セラル右ハ第一、第二、第三及第四地域トシテ引用ス

第一地域ハ「甲」地圖ニ示サル(一)本地域ハ吳淞鎮ヲ除外スルコト(二)日本國側ハ淞滬鐵道又ハ其ノ工場ノ運用ニ干渉セラルヘキコト合意セラル

第二地域ハ「乙」地圖ニ示サル國際競馬場ノ北東方約一哩ニ當ル中國人墓地ハ日本國軍隊ニ依リ使用セラルヘキ地域ヨリ除外セラルコト合意セラル

第三地域ハ「丙」地圖ニ示サル本地域ハ曹家寨及三友織布工場ヲ除外スルコト合意セラル

第四地域ハ「丁」地圖ニ示サル使用セラルヘキ地域ハ日本人墓地及之ニ至ル東方ノ通路ヲ含ムコト合意セラル

右ニ關シ疑ヲ生スルトキハ問題ノ地方ハ共同委員會ノ請求ニ依リ共同委員會ノ委員タル參加友好國ノ代表者ニ依リ確メラルヘシ

右ニ示サル地方ヘノ日本國軍隊ノ撤收ハ本協定ノ實施ヨリ一週間以内ニ開始セラルヘク且撤收開始ヨリ四週間内ニ完了セラルヘシ

第四條ニ依リ設置セラルヘキ共同委員會ハ撤收ノ際引揚ケ得サル患者又ハ傷病動物ノ看護及其ノ後ノ引揚ニ付必要ナル措置ヲ講スヘシ右患者又ハ傷病動物ハ必要ナル衛生人員ト共ニ之ヲ其ノ現在地點ニ殘置スルコトヲ得中國當局ハ右ニ對シ保護ヲ與フヘシ

(地圖略)

第三附屬書

共同委員會ハ十二名ノ委員即チ日本國及中國ノ政府並ニ三月四日ノ國際聯盟總會決議ニ從ヒ商議ニ助力スル友好國ノ代表者タル米國、英國、佛國及伊國ノ中國駐劄外交代表者ノ各ノ代表者タル文官及武官各一名ヲ以テ構成セラルヘシ共同委員會ノ委員ハ其ノ隨時必要ト認ムル數ノ補助員ヲ委員會ノ決定ニ從ヒ使用スヘシ手續ニ關スル一切ノ事項ハ委員會ノ裁量ニ委ネラルヘク、委員會

ノ決定ハ多数決ニ依リテ爲サルヘク、議長ハ決定投票權ヲ有スヘシ議長ハ委員會ニ依リ參加友好
國ヲ代表スル委員中ヨリ選出セラルヘシ
委員會ハ其ノ決定ニ從ヒ其ノ最良ト認ムル方法ニ依リ本協定第一條、第二條及第三條ノ實行ヲ看
守スヘク且前記三條ノ何レカノ規定ノ實行ノ懈怠ニ對シ注意ヲ喚起スルノ權限ヲ有ス

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AGREEMENT FOR THE CESSATION OF HOSTILITIES
AROUND SHANGHAI

ARTICLE I.

The Japanese and Chinese authorities having already ordered to cease fire, it is agreed that the cessation of hostilities is rendered definite as from May 5th, 1932.

The forces of the two sides will so far as lies in their control cease around Shanghai all and every form of hostile act. In the event of doubts arising in regard to the cessation of hostilities, the situation in this respect will be ascertained by the representatives of the participating friendly Powers.

ARTICLE II.

The Chinese troops will remain in their present positions pending later arrange-

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ments upon the re-establishment of normal conditions in the areas dealt with by this Agreement. The aforesaid positions are indicated in Annex I to this Agreement.

ARTICLE III.

The Japanese troops will withdraw to the International Settlement and the extra-Settlement roads in the Hongkew district as before the incident of January 28th, 1932. It is, however, understood that, in view of the numbers of Japanese troops to be accommodated, some will have to be temporarily stationed in localities adjacent to the above mentioned areas. The aforesaid localities are indicated in Annex II to this Agreement.

ARTICLE IV.

A Joint Commission, including members representing the participating friendly Powers, will be established to certify the mutual withdrawal. This Commission will also collaborate in arranging for the transfer from the evacuating Japanese forces to the incoming Chinese police, who will take over as soon as the Japanese forces withdraw. The constitution and procedure of this Commission will be as defined in Annex III to this Agreement.

ARTICLE V.

The present Agreement shall come into force on the day of signature thereof.

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The present Agreement is made in the Japanese and Chinese and English languages. In the event of there being any doubts as to the meaning or any differences of meaning between the Japanese and Chinese and English texts, the English text shall be authoritative.

Done at Shanghai, this fifth day of May, nineteen hundred and thirty two.

(Signed) K. Uyeda,

Lieutenant-General.

(Signed) M. Shigemitsu,

Envoy Extraordinary and Minister Plenipotentiary.

(Signed) S. Shimada,

Rear-Admiral.

(Signed) K. Tashiro,

Major-General.

(Signed) Quo Tai-chi,

Vice Minister for Foreign Affairs.

(Signed) 藏 穉

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Lieutenant-General.

(Signed) 黃 強

Lieutenant-General.

In the presence of:

(Signed) Miles W. Lampson,

H.B.M. Minister in China.

(Signed) Nelson Trustler Johnson,

American Minister in China.

(Signed) Wilder,

Ministre de France en Chine.

(Signed) Galeazzo Ciano,

Chargé d'Affaires for Italy in China.

Representatives of the friendly Powers assisting in the negotiations in accordance with the Resolution of the Assembly of the League of Nations of March 4th, 1932.

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ANNEX I

The following are the positions of the Chinese troops as provided in Article II of this Agreement.

Reference the attached Postal Map of the Shanghai District scale 1/150,000.

From a point on the Soochow creek due south of Anling village north along the west bank of a creek immediately east of Anling village to Wang-hsien-ch'iao, thence north across a creek to a point four kilometres east of Shatow, and thence north-west up to and including Hu-pei-k'ou on the Yangtze River.

In the event of doubts arising in regard thereto, the positions in question will, upon the request of the Joint Commission, be ascertained by the representatives of the participating friendly Powers, members of the Joint Commission.

ANNEX II

The following are the localities as provided in Article III of this Agreement.

The aforesaid localities are outlined on the attached maps marked A, B, C, and D. They are referred to as areas 1, 2, 3 and 4.

Areas 1 is shown on Map "A". It is agreed (i) that this area excludes Woosung Village; (ii) that the Japanese will not interfere with the operation of

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the Shanghai-Woosung Railway or its workshops.

Areas 2 is shown on Map "B". It is agreed that the Chinese cemetery about one mile more or less to the Northeast of the International race track is excluded from the area to be used by the Japanese troops.

Area 3 is shown on Map "C". It is agreed that this area excludes the Chinese village Ts'ao Chia Chai and the Sanyu Cloth Factory.

Area 4 is shown on Map "D". It is agreed that the area to be used includes the Japanese cemetery and eastward approaches thereto.

In the event of doubts arising in regard thereto, the localities in question will, upon the request of the Joint Commission, be ascertained by the representatives of the participating friendly Powers, members of the Joint Commission.

The withdrawal of the Japanese troops to the localities indicated above will be commenced within one week of the coming into force of the Agreement and will be completed in four weeks from the commencement of the withdrawal.

The Joint Commission to be established under Article IV will make any necessary arrangements for the care and subsequent evacuation of any invalids or injured animals that cannot be withdrawn at the time of the evacuation. These may be detained at their positions together with the necessary medical personnel. The

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Chinese authorities will give protection to the above.

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ANNEX III.

The Joint Commission will be composed of 12 members, namely one civilian and one military representative of each of the following: the Japanese and Chinese Governments, and the American, British, French and Italian Heads of Mission in China, being the representatives of the friendly Powers assisting in the negotiations in accordance with the Resolution of the Assembly of the League of Nations of March 4th. The members of the Joint Commission will employ such numbers of assistants as they may from time to time find necessary in accordance with the decisions of the Commission. All matters of procedure will be left to the discretion of the Commission, whose decisions will be taken by majority vote, the Chairman having a casting vote. The Chairman will be elected by the Commission from amongst the members representing the participating friendly Powers.

The Commission will in accordance with its decisions watch in such manner as it deems best the carrying out of Articles 1, 2 and 3 of this Agreement, and is authorised to call attention to any neglect in the carrying out of the provisions of any of the three Articles mentioned above.

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三三、日滿議定書

(九月十五日發表)

議定書

〔日本文〕
日本國ハ滿洲國カ其ノ住民ノ意思ニ基キテ自由ニ成立シ獨立ノ一國家ヲ成スニ至リタル事實ヲ確認シタルニ因リ

滿洲國ハ中華民國ノ有スル國際約定ハ滿洲國ニ適用シ得ヘキ限リ之ヲ尊重スヘキコトヲ宣言セルニ因リ

日本國政府及滿洲國政府ハ日滿兩國間ノ善隣ノ關係ヲ永遠ニ鞏固ニシ互ニ其ノ領土權ヲ尊重シ東洋ノ平和ヲ確保センカ爲左ノ如ク協定セリ

- 一 滿洲國ハ將來日滿兩國間ニ別段ノ約定ヲ締結セサル限り滿洲國領域内ニ於テ日本國又ハ日本國臣民カ從來ノ日支間ノ條約、協定其ノ他ノ取極及公私ノ契約ニ依リ有スル一切ノ權利利益ヲ確認尊重スヘシ
- 二 日本國及滿洲國ハ締約國ノ一方ノ領土及治安ニ對スル一切ノ脅威ハ同時ニ締約國ノ他方ノ安

一八九

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一九〇
寧及存立ニ對スル脅威タルノ事實ヲ確認シ兩國共同シテ國家ノ防衛ニ當ルヘキコトヲ約ス之カ
爲所要ノ日本國軍ハ滿洲國內ニ駐屯スルモノトス

本議定書ハ署名ノ日ヨリ効力ヲ生スヘシ

本議定書ハ日本文及漢文ヲ以テ各二通ヲ作成ス日本文本文ト漢文本文トノ間ニ解釋ヲ異ニスルト
キハ日本文本文ニ據ルモノトス

右證據トシテ下名ハ各本國政府ヨリ正當ノ委任ヲ受ケ本議定書ニ署名調印セリ
昭和七年九月十五日即チ大同元年九月十五日新京ニ於テ之ヲ作成ス

日本帝國特命全權大使 武 藤 信 義 團
滿洲國國務總理 鄭 孝 符 團

〔漢文〕

因日本國確認滿洲國根據其住民之意思自由成立而成一獨立國家之事實

因滿洲國宣言中華民國所有之國際約款其應得適用於滿洲國者爲限即應尊重之

滿洲國政府及日本國政府爲永遠鞏固滿日兩國間善隣之關係互相尊重其領土權且確保東亞之和平起
見爲協定如左

一 滿洲國將來滿日兩國間未另訂約款之前在滿洲國領域內日本國或日本國臣民依據既存之日中兩

方間之條約協定其他約款及公私契約所有之一切權利利益即應確認尊重之

二 滿洲國及日本國確認對於締約國一方之領土及治安之一切脅威同時亦爲對於締約國地方之安寧
及存立之脅威相約兩國協同當防衛國家之任爲此所要之日本國軍駐紮於滿洲國內

本議定書自簽訂之日起即生效力

本議定書繕成漢文日本文各二份漢文原文與日本文原文之間如遇解釋不同之處應以日本文原文爲準
爲此記名兩員各奉本國政府之正當委任將本議定書簽字蓋印以昭信守

大同元年九月十五日
昭和七年九月十五日 訂於新京

滿洲國國務總理 鄭 孝 符 團
日本帝國特命全權大使 武 藤 信 義 團

PROTOCOL (Translation)

Whereas Japan has recognized the fact that Manchoukuo, in accordance with
the free will of its inhabitants, has organized and established itself as an independ-
ent State; and

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Whereas Manchoukuo has declared its intention of abiding by all international engagements entered into by China in so far as they are applicable to Manchoukuo;

Now the Governments of Japan and Manchoukuo have, for the purpose of establishing a perpetual relationship of good neighbourhood between Japan and Manchoukuo, each respecting the territorial rights of the other, and also in order to secure the peace of the Far East, agreed as follows:—

1. Manchoukuo shall confirm and respect, in so far as no agreement to the contrary shall be made between Japan and Manchoukuo in the future, all rights and interests possessed by Japan or her subjects within the territory of Manchoukuo by virtue of Sino-Japanese treaties, agreements or other arrangements or of Sino-Japanese contracts, private as well as public;

2. Japan and Manchoukuo, recognizing that any threat to the territory or to the peace and order of either of the High Contracting Parties constitutes at the same time a threat to the safety and existence of the other, agree to co-operate in the maintenance of their national security; it being understood that such Japanese forces as may be necessary for this purpose shall be stationed in Manchoukuo.

The present Protocol shall come into effect from the date of its signature.
The present Protocol has been drawn up in Japanese and Chinese, two identical

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copies being made in each language. Should any difference arise in regard to interpretation between the Japanese and the Chinese texts, the Japanese text shall prevail.

In witness whereof the undersigned, duly authorized by their respective Governments, have signed the present Protocol and have affixed their seals thereto.

Done at Hsinking, this fifteenth day of the Ninth month of the Seventh year of Showa, corresponding to the fifteenth day of the Ninth month of the First year of Ta-tung.

(L.S.) Nobuyoshi Muto,
Ambassador Extraordinary and Plenipotentiary of His Majesty the Emperor of Japan.
(L.S.) Cheng Hsiang-shan,
Prime Minister of Manchoukuo.

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